OLD DOMINION UNIVERSITY

TO: Board of Visitors Governance Committee Members

Jerri F. Dickseski, Chair
Kay A. Kemper, Vice Chair
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E.G. Middleton, III

FROM: Ashley Schumaker
Chief of Staff and Vice President for Strategic Operations

DATE: September 5, 2023

SUBJECT: September 14, 2023, Meeting Agenda

The Board of Visitors Governance Committee will meet on Thursday, September 14, 2023, from 4:45-5:15 PM in the Board Room of the Kate and John R. Broderick Dining Commons.

The agenda and supporting materials are enclosed.

AGENDA

I. Call to Order

II. Approval of Minutes of June 15, 2023, Governance Committee Meeting

III. Proposed Policy Revisions (Action Item)

A. 1411 – Tenure
B. 1412 – Promotion in Rank
C. 1490 – Administrative and Professional Faculty

IV. Next Steps

A. Remaining Policies with 2023 Review Date

- 1420 – Faculty Salary Increments

B. Policies Due for Review in 2024

- 1106 – Public Comment on Undergraduate Tuition and Mandatory Fee Increases

NUMBER: 1411

TITLE: Tenure

APPROVED: June 12, 1980; Revised February 24, 1984; Revised November 19, 1987; Revised December 13, 1988; Revised September 27, 1990; Revised April 9, 1998; Revised December 10, 1998; Revised April 12, 2002; Revised April 11, 2003; Revised June 14, 2005; Revised September 9, 2005; Revised September 22, 2006; Revised June 15, 2007; Revised December 7, 2007; Revised September 17, 2009; Revised April 8, 2010; Revised April 4, 2012 (eff. 5/1/12); Revised June 14, 2012; Revised September 26, 2013; Revised April 24, 2014 (eff. 7/1/14); Revised September 18, 2014; Revised April 23, 2015 (eff. 6/1/15); Revised June 9, 2016 (eff. 7/1/16); Revised June 14, 2018 (eff. 7/1/18); Revised June 13, 2019 (eff. 7/1/19); Revised June 18, 2020 (eff. 7/1/20); Revised June 17, 2021 (eff. 7/1/21)

SCHEDULED REVIEW DATE: June 2026

I. Purpose of Tenure

The main purposes of tenure are to protect academic freedom and to enable the University to attract and retain a permanent faculty of distinction in order to accomplish its mission. For these reasons, tenure is usually awarded only after a suitable probationary period, and the decision to award tenure is based both on the merit of the individual faculty member and on the long-term needs and mission of the department, the college, and the University.

II. Eligibility for Tenure

A. Only faculty members who hold the ranks of assistant professor, associate professor, or full professor are eligible to be considered for tenure. Assistant professors will be awarded tenure only if they are simultaneously being promoted to the rank of associate professor.

B. Faculty members may be considered for tenure only once.

C. Under certain circumstances administrative faculty holding rank in a department at the assistant professor (if promotion to the rank of associate professor is being simultaneously considered), associate professor, or full professor level may be considered for tenure, as specified by the Board of Visitors policy concerning administrative faculty.

D. Since tenure is granted as a faculty member in an academic department or program, the award of tenure does not imply continuance in any full-time or part-time administrative position, nor does it imply continuance of any specific work assignment within or outside the department in which tenure is granted.

III. Probationary Period

A. The probationary period begins with the initial full-time, tenure-track appointment at Old Dominion University at the rank of instructor, assistant professor, associate professor, or full professor; only time spent in a tenure-track position at one of these ranks is counted as part of the probationary period.

Subject to agreement by the University and the faculty member, any academic year in which a faculty member was on a full-time tenure-track appointment in one of these ranks for at least one semester, may be counted as one year of the probationary period.

B. The following do not count as part of the probationary period:

1. Time in the rank of assistant instructor, lecturer, master or senior lecturer, faculty of practice, clinical faculty, artist-in-residence, performer-in-residence, writer-in-residence, research professor, research associate professor, research assistant professor, research associate, or any part-time position.

2. Time in appointment as an administrator, that is, in a position designated as a teaching/research administrative position or as a classified position in the state personnel system. (Time spent in a teaching and research faculty position as defined in the state personnel system will count as part of the probationary period, even if administrative responsibilities are assigned as part of that position; normally, departmental administrative positions such as chair or assistant chair will thus count as part of the probationary period.)

3. Time in a position that involves no teaching of credit courses, for example as a teacher of children or a therapist in the Children's Learning and Research Center or as a teacher of exclusively noncredit course work.

4. Time spent on leave of absence.

5. Time spent on faculty exchanges (including nationally competitive fellowships) if the faculty member so chooses.

C. A period of time, not to exceed one year, may be excluded from the probationary period, upon the approval of the provost and vice president for academic affairs subject to the following conditions.

1. That the faculty member submits a request in writing to the department chair. The department chair and the dean shall forward the request with a recommendation to the provost and vice president for academic affairs.

2. The request must be the result of the occurrence of a serious event. A "serious event" is defined as a life-altering situation which requires the faculty member to devote a significant fraction of each day to alleviate the impact of the event for a period greater than six weeks and less than one year. These events may include the birth of a child, adoption of a child under the age of six years, serious personal illness or care of an immediate family member, such as a parent, stepparent, child, spouse, or domestic partner.

3. The faculty member shall provide documentation to justify the time requested and the seriousness of the event.

4. The request shall be made no later than one year from the first day of the serious event.

5. The faculty member must have been adequately performing the duties assigned prior to the first day of the serious event.

6. Faculty who are awarded this exclusion shall have no requirements or expectations beyond those of any probationary faculty member.

7. Work accomplished during the excluded period may be cited in the tenure case.

8. Requests for exclusion may be made at any time during each academic year. No request shall be made after the application for tenure has been submitted.

9. Decisions will be made within 60 days of the receipt of the faculty member's request by the department chair.

10. The decision of the provost and vice president for academic affairs is final.

D. The maximum total period for full-time probationary appointments (excluding periods not counted, see section III.B.) is six years, unless an approved extension is granted (see section III.C.). If the tenure decision is negative, a one-year terminal appointment is offered.

E. The length of the probationary period may be reduced in any of the following instances:

1. A faculty member initially appointed to the rank of full professor may be considered for tenure in the second year of service and would be notified of a tenure decision according to the schedule in the Teaching and Research Faculty Handbook; if tenure is awarded, a tenure contract will be offered for a third year of service. In addition, the probationary period for a full professor may be eliminated, and an initial tenure appointment may be recommended to the Board if such an appointment has been requested by the chair, voted on by the departmental tenure committee, the college promotion and tenure committee, the University Promotion and Tenure Committee and approved in writing by the dean, the provost and vice president for academic affairs, and the president. It is the sense of the Board of Visitors that the procedure of eliminating the probationary period for tenure should be rarely used. (Please refer to the policy on Initial Appointment of Teaching and Research Faculty for additional information on an initial appointment with tenure.)

