**4.00 EMPLOYMENT POLICIES, TERMS AND PROCEDURES FOR FACULTY**

**4.01 Equality of Opportunity**

A. Western Carolina University emphatically states that it will provide equal employment opportunities for all persons regardless of race, color, national origin, creed, religion, sex, age, veterans’ status, sexual orientation, disabilities, or political affiliation, except where religion, sex, or age are bona fide job related employment requirements. This is in keeping with Title VII of the Civil Rights Act of 1964 as amended, Executive Order 11246, the Rehabilitation Act of 1973, the Civil Rights Restoration Act of 1988, NC G.S. 126-16 and 126-17, and other applicable federal and state laws.

B. Western Carolina University supports all applicable federal laws, including Titles VI and VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Sections 799A and 845 of the Public Health Service Act, the Equal Pay and Age Discrimination Acts, the Rehabilitation Act of 1973, and Executive Order 11246. For information concerning these provisions, contact the affirmative action officer.

**4.02 Academic Freedom and Responsibility of the University Community**

A. Western Carolina University is dedicated to the transmission and advancement of knowledge and understanding. Academic freedom is essential to the achievement of these purposes. This institution therefore supports and encourages freedom of inquiry for faculty members and students to the end that they may responsibly pursue these goals through teaching, learning, research, discussion, and publication, free from internal and external restraints that would unreasonably restrict their academic endeavors.

B. Western Carolina University shall support faculty and students in their responsible exercise of the freedom to teach, to learn, and otherwise to seek and speak the truth. It is the policy of Western Carolina University to support and encourage full freedom, within the law, of inquiry, discourse, teaching, research, and publication for all members of this institution's academic staff. Members of the faculty are expected to recognize that accuracy, forthrightness, and dignity befit their association with this institution and their position as men and women of learning. They should not represent themselves, without authorization, as spokespersons for Western Carolina University.

C. Western Carolina University shall not penalize or discipline members of the University because of the exercise of academic freedom in the lawful pursuit of their respective areas of scholarly and professional interest and responsibility.

D. Faculty and students of this institution shall share in the responsibility for maintaining an environment in which academic freedom flourishes and in which the rights of each member of the academic community are respected.

**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

1. 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.

1. 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 departmental criteria which are reflective of university standards (Section 4.04C), 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.

**4.04 Western Carolina University Collegial Review**

**A. Overview**

Western Carolina University faculty members are responsible for evaluating each other’s contributions to the University, region, and profession and making recommendations to the administration on faculty performance decisions. Western Carolina University has four separate but related faculty evaluation processes: annual faculty evaluation (AFE), reappointment (R), tenure and promotion (T/P) and post-tenure review (PTR). This section explains the purpose of each review, defines each of these processes, and explains the roles and responsibilities of all participants.

**B. Types of Review**

1. **Annual faculty evaluation**. The purpose of annual faculty evaluations (AFE) is to provide faculty members with an annual evaluation, which includes written feedback concerning the extent to which they have met the departmental criteria for teaching, service, and scholarly/creative contributions. AFE is based on an annual record of performance.

2. **Reappointment**. The purpose of collegial review in the reappointment process (R) decisions is to indicate whether or not a faculty member is meeting the departmental criteria for teaching, service, and scholarly/creative contributions. Reappointment is based, in significant part, on a cumulative record of performance.

3**. Tenure and promotion**. The purpose of collegial review in the tenure/promotion (T/P) process is to determine whether or not an individual faculty member merits tenure or promotion. Each faculty member presents a dossier describing how he/she has met department criteria for tenure or promotion. Tenure and promotion are based, in significant part, on a cumulative record of performance.

4. **Post-tenure review**. The purpose of post-tenure review (PTR) is to determine the extent to which tenured faculty members have exceeded, met, or not met the department criteria for teaching, service, and scholarly/creative contributions in the five years since the last TPR/PTR action.

**C. University Standards for Collegial Review**

Faculty members at Western Carolina University are expected to be effective teachers, to be practicing scholars in their disciplines, and to provide meaningful service to the University and the community. The particular mix of these expected activities will vary as a function of departmental missions and the role of the faculty member in the department. Tenure-track or tenured faculty members should be active in all three areas. Overarching expectations of all faculty include professionalism and collegiality. Collegiality is not a separate criterion upon which faculty are assessed, unless otherwise

dictated within DCRDs or College by-laws. Collegiality entails shared responsibility and effective cooperation to achieve common goals. Moreover, collegiality among associates must involve appreciation of and respect for differences in expertise, ideas, and background. The concept of collegiality, however, should be distinguished from congeniality; to be congenial is parallel with sociability and agreeableness, while collegiality is a positive and productive association with colleagues. A person need not be congenial to be collegial. See also UNC Policy Manual 101.3.1.11.B. The following minimum university standards provide the groundwork for departments to establish specific criteria for collegial review.

1. Teaching

Faculty members at Western Carolina University are scholarly teachers who provide evidence that their teaching is effective. Effective teaching will be documented through the use of student, and peer evaluations as well as a self-report. Students will evaluate teachers on the professional aspects of teaching and on their response to instruction. Peers evaluate pedagogical content knowledge as well as the professional aspects of teaching. Faculty members will provide a self-evaluation on the link between their instruction and disciplinary currency.

2. Scholarship

Consistent with its mission and vision as a regionally engaged institution, Western Carolina University defines scholarship broadly through the Boyer Model which includes four categories of scholarship:

**Scholarship of discovery.**  Scholarship of this type includes original research that advances knowledge and may involve publishing journal articles, authoring/editing books, or presenting at conferences. This type of scholarship also includes creative activities such as artistic products, performances, musical, or literary works.

**Scholarship of integration**. Scholarship of this type involves synthesis of information across disciplines, across topics within a discipline, or across time. Textbooks, bibliographies, and book reviews are examples of this type of scholarship.

**Scholarship of application**. Sometimes called engagement, the scholarship of application goes beyond the provision of service to those within or outside the University. To be considered scholarship, there must be an application of disciplinary expertise with results that can be shared with and/or evaluated by peers such as technical reports, policy statements, guidebooks, economic impact statements, and/or pamphlets.

**Scholarship of teaching and learning**. Scholarship of this type is the systematic study of teaching and learning processes. It differs from scholarly teaching in that it requires a format that will allow public sharing and the opportunity for application and evaluation by others.

Faculty members should demonstrate that they are current and scholarly in their disciplines as reflected in the ways they teach and serve. They are also expected to demonstrate regular activity in one or more of the types of scholarship listed above. The relative emphasis on each type of scholarship will be determined in the context of departmental and university mission and needs. Expectations of scholarly activity should be consistent with peer institutions. Expectations for scholarship will be defined by the departmental faculty in the Collegial Review Document and approved by the department head, dean, and Provost.

Departments should recognize and evaluate a wide variety of scholarly activities consistent with the department’s and the University’s mission. Scholarly activities should not be rigidly categorized. Many activities and products can be classified as more than one type of scholarship.

3. Service

Faculty members are expected to participate in service. Service is expected to increase over a faculty member’s employment. Primarily, service requires general expertise and is done as an act of good citizenship. Service at the department, college/school and university levels includes serving on committees (e.g., search committees, curriculum committees, and collegial review committees), recruiting students, mentoring new faculty members, and advising administrators.

Service may also require special expertise, unusual time commitments, or exceptional leadership. Examples of such service include exercise of special technological, research or pedagogical skills, involvement with students in extracurricular activities, leadership in university governance, or taking on special administrative assignments (e.g., being department head, directing a graduate program, administering a grant obtained by the University).

Service includes community engagement (e.g., providing disciplinary expertise to a professional, civic, economic, or educational entity at the local, regional, or national level).

Advising students is a significant form of service. Advisers are expected to be informed about curriculum and related processes, to be available to those they advise, and to help students in their academic and career planning.

**D. Procedures Guiding Collegial Review**

Collegial review is the responsibility of the faculty. All procedures for faculty evaluation should reflect the university standards as stated in Section 4.04C.

1. The rule of confidentiality will guide the operations of all collegial review committees.

1. All the committees and parties involved in the evaluation of tenure, promotion and reappointment cases agree to maintain the confidentiality of records, deliberations, and specific recommendations.
2. Accepting appointment to departmental, college or university collegial review committees indicates agreement to confidentiality. Confidentiality of the tenure, promotion and reappointment process is to be respected forever, not just during that particular year of review. Members of collegial review committees participate with the understanding that all matters related to their deliberations remain confidential.
3. Faculty candidates under review are not to approach committee members at any time concerning the disposition of their review and should understand that inquires of this type are deemed entirely inappropriate. Committee members are encouraged to report candidates who approach them requesting information regarding the review. Committee members must refrain from commenting on the disposition of a review to the faculty candidate.
4. Violation of collegial review committee confidentiality, including but not limited to the dissemination of written or verbal information, discussion of proceeding or resolutions, should be reported to and investigated by the appropriate Dean/Provost and may result in sanctions against the offending faculty member and will be held confidential.
5. In the case of departmental collegial review committee violations, appropriate sanctions will be determined by the department head in consultation with the dean and provost. In the case of college and university collegial review committee violations, appropriate sanctions will be determined by the dean and provost.
6. Appropriate sanctions will be determined in consideration of the gravity of the offense and the resulting damages. Sanctions, at a minimum, will include removal of the offending faculty member from the collegial review committee. Further sanctions may include warning or reprimand (written), permanent removal of the privilege of serving at any level of collegial review or on committees that consider confidential material such as candidate files. In the most severe cases of violation, “sufficiently serious as to adversely reflect on the individual’s honesty, trustworthiness or fitness to be a faculty member,” sanctions should be drawn from Faculty Handbook 4.09D1c, *Discharge or the Imposition of Serious Sanctions.*
7. Faculty members who have been sanctioned have the right to appeal, as indicated in Article 4 of the Faculty By-laws and Faculty Handbook 3.03 Article IV 3.3 of the By-laws of the General Faculty, or Faculty Handbook section 4.09 for serious sanctions.

2. Annually, each faculty member will receive information concerning departmental expectations. Departmental criteria should be specific and flexible – specific enough to provide guidance to new faculty and flexible enough to accommodate multiple types of teaching, service, and scholarship.

3. Collegial review/faculty evaluation (AFE statements, reappointment, tenure and promotion decisions, and post-tenure review feedback) should be based on the degree to which the faculty member meets the established departmental criteria.

4. Each faculty member has the right to receive annual written feedback as part of the AFE and reappointment procedures.

5. Each faculty member has the right to place a written response to the AFE and reappointment feedback in his/her AFE/TPR file. Faculty responses to the department head AFE statement must be submitted to the department head prior to the first day of the following fall semester, unless stated as earlier within the DCRD.

6. All four faculty evaluation processes (AFE, reappointment, tenure and promotion, and post-tenure review) must include procedures and documentation that are consistent and aligned. One set of supporting documentation is sufficient for candidates up for both promotion and tenure, when they occur in the same academic year.

7. Reappointment, tenure, and promotion will utilize the departmental criteria that are in affect at the time of the review.

8. Should criteria for reappointment, tenure, and promotion be different from when the faculty member was previously reviewed, the individual may request special consideration by the appropriate department and/or college collegial review committee(s). The following procedures will be followed:

a) The appropriate department or college collegial review committee(s) may recommend extension of probationary period and/or reconsider the expectations. The committee should consider such things as the timing of the change in expectations relative to the candidate’s eligibility for review and the level of discrepancy between the expectations and the ones under which the candidate had been working.

b) The collegial review committee(s) shall make a written recommendation to accept or deny the request and specify any conditions.

c) The collegial review committee(s) shall forward the recommendation to the appropriate department head/dean.

d) The appropriate department head/dean must review the recommendation with the candidate.

e) The appropriate department head/dean may accept, modify, or reject any collegial review committee recommendations.

f) Any changes made to the recommendations of the collegial review committee(s) recommendations must first be discussed with the candidate before forwarding them to the Provost for action.

g) The Provost may seek the advice and counsel from the University Collegial Review Committee.

• The Provost will notify the candidate in writing specifying the conditions under which the candidate will be evaluated.

• This notification letter will be placed in the candidate’s personnel file.

• The candidate will be responsible for including this letter in the TPR application or dossier.

h) The faculty member may appeal any unfavorable action to the next level until it reaches the Provost.

i) The Provost’s decision for a review of an individual’s criteria for tenure and promotion shall be final

9. Department heads and deans should receive training regarding collegial review policies and procedures.

**E. Roles, Responsibilities, and Procedures**

This section outlines the respective responsibilities of all parties within the collegial review process.

1. Departments

* 1. Recommend criteria consistent with the university standards for teaching, scholarship, and service.
	2. Review departmental criteria according to established guidelines.

2. Faculty members

1. Provide evidence in the application or dossier for reappointment, tenure, and promotion reviews. The application (1st, 3rd, 5th year) and dossier (2nd, 4th , 6th year) should reflect their record of teaching, scholarship, and service activities that meet departmental criteria. In the case of required administrative review (see Section 4.06B), the candidate will submit a dossier rather than an application, regardless of year. The specific contents and format of the dossier are outlined by the Provost annually. See also Section 4.07.B
2. Acknowledge receipt of AFE and reappointment feedback.

3. Department collegial review committees

1. Evaluate applications and dossiers against the departmental criteria.
2. Vote on candidate reappointment, tenure, promotion, and post-tenure review.
3. Provide each candidate with annual written reappointment statements describing, to the extent possible, the committee’s impression of the candidate’s progress toward tenure, promotion and reappointment.
4. Provide each candidate with a written description of his/her reappointment, tenure, promotion, and post-tenure review actions taken by the committee.
5. Work with department heads to develop procedures for making recommendations to the college collegial review committee.
6. In review actions requiring a vote, a majority vote of the committee is required for a positive recommendation.

4. College collegial review committees

1. Receive the candidate’s reappointment dossiers in 2nd and 4th years (if required by college by-laws), TPR dossier in 6th year, and dossiers in the event of a required administrative review.
2. Receive the recommendations from the department collegial review committee and department head. These documents may be combined or separate.
3. Evaluate dossiers against the departmental criteria.
4. Assure that departments appropriately followed the procedures specified in collegial review documents.
5. Develop written procedures to guide the review process for candidate dossier for reappointment, tenure, and / or promotion review actions (see 4.06 B.2).
6. Provide each candidate with a written description of his/her reappointment, tenure, and promotion , review actions taken by the committee.
7. In review actions requiring a vote (if required by college by-laws), a majority vote of the committee is required for a positive recommendation.
8. Work with deans to develop by-law for colleges for reappointment review actions (see 4.06 B.2.).

5. The University Collegial Review Committee

1. Receives the recommendations from the college collegial review committee and dean. These documents may be combined or separate.
2. Evaluates dossiers against the departmental criteria
3. Assures that departments and colleges appropriately followed the procedures specified in collegial review documents.
4. Provide each candidate with a written description of his/her reappointment, tenure, promotion, and post-tenure review actions taken by the committee.
5. A majority vote of the committee is required for a positive recommendation.
6. Assure that the departmental collegial review criteria and procedures comply with the university standards, principles, and roles established by the Collegial Review Council of the Faculty Senate.
7. Work with the Provost to establish a cycle for evaluating collegial review criteria and procedures.

