

4.03 Appointments

A. Considerations for Academic Appointments

1. When recommendations and decisions on appointment, reappointment, promotion, and tenure are made, at least the following considerations must be assessed: The faculty member's demonstrated professional competence and potential for future contribution and the needs and resources of the institution. In making recommendations and decisions, administrators and committees shall use criteria and standards recommended by the faculty and approved by the Chancellor and shall comply with all applicable requirements of the *Code of the University of North Carolina*. General guidelines for colleges and departments to use in preparing criteria will be set forth by the Chancellor upon the recommendation of the University Tenure and Promotion Committee.
2. Candidates for tenure-track positions who hold or are pursuing a terminal degree from Western Carolina University may be considered for employment if they have established themselves at other institutions for a significant period of time, usually five years or more, or possess unusual qualifications of benefit to the University. Prior to pursuing their candidacy, department heads and deans must seek approval from the Provost. Should exceptions be made, contract language at the time of hire should document the exception.

B. Terms and Conditions of Appointments Including Prior Service Credit

1. The terms and conditions of each initial appointment and each reappointment to the faculty shall be set out in writing. A copy thereof, signed by the Chancellor or the Chancellor's designee and the faculty member, shall be delivered to the faculty member and a copy shall be retained by the Chancellor. The general terms and conditions of such appointments, including those provided herein, shall either be set out in the document of appointment or incorporated therein by clear reference to specified documents that shall be readily available to the faculty member.
2. Prior to the initial probationary appointment at Western Carolina University and upon the recommendation of the concerned departmental advisory committee and departmental head, credit for prior service may be granted by the Provost to be applied against the faculty member's probationary period. The extent of such credit shall be noted in the faculty member's employment contract. As a general rule, one year of service credit at Western Carolina University may be granted for every two years of full time service at other higher-education institutions.

C. Types of Faculty Appointments

Faculty appointments shall be of three kinds: appointments with tenure, probationary appointments, and fixed-term appointments. All recommendations for initial, full-time appointments shall be made by the department head after consultation with the departmental advisory committee.

1. Tenured appointments

a. Definition

An appointment with tenure is a continuing appointment to a professorial rank that is not affected by changes in such rank and continues until ended by resignation, by retirement, or by approved procedures as provided in Sections 4.08 and 4.09 of this document and in Sections 603 and 605 of the *Code of the University of North Carolina*. Only faculty members at the ranks of assistant professor, associate professor, and professor are eligible for tenure. Administrative personnel with professorial rank shall be eligible for tenure in rank as faculty members but not in their administrative positions. Although criteria may vary, an administrative officer shall be recommended for tenure by the same procedure prescribed for other faculty members, i.e., a recommendation must originate within the faculty member's academic department and receive consideration by the appropriate dean and the Provost. Faculty members with tenure who are appointed to administrative positions shall retain tenure in the academic rank.

b. Initial appointments with tenure

Outlined below are the minimum standards that shall apply when an individual is being considered for an initial tenured appointment.

- A file will be prepared by the administrative office to which the candidate would report if employed. The file will contain: (a) a copy of the individual's vita; (b) three letters of recommendation; (c) a letter from the administrator recommending professorial rank and requesting a favorable tenure recommendation. A copy of the file will be provided to the Provost.
- The departmental collegial review committee will review the file and recommend to the dean whether tenure should be recommended. A written report of this recommendation will be transmitted to the Provost through normal administrative channels with intervening administrative levels indicating their concurrence with the recommendations. The administrators recommending action will consult with their respective tenure and promotion advisory committees as necessary.
- In making their recommendation, the various collegial review committees will rely on current university standards and departmental criteria, but will, of necessity, base their judgment on the candidate's record of performance established prior to coming to Western Carolina University.
- Following receipt of this recommendation, the Provost will make a recommendation and transmit all information to the Chancellor for appropriate action.
- The recommendation for professorial rank and tenure can be made simultaneously with the offering of the position and can occur at any time during the year.

The recommendation from the Chancellor to the Board of Trustees can be made at any point in the academic year but normally would be made when all other tenure recommendations are forwarded.

c. Probationary appointments for tenure

A tenure-track appointment is a probationary appointment which has as its major purpose the determination of the suitability of the faculty member for a tenure appointment, consistent with the provisions of Section 602 (4) of the *Code of the University of North Carolina*. Probationary appointments are for a specific term of service and are subject to the reappointment provisions of Section 4.06.

d. Persons in the following categories shall not be eligible for tenure:

- Persons with non-probationary, fixed-term appointments.
- The director of athletics, head football coach, head basketball coach, assistant director of athletics, and other full-time members of the intercollegiate athletics staff, including assistant coaches of football and basketball. These persons may be appointed to a fixed term as instructors upon recommendation by an instructional department head, the dean, and the Provost. Reappointments may be made for an indefinite period.
- Persons subject to the State Personnel Act (SPA Appointments).
- Administrators exempt from the State Personnel Act (EPA Appointments).

2. SPECIAL FACULTY MEMBERS

(1) Faculty members who are appointed as visiting faculty members, adjunct faculty, lecturers, instructors, artists-in-residence, writers-in-residence or other special categories are regarded as “special faculty members”. Special faculty members may be paid or unpaid.

(2) Special faculty members who are paid shall be appointed for a specified term of service, as set out in writing in the letter of appointment. The term of appointment of any paid special faculty member concludes at the end of the specified period set forth in the letter of appointment, and the letter of appointment constitutes full and timely notice that a new term will not be granted when that term expires. However, full-time appointees at the rank of instructor or above (including lecturers and visiting assistant/associate/full professors) shall be given the notice of non-reappointment specified in Section 4.09B1. if the conditions of appointment to the rank of instructor or above include a provision that the appointment is subject to renewal.

(3) Special faculty members who are not paid may be appointed for a specified term of service or at will. Their pay and appointment status should be set out in the letter of appointment.

(4) During the term of their employment, special faculty members are entitled to seek recourse under the Faculty Grievance Procedures.

(5) Special faculty members, whether paid or unpaid, are not covered by Section 604 of the UNC Code, and that section does not accord them rights to additional review of a decision by the University not to grant a new appointment at the end of a specified fixed term.

D. Provision for Less than Full-Time Employment

Faculty may be employed for less than full-time employment with commensurate compensation. Faculty on full-time employment may apply for relief from all or some employment obligations under the conditions of the Serious Illness and Disability Policy (which includes childbirth) or other compelling reasons.

E. Externally Funded Positions

The written statement of a faculty member's appointment, reappointment, or promotion to a position funded in whole or in substantial part from sources other than continuing state budget funds or permanent trust funds shall specify in writing that the continuance of the faculty member's services, whether for a specified term or for tenure, is contingent upon the continuing availability of such funds. This contingency shall not be included in either of these situations:

1. In a promotion to a higher rank if, before the effective date of that promotion, the faculty member had tenure and no such condition is attached to the tenure, or
2. If the faculty member held tenure in the institution on July 1, 1975, and the faculty member's contract was not then contingent upon the continuing availability of sources other than continuing state budget or permanent trust fund.