2. A faculty member initially appointed to the rank of associate professor may be considered for tenure in the fourth year of service and would be notified of a tenure decision according to the schedule in the Teaching and Research Faculty Handbook. If tenure is approved, a tenure contract will be offered for the fifth year. In addition, the probationary period for an associate professor may be eliminated, and an initial tenure appointment may be recommended to the board if such an appointment has been requested by the chair, voted on by the departmental tenure

committee, the college promotion and tenure committee, the University Promotion and Tenure Committee and approved in writing by the dean, the provost and vice president for academic affairs, and the president. It is the sense of the Board of Visitors that the procedure of eliminating the probationary period for tenure should be rarely used.

3. A faculty member may apply for early consideration for tenure, if the faculty member believes that he or she has met or exceeded the expectations of quantity and quality of achievements for teaching, scholarship, research, and service needed to quality for tenure before the end of the normal probationary time period. The criteria for the award of tenure for such faculty will be the same as those who apply after the normal probationary time period, i.e., the total body of work must be equivalent to that expected after a normal probationary period. A faculty member who applies for early consideration for tenure and is denied tenure will be offered a terminal contract for the ensuring year. It is the sense of the Board of Visitors that only demonstrably exceptional faculty or faculty with equivalent experience at a commensurate rank at another accredited institution of higher education or national institutions will be awarded tenure under this clause. Demonstrably exceptional is defined as meeting or exceeding expectations for quantity and quality of achievements for teaching, scholarship, research, and service needed to qualify for tenure prior to the conclusion of the normal probationary period. Any faculty member considering an application for early consideration for tenure should first elicit feedback on this plan from the department chair, the dean, the provost and vice president for academic affairs, and the chair of the departmental Tenure Committee, in particular, in a case where no pre-tenure review has occurred yet.

4. A faculty member who applies for tenure before the end of the standard probationary period cannot withdraw from the tenure process after the provost and vice president for academic affairs has approved the final list of external reviewers (Section V.C.2.).

IV. Criteria for the Award of Tenure

A. The following criteria are used in the evaluation of every candidate for tenure. Each faculty committee and administrator considering a tenure case must specifically address each of these criteria as they apply to that case in the written recommendations that are submitted up the line to the provost and vice president for academic affairs. Committee votes must be recorded in the recommendations. In cases in which a vote is not unanimous, reasons for negative votes must be included.

B. Criteria to be used are as follows:

1. Since tenure may be awarded only to faculty members who hold the rank of associate or full professor or who are being simultaneously appointed to one of those ranks, any faculty member awarded tenure must meet the minimum requirements for the rank of associate professor.

2. Merit - Merit of the faculty member in teaching, research and service over the entire probationary period and the contributions made by the faculty member in these areas to the University. Scholarly and teaching activity up to six years before the

tenure decision should be considered, which can include activity at another accredited institution of higher education or national research institutions. (For definition of teaching, research, and service and a discussion of methods of evaluation, see policies and procedures concerning evaluation of faculty members, evaluation of teaching, evaluation of scholarly activity and research, and evaluation of service.) In addition to information supplied by faculty information sheets, the chair's evaluation and other material presented by the department, an opportunity shall be made available for the faculty member to provide in writing any other material in support of the tenure candidacy. It is the responsibility of the department chair and the departmental promotion and tenure committee to provide an assessment of the quality of the publications for the faculty being considered for tenure. It is the responsibility of the faculty member to ensure that all information submitted by him or her in support of tenure is factually accurate and valid, and to provide corroborating evidence (e.g., web links, complete citations, grant numbers, etc.) for all claimed accomplishments. The evidence should address the quality of the journals and the reputation of book and other such publishers. Fraudulent or non-valid claims can lead to faculty sanctions, including denial of tenure. The department chair should work with tenure candidates to ensure the completeness and accuracy of their portfolios. The department chair and the department promotion and tenure committee as a part of the regular review process should verify the accuracy of portfolio elements that are central to the tenure case. Should concerns be raised about the validity of a candidates' claims by external or internal reviewers, it is the chair's responsibility to verify those claims. The tenure process will be paused while the chair verifies those claims. In case of material developments, additional documentation may be added to the portfolio before the conclusion of the evaluation process with the concurrence of the department chair and dean.

External evaluation of the quality of the faculty member's research performance will be required from nationally recognized experts in the faculty member's field. Candidates for tenure are responsible for the preparation of the research portfolio and curriculum vitae to be sent to external reviewers. Candidates for tenure should provide a statement of potential external and/or internal reviewers with whom there is a conflict of interest, e.g., co-authors, co-investigators, etc.

a. A curriculum vita will be required of each external reviewer. Each reviewer will be asked to describe any personal or professional relationship with the candidate. It is the responsibility of the chair to include a curriculum vitae of each reviewer. For tenure of department chairs, the responsibility belongs to the dean.

b. External reviewers will be asked to evaluate all submitted material mailed to them based on the department's approved criteria for the evaluation of scholarly activity and research. In the case of the arts, reviewers may be asked to consider works of art or performances. External reviewers will be asked to evaluate: a) the quality of the scholarship or creative work under review; and b) the scholarly reputation (regional, national, international) of the candidate.

c. All candidates for tenure and promotion will be required to have their scholarship evaluated by no fewer than four external reviewers. If fewer than

four reviews are received, the chair will choose additional reviewers alternately from the lists of the department promotion and tenure committee and of the candidates.

3. The determined long-term needs of the department, college, and University, including at least the following:

    a. The long-term enrollment of the department.

    b. The need for an additional specialist in the faculty member's area of specialization as a permanent member of the department in terms of the mission of the department, the college, and the university.

    c. The tenure structure of the department. (Although no maximum percentage of faculty members on tenure is established, all committees and administrators considering tenure must take into account the need for flexibility in course offerings and the desirability of a tenure structure that will allow openings for new tenured faculty members in the ensuing decades so that new areas of specialization and new needs can be met. The position of other nontenured faculty members in the department, anticipated retirements, or other known departures, and projected new programs or changes in directions must be considered.)

4. No person can be awarded tenure unless convincing evidence is provided of effective teaching.

5. No faculty member can be awarded tenure unless convincing evidence is provided of successful performance in scholarly activity and research, as judged by the department's approved criteria for the evaluation of scholarly activity and research. It is the faculty member's responsibility to include these criteria in the research portfolio submitted to external reviewers and in the data file submitted internally. If these criteria changed during the faculty member's probationary period, he or she can choose which version to submit. All evaluations of the faculty member's research and scholarly activity, at every stage of the tenure process, should be guided by these criteria.

V. Procedures for Tenure Consideration

A. The provost and vice president for academic affairs, fifteen months prior to the date for giving notification of the tenure decision, shall formally advise the professor that the limit of the probationary period is approaching, and explain what procedures should be followed by those wishing to be considered for tenure.