6. Department heads

 Provide faculty members with a copy of the departmental criteria and collegial review procedures.

1. Provide new tenure-track faculty with a copy of the current departmental criteria and procedures no later than when the position is offered.
2. Provide faculty members with annual written feedback (AFE summary statement and reappointment decisions), which describe the degree to which the faculty member met the departmental criteria.
3. Assure that faculty members are sufficiently informed regarding the collegial review process, including the format and required documentation (see Guidelines for Applications/Dossiers provided by the Collegial Review Council and the Provost).
4. Make recommendations to the dean for prior service credit to be granted toward tenure and/or promotion during the hiring process of new faculty members within their department.
5. Make recommendations to the dean on tenure, promotion and reappointment matters.

7. College deans

1. Meet with all faculty candidates for promotion and/or tenure to discuss process, criteria and documentation requirements.
2. Meet with department heads and college collegial review committee members to discuss department criteria and university procedures and standards.
3. Approve departmental criteria to assure they comply with university standards.
4. May establish procedures in consultation with the college collegial review committee and department heads for colleges with common disciplinary expectations and/or those containing professional programs guided by accrediting bodies.
5. Consult with the appropriate department heads; make recommendations to the Provost for prior service credit for new faculty members.
6. Make recommendations to the Provost on tenure, promotion and reappointment matters.
7. Inform the candidate in writing of his/her recommendation decision.

8. The Office of the Provost

 Provides training for deans and department heads to assist them with the responsibilities involved in the collegial review process.

1. Hears appeals from departments concerning the appropriateness of the departmental criteria.
2. Consults with the appropriate department head and deans to grant prior service credit for new faculty.
3. Develops guidelines annually in collaboration with the Faculty Senate Collegial Review Council for the specific contents and format of the application and dossier.
4. Provides training and written guidelines to the University Collegial Review Committee.
5. Hears the initial appeal from candidates denied tenure or promotion by the Provost.
6. Makes recommendations to the Chancellor on tenure and promotion.
7. Makes decisions for reappointment.
8. Informs the candidate in writing of his/her recommendation decision.

9. The Chancellor

a. Receives recommendations from the Faculty Hearing Committee concerning Reappointment, Tenure, and Promotion.

b. Hears appeals from candidates denied tenure or promotion by the Provost, following the Provost’s negative decisions on reconsideration of appeals.

1. Presents recommendations to the Board of Trustees for tenure and promotion.

10. The Board of Trustees

1. Grants tenure under the delegation of the President and Board of Governors
2. Approves promotions.

11. The Board of Governors

a. Hears appeals in accordance with The Code and UNC Policy 101.3.1.

Final action and AA-12

1. AA-12s will be sent to candidates along with final letters of recommendation decisions on all review actions.
2. A copy of the AA-12 will also be sent to department heads and deans.

## 4.05 Annual Faculty Evaluation

### A. Overview

The annual faculty evaluation (AFE) is the primary process for evaluating faculty member performance in teaching, service, and scholarship. The AFE process provides:

* Information for merit salary increases;
* Documentation for tenure, promotion, reappointment, and post-tenure review;
* Feedback to faculty members about their ongoing performance and the extent to which they have met applicable AFE documents.

### AFE documents are developed by faculty members in accordance with guidelines provided by the Provost. After approval by departmental faculty, AFE documents are forwarded for approval to the dean of the college. The departmental AFE documents should include multiple means for evaluating teaching, scholarship, and service.

### B. Evaluation of Teaching

1. The faculty at Western Carolina University is committed to the idea that effective teaching maximizes student learning. As such we define teaching excellence as the facilitation of engaged and ambitious learning. Even among diverse instructional settings, we recognize that effective teaching incorporates some common aspects that can be evaluated. In accordance with UNC Policy Manual Chapter 400.3.1.1[G], WCU’s policies for the evaluation of teaching include ongoing student and peer evaluations of teaching. WCU’s evaluation of teaching centers on three areas: pedagogical content knowledge, the professional administration of the class (including supervision of students), and student response to instruction. See Office of the Provost website [http://www.wcu.edu/10132.asp] for further resources and research on the evaluation of teaching.

**Overview: WCU Evaluation of Teaching—3 Criteria with Evidence**

|  |  |  |  |
| --- | --- | --- | --- |
| EVALUATIVEMEASURES | PEDAGOGICAL CONTENTKNOWLEDGE | PROFESSIONAL ASPECTSOF TEACHING | STUDENT  RESPONSE TO INSTRUCTION |
| EVIDENCE / ARTIFACT | Peer Review of Teaching Materials and Direct Observation | Peer Review of Teaching Materials and Direct Observation | Peer Review of Teaching Materials and Direct Observation |
| EVIDENCE / ARTIFACT | Statement on Teaching Currency | SAIs | SAIs |

1. Pedagogical Content Knowledge

Effective teachers remain current in their fields, know how students learn, and recognize what prior information, including misconceptions, students bring to their courses. Most important, they know how to combine these three kinds of knowledge to create teaching acts that lead to student learning. Shulman (1987) has called this combination “pedagogical content knowledge” to distinguish it from content knowledge alone or pedagogy alone. Using their pedagogical content knowledge, scholars restructure their expertise in forms that are understandable and useable by their students.

An instructor’s pedagogical content knowledge is reflected in the teaching acts that represent a discipline’s central concepts, skills and recent advances through a variety of means, including classroom explanations, assignments, and other course requirements. Teachers become more effective as they repeatedly engage in these teaching acts and find out what is easiest and most difficult for their students and modify their teaching accordingly.

Evaluation of Pedagogical Content Knowledge

Faculty members should be able to evaluate the current state of their pedagogical content knowledge for a particular course by responding to the questions: “What am I doing to help my students understand the most important material in my field?”; and “How have I changed my teaching practices to help students understand the central concepts, skills and advancements for the courses I teach?”.

Peer evaluators should be able to see evidence of pedagogical content knowledge in the portfolios of materials faculty members submit, including their syllabi, assignments, exams, classroom exercises, and self evaluations. Peer observation reports may include categories that reflect how instructors have used pedagogical content knowledge in the design of their instruction.

* Statement (by faculty member) discussing how instruction has changed or developed in relation to his/her discipline.
* Peer evaluation of the extent to which a faculty member’s pedagogy is appropriate to the discipline

B. Professional Aspects of Teaching

Effective teaching relies upon the ability to perform well the required administrative and professional functions associated with instruction. While good teaching relies upon disciplinary expertise – and different disciplines often approach teaching differently – teaching is also a profession that requires common duties regardless of area. Such functions include, for example, providing appropriate and timely feedback to students, providing clear instructions, providing regular information regarding progress, responding appropriately and in a timely manner to students, making materials available, holding classes and making suitable use of class time. Highly effective teaching is more than class management; it is class management that relies upon an instructor’s ability to perform the duties associated with the job.

Evaluation of Professional Aspects of Teaching

These workaday aspects of teaching are separate from, but related to, both academic expertise and student perception of learning, and they may be assessed by peers and students. Direct observation by peers of instruction, as well as peer review and evaluation of materials, can provide evaluation of a faculty member’s organizational and administrative performance in their classes. Student feedback (on SAIs for example) may reflect performance in this area.

* Feedback from direct observation of teaching
* Peers review of teaching materials
* SAI responses on relevant items, such as:
* My instructor is well prepared for class meetings.
* Feedback from the instructor clearly indicates my standing in this course.

C. Student Response to Instruction

Students have a unique and important perspective on certain components of teaching effectiveness. They value intellectual engagement, enthusiasm, and passion for course content. Course organization and clarity, two aspects that relate to student success, are validly rated by students. Effective teachers are available to the students. The extent to which the student feels respected and shares a sense of rapport with the instructor correlates with teaching effectiveness.

Evaluation of Student Response to Instruction

* Feedback from direct observation of teaching. Evaluation by peers of teaching materials
* SAI responses

Departmental AFE plans should include means for evaluating each of these areas in the ways outlined below.

2. Sources of data for evaluating teaching

When evaluating an instructor's teaching for tenure, promotion, and reappointment, all departments must include data from at least the following three sources:

* Student assessment of instruction (SAI)
* Colleagues’ reviews of teaching (e.g. classroom observation and/or reviews of teaching materials)
* Instructor's self-report and evaluation

A. Student assessment of instruction (SAI)

Tenured faculty members are required to report SAIs during at least one semester each academic year. Those standing for promotion or reappointment may be required to provide more frequent evaluations as prescribed by the Provost. SAIs will be conducted using forms and procedures that have been departmentally approved and include one of the university-wide assessment forms approved by the Faculty Senate.

B. Colleagues’ review of teaching

Teaching Materials. Each department should designate a committee of at least two faculty colleagues, exclusive of the department head, to review and evaluate teaching materials prepared by the instructor being evaluated. Materials may include course syllabi, examinations, quizzes, reading lists, assignments, study guides, handouts, slides and media, computer programs, etc. In small departments, reviewers may be selected from outside the department. Each department should develop a protocol to guide the review of materials.

Direct Observation of Classroom Teaching. All tenure-track faculty members must be evaluated by direct observation of classroom teaching as required by the University of North Carolina General Administration (see UNC Policy Manual 400.3.1.1(G). Classroom observation should never be used as the sole measure of teaching effectiveness. Each department should develop protocols to guide classroom observation. Other faculty members may also include direct observations in support of their AFE.

C. Instructor's self-report and evaluation

Faculty members should be able to address the currency of their pedagogical content knowledge by responding to the questions: “What am I doing to help my students understand the most important material in my field?”; and “How have I changed my teaching practices to help students understand the central concepts, skills and advancements for the courses I teach?”

 D. Other information as determined by the College and/or Department Collegial Review Documents.

E. Bibliography: <http://www.wcu.edu/about-wcu/leadership/office-of-the-provost/resources-for-faculty-and-staff/academic-procedures-and-regulations/index.asp> (under heading of APR 4).

3. Evaluating library faculty

Library faculty members’ contributions may or may not include formal classroom instruction. The “teaching quality and effectiveness” of the library faculty are identified by the following:

* Managing personnel and other resources effectively and/or ensuring unit goals are in concert with overall library and university goals.
* Acquiring, organizing, and creating means of access to library-related information resources.
* `Developing library collections, both in physical and electronic form, to ensure that the collections meet the instructional and research needs of the University.
* Assisting patrons in the use of library services and collections either as individuals or groups.
* Applying and/or developing technology to enhance library services.
* Assessing and evaluating library operations, resources and services, strategic and tactical planning, and developing library promotional materials.

Library faculty members must include data from at least the following three sources:

* Client assessments
* Colleagues’ review of relevant materials
* Faculty member's self-report and evaluation

### C. Evaluation of Scholarship

Scholarship is an ongoing activity with the goal of being shared with others and/or evaluated by peers. Faculty members should provide a list and description of their scholarship. Departments must develop criteria for evaluation of scholarship. Departmental criteria should be specific and flexible – specific enough to provide guidance to new faculty and flexible enough to accommodate multiple types of scholarship.

### D. Evaluation of Service

Faculty members should provide a list and description of their service activities. Documentation of service may include letters, newspaper articles, advisee evaluations, evidence of service outcomes, etc. Because service varies widely, departments must develop methods of evaluating service.

### E. Evaluation of Grant Writing Activities

Grant writing is an activity that requires faculty members to take initiative in matching resources to needs. Departments must develop criteria that evaluate the significance of grant writing activities. Faculty members should provide a list and description of all grants submitted and/or awarded.

### F. Annual Evaluation of Instructors Who Are Non-Tenure Track

With the exception of professorships whose responsibilities are specified by contract, annual evaluation of instructors who are non-tenure track is built on the following premises:

1. Teaching and learning are the primary focus.

2. All teaching will be formally evaluated based on the Seven Dimensions of Teaching (see Section 4.05B.1).

3. In addition to class meetings, instructors will schedule office hours to meet with their students. This could be in person, via email, phone, or electronically.

4. Departments will establish criteria for formally evaluating instructors, regardless of their title or type of appointment. All departments should include data from at least the following three sources:

* Student assessment of instruction
* Colleagues’ reviews of teaching (e.g. classroom observation and/or reviews of teaching materials)
* Instructor's self-report and assessment

5. All instructors will be told in writing at the time of their appointment how their work will be evaluated.

6. Instructors will receive written feedback on their performance from the department head.

7. In the event that problems are identified, the department head will meet with the instructor to address the problem.

**4.06 Reappointment for Tenure Track Faculty**

**A. Overview**

The reappointment process is a review of a tenure–track faculty member’s annual progress toward meeting departmental criteria for tenure and promotion during the probationary period (See Section 4.07A.3). This process is a significant part of the basis of a tenure-track faculty member’s annual contract renewal. Reappointment recommendations are made at the department and/or college level and are forwarded to the Provost. Tenure review occurs no later than the final year of a faculty member’s probationary period. A decision not to reappoint a faculty member may be made for any reason that is not an impermissible reason.

**B. Application and Review Process**

In the 1st, 3rd, and 5th year of the probationary period the candidate submits a reappointment application consisting of the completed AA12 form with the accumulated AFE letters from the department head during each year of the probationary period attached. Applications may not be submitted in two consecutive years.

 The department head and dean may determine that the candidate needs to submit a cumulative reappointment dossier during the 1st, 3rd, and/or 5th year of the probationary period. Candidates requiring an administratively initiated review (Dossier) in the 1st, 3rd, or 5th year will complete the dossier within 30 calendar days of notification. These administrative review dossiers will be submitted through full review levels the same as 2nd and 4th year reappointment dossiers as determined by each college.

In the 2nd and 4th year of the probationary period the candidate submits a reappointment dossier as determined by the Provost and the Collegial Review Council of the Faculty Senate. The reappointment dossier is a cumulative record documenting progress toward tenure.

1. The Provost, in consultation with the Faculty Senate Collegial Review Council, will provide instructions for the preparation of the reappointment applications and the reappointment dossiers in April for the next TPR cycle.

2. Reappointment application: 1st, 3rd, 5th years

1. The reappointment application is reviewed by the departmental collegial review committee, the department head, the college collegial review committee (if appropriate), the dean and the provost.
2. The department collegial review committee meets and makes recommendations on reappointment applications within the time frame established by the Annual TPR Calendar issued by the Provost, said time frame not to exceed 15 working days following the submission deadline. In accordance with the established procedures of each college, department heads submit recommendations directly to the dean or to the college collegial review committee (if appropriate).
3. Each college, within their by-laws, will determine the process and manner of review for reappointment dossiers.
4. The recommendations then go to the Provost for final decisions.