B. The initial steps of the review process are normally conducted by the chair of the department or unit with which the candidate for tenure is affiliated, assuming the chair has tenure. If the chair is not tenured, he or she may not be involved in any aspect of the tenure decision. In that case, the dean of the college housing the department should appoint a tenured member of the department in question to act in the chair's stead. This faculty member shall not take part in any deliberations or votes of the departmental, college or University tenure committee. If the candidate for tenure is the chair of a

department, the dean shall conduct the initial steps of the review process but will not write a separate recommendation at the departmental level.

C. External review process

1. The responsibility for initiating the external review, securing the reviewers, and forwarding complete review files to the dean, provost and vice president for academic affairs, and the University Promotion and Tenure Committee belongs to the department chair or his/her replacement if the chair is not tenured (see section V.B.).

2. External reviewers with academic positions will hold the same rank or higher than the promotion rank for which the faculty member is being considered; exceptions should be justified by the dean. The department tenure and promotion committee and the candidate will prepare separate lists of potential reviewers. The candidate will review both lists and will document personal and professional relationships with all potential reviewers, including potential conflicts of interest. This documentation will become part of the tenure file. The chair (or replacement, see section V.B.) will select three reviewers from the candidate's list and three reviewers from the department tenure and promotion committee's list; the chair (or replacement, see section V.B.) will provide this list of reviewers to the dean. The dean will submit an agreed upon list to the provost and vice president for academic affairs for final approval prior to initiating the review process. The final list of external reviewers, together with the documentation of personal and professional relationships by the candidate (as outlined above), should be included as part of the application package for all internal reviewers. External reviewers should not be close collaborators or (former) mentors of the candidate. In general, co-authors on publications should be excluded as external reviewers, except as permissible under the departmental statement on evaluation of research (see the Policy on the Evaluation of Scholarly Activity and Research). The selection of potential external reviewers must be completed before the end of the semester prior to the submission of credentials for tenure.

3. External reviews will be confidential; reviewers will be so advised. Requests for exception to the confidentiality of external reviews should be made directly to the provost and vice president for academic affairs before the reviewers are asked to submit evaluations. If an exception is approved, candidates for tenure will be allowed access to the substance of external reviews, but the authorship of specific external reviews and other identifying information contained therein will remain confidential. All external reviewers will receive a standard letter sent by the chair (or replacement, see section V.B.) but prepared by the provost and vice president for academic affairs in consultation with the deans and a copy of the policy on external reviews so their responsibilities will be clear.

4. The University and college administration will assist departments where reasonable expenses are necessary to obtain appropriate external reviews.

D. Initial consideration of tenure cases is conducted by the tenured faculty of the department.

1. The tenured faculty of a department may determine that a tenure committee of a specified size will be selected from their membership to conduct the tenure deliberations and make recommendations to the chair (or replacement, see section V.B.). In this case, the entire full-time department faculty will elect the committee. It is the responsibility of this committee to determine the opinions of tenured members of the department not serving on the committee.

2. In departments where fewer than three members are tenured, the dean, in consultation with the chair (or replacement, see section V.B.), will appoint enough additional tenured faculty members to form a committee of at least three members.

3. Candidates for tenure should provide a statement of potential external and/or internal reviewers with whom there is a conflict of interest, e.g., co-authors, co-investigators, etc.

4. The tenured faculty of the department, or the members of the tenure committee, elect a chair of the committee among their members. It is the responsibility of that chair to direct the committee members to consider and apply the relevant sections in the Teaching and Research Faculty Handbook and the departmental statement on research evaluation in their comments and votes.

5. No dean, full- or part-time associate dean or assistant dean, or other full-time administrator or department chair (or replacement, see section V.B.) shall attend or participate in the deliberation of the departmental, college, University Promotion and Tenure Committee, or the tenured faculty of the department serving as a group to consider tenure, except in those cases when such committees or groups may, at their discretion, request administrators or chairs to answer specific questions concerning tenure cases. The deliberations of all three committees are confidential and must not be shared with anyone outside of the committee.

6. The college committee shall consist of one tenured faculty member from each department in the college. All members of college promotion and tenure committees shall be elected directly by the faculties they represent for a one-year term renewable twice for a total of three years. This member shall be chosen by majority vote of all full-time, tenure-track teaching and research faculty members of the department, present and voting, by secret ballot before April 15 of each year for the ensuing year. Every reasonable effort should be made to ensure that there are at least three full professors on the college committee. No person shall serve on a college promotion and tenure committee for more than three years consecutively but is eligible for reelection after an absence of at least one year. The representative from a tenure candidate's department will participate in deliberations in the candidate's case but will not cast a vote.

7. The University Promotion and Tenure Committee shall consist of one tenured full professor from each of the major degree-granting academic colleges. This member shall be elected by his/her college's promotion and tenure committee(s) by September 15. The University Promotion and Tenure Committee shall elect one of its members as chair. No person shall serve on the University Promotion and Tenure Committee for more than three years consecutively but is eligible for reelection after an absence of at least one year. The representative from a tenure candidate's

college will participate in deliberations in the candidate's case but will not cast a vote.

8. Any committee member who participates in the tenure process votes at most only once or any particular case.

9. In order to ensure transparency, fairness, and equity in the internal review process, a faculty member or administrator who participates in the tenure process must disclose any potential conflict of interest that might undermine the credibility of the process. The chair of the department (or replacement, see section V.B.) will work in consultation with the dean of the college to decide whether the person should be excluded from serving on the review committee.

10. The faculty member under consideration is informed whenever a committee is considering tenure and is given an opportunity to submit a statement (in electronic form) to the Provost's Office in support of their tenure case, or to correct any factual misinformation in previous recommendations. The Provost's Office will add such statements to the candidate's file.

11. In case of material new accomplishments before the conclusion of the evaluation process, additional documentation may be added to the portfolio with the concurrence of the dean. Such additional material must be clearly marked as such and dated at the time of addition to the tenure file by the Provost's Office. If such additional documentation is considered, this must be clearly documented in the recommendation letters by the committee or individual (e.g. dean) who first see this new material.

E. The committee or group of tenured faculty makes its recommendations to the chair (or replacement, see section V.B.) together with reasons for the recommendation (including a minority statement in the case of a non-unanimous vote). All committee members shall vote yes or no through a secret ballot, after participating (either in person or remotely) in the deliberation of the committee. Proxy votes or votes submitted by non-secure means (e.g., email or communication accessible to a third party) are not permitted. The chair of the committee shall record the names of all members participating in the discussion and voting in the recommendation letter, as well as the total number of votes in favor and against. Only those faculty present as the candidate is being interviewed during the deliberations can participate in drafting or approving the letter. In instances of a non-unanimous vote, the minority opinion must be included in the committee recommendation and the minority must be given the option to write a minority opinion. A copy of the recommendation letter will be sent to the faculty member by the chair of the committee. Considering this recommendation, the department chair (or replacement, unless the dean is acting in the chair's stead, see section V.B.) makes an additional evaluation and recommendation concerning tenure. A copy of that review and recommendation letter will be sent to the faculty member and the dean by the chair of the department.

F. If either the tenured faculty (or their committee), or the chair (or replacement, see section V.B.), or both recommend tenure, the credentials of the faculty member together with the recommendations of the tenured faculty (or their committee) and the chair (or replacement, see section V.B.) are forwarded to the tenure committee of the

college, which examines the facts and the recommendations and makes a recommendation to the dean. All eligible committee members shall vote yes or no through a secret ballot, after participating (either in person or remotely) in the deliberation of the committee. Proxy votes or votes submitted by non-secure means (e.g., email or communication accessible to a third party) are not permitted. Members who are eligible to vote on a specific candidate's tenure application are defined in section V.D.4. In instances of a non-unanimous vote of all eligible voting members, the minority opinion must be included in the committee recommendation and the minority must be given the option to write the minority opinion. A copy of the recommendation letter will be sent to the faculty member by the chair of the committee.

G. If neither the departmental committee nor the chair (or replacement, see section V.B.) recommends tenure for the faculty member, tenure is not granted in the ensuing year. The faculty member is given a terminal contract for the ensuing year unless a further review is requested.

   If the faculty member requests further review, all materials, including departmental and chair evaluations and recommendations are forwarded to the college tenure committee, which makes a separate recommendation to the dean. All committee members should vote yes or no through a secret ballot. In instances of a non-unanimous vote, the minority opinion must be included in the committee recommendation and the minority must be given the option to write the minority opinion. The dean then makes a decision concerning tenure and informs the faculty member.

   If either the decision of the college committee or that of the dean is positive, the faculty member's case is considered in accordance with the procedures in the following paragraphs. If both decisions are negative, the faculty member may request, within two weeks, a further review by the provost and vice president for academic affairs, who makes a final determination concerning further consideration of tenure.

H. The dean of the college examines the facts and all previous recommendations and makes a recommendation concerning tenure, which is forwarded to the provost and vice president for academic affairs, with a copy to the faculty member.

I. The University Promotion and Tenure Committee, consisting of one tenured full professor from each of the major degree-granting academic colleges, examines the facts and all previous recommendations and documentation and makes a recommendation (with reasons) concerning tenure, which is forwarded to the provost and vice president for academic affairs. All eligible committee members shall vote yes or no through a secret ballot, after participating (either in person or remotely) in the deliberation of the committee. Proxy votes or votes submitted by non-secure means (e.g., email or communication accessible to a third party) are not permitted. Members who are eligible to vote on a specific candidate's tenure application are defined in section V.D.5. In instances of a non-unanimous vote of all eligible voting members, the minority opinion must be included in the committee recommendation and the minority must be given the option to write the minority opinion. The Office of the Provost will provide a copy of the recommendation letter to the dean of the college, the department chair and the faculty member.

J. The provost and vice president for academic affairs, after examining all submitted documents and consulting with appropriate staff members, makes a determination concerning tenure for the faculty member. If the recommendations from all committees and administrators previously acting on the case have not all been the same, or if the provost and vice president for academic affairs disagrees with the recommendations that have been the same, then the provost and vice president for academic affairs shall consult with the University Promotion and Tenure Committee and with the chair (if tenured) and dean concerned.

K. If the determination of the provost and vice president for academic affairs is in favor of tenure, the provost and vice president for academic affairs forwards the faculty member's name to the president for presentation to the Board of Visitors as a candidate for tenure. The Board of Visitors will act on the case according to the schedule in the Teaching and Research Faculty Handbook of the year in which it is being taken up. Upon approval of the Board of Visitors, the faculty member is offered a tenure contract for the coming year.

L. If the determination of the provost and vice president for academic affairs is against tenure, the faculty member is notified according to the schedule in the Teaching and Research Faculty Handbook that a terminal contract will be offered for the ensuing year.

M. The faculty member may request, within two weeks, that the president review a negative decision of the provost and vice president for academic affairs. The president should make a decision on the review within one month. If the president upholds the decision of the provost and vice president for academic affairs, the faculty member may request a further review by the Board of Visitors or its designated committee within two weeks. (Refer to the policy on Communications with the Board of Visitors for procedural information.) The decision of the Board of Visitors or its designated committee is final.

N. Copies of the recommendation by all committees, chairs, deans, and the provost shall be provided to the faculty member being considered for tenure**.** The faculty member will be provided opportunity to correct any factual misinformation in such recommendations by placing a letter in his or her tenure file at any stage, or up until March 1 to the Provost (November 22 for faculty hired mid-year).

O. The above procedures at the departmental and college level may be suitably adapted for faculty members who hold interdisciplinary or interdepartmental appointments. The adapted procedures should be recommended by the promotion and tenure committee of the college or colleges involved and approved by the dean or deans and the provost and vice president for academic affairs. Procedures above the college level will be the same as designated above in all cases.

VI. Pre-Tenure Review

A. The concept of a major review of faculty performance is intended to serve the purpose of giving the faculty member a clear indication of progress toward tenure and to offer constructive suggestions for self-improvement.

B. Non-tenured faculty members, without prior teaching experience, who are in their third year of probationary service at Old Dominion University will receive a major faculty review. This review will be conducted by the dean and will begin in the spring of the third year of faculty service (fall of the third calendar year of service for faculty hired mid-year). The review will include a meeting with the faculty member and chair. The review process, conducted by the department promotion and tenure committee, department chair, college promotion and tenure committee, and dean, will include an in-depth evaluation of teaching effectiveness, scholarly works, grant and contract efforts, and other professional activities. An evaluation report emphasizing the long-range impact of the faculty member on the University should be submitted to the provost and vice president for academic affairs by May 1 (December 1 for faculty hired mid-year) following the completion of the review at the college level with a copy provided to the faculty member at all evaluation levels. It is important that the review extend beyond certifying adequate teaching performance and focus on creative ability, productivity, and potential to excel.

C. If a faculty member applies for tenure in or before their third year of probationary service at Old Dominion University, the pre-tenure review will not be conducted.

NUMBER: 1412

TITLE: Promotion in Rank

APPROVED: September 26, 2013; Revised June 9, 2016 (eff. 7/1/16); Revised June 6, 2017 (eff. 7/1/17); Revised June 14, 2018 (eff. 7/1/18); Revised June 13, 2019 (eff. 7/1/19); Revised June 18, 2020 (eff. 7/1/20); Revised June 17, 2021 (eff. 7/1/21)

SCHEDULED REVIEW DATE: June 2026

I. Board of Visitors Policy

A. All promotions in rank are based on evaluation of the faculty member's performance.

1. A tenure-track faculty member's performance in teaching, research, and service (as appropriate) is evaluated over the total time in the previous rank as compared to the criteria established by the Board of Visitors for the rank being considered and any other criteria established by the department or college.

2. A non-tenure track research faculty member's performance in research, service (as appropriate) and teaching (as appropriate) is evaluated over the total time in the previous rank as compared to the criteria established by the Board of Visitors for the rank being considered and any other criteria established by the center.

B. Promotion to the rank of associate professor must occur at the time of the tenure award, and the policy on tenure applies.