3. Reappointment dossiers: 2nd, 4th years, and administrative review

1. The reappointment dossier is reviewed by the department collegial review committee, the department head, the college collegial review committee (if appropriate), the dean and the Provost.
2. The department collegial review committee meets and makes recommendations on reappointment dossiers within the time frame established by the Annual TPR Calendar issued by the Provost, said time frame not to exceed 15 working days following the submission deadline. In accordance with the established procedures of each college, department heads submit recommendations on reappointment dossiers directly to the dean or the college collegial review committee (if appropriate).
3. Each college, within their by-laws, will determine the process and manner of review for reappointment dossiers.
4. Recommendations then go to the Provost for final decisions.

4. The candidate is informed in writing of the recommendation decisions and the vote count at each level of review within 5 working days following the vote at each level.

|  |  |
| --- | --- |
| **Review Level** | **Responsible for Communication** |
| Department CRC and Dept. Head | Department Head |
| College CRC and Dean | Dean |
| University CRC and Provost | Provost |

5. Reappointment Application and Dossier submission deadlines

 At the beginning of each academic year, the Provost distributes a collegial review calendar. Timely notice of a decision not to reappoint depends on candidate’s unbroken length of service at Western Carolina University in the same class of appointment. Important dates relating to the probationary period for reappointment purposes will be included in the hiring contract.

 Deadlines for submission are as follows:

* In the 1st (except if the candidate is in his/her first full time year at WCU), 3rd, and 5th year of the probationary period, all applications are due on the 1st working day of October.
* All tenure track candidates in the 1st full time year at WCU regardless of the probationary year, will submit applications (or dossiers if administrative review is initiated) by the 10th working day of January. If a dossier is required the candidate must be notified by the end of exam week in fall semester.
* In the 2nd and 4th year of the probationary period, all dossiers are due on the 1st working day of October.
* All candidates in the 3rd and 5th year of the probationary period who are asked to submit dossiers for administrative review must be notified by the 1st working day of September. However, Department Heads and Deans are encouraged to notify candidates as soon as possible. These dossiers will be due on the 1st working day of October.

 Those faculty who change from a fixed-term appointment to a tenure-track appointment, however, should contact the Provost’s office to find out the submission deadline for their reappointment dossier.

**C. Other Reappointment Considerations**

1. Decisions are based on the departmental criteria in effect during the year being reported. If departmental criteria have changed from the previous year, faculty members should refer to 4.04D8 for requesting special consideration.

2. Faculty members who choose to appeal negative reappointment decisions must meet the deadlines described in the section on hearings (See section 4.10)

3. A faculty member who asserts that the procedures followed to reach the non-reappointment decision materially deviated from the prescribed procedures such that doubt is cast on the decision not to reappoint may appeal from that decision to the Faculty Hearing Committee.

4. According to the *Code of the University of North Carolina* (604B): “In no event shall a decision not to reappoint a faculty member be based upon (a) the exercise by the faculty member of rights guaranteed by the First Amendment to the United States Constitution, or by Article I of the North Carolina Constitution, or (b) the faculty member's race, color, sex, religion, creed, national origin, age, disability, veteran’s status, or other forms of discrimination prohibited under polices adopted by the Board of Trustees, or (c) personal malice.” For purposes of this section, the term “personal malice” means dislike, animosity, ill-will, or hatred based on personal characteristics, traits or circumstances of an individual. See UNC Policy 101.3.1 II.B. for details.

\* The term "working days" as used in Section 4.00 means any day (excluding Saturdays and Sundays) on the undergraduate Academic Calendar that classes are scheduled to be in session during the faculty member's contracted employment term, not including summer sessions.

**4.07 Academic Tenure and Promotion**

**A. Overview of Tenure and Promotion**

**1. Tenure**

Academic tenure refers to the conditions and guarantees that apply to a faculty member's employment. Tenure provides protection against involuntary suspension or discharge from employment or reduction in rank except upon specified grounds and in accordance with the procedures provided in Sections 4.09 and 4.10. Tenure secures the academic freedom of faculty members and enables the institution to attract high quality faculty. The tenure decision shall include, but is not limited to, an assessment of:

a. The faculty members demonstrated professional competence as evaluated by meeting or exceeding departmental criteria;

b. The faculty member’s potential for future contributions and;

c. Institutional needs and resources.

**2. Promotion**

The University initially assigns faculty rank in accordance with degree preparation, experience, and performance record. Faculty members achieve a higher rank and earn a higher salary on the basis of a collegial review process that evaluates performance toward meeting departmental criteria.

**3. Probationary period**

a. Tenure-track faculty can be on probation for a maximum period of six years, subject to extensions as provided in Section 4.00.

b. The probationary period provides time for tenure-track faculty to establish a record of academic achievement (in teaching, scholarship and service) and to demonstrate potential for future productivity. It also allows the University to adjust faculty resources in accordance with institutional needs.

c. Faculty may negotiate a shorter probationary period at the time of hire. Alternatively, faculty who have far exceeded expectations and demonstrated evidence of significant and sustained contributions to the University in all three areas of teaching, scholarship and service, may apply for early consideration of tenure, only and the endorsement of their department head and dean may apply for early consideration of tenure. Faculty who fail in their application for early tenure may reapply during the standard probationary period.

d. The review of tenure-track faculty must be conducted on a schedule that permits the timely notice requirements in Section 4.09B to be observed.

e. The probationary period is determined by the following guidelines:

1) The maximum probationary period shall be six years of continuous, full-time service at Western Carolina University. Faculty members whose probationary period has extended into the sixth year must be granted either a promise of tenure or, if tenure is denied, a fixed-term appointment for one academic year.

2) Nine-month tenure-track faculty employed for one academic year, beginning in the fall term, shall be counted as fulfilling one year of probationary period.

3) For nine-month tenure-track faculty who do not begin during the fall term, the probationary period will begin the subsequent academic year.

4) For faculty on twelve-month appointments, each successive year of full-time service beginning not later than September 15 of one calendar year and extending through June of the next calendar year shall be counted as fulfilling one year of the probationary period.

5) Summer school teaching/service, experience as a graduate assistant, graduate fellow, or other part-time employment does not count toward years of experience for purposes of determining the probationary period of a tenure-track faculty member.

6) In the event of serious illness, childbirth or other compelling reasons, the probationary period may be extended by the Provost (see APR 4).

**4. Awarding of tenure**

a. The Board of Governors of the University of North Carolina system has delegated the authority to award tenure to the Western Carolina University Board of Trustees.

b. The Western Carolina University Board of Trustees awards tenure based on the recommendation of the Chancellor or the Chancellor’s designee.

c. Tenure becomes effective upon the approval by the Board of Trustees.

**5. Rank**

a. Western Carolina University recognizes the following faculty ranks: 1) instructor, 2) assistant professor, 3) associate professor, and 4) full professor.

b. An earned master's degree from a regionally accredited institution is a minimal requirement for appointment to the rank of instructor. For appointments at the ranks of assistant, associate, and full professor, an earned doctorate from a regionally accredited institution is normally required. If specified in departmental criteria, the highest degree normally earned in the field (i.e. terminal degree) may be accepted in lieu of a doctoral degree. Exceptions can be granted in the departmental criteria with the Dean and Provost’s approval.

 **6. Eligibility for promotion**

a. Candidates must be full-time employees, tenure-track or tenured, and hold an appropriate degree. Promotion is not based on a faculty member’s years of service. Instead, faculty promotions are based on earned degrees and cumulative records of performance that meet or exceed departmental criteria.

b. Required years in rank for promotion.

 Tenured or tenure-track faculty must spend a minimum time in rank of five years. Exceptions may be made in cases where faculty who have exceeded expectations and demonstrated evidence of significant and sustained contributions to the University in all three areas of teaching, scholarship and service, may apply for early consideration of promotion, only with the endorsement of their department head and dean.

c. Minimum university standards for assignment of rank are shown below. Definitions and explanations for standards are found in Section 4.04C.

1) Assistant professor

Evidence of achievement and promise for sustained contributions to the institution in teaching, service, and scholarship.

2) Associate professor

Evidence of high levels of achievement and contributions to the institution in teaching, service, and scholarship.

3) Professor

Evidence of superior teaching, service, and scholarship.

d. Experience as a graduate assistant, graduate fellow, summer school faculty, or any other part-time employment are not counted toward years of experience for purposes of determining the appropriate initial rank or promotion in rank.

**B. Application and Review Process for Tenure and Promotion.**

The tenure review process is a review of a tenure–track faculty member’s record in meeting departmental criteria for tenure and promotion during the probationary period.  Tenure is a continuing commitment by the University to the faculty member. Tenure and promotion recommendations are made at the department and/or college level, then to the University Collegial Review Committee before being forwarded to the Provost, Chancellor, and Board of Trustees. Tenure review occurs no later than the final year of a faculty member’s probationary period.

Each faculty member submits a dossier which is a cumulative record documenting progress toward tenure and/or promotion. Dossiers for tenure, promotion, and reappointment have a similar format but the review procedures are different.

1. The Provost, in consultation with the Collegial Review Council, will provide instructions for the preparation of dossiers in April for the next TPR cycle.

2. Faculty members prepare and submit tenure and promotion dossiers to department heads for review by department collegial review committees. These committees must meet and vote according to the deadlines in Section 4.07.C.3. Department heads’ recommendations and department collegial review committee votes are forwarded to the college collegial review committees and appropriate deans. These committees must meet and vote according to the deadlines in Section 4.07.C.3. Collegial review committees’ and deans’ recommendations are forwarded to the University Collegial Review Committee. This committee’s votes are forwarded to the Provost whose recommendations are submitted to the Chancellor and the Board of Trustees for final decision.

3. At each level of review candidates are informed in writing within 5 working days of recommendations and vote counts.

4. Dossier submission deadlines

At the beginning of each academic year, the Provost distributes a collegial review calendar. Timely notice of a decision not to reappoint depends on candidate’s unbroken length of service at Western Carolina University in the same class of appointment. (See Section 4.07A.3 for more on probationary periods.) Therefore, deadlines for submission of a tenure and promotion dossiers vary according to the date of initial appointment. Important dates relating to the probationary period for tenure purposes will be included in the hiring contract.

The deadline for the submission of the tenure and/or promotion dossier is the 1st working day of October.

\* The term "working days" as used in these policies means any day (excluding Saturdays and Sundays) on the undergraduate Academic Calendar that classes are scheduled to be in session during the faculty member's contracted employment term, not including summer sessions.

**C. Other Tenure and Promotion Considerations**

1. If faculty apply for promotion or tenure prior to their last year of probation and receive a negative review at any level, the dossier will not be forwarded to the next level, except when a faculty member requests that it continue through the process. Such requests shall be made in writing to the committee chair or administrator at the negative review level and must be submitted no later than 5 working days after receipt of notification.

2. Faculty will be notified of their eligibility to apply for promotion and/or tenure on or before May 1st of the academic year prior to the year of eligibility.

3. Review deadlines

The Provost publishes a review schedule for promotion and tenure by the end of spring semester for the next academic year. Once the process begins, a date specified by the Provost’s Office, all levels of review must complete their work no later than the times indicated in the decision deadlines column as shown in the matrix below. Candidates must receive notification of the reviewer’s decision according to the time limits shown in the letter of notice deadlines column. All deadlines for letters of notice are counted from the end of the decision deadline.

|  |
| --- |
| **Applications** |
| **Decision Deadlines**  | **Reviewer** | **Letter of Notice Deadlines**  |
| 10 working days | Departmental Committee  | 5 working days –communicated by Department Head |
| 8 working days | Department Head | 5 working days—communicated by Department Head |
| 8 working days | Dean  | 5 working days-communicated by Dean |
| 8 working days | Provost | 5 working days—communicated by Provost |
| **Dossiers** |
| **Decision Deadlines**  | **Reviewer** | **Letter of Notice Deadlines**  |
| 10 working days | Departmental Committee  | 5 working days –communicated by Department Head |
| 8 working days | Department Head | 5 working days-communicated by Department Head |
| 15 working days | College Committee  | 5 working days—communicated by Dean |
| 8 working days | Dean | 5 working days—communicated by Dean |
| 8 working days | Provost (for reappointment) | 5 working days---communicated by Provost |
| **University Committee Review Begins 5 working days after Dean’s Decision Deadline** |
| 20 working days excluding finals week | University Committee | 5 working days—communicated by Provost |
| 8 working days | Provost (for T & P) | 5 working days-communicated by Provost |
| March BOT Meeting | Chancellor  | Chancellor communicates his/her recommendation to the BoT as well as the BoT decision |

**D. Procedures Guiding Review Committees**

1. Departmental collegial review committee

a. Each department shall have a tenure and promotion advisory committee that shall be chaired by the department head (non-voting) and composed of up to six tenured faculty members elected by the department's full-time faculty. In departments with six or fewer tenured faculty members, the committee shall be composed of the department head and tenured faculty, provided the resultant committee shall consist of at least three tenured faculty members, exclusive of the head.

b. In departments with fewer than three tenured faculty, the Department Head in consultation with the department and dean, selects tenured faculty from similar departments to constitute a committee of at least three tenured faculty. If the department head is up for review then the departmental collegial review committee consults with the dean to finalize the committee.

c. Committee members may not be present when their own dossiers are being considered.

d. When the department head is the person being considered by the committee, the department head shall be excused, and the committee shall elect a pro tem chair (voting) from its membership. The pro tem chair shall submit the committee's recommendations directly to the appropriate dean.

e. The university library faculty shall function as a department, and the University Librarian shall serve as nonvoting chair of the Library Tenure and Promotion Committee.

 2. College collegial review committees\*

a. Each college shall have a collegial review committee chaired by the dean (non-voting) and composed of not less than six nor more than 12 tenured faculty members to serve staggered three year terms. Each college shall determine the total number of faculty members to be included on the committee.

b. Half of the committee is elected by the college faculty and half is appointed by the dean.

c. In colleges with six or more departments, no more than one faculty member may be elected from a single department and no more than one member may be appointed from a single department. In colleges with fewer than six departments each department must be represented by at least one elected member.

d. In departments with no tenured faculty members or an insufficient number of tenured faculty members, the department head, in consultation with the dean, will nominate tenured faculty from other departments within the College or University, to be elected or appointed (see D.2.b. above) to serve as a representative(s) for that department.

e. When making appointments to this committee, the dean shall try to balance seniority, professorial rank, departmental representation, and continuity of membership. Deans may reappoint faculty members to consecutive terms in order to secure a degree of continuity in the committee membership.

f. Deans of other colleges and senior administrative officers are not eligible for appointment to a college committee.

 \* Schools headed by a dean who reports to the Provost function as colleges as described in these procedures.

 3. University Collegial Review Committee

a. The University Collegial Review Committee shall consist of the Provost as nonvoting chair; the Dean of the Graduate School, one tenured faculty member elected from each college by the faculty of the college, one tenured faculty member elected by the faculty of the university library, and tenured faculty members appointed by the Provost equal to the number of elected faculty members on the committee.

b. The elected members of the committee shall serve three-year terms, staggered so that one-third of the elected members are elected each year. Appointed members shall serve one year terms without limitation on the number of consecutive terms. Elected members may not serve consecutive elected terms.

c. When making appointments to this committee, the Provost shall try to balance seniority, professorial rank, college representation, and continuity of membership. The Provost may reappoint faculty members to consecutive terms in order to secure a degree of continuity in the committee membership.