C. Promotion to the rank of full professor is normally considered no earlier than during the sixth year of a faculty member's service as associate professor at Old Dominion University. Exceptions are made only under the following circumstances:

1. A faculty member who has held the rank of associate professor at another institution and was initially appointed to Old Dominion University at the rank of associate professor may be considered for promotion at the time of the award of tenure.

2. A faculty member of extraordinary merit may be considered for promotion to the rank of full professor before the sixth year as associate professor at Old Dominion University.

D. The president, upon the recommendation of the Faculty Senate, shall establish procedures for consideration of promotion to the rank of full professor (as well as for the designation as eminent scholar). Such procedures shall require consideration and recommendation by faculty members at the department and college level, the chair, the dean, and the University Promotion and Tenure Committee. The decision concerning promotion is to be made by the provost and vice president for academic affairs. If the provost and vice president for academic affairs decides against promotion, the faculty member may request a review by the president. The decision of the president is final.

II. Procedures for Promotion in Rank to Full Professor

A. Considerations Concerning Promotion

1. Each faculty committee and administrator considering a promotion case must specifically consider factors listed below as they apply to each case in the written recommendations that are submitted up the line to the provost and vice president for academic affairs. In the case of committees, the vote must be recorded in the recommendation, and the reasons produced by the minority members must be specified.

2. Each committee and administrator making a recommendation concerning promotion considers evidence of the faculty member’s performance over the total time in which the previous rank has been held as compared to the guidelines for the rank being considered as established by the Board of Visitors and any other guidelines established by the department or college.

3. The total rank structure of the department should be considered.

4. At the least, the committees and administrators should examine faculty information sheets, chair evaluations, dean’s evaluations, and any other evidence submitted by the faculty member, the chair of the department, or any other relevant source. It is the responsibility of the department chair and the departmental promotion and tenure committee to provide an assessment of the quality of the publications for the faculty being considered for promotion. It is the responsibility of the faculty member to ensure that all information submitted by him or her in support of promotion is factually accurate and valid, and to provide corroborating evidence (e.g., web links, complete citations, grant numbers, etc.) for all claimed accomplishments. The evidence should address the quality of the journals and the

reputation of book and other such publishers. Fraudulent or non-valid claims can lead to faculty sanctions, including denial of promotion. The chair should work with promotion candidates to ensure the completeness and accuracy of their portfolios. The chair and the department promotion and tenure committee as a part of the regular review process should verify the accuracy of portfolio elements that are central to the promotion case. Should concerns be raised about the validity of a candidate's claims by external or internal reviewers, it is the chair's responsibility to verify those claims. The promotion process will be paused while the chair verifies those claims.

B. External evaluation of the faculty member's research and scholarly activity by nationally recognized experts in the field of specialization will be required.

1. The responsibility for initiating the external review, securing the reviewers, and forwarding complete review files to the dean, provost and vice president for academic affairs, and the University Promotion and Tenure Committee belongs to the department chair. If the department chair does not have the rank of full professor, all chair responsibilities for promotion to full professor will be delegated by the dean to a full professor in the department or from another department within the same college who will assume all of the chair's responsibilities described below. This appointed full professor, acting in the role of chair, cannot take part in any deliberations or votes of the departmental, college or University promotion committees while the promotion case is being considered. In promotion of department chairs, the responsibility belongs to the dean.

2. External reviewers with academic positions must hold the same rank or higher than the promotion rank for which the faculty member is being considered; exceptions should be justified by the dean. The department tenure and promotion committee and the candidate will prepare separate lists of potential reviewers. The candidate will review both lists and will document personal and professional relationships with all potential reviewers, including potential conflicts of interest. This documentation will become part of the promotion file. The chair (or designee, see 1 above) will select three reviewers from the candidate's list and three reviewers from the department tenure and promotion committee's list; the chair (or designee) will provide the list of reviewers to the dean. The dean will submit an agreed upon list to the provost and vice president for academic affairs for final approval prior to initiating the review process. The final list of external reviewers, together with the documentation of personal and professional relationships by the candidate (as outlined above), should be included as part of the application package for all internal reviewers. External reviewers should not be close collaborators or (former) mentors of the candidate. In general, co-authors on publications should also be excluded as external reviewers, except as permissible under the departmental statement on evaluation of research (see the Policy on the Evaluation of Scholarly Activity and Research). The selection of potential external reviewers must be completed before the end of the semester prior to the submission of credentials for promotion.

3. External reviews will be confidential; reviewers will be so advised. Requests for exception to the confidentiality of external reviews should be made directly to the provost and vice president for academic affairs before the reviewers are asked to

submit evaluations. If an exception is approved, candidates for promotion will be allowed access to the substance of external reviews, but the authorship of specific external reviews and other identifying information contained therein will remain confidential. All external reviewers will receive a standard letter sent by the chair but prepared by the provost and vice president for academic affairs in consultation with the deans and a copy of the policy on external reviews so their responsibilities will be clear.

4. A curriculum vitae will be required of each external reviewer. Each reviewer will be asked to describe any personal or professional relationship with the candidate. It is the responsibility of the chair to include a curriculum vitae of each reviewer. For promotion of department chairs, the responsibility belongs to the dean.

5. External reviewers will be asked to evaluate all submitted material mailed to them. Candidates for promotion are responsible for the preparation of the research portfolio and curriculum vitae to be sent to external reviewers. In the case of the arts, reviewers may be asked to consider works of art or performances. External reviewers will be asked to evaluate: a) the quality of the scholarship or creative work under review; and b) the scholarly reputation (regional, national, international) of the candidate.

6. All candidates for promotion to full professor will be required to have their scholarship evaluated by no fewer than four external reviewers. If fewer than four reviews are received, the chair will choose additional reviewers alternately from the lists of the department promotion and tenure committee and of the candidate.

7. The University and college administration will assist departments where reasonable expenses are necessary to obtain appropriate external reviews.

C. A candidate for promotion in rank is initially considered by the faculty members in the department who hold the rank being considered or above. Only faculty holding the rank of full professor are eligible to deliberate, review, or otherwise participate and vote on candidates for promotion to full professor.

1. In the case of large departments, the faculty members in the rank being considered or above may select a committee from their ranks to consider and make recommendations concerning promotion. In that case, it is the responsibility of the committee to elicit opinions from all faculty members holding the rank being considered or above.

2. In departments where fewer than three members hold appointments in the rank being considered or above, the dean, in consultation with the chair (or designee; see section II.B.1.), will appoint enough additional faculty in the rank or above from other disciplines to form a committee of at least three.

3. Candidates for promotion should provide a statement of potential external and/or internal reviewers with whom there is a conflict of interest, e.g., co-authors, co-investigators, etc.

4. The group of faculty on the promotion committee elect a chair of the committee among their members. It is the responsibility of that chair to direct the committee members to consider and apply the relevant sections in the Teaching and Research Faculty Handbook and the departmental statement on research evaluation in their comments and votes.

5. No dean, full- or part-time associate dean, or assistant dean, or other full-time administrator or department chair (or designee; see section II.B.1.) shall attend or participate in the deliberation of either the departmental, college, or University Promotion and Tenure Committee. The deliberations of all three committees are confidential and must not be shared with anyone outside of the committee.

6. The college committees shall consist of one tenured faculty member from each department in the college. All members of the college promotion and tenure committees shall be elected directly by the faculties they represent for a one-year term renewable twice for a total of three years. This member shall be chosen by majority vote of all full-time, tenure-track teaching and research faculty members of the department, present and voting, by secret ballot before April 15 of each year for the ensuing year. Every reasonable effort should be made to ensure that there are at least three full professors on the college committee. If the elected representative of a department will not be able to attend college committee meetings for a significant time span, the department may elect a temporary replacement for that time span. No person shall serve on a college promotion and tenure committee for more than three years consecutively but is eligible for reelection after an absence of at least one year. Only faculty holding the rank of full professor are eligible to join the deliberations and the vote on candidates for promotion to full professor. If the home department of a candidate for promotion to full professor has no full professor representing it on the college committee, a member of the departmental promotion committee for that candidate (convened as described in section C.1. and C.2. above) shall be elected to serve as its representative only during the duration of the deliberations on that specific candidate. In any case, the representative from a promotion candidate's department will participate in deliberations in the candidate's case but will not cast a vote.

7. The University Promotion and Tenure Committee shall consist of one tenured full professor from each of the major degree-granting academic colleges. This member shall be elected by his/her college's promotion and tenure committee(s) by September 15. The University Promotion and Tenure Committee shall elect one of its members as chair. No person shall serve on the University Promotion and Tenure Committee for more than three years consecutively but is eligible for reelection after an absence of at least one year. The representative from a promotion candidate's college will participate in deliberations in the candidate's case but will not cast a vote.

8. Any committee member who participates in the promotion process votes at most only once on any particular case.

9. In order to ensure transparency, fairness, and equity in the internal review process, a faculty member or administrator who participates in the promotion process mut disclose any potential conflict of interest that might undermine the credibility of the

process. The chair of the department (or replacement, see Section II.B.1.) will work in consultation with the dean of the college to decide whether the person should be excluded from serving on the review committee.

10. The faculty member under consideration is informed whenever a committee is considering promotion and is given an opportunity to submit a statement (in electronic form) to the Provost's Office in support of their promotion case, or to correct any factual misinformation in previous recommendations. The Provost's Office will add such statements to the candidate's file.

11. In case of material new accomplishments before the conclusion of the evaluation process, additional documentation may be added to the portfolio with the concurrence of the dean. Such additional material must be clearly marked as such and dated at the time of addition to the promotion file by the Provost's Office. If such additional documentation is considered, this must be clearly documented in the recommendation letters by the committee or individual (e.g. dean) who first see this new material.

D. The committee or faculty group makes its recommendation concerning promotion to the chair (or designee; see section II.B.1.) together with reasons for the recommendation (including a minority statement in the case of a non-unanimous vote). All eligible committee members shall vote yes or no through a secret ballot after participating (either in person or remotely) in the deliberations of the committee. Proxy votes or votes submitted by non-secure means (e.g., email or communication accessible to a third party) are not permitted. The chair of the committee shall record the names of all members participating in the discussion and voting in the recommendation letter, as well as the total number of votes in favor and against. Only those faculty present as the candidate is being reviewed during the deliberations can participate in drafting or approving the letter. In instances of a non-unanimous vote, the minority opinion must be included in the committee recommendation and the minority must be given the option to write the minority opinion. A copy of the recommendation letter will be sent to the faculty member by the chair of the committee. The department chair (or designee) evaluates independently the credentials of the faculty member, the rank structure of the department, and any additional evidence presented, either by the faculty member or from any other source, and makes a recommendation, with reasons, concerning promotion. A copy of that review and recommendation letter will be sent to the faculty member and the dean by the chair of the department.

E. If either the departmental committee (or group), or the chair (or designee), or both recommend promotion, the faculty member's credentials together with the recommendation of the faculty committee and the chair (or designee) will be forwarded to a promotion committee of the college for consideration. This committee will make an independent evaluation and make a recommendation concerning promotion with reasons (including reasons of the minority), to the dean. The recommendations will indicate the vote of the committee. All eligible committee members should vote yes or no through a secret ballot after participating (either in person or remotely) in the deliberations of the committee. Proxy votes or votes submitted by non-secure means (e.g., email or communication accessible to a third party) are not permitted. Members who are eligible to vote on a specific candidate's promotion application are defined in section II.C.5. In instances of a non-unanimous vote of all eligible voting members, the

minority opinion must be included in the committee recommendation and the minority must be given the option to write the minority opinion.

F. If neither the faculty committee (or group) nor the chair (or designee) recommend promotion, the faculty member will not be considered for promotion in the coming year unless a review by the college promotion committee and the dean is requested by the faculty member. If a review is requested, the departmental committee and the chair forward all documents to the promotion committee of the college, which examines them and makes a recommendation concerning promotion to the dean following the stipulations of II.E. above. The dean examines all documents, including the recommendation of the college committee, and makes a determination concerning promotion. If the dean's determination is negative and is in accordance with the recommendations of the departmental committee, the chair, and the college committee, then the faculty member is not promoted for the coming year. If the dean's determination is negative and is not in accordance with all previous recommendations, the faculty member may request a further review by the provost and vice president for academic affairs. The decision of the provost and vice president for academic affairs is final in such cases.

G. The dean, considering all previous recommendations and all credentials, then makes a recommendation concerning promotion, which is forwarded, with reasons, to the provost and vice president for academic affairs.

H. The University Promotion and Tenure Committee, consisting of one tenured full professor from each of the major degree-granting academic colleges, examines the facts and all previous recommendations and documentation, and makes a recommendation (with reasons, including minority reasons, if any) concerning promotion which is forwarded to the provost and vice president for academic affairs. All eligible committee members shall vote yes or no through a secret ballot after participating (either in person or remotely) in the deliberations of the committee. Proxy votes or votes submitted by non-secure means (e.g., email or communication accessible to a third party) are not permitted. Members who are eligible to vote on a specific candidate's promotion application are defined in section II.C.6. In instances of a non-unanimous vote of all eligible voting members, the minority opinion must be included in the committee recommendation and the minority must be given the option to write the minority opinion.

I. On the basis of all the evaluations and recommendations presented, and after consultation with staff, the provost and vice president for academic affairs makes a decision concerning promotion for the coming year. If the recommendations of the committees and administrators that have previously considered the case have not been in agreement with one another, or if the provost and vice president for academic affairs disagrees with the recommendations that have been in agreement with one another, the provost and vice president for academic affairs shall consult with the chair, the dean, and the University Promotion and Tenure Committee before reaching a final decision. The decision of the provost and vice president for academic affairs will consist of one of the following:

1. promotion

2. deferral

J. If the decision of the provost and vice president for academic affairs is for promotion, the faculty member will receive the higher rank in the subsequent academic year. The decision of the provost and vice president for academic affairs will be reported to the president.

K. The faculty member may request that the president review a negative decision by the provost and vice president for academic affairs. The decision of the president is final.