**4.08 Post-Tenure Review**

**A. Introduction**

Post-tenure review (PTR) is a comprehensive, formal, periodic evaluation of all tenured faculty. The purpose of this review is to support continuing faculty development, to promote faculty vitality, and to encourage excellence among tenured faculty. This is achieved by recognizing and rewarding faculty performance, offering suggestions to enhance performance, providing a clear plan and timetable for improvement of faculty members whose performance is found less than satisfactory;, and providing for the imposition of appropriate sanctions for those whose performance remains deficient. Post-tenure review shall be consistent with the University of North Carolina Board of Governors' policy of giving teaching primary consideration.

**B. Faculty to Be Reviewed**

PTR is required of all tenured faculty whose primary responsibilities (50% or more) involve teaching, scholarship, and/or service. If faculty responsibilities are primarily only to one or two of these areas, post-tenure review and resulting recommendations should take this allocation of responsibilities into account.

**C. Timetable**

A tenured faculty member may elect to undergo PTR during any academic year. Faculty for whom PTR is required must undergo a review no later than the fifth academic year following the most recent of any of the following review events: award of tenure or promotion at Western Carolina University, prior post-tenure review, or return to faculty status following administrative service. Candidates who are denied promotion in the required PTR year must submit PTR materials no later than the following academic year. Exceptions shall be made in the following cases: 1) when on leave from duties, that period shall not be included as part of the five years between mandatory review events and/or 2) when temporarily assigned to duties away from Cullowhee/Asheville during the period of a required review, PTR occurs upon return. In the event of serious illness, childbirth or other compelling reasons, the PTR timetable may be extended by the Provost (see APR 4).

**D. Materials to Be Submitted for Review**

At a minimum, a faculty member being reviewed will provide a current curriculum vitae (CV) and the four most recent annual faculty evaluation summary statements from the department head. Departments may require a faculty member to add additional materials as directed by Departmental Collegial Review documents.

**E. Procedures**

Performance to be reviewed is limited to the five years preceding review or to the period subsequent to the prior review event, whichever is less.

The tenured faculty of each department shall establish a procedure for post-tenure review. These procedures must be approved by the dean of the college and the Provost. Each department establishes a PTR committee (approved by the departmental faculty) with at least three tenured departmental colleagues, excluding the department head. Whenever a department finds it impossible to form a committee containing at least three tenured faculty, the matter will be referred to the Provost. The Provost, with the approval of the tenured faculty of the department and the dean of the college, will, by selecting tenured faculty from similar departments, constitute a committee of three tenured faculty for the department. Faculty members being reviewed are not permitted to select a member of the committee. However, this does not preclude such faculty members from voting on committee membership along with their colleagues.

Peer reviewers shall present their written evaluations to the department head. The department head shall provide a copy of this evaluation to the faculty member and shall meet with the faculty member to discuss the review. The department head shall then append his/her evaluation relative to the mission of the University, college/school/library, and program. The faculty member then has the option of attaching a written response. In the library the role of the department head will be performed by the University Librarian. When a department head is reviewed, the dean shall perform the roles ordinarily performed by the department head.

**F. Criteria**

Criteria for acceptable faculty performance include professional competence, conscientious execution of duties–taking into account distribution of workload as developed by the department head–and efforts to improve performance. Exemplary faculty performance, as determined by the department, involves sustained excellence in teaching, scholarship, and service.

**G. Outcomes**

Post-tenure review outcomes, including a faculty member’s response to a negative decision, in an academic unit must be reviewed by the Dean. The Dean’s review, along with the Department’s decision will be sent to the Provost for information.

In the case of a satisfactory decision, results are documented for university award and merit pay decisions. In addition, suggestions to enhance performance may be provided.

In the case of an unsatisfactory decision, the department head, in consultation with the faculty member, PTR committee, and dean of the faculty member's college, will create a three-year development plan within one month of the review. The plan shall include (1) a statement of the faculty member’s primary responsibilities and specific descriptions of shortcomings as they relate to the faculty member’s assigned duties; (2) specific improvements to be accomplished within three years, (3) resources to be committed to the improvement efforts, and (4) other support provided by the administration. If duties are modified as a result of a less than satisfactory rating, then the development plan should so indicate and take into account the new allocation of responsibilities. The department head and PTR committee will monitor the faculty member's progress relative to the development plan and provide verbal and written feedback to the faculty member semi-annually. The development plan and the written feedback are to be copied to the Dean and the Provost. In the event of serious illness, childbirth or other compelling reasons, the PTR development period may be extended by the Provost through a university process established, in consultation with and endorsed by the Faculty Senate, and approved by the Chancellor.

The plan shall also include a clear statement of consequences should adequate progress not occur by the end of the third year. The consequences may range from suspension of pay raises to, in the most extreme cases, reduction in rank, temporary suspension of employment, or termination of employment.

**H. Appeals**

The Faculty Post-Tenure Review Appeals Committee shall consider problems and appeals that arise from PTR.

**I. Due Process**

"A faculty member, who is the beneficiary of institutional guarantees of tenure, shall enjoy protection against unjust and arbitrary application of disciplinary penalties. During the period of such guarantees the faculty member may be discharged from employment, suspended, or demoted in rank only for reasons of incompetence, neglect of duty or misconduct of such a nature as to indicate that an individual is unfit to continue as a member of the faculty" (*Code of the University of North Carolina*, Chapter VI, Section 603). Disciplinary actions for noncompliance with the development plan are limited to those established in Chapter VI of the *Code of the University of North Carolina*. Due process and the right of appeal as specified in the *Code of the University of North Carolina* and the "Tenure Policies and Regulations of Western Carolina University" in the Faculty Handbook shall be guaranteed.

**4.09 Termination of Employment**

**A. Types of Termination of Employment to the University**

1. Faculty members with permanent tenure or appointed to a fixed term can be terminated from employment because of:

* Resignation or retirement
* Discharge or the imposition of serious sanctions
* Financial exigency
* Major curtailment or elimination of a teaching, research, or public-service program

2. Non-reappointment

 Non-reappointment decisions can apply to full-time, non-tenured, non-probationary faculty members whose appointment contract includes a provision that the appointment is subject to renewal. Decisions for non-reappointments for probationary or continuing faculty are based upon the procedures outlined in Sections 4.05 and 4.06.

**B. Timely Notice**

1. The minimum requirement for timely notice of non-reappointment shall be as follows:

|  |
| --- |
| **Timely notice before faculty member’s employment contract expires** |
| **Amount of Service** | **Notice given not less than** |
| First year or less | 90 calendar days |
| During second year of continuous service | 180 calendar days |
| More than two years of continuous service | 12 calendar months |

2. Credit for prior service shall not be counted as continuous service at Western Carolina University for purposes of timely notice.

3. Reappointment decisions will be in writing. If the decision is not to reappoint, then failure to give timely notice of non-reappointment will oblige the Chancellor thereafter to offer a terminal appointment of one academic year.

**C. Faculty Resignation and Retirement**

1. Faculty may retire in accordance with the provisions of Chapter 135 of the North Carolina General Statutes.

2. A faculty member resigning or retiring from the University should deliver written notice, containing an effective date, to the faculty member’s immediate supervisor. The University requests that it receive such written notice no later than 90 calendar days before a resignation becomes effective.

3. In order to receive retirement benefits or other benefits available at separation, if any, a faculty member must retire or otherwise separate from the University in accordance with legal requirements through the University’s Office of Human Resources.

4. The faculty member who has been approached with regard to another position should inform the department head and dean when such negotiations are in progress. When the faculty member enters into a binding agreement, he/she should promptly notify the department head and the dean of the college. Western Carolina University expects 90 calendar days notice before a resignation becomes effective.

**D. Discharge or the Imposition of Serious Sanctions**

1. A faculty member, who is the beneficiary of institutional guarantees of tenure, shall enjoy protection against unjust and arbitrary applications of disciplinary penalties. During the period of such guarantees, the faculty member may be discharged from employment, suspended, or demoted in rank only for reasons of

 (a) incompetence, including significant, sustained unsatisfactory performance after the faculty member has been given an opportunity to remedy such performance and fails to do so within a reasonable time;

 (b) neglect of duty, including sustained failure to meet assigned classes or to perform other significant faculty professional obligations; or

 (c) misconduct of such a nature as to indicate that the individual is unfit to continue as a member of the faculty, including violations of professional ethics, mistreatment of students or other employees, research misconduct, financial fraud, criminal, or other illegal, inappropriate or unethical conduct. To justify serious disciplinary action, such misconduct should be either (i) sufficiently related to a faculty member’s academic responsibilities as to disqualify the individual from effective performance of university duties, or (ii) sufficiently serious as to adversely reflect on the individual’s honesty, trustworthiness or fitness to be a faculty member.

 These sanctions may be imposed only in accordance with the procedures prescribed in this section.

2. For purposes of these regulations, a faculty member serving a stated term shall be regarded as having tenure until the end of that term. Different procedures shall apply to non-reappointment or termination of employment.

3. The Provost shall send the faculty member a written notice of intention to discharge the faculty member or impose a serious sanction together with a written specification of the reasons. The notice and specification of reasons shall be sent by a method of mail or delivery that requires signature for delivery. The statement shall include notice of the faculty member's right, upon request, to a hearing by the Faculty Hearing Committee.

4. If, within 14 calendar days[[1]](#footnote-1) after the faculty member receives the notice and written specifications referred to in paragraph 3 above, the faculty member makes no written request for a hearing, the faculty member may be discharged or serious sanction imposed without recourse to any institutional grievance or appellate procedure. Such a discharge or serious sanction shall be imposed by the Provost via letter sent to the faculty member by a method of mail or delivery that requires a signature for delivery. The discharge or serious sanction is imposed upon posting of the letter on the effective date identified in the letter.

5. If the faculty member makes a timely written request for a hearing, the chancellor shall ensure a process is in place so that the hearing is timely accorded before the Faculty Hearings Committee. The hearing shall be on the written specification of reasons for the intended discharge or imposition of a serious sanction. The hearing committee shall accord the faculty member 30 calendar days from the time it receives the faculty member’s written request for a hearing to prepare a defense. The Faculty Hearing Committee may, upon the faculty member's written request and for good cause, extend this time by written notice to the faculty member. The Faculty Hearing Committee will ordinarily endeavor to complete the hearing within 90 calendar days except under unusual circumstances such as when a hearing request is received during official university breaks and holidays and despite reasonable efforts the hearing committee cannot be assembled.[[2]](#footnote-2) The procedures for the hearing are set forth in Section 4.10B.3.

6. When a faculty member has been notified of the institution's intention to discharge the faculty member, the Chancellor may reassign the individual to other duties or suspend the faculty member at any time until a final decision concerning discharge has been reached by the procedures prescribed herein. Suspension shall be exceptional and shall be with full pay.

**E. Termination of a Position for Financial Exigency or Major Curtailment or Elimination of a Program**

 "Financial exigency" is defined as a significant decline in the financial resources of the institution that is brought about by decline in institutional enrollment or by other action or events that compel a reduction in the institution's current operations budget. The determination of whether a condition of financial exigency exists or whether there shall be a major curtailment or elimination of a teaching, research, or public-service program shall be made by the Chancellor, after consulting with the academic administrative officers and faculties as required by Section 605 C(1) of the *Code of the University of North Carolina*, subject to the concurrence by the President and then approval by the Board of Governors. If the financial exigency or curtailment or elimination of program is such that the institution's contractual obligation to a faculty member may not be met, the employment of the faculty member may be terminated in accordance with institutional procedures that afford the faculty member a fair hearing on that decision

1. Reasons for terminating employment

 The employment of a faculty member with tenure or of a faculty member appointed to a fixed or probationary term may be terminated by Western Carolina University because of (1) demonstrable, bona fide institutional financial exigency or (2) major curtailment or elimination of a teaching, research, or public service program.

2. Consultation with faculty and administrative officers

 When it appears that the institution will experience an institutional financial exigency or when a major curtailment in or elimination of a teaching, research, or public service program is being considered, the Chancellor or the Chancellor's delegate shall first seek the advice and recommendations of the academic administrative officers and faculties of the departments or other units that might be affected. The Chancellor shall assure that full discussion at all appropriate academic levels will precede a decision to eliminate positions as a result of either financial exigency or major curtailment or elimination of a teaching, research, or public service program. The Chancellor shall seek alternatives to the elimination of positions. After discussions with the affected department, the Chancellor shall consult the Chancellor's Advisory Committee before formulating the final decision.

3. Termination procedures

a. Considerations in determining whose employment is to be terminated

 In determining which faculty member's employment is to be terminated for the reasons set forth above, consideration shall be given to tenure status, to years of service to the institution, and to other factors deemed relevant, but the primary consideration shall be the maintenance of a sound and balanced educational program that is consistent with the functions and responsibilities of the institution.

b. Termination

1) An individual faculty member whose employment is to be terminated shall be notified of this fact in writing. The notice shall include a statement of the conditions requiring termination of employment, a general description of the procedures followed in making the decision, and a disclosure of pertinent financial or other data upon which the decision was based.

2) When a faculty member's employment is to be terminated because of major curtailment or elimination of a teaching, research, or public service program and such curtailment or elimination of a program is not founded upon financial exigency, the faculty member shall be given timely notice as required by the *Code of the University of North Carolina (Section 605B)*.

3) When a faculty member's employment is to be terminated because of financial exigency, the institution shall make every reasonable effort, consistent with the need to maintain sound educational programs and within the limits of available resources to give the same notice as set forth in Section 4.09B

4) For a period of two years after the effective date of termination of a faculty member's contract for any of the reasons specified in Section 605 of the *Code of the University of North Carolina*, the institution shall not replace the faculty member without first offering the position to the person whose employment was terminated. The offer shall be made by a method of delivery that requires a signature for delivery, and the faculty member will be given 30 calendar days after attempted delivery of the notice to accept or reject the offer.

c. Termination if reconsideration not requested

 If, within 14 calendar days after the faculty member receives the notice, the faculty member makes no written request for a reconsideration hearing, the faculty member's employment shall be terminated at the date specified in the notice given pursuant to Section 4.09E3b and without recourse to any institutional grievance or appellate procedure.

d. Request for a reconsideration hearing

 Within 14 calendar days after receiving the notice of termination from the Chancellor, the faculty member may request by registered mail, return receipt requested, a reconsideration of the decision to terminate the faculty member's employment if he/she alleges that the decision was arbitrary or capricious. The request shall be submitted to the Chancellor and shall specify the grounds upon which it is contended that the decision to terminate employment was arbitrary or capricious, and shall include a short, plain statement of facts that the faculty member believes support the contention.

 Submission of such a request shall constitute on the part of the faculty member: (1) a representation that the faculty member can support his/her contention by factual proof and (2) an agreement that the institution may offer in rebuttal of the faculty member's contention any relevant data within its possession.

e. Jurisdiction of the Faculty Hearing Committee

 If the faculty member makes a timely written request for a reconsideration of the decision, the Chancellor or the Chancellor's delegate shall insure that the hearing is accorded before the Faculty Hearing Committee. The procedures for the reconsideration hearing are set forth in Section 4.10A below.

**F. Grounds for Non-Reappointment**

1. The decision not to reappoint a faculty member when a probationary term of appointment expires may be based on any factor considered relevant to the total institutional interests, but it must consider the faculty member's demonstrated professional competence, the potential for future contributions, and institutional needs and resources.

2. These considerations may form, in whole or in part, the basis of the ultimate decision, except that a decision not to reappoint may not be based upon (1) the faculty member's exercise of rights guaranteed by either the First Amendment to the United States Constitution or Article I of the North Carolina Constitution, (2) discrimination based upon the faculty member's race, color, sex, religion, creed, national origin, age, sexual orientation, disability, veterans’ status, or (3) personal malice. For purposes of this section, the term “personal malice” means dislike, animosity, ill-will, or hatred based on personal characteristics, traits or circumstances of an individual. See UNC Policy 101.3.1 II.B. for details.

3. A faculty member has14 calendar days from receipt of the non-reappointment decision from the Chancellor within which to request the Faculty Hearing Committee to review the matter. The review request must be written, addressed to the chair of the Faculty Hearing Committee, and otherwise conform to the requirements of Section 4.10A. If a faculty member makes no request to the committee in the time allowed, further recourse to institutional grievance and hearing procedures is waived.

## 4.10 Hearings and Reviews Committees and Processes

Faculty members may seek review of negative decisions or address grievances in accordance with the policies described in the Faculty Handbook and the relevant sections of the *Code of the University of North Carolina*.

There are three main committees that deal with these types of issues: the Faculty Hearings Committee, the Faculty Post-Tenure Review Appeals Committee, and the Faculty Grievance Committee.

Here are set forth the administrative and committee reconsideration process for the appeal of negative decisions on reappointment, promotion, tenure, and post-tenure review. A reconsideration procedure affords the faculty member whose employment is to be terminated a fair hearing on the termination if the faculty member alleges that the decision to terminate was based on non-permissible reason as specified in Section 4.09F.2, a flawed process, or material procedural irregularity.

These review processes include the following:

* Review of non-reappointment decisions and decisions not to recommend for tenure when non-reappointment is involved
* Review for promotion and tenure decisions not involving reappointment (early tenure)
* Review of discharge or the imposition of serious sanction (for those with tenure)
* Reconsideration hearing for termination of a position for financial exigency or major curtailment/elimination of a program

### A. Administrative Reconsideration

1. The administrative reconsideration process for review of the negative decisions/recommendations of the Provost on reappointment, promotion or tenure would include the following:

a. A faculty member who wants the Provost’s decision/recommendation to be reconsidered must file a written request for reconsideration with the Provost no later than 14 calendar days after receiving written notice of the negative recommendation. Failure to file the written request in a timely manner waives further recourse to institutional review, grievance, and hearing procedures. The written request for reconsideration shall consist of a short statement setting out the faculty member's specific reasons for believing that the negative decision/recommendation was inappropriate.

b. Review shall be limited to a reconsideration of the material and matters presented and considered during the original review in accordance with published criteria.

c. The reconsideration process is as follows:

1) Within five working days of receipt of the request for reconsideration, the Provost shall meet with the faculty member to discuss the request.

2) After meeting with the faculty member, the Provost shall seek additional advice and information. Among the options are the following:

a) Instruct the department head and/or dean to meet with the faculty member and to then reconsider the matter, after receiving advice from advisory committees and considering the statements of the faculty member

b) Consult with the university-level advisory committee

c) If a department, college, or university tenure, promotion, reappointment committee meets to reconsider the matter, the faculty member shall have the right to present in person the basis of the request for reconsideration.

d) Within 20 working days of the Provost’s receipt of the request for reconsideration, the Provost shall notify the faculty member and the Chancellor in writing of the results of the reconsideration process.

d. In cases of Administrative Reconsideration of Tenure and/or Promotion decisions the Chancellor will inform the faculty member of his/her decision. A faculty member may request review of the Chancellor's negative decision on promotion, or tenure provided that 1) the negative decision was preceded by a positive recommendation from the Provost or 2) the faculty member had requested, in a timely fashion, reconsideration of the Provost’s negative recommendation.

### B. Faculty Hearings Committee

This committee deals with the due process provisions of Chapter VI of the *Code of the University of North Carolina*. Election of the members of the Faculty Hearings Committee is set forth in the Bylaws of the Faculty in Article V.

 1. Procedures for further review of non-reappointment decisions and decisions not to recommend for tenure when non-reappointment is involved.

a. Request for review by the Faculty Hearing Committee and initial consideration of the request.

1a) A faculty member may request review by the Faculty Hearing Committee of the Provost’s negative decision concerning reappointment if, and only if, the faculty member had requested, in a timely fashion, reconsideration of the Provost’s negative decision.

1b) A faculty member may request review by the Faculty Hearing Committee of the Chancellor’s negative decision concerning Tenure and Promotion if, and only if, (1) the negative decision was preceded by a positive recommendation from the Provost or (2) the faculty member had requested, in a timely fashion, reconsideration of the Provost’s negative recommendation.

2) A faculty member has 14 calendar days from receipt of the negative decision to request the Faculty Hearing Committee to review the matter. If the faculty member does not request review of the notice of non-reappointment in a timely fashion as specified by campus tenure policies, the non-reappointment is final without recourse to any further review by faculty committees, the institution, or Board of Governors.

3) The request to review the non-reappointment decision shall specify the grounds for which the faculty member contends that the decision is impermissibly based, with a short, plain statement of facts that the faculty member believes supports the contention. The request must be written and addressed to the chair of the Faculty Hearing Committee.

4) The purpose of the review is to determine (1) whether the decision was based on considerations that The Code provides are impermissible; and (2) whether the procedures followed to reach the decision materially deviated from prescribed procedures such that doubt is cast on the integrity of the decision not to reappoint. Whether a material procedural irregularity occurred shall be determined by reference to those procedures that were in effect when the initial decision not to reappoint or not to confer tenure was made.

5) A request to review a non-reappointment decision constitutes on the faculty member's part (1) a representation that the faculty member can support the faculty member's contention by factual proof and (2) an agreement that the institution may offer in rebuttal of the faculty member's contention any relevant information within its possession.

6) The Faculty Hearing Committee shall consider the request and grant a hearing if it determines that (a) the request contains a contention that the decision was either impermissibly based under Section 4.09F.2 or attended by a material procedural irregularity and (b) the facts suggested, if established, will support the contention. A denial of the request finally confirms the decision. If the request is granted, a hearing shall be held within 10 working days after the request is received; the faculty member shall be given at least five working days' notice of the hearing.

b. Conduct of the hearing

The hearing shall be conducted informally and in private with only the members of the Faculty Hearing Committee, the faculty member, an academic administrator selected by the Chancellor, and such witnesses as may be called in attendance, except that the faculty member and the academic administrator may each be accompanied by a person of their choosing. Such person may not be an attorney. Committee members who hold appointments in the faculty member's department, or who will testify as witnesses, or who have any other conflict of interest are disqualified from participating in that hearing. A verbatim record of the proceedings shall be made and, upon request, provided to the faculty member. The committee may consider only such evidence as is presented at the hearing and need consider only the evidence offered that it considers fair and reliable. All witnesses may be questioned by the committee members, the faculty member, the academic administrator, and the representatives of the faculty member and department head. Except as herein provided, the conduct of the hearing is under the committee chair's control that is charged with providing a full and fair hearing.

c. Hearing procedure

The hearing shall begin with the faculty member's presentation of contentions, which shall be limited to those grounds specified in the request for a hearing and supported by such proof as the faculty member desires to offer. When the faculty member has concluded the presentation, the committee shall recess to consider whether the faculty member has established a *prima facie* case. If the committee determines that the contention has not been so established, it shall so notify the parties to the hearing and thereupon terminate the proceedings. Such termination confirms the decision not to reappoint. If the committee determines that rebuttal or explanation is desirable, it shall so notify the parties and the hearing shall proceed. The academic administrator may then present in rebuttal of the faculty member's contentions, or in general support of the decision not to renew, such testimonial or documentary proof as the department head desires to offer, including his/her own testimony.

At the end of such presentation, the committee shall consider the matter in executive session. In reaching decisions on which its written recommendations to the chancellor shall be based, the committee shall consider only the evidence presented at the hearing and such written or oral arguments as the committee, in its discretion, may allow. The faculty member shall have the burden of proof. In evaluating the evidence the committee shall use the standard of preponderance of the evidence (which is the same as the greater weight of the evidence).

d. Procedure after the hearing

If the Faculty Hearing Committee determines that the faculty member's contention has not been established, it shall, by only a simple unelaborated written statement, so notify the faculty member, the department head, the dean, the Provost, and the Chancellor. Such a determination confirms the decision not to reappoint. If the committee determines that the faculty member's contention has been satisfactorily established, it shall so notify the faculty member, the department head, the dean, the Provost, and the Chancellor by a written notice that shall include a recommendation for corrective action by the Chancellor and a finding of facts that supports the recommendation. In either event, the Faculty Hearing Committee shall provide to the Chancellor a complete record of the hearing, including copies of all exhibits and documents introduced into evidence and an audio recording or transcription of the hearing.

While the conclusions and recommendations of the Faculty Hearing Committee are entitled to deference, the Chancellor is responsible for determining whether the evidence in the record supports the disposition. The Chancellor must base his or her decision on a thorough review of (i) the record evidence from the hearing and (ii) the written statement of the Faculty Hearing Committee.

Within 30 working days after receiving the recommendation of the committee, the Chancellor shall notify the faculty member, the department head and dean, and the Provost, and the Chair of the Faculty Hearing Committee of the Chancellor's decision with respect to the committee's recommendations and the original decision not to reappoint. The Chancellor’s notice must inform the faculty member: (1) of the time limit within which the faculty member may file a notice of appeal with the President requesting review by the Board of Governors, (2) that a simple written notice of appeal with a brief statement of its basis is all that is required within the 14-day period, and (3) that a detailed schedule for the submission of relevant documents will be established if such notice of appeal is received in a timely manner.

e. Appeals to the Board of Governors

If the chancellor concurs in a recommendation of the committee that is favorable to the faculty member, the chancellor’s decision shall be final. If the chancellor either declines to accept a committee recommendation that is favorable to the faculty member or concurs in a committee recommendation that is unfavorable to the faculty member, the faculty member may appeal by filing a written notice of appeal with the Board of Governors, by submitting such notice to the President, by certified mail, return receipt requested, or by another means that provides proof of delivery, within 14 calendar days after the faculty member’s receipt of the chancellor’s decision. The notice must contain a brief statement of the basis for the appeal. The purpose of appeal to the Board of Governors is to assure (1) that the campus-based process for reviewing the decision was not materially flawed, so as to raise questions about whether the faculty member’s contentions were fairly and reliably considered, (2) that the result reached by the chancellor was not clearly erroneous, and (3) that the decision was not contrary to controlling law or policy.[[3]](#footnote-3)

2. Review for promotion and tenure decisions not involving reappointment (early tenure).

a. Further review is limited to that review available under the Grievance Procedures for University Faculty.

3. Review before discharge or the imposition of serious sanction (or the due process hearing before discharge or the imposition of serious sanction)

a. The hearing shall be on the written specification of reasons for the intended discharge or imposition of serious sanction. The parties to the hearing shall be the faculty member and an academic administrator designated by the Provost. The Faculty Hearing Committee shall accord the parties no less than 30 calendar days from the time the committee receives a written request for a hearing to prepare their presentations. The hearing committee chair may upon either party’s written request and for good cause, extend this time by written notice to the parties.

b. The hearing shall be closed to the public unless the faculty member and the Faculty Hearing Committee agree that it may be open. The parties shall have the right to counsel, to present the testimony of witnesses and other evidence, to confront and cross-examine adverse witnesses, to examine all documents and other adverse demonstrative evidence, and to make argument. A written transcript of all proceedings shall be kept. Upon request, a copy thereof shall be furnished to the faculty member at the institution's expense.

c. The chief academic officer, or designee, and/or counsel, may participate in the hearing to present testimony of witnesses and other evidence, to cross-examine witnesses, to examine all documents and other evidence, and to make argument.

d. In reaching decisions on which the written recommendations to the Chancellor shall be based, the committee shall consider only the evidence presented at the hearing and such written and oral arguments as the committee, in its discretion, may allow. The University has the burden of proof. In evaluating the evidence, the committee shall use the standard of “clear and convincing: evidence in determining whether the institution has met its burden of showing that permissible grounds for serious sanction exist and are the basis for the recommended action. The committee shall make its written recommendation to the Chancellor within 14 calendar days after its hearing concludes or after the full transcript is received, whichever is later.

e. If the Chancellor concurs in a recommendation of the committee that is favorable to the faculty member, the Chancellor's decision shall be final. If the Chancellor either declines to accept a committee recommendation that is favorable to the faculty member or concurs with a committee recommendation that is unfavorable to the faculty member, the faculty member may appeal the Chancellor's decision to the Board of Trustees. This appeal shall be transmitted through the Chancellor and be addressed to the Chair of the Board. Notice of appeal shall be filed within 14 calendar days after the faculty member receives the Chancellor's decision. The appeal to the Board of Trustees shall be decided by the full Board of Trustees. However, the Board may delegate the duty of conducting a hearing to a standing or *ad hoc* committee of at least three members. The Board of Trustees, or its committee, shall consider the appeal on the written transcript of hearings held by the Faculty Hearing Committee, but it may, in its discretion, hear such other evidence as it deems necessary. The Board of Trustees' decision shall be made as soon as reasonably possible after the Chancellor has received the faculty member's request for an appeal to the Trustees. This decision shall be final except that the faculty member may, within 14 calendar days after receiving the Trustees' decision, by filing a written notice of appeal, by certified mail, return receipt requested, or by another means that provides proof of delivery, with the Board of Governors if the faculty member alleges that one or more specified provisions of the *Code of the University of North Carolina* has been violated. Any such appeal to the Board of Governors shall be transmitted through the President.

4. Reconsideration hearing for termination of a position for financial exigency or major curtailment or elimination of a program

This reconsideration shall be limited solely to a determination of the contentions made in the faculty member's request for reconsideration. The reconsideration hearing shall be held promptly, but the committee shall allow the faculty member at least five working days from the time it receives the faculty member's written request for a hearing to prepare for it. The jurisdiction of the committee shall be solely to consider whether the selection of the faculty member for termination was arbitrary or capricious and the committee's jurisdiction does not extend to a reconsideration of whether a financial exigency exists or a program should be curtailed or eliminated.

a. Conduct of hearing

The hearing shall be conducted informally and shall be closed to the public. The faculty member and the Chancellor or his/her designee have the right to attend, to legal counsel, to present the testimony of witnesses and other evidence, to confront and cross-examine adverse witnesses, and to examine all documents and other adverse demonstrative evidence. The faculty member and the committee shall be given access, upon request, to Western Carolina University documents that were used in making the decision to terminate the faculty member after the decision was made that a faculty member's employment must be terminated. If the faculty member requests it, a transcript of the proceedings shall be given to the faculty member at the institution's expense. The committee may consider only such evidence as is presented at the hearing and need consider only the evidence offered that it considers fair and reliable. All witnesses may be questioned by committee members. Except as herein provided, the conduct of the hearing is under the committee chair's control.