L. All promotions are reported by the president to the Board of Visitors.

M. Copies of the recommendations by all committees, chairs, deans and the provost and vice president for academic affairs shall be provided to the faculty member being considered for promotion. The faculty member will be provided opportunity to correct any factual misinformation in such recommendations by placing a letter in his or her promotion file at any stage, or up until April 1, to the provost and vice president for academic affairs.

N. The above procedures at the department and college level may be suitably adapted for faculty members who hold interdisciplinary or interdepartmental appointments. The adapted procedures should be recommended by the promotion and tenure committee of the college or colleges involved and approved by the dean or deans and the provost and vice president for academic affairs. Procedures above the college level will be the same as those designated above in all cases.

III. Research Faculty

A. Promotion to the rank of research professor from the rank of research associate professor and promotion to the rank of research associate professor from the rank of research assistant professor shall be upon the recommendation of the department, chair, college promotion and tenure committee, dean and University Promotion and Tenure Committee to the provost and vice president for academic affairs. If the provost and vice president for academic affairs decides against the promotion, the person may request a review by the president. The decision of the president is final.

B. The process for promotion to the rank of research professor and promotion to the rank of research associate professor will require external evaluation of the quality of the faculty member's research performance from nationally recognized experts in the faculty member's field; procedures for the external review process can be found in section II.B**.** of this policy.

C. For those research faculty who only have appointments in one of the University-level research centers, the following promotion policy will apply. Research centers will establish a promotion committee to review faculty promotions and make recommendations to the center director. Appointments to this committee will follow the guidance of section II.C. of this policy pertaining to departments. This promotion committee should include at least one member from the academic department(s) most

closely aligned to the center to ensure promotion considerations are being applied equitably between the faculty assigned to that department and those assigned to the center. In centers where fewer than three members hold appointments in the rank being considered or above, the center director will solicit members of the department(s) most closely aligned to the center, in consultation with the chair(s) of those department(s), to form a committee of at least three. The center director will review faculty promotion recommendations and will recommend to the vice president for research those members who have met the promotion criteria. The vice president for research will forward a recommendation regarding promotion to the Office of Academic Affairs for review by the University Promotion and Tenure Committee and the provost and vice president for academic affairs. The University Promotion and Tenure Committee will forward a recommendation to the provost and vice president for academic affairs. If the decision of the provost and vice president for academic affairs is for promotion, the faculty member will receive the higher rank in the subsequent academic year. The faculty member may request that the president review a negative decision by the provost and vice president for academic affairs. The decision of the president is final.

IV. Clinical Faculty

A. Promotion to the rank of clinical professor from the rank of clinical associate professor and promotion to the rank of clinical associate professor from the rank of clinical assistant professor shall be upon the recommendation of the department promotion and tenure committee, department chair, college promotion and tenure committee, dean and University Promotion and Tenure Committee to the provost and vice president for academic affairs. If the provost and vice president for academic affairs decides against the promotion the person may request a review by the president. The decision of the president is final.

B. The process for promotion to the rank of clinical professor and promotion to the rank of clinical associate professor will require external evaluation of the quality of the faculty member's scholarly activities from nationally recognized experts in the faculty member's field; procedures for the external review process can be found in section II.B. of this policy. The schedule for review will follow that for clinical faculty seeking promotion in rank.

V. Lecturers may be promoted in rank to senior lecturer and senior lecturers may be promoted in rank to master lecturer. The applicable policies are contained in section "Evaluation of Lecturers, Senior Lecturers, and Master Lecturers and Promotion of Lecturers and Senior Lecturers."

VI. Part-time instructional faculty may be promoted in rank (for example, from adjunct assistant professor to adjunct associate professor) upon recommendation of the chair and dean to the provost and vice president for academic affairs. Full documentation of the credentials of the faculty member being recommended for promotion is required. If the provost and vice president for academic affairs denies the promotion, the faculty member may request a review by the president. The decision of the president is final.

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I. Background

Pursuant to §23.1-1002, *Eligibility for Restructured Financial and Administrative Operational Authority and Financial Benefits*, subdivision B10 states that public institutions of higher education may "adopt policies for the designation of administrative and professional faculty positions at the institution pursuant to the conditions and provisions provided in subsection E of §2.2-2901." These designations shall be reserved for positions that require a high level of administrative independence, responsibility, and oversight within the organization or specialized expertise within a given field as defined by the Board of Visitors.

II. Types of Administrative and Professional Faculty (A/P Faculty)

Administrative faculty normally report no lower than two levels below the President. Administrative faculty typically serve in executive level leadership roles such as vice president, vice provost, dean, and assistant or associate vice president or dean. Administrative faculty require the performance of work directly related to the management of the educational and general activities of the institution, department, or subdivision. Incumbents in these positions should exercise discretion and independent judgment, generally direct the work of others, and regularly exercise discretionary actions.

Professional faculty normally report three or more levels below the President. Professional faculty may direct or provide support for vital university functions such as academic, administrative, outreach, athletic or other programs. Professional faculty must regularly exercise professional discretion and judgment and the work produced must be intellectual and varied in character and should not be standardized. Professional faculty required advanced learning and experience acquired by prolonged formal instruction and/or specialized work experience. This category is normally limited to librarians, counselors, coaches, lawyers, physicians, and other professional positions serving education, research, athletic, medical, student affairs, and development functions or activities. Some information technology positions may also be included in this category.

Qualification criteria:

- must perform the duties and responsibilities associated with this category 50 percent or more of the contractual time;
- must have advanced degree, or training and work experience at a level that equates to an advanced degree

Medical administrative faculty are professional faculty who primarily work in medical clinical settings performing various clinical duties. This type of professional faculty are subject to the terms of this policy and the AP Guidebook, except for annual leave accrual, which shall be at a rate of 13.5 hours per month.

Residents and fellows are medical trainees who have restricted professional faculty appointments, made annually, with a limited number of renewals, based on program length. This type of administrative and professional faculty receive stipends and are covered by the Graduate Medical Education Policies and Procedures concerning stipends, work duties and hours, and benefits eligibility.

Requests for any exception to these criteria must be made to the President. The Vice President for Human Resources, Diversity, Equity and Inclusion may provide assistance as required by the President.

Professional librarians are covered by a separate policy concerning rank and term appointments.

III. Academic Rank

A. Two types of academic rank are awarded to administrative and professional faculty members at Old Dominion University:

1. Rank without academic departmental designation - On initial appointment, an administrative and professional faculty member may be assigned rank without academic departmental designation to perform service in that department in teaching, research, or professional service upon recommendation of the appropriate vice president or director and approval of the president, the Board of Visitors, and the governor. Normally only holders of the earned doctorate will be awarded ranks above that of instructor, but exceptions may be made on the basis of experience and training.

2. Rank with academic departmental designation - Upon initial appointment, an administrative and professional faculty member may be awarded rank in an academic department upon recommendation of the chair of the academic department (after consultation with the Promotion and Tenure Committee of the department or with the tenured faculty of the department) and the dean to the provost and vice president for academic affairs. Award of rank in an academic department usually implies that the faculty member will be performing service in that department in teaching, research, or professional service.