A quorum for purposes of the hearing is a simple majority of the committee's total membership. No member of the faculty member's department, or anyone who participated directly in the decision to terminate this faculty member, or anyone with other substantial conflict of interest shall serve on the committee for this hearing.

b. Hearing procedure

The hearing shall begin with the faculty member's presentation of contentions, limited to those grounds specified in the request for hearing and supported by such proof as the faculty member desires to offer. The Chancellor or the Chancellor's representative may then present in rebuttal of the faculty member's contentions, or in general support of the decision to terminate the faculty member's employment, such testimonial or documentary proofs as he/she desires to offer, including his/her own testimony.

At the end of this presentation, the Faculty Hearing Committee shall consider the matter in executive session and shall make its written recommendations to the Chancellor within 10 working days after its hearing concludes. The burden is on the faculty member to satisfy the committee that the faculty member's contention is true by the greater weight of the evidence.

c. Procedure after hearing

If the Faculty Hearing Committee determines that the faculty member's contention has not been established, it shall, by a simple, unelaborated written statement, so notify the faculty member and the Chancellor. The faculty member may then appeal the decision to terminate the faculty member's employment in the manner provided by the *Code of the University of North Carolina Section 605 C(6)*.

If the Faculty Hearing Committee determines that the faculty member's contention has been satisfactorily established, it shall so notify the faculty member and the Chancellor in writing. The committee shall also provide written recommendation for corrective action to the Chancellor.

Within 10 working days after receiving the recommendation, the Chancellor shall send to the faculty member and the Chair of the Faculty Hearing Committee written notice of what modification, if any, the Chancellor will make with respect to the original decision to terminate the faculty member's employment. If the Chancellor does not reverse the original decision, the faculty member may appeal the termination in the manner provided by the *Code of the University of North Carolina*. If the Chancellor concurs in a recommendation of the Faculty Hearing Committee that is favorable to the faculty member, the Chancellor's decision is final.

### C. The Faculty Post-Tenure Review Appeals Committee

 1. Membership and chair

a. The Faculty Post-Tenure Review Appeals Committee shall consist of nine elected faculty members, each of whom shall have tenure. No officer of administration shall serve on the committee. For purposes of this section, "offices of administration" shall be deemed to include department heads. Appointment to department head or to a higher-level administrative position during a committee member's term of service shall force resignation from the committee.

b. At least one faculty member from each of the colleges and the library of the University shall serve, but no more than one-third of the members shall be from any one college. At least two members from each of the academic ranks of professor and associate professor shall serve on the committee. A member's promotion in rank during a term of office shall not terminate membership.

c. Each member shall serve a three-year term, the terms staggered so that three members are elected each year.

d. The chair shall be elected by and from the membership of the committee and shall serve for one year. The chair may be elected to successive terms.

 2. Duties and responsibilities

a. The committee is authorized to hear and advise with respect to the adjustment of grievances of faculty members of the general faculty who have concerns relating to the post-tenure review. The power of the committee is solely to hear representations by the persons directly involved in the appeal to hold a hearing if necessary, and to inform appropriate administrative officials. The mediation hearing shall be conducted by someone other than a member of the Faculty Post-Tenure Review Committee and be closed to the public unless the faculty member requests otherwise. The decision of the Post-Tenure Review Appeals Committee will be binding. Adjustment in favor of an aggrieved faculty member will be given to the Chancellor only after the dean, department head, or other administrative official most directly empowered to adjust it has been given similar advice and has not acted upon it within a reasonable time.

b. Appeals within the province of this committee include all those matters related to the faculty member's post-tenure review status.

 3. Principle procedures

a. Preface

Faculty members are encouraged to pursue an informal resolution of any matter that might be the subject of an appeal before utilizing these procedures.

b. Scope

These procedures are to be used only for post-tenure review appeals

c. Grievance policy and procedure

1) Initiation of grievance

A faculty member shall institute the appeal procedure by submitting a written appeal to the lowest level academic administrator with authority to correct or pursue adjustment of the situation precipitating the grievance. The appeal must be filed within 15 working days\*after the faculty member has been given written notification of the unsatisfactory results of the post-tenure review and/or improvement plan. If no grievance is filed within this period, the faculty member will have no further right to an internal appeal procedure. An appeal may be made upon each review of the faculty member's performance.

2) The appeal shall be a concise statement setting out the following:

* Description of the evidence which supports the faculty member's appeal.
* The specific corrective action requested by the faculty member.

3) Review of the statement

a) The administrator receiving the formal appeal shall immediately notify the Provost and shall immediately send the Provost a copy of the faculty member's appeal.

b) Within 10 working days after receipt of the grievance, the administrator shall meet with the faculty member to discuss the matter. The administrator may, with the faculty member's agreement, ask other administrators to attend the meeting.

c) Within 10 working days after the meeting with the faculty member, the administrator shall deliver to the faculty member a written response to the appeal. The written response shall notify the faculty member of the faculty member's right to appeal to the Post-Tenure Review Appeal Committee and opportunity to obtain assistance through the faculty member's own efforts and at the faculty member's own expense. Enclosing a copy of these procedures shall be adequate notification of appeal rights.

d. Appeal to the Post-Tenure Review Committee

1) If the faculty member desires to appeal the decision of the administrator, a written statement of appeal shall be delivered by the faculty member to the Chair of the Faculty Post-Tenure Review Appeal Committee within 10 working days following the faculty member's receipt of the administrative supervisor's decision. The statement of appeal shall include the original appeal, a written summary of any additional facts or arguments that are said to support the original grievance, and the written response from the administrator. If no appeal is filed within the prescribed period, the employee has no further right to internal appeal procedures.

2) Committee procedure

a) Members of the committee may decline to serve in a particular case for personal reasons. Members directly involved in an appeal shall not serve.

b) The committee shall meet and decide whether mediation will be attempted or whether the appeal merits a hearing.

c) Upon receipt of a petition, the committee first may offer its services as mediator, if the dispute apparently is amenable to such an approach and if the parties to the dispute express their willingness to cooperate with such an effort. Neither party is obliged to engage in mediation; it is a consensus undertaking.

The Faculty Post-Tenure Review Committee's offer to serve as mediator should be made no later than 20 working days after the committee chair receives the appeal from the grievant. As mediator, the committee's role is limited to efforts at facilitating communication between the parties and encouraging the discovery of a mutually agreeable basis for voluntary resolution of the dispute. Mediation does not entail evidentiary hearings, findings of fact, or recommendations to responsible administrators for resolving the dispute.

When mediation succeeds, the appeal is withdrawn and the parties may implement the solution they have achieved. When performing its mediation role, the Faculty Post-Tenure Review Committee should designate one or more of its members to serve as mediator, while insuring that a quorum of the committee membership is reserved to function as a hearing body in the event mediation does not succeed.

Mediation may be terminated by either party or the mediators by filing a simple written notice of termination with the chair of the Faculty Post-Tenure Review Appeal Committee.

d) If mediation is not deemed appropriate to the case or if it fails to produce a voluntary resolution, the Faculty Post-Tenure Review Appeal Committee must hold a hearing in response to the statement of appeal.

e) If a hearing is held, the following procedure shall apply:

1.) The hearing shall be held no later than 20 working days after the committee chair receives the appeal from the grievant unless mediation is attempted or an extension is issued by the Committee chair. The committee chair has authority to grant extensions on the chair's own motion or the motion of any of the parties. An extension may be issued only for good cause as determined by the committee chair. An extension may not exceed 10 working days in length; however, more than one extension may be granted.

2.) The committee shall serve a Notice of Hearing on the grievant, the administrator(s) who has been identified as a party to the grievance and/or the departmental peer committee no later than 10 working days before the hearing. The notice shall include the date, time and place of the hearing, the grievant's request for appeal, the composition of the hearing body after mediators have been excused and any potential conflicts have been resolved, the names of all parties to the grievance, and the issues to be considered by the committee.

3.) Each party shall have a maximum of two challenges without cause and an unlimited number of challenges with cause. Challenges shall be filed in writing with the committee chair at least five working days in advance of the hearing. The unchallenged committee members shall have the authority to decide whether a committee member challenged for cause should be disqualified. If the chair is thus removed, the committee shall elect a new chair after committee replacements, if any, have been appointed. A minimum of five members is required for any action taken. In the event that fewer than five members remain after challenges are allowed, the secretary of the faculty shall make temporary appointments in accordance with 1.7.2(e) of the *Faculty Constitution of Western Carolina University*.

 The formal rules of evidence shall not apply; however, the committee chair has the authority to reject evidence that is repetitive or has no relevance to the issues. The issues to be heard are limited to those raised by the written grievance. The hearing will be open to the public unless any party to the grievance requests that it be private. Attorneys are not authorized to participate at the hearing on behalf of the parties. However, each party may select one faculty member to provide assistance; the assisting faculty member may not be an attorney. The parties may present the testimony of witnesses and other evidence may confront and cross-examine adverse witnesses and may examine all documents and other adverse demonstrative evidence. Committee members may question any witness and may call witnesses when the committee deems such action appropriate. A "record" of the hearing shall be kept. Upon request, a copy of the "record" shall be furnished to the appealing faculty member.

4.) The grievant presents evidence, through documentation or testimony, that is the basis for the appeal. The administrator(s) named as a party may then present documentation or testimony in response. Rebuttal may be allowed at the discretion of the committee.

5.) The committee chair shall have complete authority to ensure a full and fair hearing including, but not limited to, the authority to grant extensions, recesses and adjournments, require the taking of oaths, require witnesses to stay outside the hearing room before or after testifying, set time limits for arguments, and terminate or recess the proceeding if it becomes unproductive due to disruptive behavior. Normally, however, the hearing should be concluded no later than 10 working days after it begins.

6.) In developing its recommendations, the committee shall consider only the evidence presented at the hearing and such written or oral arguments as the committee in its discretion may allow. The committee shall also make findings of fact to support its recommendation(s).

7.) The chair shall report the committee's findings of fact and recommendations to the grievant, the other parties and the Provost within five working days following the termination of the hearing.

8.) The administrator/party with authority to resolve the matters raised by the committee recommendations shall have five working days to serve a written response to the committee's recommendations upon the grievant and the committee chair.

f) If the grievant is not satisfied with the disposition of the grievance, the grievant shall have five working days to serve a simple statement of appeal upon the Chancellor and the Faculty Grievance Committee. Upon receipt of the statement of appeal, the committee chair shall forward to the Chancellor the record of the hearing, if a hearing was conducted, and all matters of record prepared and collected by the committee including the written grievance, the committee's findings of fact, the committee's recommendation(s), the administrator's written response and all evidence gathered. Upon review of the committee's recommendations, the Chancellor shall notify the faculty member, the committee, and the other parties of the Chancellor's decision in a timely fashion.

e. Outside appeal privilege

The faculty member may appeal pursuant the *Code of the University of North Carolina* provided that the appeal is transmitted through the Chancellor within 10 consecutive calendar days after receipt of written notice to the Chancellor.

f. Changes to the post-tenure review appeal procedures shall be made in the following manner:

1) Substantive changes (as defined by the Rules Committee of the Faculty Senate) shall be approved by the general faculty according to procedures in Article VII of the *Bylaws of the General Faculty of Western Carolina University*

2) Changes due to directives from general administration shall be made automatically with the general faculty being informed by the Chair of the Faculty.

3) Minor changes (as defined by the Rules Committee of the Faculty Senate) shall be made by the Faculty Senate with the general faculty being informed by the Chair of the Faculty.

### D. Faculty Grievance Committee

See Article IV of the Bylaws of the General Faculty

**4.11 Status Appointments**

1. **Appointment to Graduate Faculty Status**

Nominations for graduate faculty membership are initiated by academic departments through the appropriate dean, reviewed and recommended by the Graduate School, including the Graduate Council and Dean of the Graduate School, and approved by the Provost. All graduate courses must be taught by graduate faculty appointed to do so by a specific department. According to SACS requirements, graduate faculty members may only teach courses bearing designators for which they have been specifically approved.

1. Status Membership Categories
2. **Full Membership Criteria (Five Year Term)**
3. Associate or full professor on tenure track appointment; or
4. Assistant professor with earned doctorate or appropriate terminal degree on tenure track appointment; or
5. Endowed professor.
6. Additional requirements: Each person approved for full membership in the graduate faculty must have been involved in the following activities within the five-year period immediately preceding approval.
7. Teaching graduate students in courses numbered 500 and above, or chairing graduate student theses/dissertations, or supervising graduate student research, independent studies, internships, field studies, or practica;

AND

1. Engaging in research as evidenced through scholarly work or creative endeavors of an equivalent nature appropriate to the discipline as defined by the department Collegial Review Document.
2. Graduate education activities permitted by full membership:
3. Chairing thesis/dissertation committees
4. Membership on thesis/dissertation committees
5. Teaching courses 500 or above
6. Supervising independent studies and research
7. **Regular Membership Criteria (3 year term)**
8. Associate or full professor on a tenure track appointment; or
9. Assistant professor with earned doctorate or appropriate terminal degree on tenure track appointment; or
10. Other persons who hold at least a master’s degree plus five years of qualifying professional experience that meets SAC’s credential requirements and who are elected by the graduate faculty of the appropriate department or discipline, approved by the dean of the academic college and the Dean of the Graduate School. Nominations are endorsed by the academic dean of the college, reviewed by the Graduate Council, and recommended by the Dean of the Graduate School. The applicant will be notified of appointment by the Dean of the Graduate School
11. Additional requirements: Each person approved for regular membership in the graduate faculty must have been involved in the following activities within the four year period immediately preceding selection:
12. Teaching graduate students in courses numbered 500 and above, or supervising graduate student research, independent studies, internships, field studies, or practica;

AND

1. Engaging in research or creative endeavors appropriate to the discipline as defined by the department Collegial Review Document.
2. Graduate education activities permitted by regular membership:
3. Membership on thesis/dissertation committees
4. Teaching courses 500 or above
5. Supervising independent studies or research
6. **Associate Membership Criteria**
7. Persons of qualifying professional experience, including Professors of Practice, who do not meet the criteria for full or regular membership, may be selected on a temporary basis as non-voting members of the graduate faculty upon recommendation of the appropriate department based on criteria reflected in the department Collegial Review Document.
8. Professor of Practice. Appointments to the rank of “Professor of Practice of\_\_\_\_\_” are equivalent to Adjunct appointments and are made only to eminently qualified academic, business, or government leaders who have made major impacts, reflective of SAC’s alternative credentials, on fields and disciplines important to the programs at Western Carolina University and who demonstrate a deep commitment to teaching and scholarship. Because of the stature of these individuals, this category has only one rank (Professor); Adjunct appointments should be made to less senior individuals. *(See University Policy 6—Adjunct and Affiliate Faculty Appointments for Professor of Practice responsibilities).*
9. Associate members may be appointed for a term of one session, one semester, or one-to- three years upon the nomination/recommendation of the appropriate department head and dean.
10. Graduate education activities permitted by associate membership:
11. Membership of thesis/dissertation committees
12. Teaching courses numbered 500 or above
13. Supervising internships or practica.
14. Processes for Recommending and Approving Graduate Faculty Membership
15. **Tenure-track; Endowed Professor; Professor of Practice Appointments**: Upon hiring, the department head and dean indicate on the AA21 whether or not the candidate is recommended for full, regular, or associate graduate faculty membership. The Student Services Specialist reviews the AA21 forms on the share drive and submits the new hires recommended for graduate faculty membership to the Graduate Council. The Graduate Council will review and make a recommendation to the Dean of the Graduate School. Where needed, graduate faculty membership approval should be secured prior to contract issuance.
16. **Adjunct/Full-time, Fixed Term/Affiliate Appointments**: Upon hiring, the department head and dean indicate on the contract whether or not the candidate is recommended for associate graduate faculty membership. Each dean’s office submits a list of adjunct/fixed term/affiliate faculty recommended for associate graduate faculty membership to the Student Services Specialist in the Graduate School at least one month prior to the start of each semester. The Graduate Council will review and make a recommendation to the Dean of the Graduate School.
17. **Other Appointments:** Persons of qualifying professional experience—typically external to the university—who do not meet the criteria for full or regular graduate faculty membership may be recommended by the appropriate department head and dean for associate graduate faculty status through the nomination process established by the Graduate School. (See Graduate Faculty Status Form).
18. **Continuing Membership:** Full, regular, and associate graduate faculty membership is normally reviewed at the end of the appointed term (see 1. a. b. &c. above), and where appropriate, in conjunction with the Annual Faculty Evaluation (AFE) process. A separate Academic Affairs (AA) form is submitted to the Graduate School office as needed, recommending continuance, change, or termination, of graduate faculty membership. If neither a, b, c (see above) applies, or the Graduate Faculty status needs to change—a candidate may be submitted for consideration using the Graduate Faculty Status Form. For associate status members not subject to the AFE process, the term of membership will correspond to that period indicated on the initial nomination form, unless or until recommended otherwise by the appropriate department head and dean.

**B. Emeritus Status**

Emeritus faculty status may be awarded to honor a retired faculty member who has had a distinguished professional career and has made significant contributions to Western Carolina University. Faculty on phased retirement are not eligible for emeritus status until their participation in the program is completed. It is recognized that the bearer of the emeritus title has knowledge and experience from which others in the university may benefit.

1. Qualifications

Successful candidates for Emeritus professor will have had:

a. Permanent tenure and at least ten years of full-time employment at Western Carolina University prior to retirement, although exceptions can be made in extraordinary circumstances.

b. A consistent record of quality performance as demonstrated by one or more of the following: (1) a recognized record of substantial scholarly achievement, (2) a recognized record of outstanding teaching, (3) a recognized record of significant service to the University, the discipline and/or the region.

c. Candidates must apply for Emeritus status within two years of the retirement date, although exceptions can be made with written approval from the Dean of the candidate’s college.

2. Process

Candidates for Emeritus status prepare an application, including a cover letter explaining why s/he deserves Emeritus status, an updated CV, and the AA-13, the Transmittal Form for Recommendation of Emeritus Faculty, available from the Provost’s office. The calendar and process from this point on mimics the process for granting tenure.

Candidates desiring Emeritus professor status submit their CV and cover letter, along with the AA-13 to the Department Head who will also add to the application the final four years’ annual evaluations for the candidate. The application is first reviewed by the Department Collegial Review committee, who votes and then forwards a recommendation to the Department Head. The Department Head makes a recommendation to the College Collegial Review Committee. The College Collegial Review Committee votes and forwards a recommendation to the Dean, who makes a recommendation to the University Collegial Review Committee. Their vote and recommendation is then forwarded to the Provost, who forwards a recommendation to the Chancellor. The Board of Trustees makes the final decision.

3. Rights and Privileges

Emeritus professors:

* Will be granted faculty rates/discounts on university events
* Will maintain full library borrowing privileges
* Will maintain their university email account (if requested)
* Will receive documents and communications that are normally received by the full-time faculty including communications from the department, college, and university at large.
* Will be listed in the University catalog and on appropriate university web pages.
* Will continue to receive faculty rates and access to university recreational facilities.
* Will maintain a mailbox in the Department office (if requested and space permits)
* May obtain free parking permits.
* May march with the faculty, wearing appropriate regalia, in University exercises where appropriate.
* Will receive free athletic tickets
* Are not eligible to hold office or vote in faculty elections

The University’s priority for space and funding must be for those who are current faculty members, but Emeritus faculty who remain professionally active may apply for use of departmental and university resources. If resources are available, Department Heads should make every effort to provide Emeritus faculty with office space and generally available faculty services. Emeritus faculty whose professional service requires University support should develop a statement of goals and objectives with the department head addressing expected activities and the disposition of any funds associated with faculty research or discretionary accounts. These faculty should submit an annual report to the department head documenting their professional activities and achievements that will serve as the basis for decisions related to continuation or changes to their duties and responsibilities.

4. Chancellor Emeritus

The title Chancellor Emeritus may be conferred upon a chancellor at the time of, or subsequent to, retirement from active service at Western Carolina University.

5. Retired Associate

The title Retired Associate may be conferred by the chancellor of Western Carolina University upon any member of the faculty or administration at the time of, or subsequent to, retirement from the university. The Retired Associate shall be considered a member of the academic community with the right to participate in social and cultural activities of the campus, with faculty library privileges, and with any other privileges granted by the chancellor.

**C. Graduate Status for Emeritus Faculty**

An emeritus faculty member may be considered for graduate faculty status. If approved, they will have all the rights and privileges of a graduate faculty member.

1. Rights and Privileges

Emeritus faculty with graduate status will have all rights and privileges granted to regular members of the graduate faculty, namely “They may teach and have full responsibility for graduate level courses, serve on thesis and dissertation and comprehensive committees.”

2. Term of Appointment

The graduate status appointment will be for a three year term and may be considered for renewal upon recommendation of the department head.

3. Policy and Procedure

Nominations for graduate faculty status are to be made by the department head following consultation with existing graduate faculty in the respective programs. The nominations must include an assessment of the graduate teaching effectiveness of the faculty member. Nominations would be considered by the dean of the college and forwarded to the Graduate Council for recommendation to the Graduate Dean. Following a review and favorable recommendation by the Graduate Dean, the recommendation is forwarded to the Provost for a final decision. Upon approval, the individual’s name will be listed in the Graduate Catalog.

**4.12 Distinguished Professorships**

**A. Endowed Professorships**

Endowments or trusts are established to support professorships for senior faculty in academic departments of the university. The term, professorship, refers to an appointment which carries a salary supplement and may also provide funds for appropriate expenses related to teaching and/or professional activities. Criteria for selection, terms of appointment, and other details vary and are established for the specific professorship involved. A professorship usually is named in honor of an individual, business firm, or organization.

1. **The Creighton Sossomon Professorship**

The Creighton Sossomon Professorship was established for the purpose of strengthening the faculty in the Department of History by assisting Western Carolina University in attracting and/or retaining outstanding scholar-teachers in American, English, or European history. Appointments to the professorship are limited to specialists in these fields and are intended to recognize and encourage superior teaching.

1. **The H. F. and Catherine P. Robinson Professorship**

The H. F. Robinson and Catherine P. Robinson Fund was established by the Robinsons’ families and friends to honor their memories and their substantial contributions of their lives and career to higher education, to North Carolina, and to Western Carolina University. The professorship seeks to fulfill Dr. Robinson’s wish to encourage and inspire faculty members in their quest for quality instruction, research, and service.

Specifically, the professorship recognizes and rewards a faculty member in the Department of Biology whose contributions in teaching, research, and service to the people of Western North Carolina mountain area exemplify the goals and dreams of Cotton Robinson.

1. **Adelaide Worth Daniels Professor of Special Education**

The Daniels Professorship is designed to provide expert training and instruction to students in Western’s teacher education programs so that they may better serve children with special educational needs, and to serve current teachers of students with special needs.

1. **Carol Grotnes Belk Distinguished Professorship in Commercial and Electronic Music**

A legendary North Carolina philanthropist with an extensive record of supporting higher education in North Carolina provided a gift to Western Carolina University to establish the Carol Grotnes Belk Professorship. The professorship is designed to benefit students seeking basic backgrounds in commercial and electronic music through study in its composition, arrangement, production and design. With its emphasis on commercial and electronic music, the professorship is tying the traditional music performance programs to trends in the entertainment industry, marketing and public relations.

1. **Jay M. Robinson Distinguished Professorship in Educational Technologies**

Endowed with a combination of financial contributions and matching state funds, the Jay M. Robinson Professorship enables WCU to bring to the campus experts from the corporate or educational sectors who are using electronic technologies to enhance the teaching and learning process.

1. **Blanton J Whitmire Distinguished Professorship in Environmental Sciences**

A lifelong dedication to environmental stewardship and desire to see development in Western North Carolina proceed without negatively impacting the region’s environment led Drs. Blanton J. and Margaret S. Whitmire to present a gift to Western Carolina University, creating a distinguished professorship in environmental science. Their gift in 1997 was combined with matching state funds to create the professorship, continuing the Whitmire family’s longstanding tradition of supporting education – in particular, education at Western Carolina University. The professorship is designed to be filled by a scholar who can provide expertise in the most critical areas of environmental science in the mountain region.

1. **Sequoyah Distinguished Professor in Cherokee Studies**

Western Carolina University’s Sequoyah Professorship is named in honor of a revered figure of Cherokee history and culture who devised the Cherokee syllabary, the first written Native American alphabet. In addition to helping WCU build a true academic program in Cherokee Studies, the Sequoyah Professorship is designed to bolster the scholarly relationship between the university and the Eastern Band and create opportunities for collaborative research.

1. **Carolyn Plemmons and Ben R. Phillips Distinguished Professorship in Musical Theatre**

Established in 2000 as the first such commitment to musical theatre in the University of North Carolina system, the Phillips Professorship focuses on an interdisciplinary area of study anchored in the departments of communication and theatre arts, and music. The program is designed to provide students with practical work-related experiences, build skills needed in both music and theatre, and provide an interdisciplinary foundation.

1. **John A. and Dorothy Luxton Parris Distinguished Professorship in Appalachian Culture**

The professorship was established in the summer of 2002 through the estate of John and Dorothy Parris, augmented with a $100,000 grant from the C.D. Spangler Foundation and matching state funds. Spangler, a former banking executive and education leader, served as president of the UNC system from 1986 through 1997. The professorship in the interdisciplinary area of Appalachian studies was designed so that it could be anchored in the departments of anthropology, art, communication and theatre arts, English or history.

1. **Taft B. Botner Distinguished Professorship in Elementary and Middle Grades Education**

The Botner professorship is endowed through gifts from the Botner estate, combined with matching funds from the state. The professorship is intended to attract an expert in education with expertise in an area specifically related to the preparation of teachers of children in kindergarten through ninth grade.

1. **Catherine Brewer Smith Distinguished Professorship in Communication Disorders**

A gift from the estate of Catherine Brewer Smith, a Franklin resident who died in 2001 and whose father attended Western Carolina University, enabled WCU to create an endowed professorship in communication disorders. The professorship is designed to help serve the speech-language pathology needs of the Western North Carolina region, where above-average poverty levels and lengthy drives to service providers combine to hamper treatment for adults and children.

1. **Mountaintop Distinguished Professorship in Advanced Optics Manufacturing**

Developers of a lakeside golf club in southern Jackson County provided the funding to allow Western Carolina University to establish an endowed professorship in advanced optics manufacturing. This professor is expected to be a world-class applied research engineer who can help build innovative product capacity that is relevant to emerging economic sectors of the Western North Carolina region. The professor also is expected to integrate his or her teaching responsibility with the development of bio-adaptive rehabilitative medical devices leading to improved quality of life for people with disabilities.

1. **Ambassador Jeanette W. Hyde Distinguished Professorship in Gerontological Social Work**

Jeanette Hyde’s contribution was combined with matching state funds to establish the professorship in social work. The professorship is designed to provide leadership for WCU’s academic, service and applied research programs in gerontology – in particular, WCU’s Gerontology Initiative, which supplies a range of programs and services that enhance the social, cultural, physical and economic well-being of older adults.

1. **WNC Healthcare Organizations**

**Distinguished Professorship in Physical Therapy**

**Distinguished Professorship in Nurse Anesthesia**

The creation of distinguished professorships in physical therapy and in nurse anesthesia at Western Carolina University are the result of partnerships involving the university and regional health care providers aimed at addressing critical personnel shortages in those two fields. The Physical Therapy position will be filled by a nationally recognized scholar with a specialty in human movement or gerontology, and that individual will lead the program as it makes an expected transition to the doctoral level over the next several years.

1. **Gimelstob-Landry Distinguished Professorship in Regional Economic Development**

Financial contributions to support an endowed professorship in regional economic development at Western Carolina University were provided by Florida real estate businessmen Herbert Gimelstob and Laurence D. Landry. Their gifts have been combined with state matching funds to create the professorship. A search is pending for an individual who will address core issues in education and regional economic policy development. In addition to teaching and conducting research in the College of Business, the individual who fills the position will conduct targeted policy studies and analyses, and promote development and refinement of effective economic development policy for the region and state.

1. **Joe and Cynthia Kimmel Distinguished Professorships in Construction Management**

Western Carolina University’s efforts to build one of the top construction management programs in the nation received a major boost in December 2005 when Kimmel & Associates, a construction industry executive search company based in Asheville, announced a pledge to the university.

In addition to providing an endowment for program operations and an endowment for scholarship support, the pledge from Joe and Cynthia Kimmel will provide for endowed professorships in construction management. Combined with matching state funds, Kimmel’s contributions will possibly establish five professorships.

1. **Cass BallengerDistinguished Professorship in Engineering**

A professorship in engineering at Western Carolina University is being developed through a gift from Cass Ballenger, who served North Carolina’s 10th Congressional district in the U.S. House of Representatives from 1986 to 2005. Ballenger’s gift will be combined with matching state funds to establish the professorship, which is expected to add a nationally renowned expert in engineering to WCU’s faculty.

1. **Wesley R. Elingburg Distinguished Professorship in Business Innovation**

An Asheville native who is an alumnus of Western Carolina University provided the financial contributions to enable the university to create an endowed professorship in business innovation. The professorship will enable the university to recruit a nationally recognized expert in a business discipline who will work closely with WCU’s undergraduate and graduate programs in entrepreneurship.