B. A/P faculty members initially appointed to rank without academic departmental designation may request consideration for granting of rank with academic departmental designation from the chair of the academic department. The procedures for the granting of academic departmental designation are the same as for initial appointment with the academic departmental designation.

IV. Promotion in Rank

A. For A/P faculty members holding rank without academic departmental designation the following terms apply:

1. An A/P faculty member without academic departmental rank may be proposed for promotion by that person's immediate supervisor. The supervisor should clearly indicate criteria being used and reasons for promotion. Normally promotion should not take place in a shorter time period that would be used for promotion to the same rank for teaching and research faculty.

2. In areas reporting to the provost and vice president for academic affairs, the initial recommendation is made through the normal administrative line to the Provost and Vice President for Academic Affairs, who approves or disapproves the recommendation. The A/P faculty member has the right to request that the President review the decision of the Provost and Vice President for Academic Affairs. The decision of the President is final.

3. In areas not reporting to the Provost and Vice President for Academic Affairs, the recommendation is considered through the normal administrative line and a final recommendation made by the appropriate vice president, or director, to the President. The President, after consultation with the Provost and Vice President for Academic Affairs concerning the appropriateness of the rank within university practices, takes final action on the recommendation.

B. For persons holding rank with academic departmental designation the following apply:

1. Persons who have held rank with academic departmental designation for the normal length of time before consideration for the next higher rank may request that the chair of the academic department evaluate their performance. In this evaluation, it is appropriate that the departmental chair take into consideration the fact that the faculty member cannot have performed the quantity of teaching, research, and departmental service that would be expected of a full-time member of the teaching faculty of the department. On the other hand, it should be expected that the A/P faculty member would hold credentials such that, if the person were being appointed initially to an administrative or professional post, the faculty and chair of the academic department would be willing to grant the rank to which promotion is proposed.
2. Consideration of the promotion should begin with the academic department's promotion committee and proceed in exactly the same manner as for full-time teaching faculty members[i].

V. Tenure for A/P Faculty Members

A. No administrative or professional faculty member holds tenure or other right of continuance in their appointment.

B. Time spent at Old Dominion University in an A/P faculty appointment does not count toward the probationary period for tenure. If a nontenured faculty member accepts a full-time A/P faculty post, the time spent in that position is not counted toward the probationary period for tenure.

C. Tenured faculty members who accept administrative posts retain tenure in their academic departments.

D. An A/P faculty member may request tenure consideration by an appropriate academic department. Such consideration begins with the academic department/school Promotion and Tenure Committee and then proceeds to the department chair. From there, the application for tenure proceeds to the College Promotion and Tenure Committee, then the dean, then the University Promotion and Tenure Committee, then the Provost and Vice President for Academic Affairs. The department/school standards that have been approved by the tenured faculty (as well as the College Dean and the Provost) in that unit should set the criteria by which tenure consideration should be determined.

E. An A/P faculty member initially appointed to the rank of full professor with academic departmental designation may be considered for award of tenure without probationary period in accordance with the policy and procedures governing full-time faculty members initially appointed to the rank of full professor.

VI. Notice of Termination of A/P Faculty Members

A. No person has a right of continuance in a specific administrative assignment, and any administrative or professional faculty member may be reassigned to different responsibilities at any time. The following policies and procedures, therefore, refer to continuance of salary and of appointment to the university.

B. Administrators or professionals holding rank without academic departmental designation:

1. A/P Faculty in this category shall be given the following notice of termination:

   a. At least ninety (90) days for A/P faculty in their first twenty-four months of service.
   b. At least one hundred and eighty (180) days for A/P faculty with more than twenty-four months of service.

2. Initial notification of termination is by the A/P faculty member's immediate supervisor. The A/P faculty member has a right to request a review up the chain of command to the President. The decision of the President concerning termination is final.

3. Effective July 1, 1995, in the event an administrative or professional faculty member is involuntarily separated from employment by the University for reasons that are not performance or behavior related, the notice of termination period (provided in paragraph VI.B.1 and 2 above) will be

reduced by the number of weeks of severance pay benefits provided by the Workforce Transition Act of 1995. The net benefit for the dismissed employee shall not be less than that which is provided by this policy. This paragraph shall be in force and effect only so long as the Workforce Transition Act of 1995, or successor legislation, is effective. Involuntary separation is defined as position elimination due to budget reductions, work force downsizing, university or departmental reorganization or other causes not related to performance or employee conduct but shall not include voluntary resignations. Notice of termination of appointment is not an involuntary separation that qualifies for severance benefits.

4. A shortening of the termination notice for cause can take place under the following conditions:

   a. Inability, unwillingness, or failure to perform assigned duties and professional responsibilities at a satisfactory level. Termination for this reason may not be undertaken until the A/P faculty member has been advised, in writing, of the deficiencies of his/her performance and afforded a reasonable opportunity (at least 90 days) to correct such identified deficiencies.

   b. Violation(s) of University policies and/or procedures.

   c. Violation(s) of applicable administrative or professional ethics or responsibilities.

   d. Criminal convictions for acts of conduct occurring on or off the job that are related to job performance or are of such a nature that to continue the A/P faculty member in the assigned position could constitute negligence in regard to the University's responsibilities to the public or to its students or other employees.

   e. In the event the appointing official or other appropriate supervisory administrative officer determines that termination of an A/P faculty member's employment is warranted, the A/P faculty member shall be advised, in writing, of the intended action and the reason(s) therefore, and shall be afforded the opportunity to respond, in writing and in person, to the intended action and the reasons upon which the intended action is based.

   f. If the A/P faculty member elects to respond to the notice of intended termination, and the response is deemed unsatisfactory, the appointing official should proceed to implement the termination action by notifying the A/P faculty member, in writing, of the termination action and the effective date thereof. The written notification shall state specifically the reasons for the termination and shall inform the individual of the right to appeal the termination decision.

g. A/P faculty members may appeal a dismissal for cause through the Grievance Policy for Administrative and Professional Faculty if they believe the dismissal resulted from an improper application of policy or is arbitrary and capricious.

C. A/P Faculty holding rank with academic departmental designation:

1. A/P faculty in this category who do not hold tenure are entitled to the same notice as that given to nontenured A/P faculty members.[ii] During all or a portion of the time under which the A/P faculty member is on terminal notice, reassignment to the academic department as a teaching faculty member may be made.

2. A/P faculty holding rank with academic departmental designation but not having tenure may request a review of the termination decision through the President. The decision of the President is final.

3. A/P faculty holding rank with academic departmental designation and tenure return to the tenured teaching faculty of the department if they leave their administrative post for any reason. Dismissal from the university can only occur under the policies and procedures for dismissal of tenured faculty members.

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[i] See the "Policy on Promotion in Rank."

[ii] See the policy on "Reappointment/Annual Review or Nonreappointment of Faculty," Section III.B.5.