1. **Myron L. “Barney” & Mrs. Barbara Coulter Distinguished Professorship in the Scholarship of Teaching and Learning**

This professorship is named in honor of Chancellor Emeritus and Mrs. Coulter. The individual who is chosen to be WCU’s distinguished professor in the scholarship of teaching and learning (SoTL) will provide leadership to expand WCU’s work in the scholarship of teaching and learning and for the SoTL field in general. The individual will play an active role in the publication of WCU’s international peer-reviewed journal for the Scholarship and Teaching and Learning, *MountainRise.* The individual will teach courses in the traditional arts and sciences and engage in his/her own SoTL research. In addition, the individual will provide leadership for WCU’s participation in the Carnegie Academy for the Scholarship of Teaching and Learning.

1. **BB&T Distinguished Professorship in Capitalism**

The BB&T Distinguished Professor of Capitalism will directly address core issues involved in establishing an ethical business culture that is an essential part of how our organization works. The person who holds the professorship will be expected to teach both undergraduate and graduate students and conduct applied research, and integrate, consistent with the curriculum governance structure of the university, a discourse on the ethical, moral, and philosophical underpinnings of capitalism.

1. **The Chancellor John Bardo and Deborah Bardo Distinguished Professorship in Educational Leadership**

The $500,000 professorship was made possible by a five-year challenge-grant program established by the C.D. Spangler Foundation to increase the number of distinguished professorships in high-need academic fields. The individual who is chosen to be WCU’s distinguished professor in educational policy will provide leadership and visibility for Western’s Department of Educational Leadership and Foundations as s/he will lead the UNC-II goal for involvement in educational policy at the state, regional, and national level. The focus of this work will be to positively influence policy for BK-12 education, community colleges and the university.

**B. Madison Professorships**

 The University has acquired numerous distinguished professorships through outside donors. These professorships are typically restricted to individuals who are external to the university. As the university has created higher standards and expectations, it has begun to grow its own distinguished professors. The Madison Professorship designation is a way of recognizing these individuals and retaining them.

**4.13 Contracts and Salaries**

**A. Overview**

Contractual agreements are made each year between individual faculty members and the chancellor of the university. Most faculty members receive an appointment for a period of 9 months of required service extending over the regular academic year beginning in August. A few faculty appointments may be made for 10, 11 or 12 months of required service extending over the fiscal year beginning July 1.

Contracts are usually renewed near the end of the fiscal year. Unless a different time period is specified in the contract, faculty who are issued contracts must return them within thirty days after receipt or the contracts may be rescinded by the university. During their first year of service, faculty employed for nine months are paid in eleven installments. Thereafter, salaries are spread over a twelve-month period covering the fiscal year July 1, through June 30. It is understood, however, that all salaries paid for July and August in the new fiscal year are released on the anticipated fulfillment of service during the ensuing academic year. Failure of such fulfillment obligates the employee to refund the payments made for the months of July and August proceeding the new term of service. Persons receiving eleven salary payments who do not fulfill their service commitment are obligated to refund advance salary received.

**B. Summer School Employment**

Arrangements for teaching in the Summer School are made through the Provost Office and Educational Outreach (distance education) in consultation with the department heads and deans of colleges. Summer employment for nine-month faculty is neither required nor guaranteed.

Summer School salaries are paid in addition to the regular contracted annual salary. Separate contracts for summer services are issued by each college. Rates of pay for summer employment are guided each year by the APR for Summer Session with the approval of the provost. The amount paid to an individual is based upon class enrollment, number of credit hours taught and/or the faculty member’s full time base pay or part time credentials during the previous academic year. Each college determines the rate of compensation for independent studies and internships.

Faculty and staff on nine-month appointments who are not employed during the summer months are; of course, free to pursue their own interests during this time, including employment at other institutions. Persons on twelve-month appointments are not eligible for summer school pay in addition to their regular salaries unless Policy 22 warrants an exception.

**4.14 Policies Governing Absences and Leave for EPA Personnel**

**A. Annual Leave and Sick Leave**

Members of the faculty and other EPA personnel on nine-month appointments do not earn annual leave or sick leave. In lieu of such leave, the following policies shall apply:

1. Holidays and vacation periods built into the academic calendar are defined as providing the equivalent of the annual leave and holidays earned by twelve-month employees. Nine-month employees are not granted such leave at any time within an academic year except as provided in the academic calendar.

2. Provision may be made for less than full-time employment in accordance with provisions of Section III G of the Tenure Policies and Regulations of Western Carolina University. (The provisions of this section are applicable to members of the faculty on both nine- and twelve-month appointments.)

3. Full-time, nine-month faculty members and other EPA personnel not covered by the provisions in the Employment Policies for University Employees Exempt from the State Personnel Act may be carried at full salary during extended periods of incapacity due to illness or injury substantiated by competent medical opinion, provided that (a) the departmental faculty can absorb the work load of the faculty member for the duration of the absence, (b) the period of incapacity does not exceed sixty days in duration, (c) the department head and dean concur that the academic program of the department will not be adversely affected, and (d) the provost, with the approval of the chancellor, authorized the arrangement. Any exceptions to these provisions must have the recommendation of the dean and provost and be approved by the chancellor. When appropriate, the provisions of Section III G of the Tenure Policies and Regulations of Western Carolina University shall apply. Emergency leave (less than one week in duration) may be granted by the department head. It is the responsibility of the faculty member to contact the department head immediately when such circumstances prevent the faculty member from meeting a class or discharging other duties incident to employment. The department head will make the arrangements necessary to cover the affected classes and other obligations. The department head shall notify the dean if the circumstances indicate that the absence could extend beyond the short period of time covered by these provisions.

4. All employees have rights under the Family and Medical Leave Act of 1993 (FMLA). Under FMLA, eligible employees are entitled to up to 12 weeks of unpaid, job-protected leave for certain family and medical reasons. If an employee earns paid leave, use of that leave may count against the 12 week period. Furthermore, any period of time that any employee is carried at full salary pursuant to paragraph #3 above will count towards the 12 workweeks to which the employee is entitled under FMLA. The full text of WCU’s policy for faculty and other EPA employees not covered by the “Employment Policies for University Employees Exempt from the State Personnel Act” is contained in this volume, Section 12.0.

5. Approval for absences of a professional nature, for reasons such as attendance or participation in meetings of learned societies or teaching in WCU-sponsored instructional programs at off-campus locations, can be granted. The faculty member must make satisfactory provision for scheduled classes and the discharge of other duties with the department head in advance of the absence. A memorandum of the provisions agreed upon, using the standard form provided for this purpose, is to be filed with the department head in advance of the absence.

**B. Leave of Absence**

1. Purposes of Leaves of Absence

a. Pursuit of an advanced degree: Study and research that will contribute to significant progress toward, or completion of, an advanced degree appropriate to a faculty member’s current or projected responsibilities with the university may be presented as the basis of an application for a leave of absence. The faculty member must have been accepted for admission to such a program by an accredited educational institution and must provide the appropriate administrators with sufficient information about their program to allow full evaluation of the benefits to be derived by the individual and the university in granting the leave.

b. Professional development: Leaves of absence may be granted for the purpose of study, research, academically purposeful travel, writing and publication, and for other forms of scholarly, creative, or academic endeavor leading to significant professional development of the faculty member as appropriate to that faculty member’s current or projected responsibilities with the university. The faculty member must provide sufficient information about the projected purposes of the leave to allow full evaluation of the benefits to be derived from the leave by the individual and the university.

c. Leaves of absence for reasons other than pursuit of an advanced degree or professional development may be granted by the chancellor on an individual basis.

d. Questions concerning policy and regulations relating to military leave with or without pay should be directed to the Office of Human Resources.

2. Types of Leaves of Absence

a. Sabbatical Leaves: In accordance with the statutes of the state of North Carolina, Western Carolina University does not grant sabbatical leaves.

b. Leaves of Absence without Pay: Upon the recommendation of the department head and dean, with the concurrence of the Provost, and with the approval of the chancellor and Board of Trustees, leaves of absence without pay may be granted to members of the faculty on both nine- and twelve-month appointments under the following conditions:

1) The faculty member must be a full-time employee who either holds permanent tenure or whose appointment is subject to renewal.

2) Determination must be made that (a) the faculty member, if not permanently tenured, is an individual who is to be recommended for reappointment; (b) there is a reasonable expectation that a position will be available for the faculty member upon his/her return; and (c) appropriate arrangements can be made to carry forward the academic program to which the individual is assigned without adverse effect during the period of leave.

3) A leave of absence without pay may be granted for one or more terms or for a full academic year for faculty on nine-month appointments. Faculty on twelve-month appointments may be granted leaves of absence without pay for a period of time up to one year with the time and duration of the leave to be determined on a case-by-case basis.

4) Leaves of absence without pay may be renewed on an individual basis up to a maximum of two years.

5) Nothing in these policies shall be interpreted as giving a faculty member granted leave any special guarantees over and above those available to all other faculty holding the same faculty status. All faculty members, including those on leave, are subject to the same consideration and review processes concerning reappointment, promotion, and tenure.

When the circumstances of the faculty member’s absence from the campus, e.g., activities out of country, are expected to be such that the timely execution of the consideration processes or of the reconsideration and appeals procedures by either the university or the faculty member may be prevented, a written understanding of any special arrangements to be observed should be developed and mutually agreed to by the faculty member and the university.

In the event of financial exigency or the curtailment of positions for other reasons, the faculty member on leave shall be subject to the actions taken, consistent with the UNC Code and the Tenure Policies and Regulations of Western Carolina University, as though the faculty member were not on leave.

6) When appropriate, the provisions of Section III G of the Tenure Policies and Regulations of Western Carolina University shall apply to the granting of leaves of absence without pay.

7) Any individual wishing to request leave of absence without pay must complete an application. Applications may be obtained through the department head or dean.

**C. Serious Illness and Disability Leave for Faculty**

Western Carolina University, in accordance with Board of Governors policy, has developed University Policy 89 on Serious Illness and Disability Leave for Faculty. Please link to <http://www.wcu.edu/about-wcu/leadership/office-of-the-chancellor/university-policies/numerical-index/university-policy-89.asp> to review this policy.

**4.15 Employment Policies Governing University Employees Exempt From the State Personnel Act (EPA)**

Employment policies for university employees exempt from the State Personnel Act (EPA) are outlined in Policy #26, formerly Executive Memorandum 82-60, which is available in Volume IV of the Faculty Handbook. The policies in Policy #26 apply to those positions that are not subject to the State Personnel Act but does not include: faculty positions subject to institutional tenure regulations; positions within administrative categories of employment subject to G.S. 116-11(4), G.S. 116-11(5), or G.S. 116-14; positions within the “physicians or dentists” category under G.S. 126-5; and university students who are employed incident to their status as students.

**4.16 Policies Governing Outside Employment, Conflicts of Interest, External Professional Activities, and Dual Employment with Other State Agencies**

Western Carolina University, in accordance with the UNC Policy Manual, has developed University Policy #54 on Conflicts of Interest; External Activities for Pay; and Conflicts of Commitment. Link to Policy #54 below to review this policy and its related Appendices.

Please also see the Office of Research Administration web page regarding Conflicts of Interest in relation to sponsored research (link below).

University Policy #8 addresses Dual Employment with State Agencies. For complete information and forms related to the Policy on Dual Employment link to Policy #8 below.

Links:

Conflict of Interest, External Activities for Pay; Conflicts of Commitment

[University Policy #54](http://www.wcu.edu/about-wcu/leadership/office-of-the-chancellor/university-policies/numerical-index/university-policy-54.asp) Conflicts of Interest; External Activities for Pay; and Conflicts of Commitment. (<http://www.wcu.edu/about-wcu/leadership/office-of-the-chancellor/university-policies/numerical-index/university-policy-54.asp>)

Appendix A – Conflict of Interest Disclosure Form
Appendix B – External Professional Activities for Pay Notice of Intent.

WCU Office of Research Administration Conflicts of Interest web page: <http://www.wcu.edu/academics/research/about-the-office-of-research-administration/research-policies-procedures/conflicts-of-interest/index.asp>

Dual Employment:

[University Policy #8](http://www.wcu.edu/about-wcu/leadership/office-of-the-chancellor/university-policies/numerical-index/university-policy-8.asp) (<http://www.wcu.edu/about-wcu/leadership/office-of-the-chancellor/university-policies/numerical-index/university-policy-8.asp> )

[Dual Employment Permission Form](http://www.wcu.edu/WebFiles/PDFs/DualEmploymentForm.pdf)
[Request for Additional Payment to Employee for Work Performed for Another State Agency](http://www.wcu.edu/WebFiles/PDFs/Request_for_Additional_Payment_Policy8.pdf)

**4.17 Benefits**

Staff members in Human Resources are available to interpret fringe benefits and assist in the enrollment process. Faculty members will be provided with details of the fringe benefit programs at the time of employment or during orientation for new faculty. Faculty who have questions concerning fringe benefits should direct them to the Office of Human Resources.

**A. Phased Retirement-Program**

The University of North Carolina Phased Retirement Program is designed to provide an opportunity for eligible full-time tenured faculty members to make an orderly transition to retirement through half-time service. The goals of the Program are to promote renewal of the professoriate in order to ensure institutional vitality and to provide additional flexibility and support for individual faculty members who are nearing retirement. The Program is entirely voluntary and will be entered into by a written agreement between an Eligible Faculty Member and Western Carolina University. The Program is designed to accommodate a maximum three-year period for the employee.

**B. Retirement System: Mandatory Program**

In addition to the Federal Social Security Program (FICA), Western Carolina University faculty must contribute to either the Teachers’ and State Employees’ Retirement System (TSERS) or the Optional Retirement Program (ORP) through Fidelity Investments, TIAA-CREF, VALIC, or Lincoln. The employee is required to contribute six percent of gross salary each month. The selection of a retirement program is a lifetime election and cannot be changed at a later date. Employees are fully vested after five years of contributing membership in the ORP Participating members with TSERS must contribute for ten years if hired on or after August 1, 2011 to be fully vested. Any member employed prior to August 1, 2011 must only contribute for five years to be fully vested. The TSERS is a defined benefit plan and the ORP is a defined contribution plan.

For faculty participating in the TSERS, the university contributes a percentage of the employee’s salary to the Retirement System Pension Fund, the Retiree Health Plan Reserve, the Disability Income Fund, and the Death Benefit Trust Fund. For faculty participating in the ORP, the university contributes a percentage of the employee’s salary directly to the employee’s ORP account, the Retiree Health Plan Reserve, and the Disability Income Fund. These percentages are established by the legislature during each legislative session and are subject to change annually.

Faculty who have questions concerning these retirement program options should contact the Office of Human Resources.

**C. Disability Income Plan of North Carolina**

The State of North Carolina makes available the Disability Income Plan (DIP) of North Carolina for employees who participate in either the Teachers’ and State Employees’ Retirement System (TSERS) or the Optional Retirement Program (ORP). The DIP provides partial replacement income for eligible employees who become temporarily or permanently disabled for the performance of their regular job duties. After one year of contributing membership in the TSERS or ORP (earned within 36 calendar months preceding disability), an employee is automatically eligible for coverage under the Short-Term Disability Benefit. Benefits are payable after the conclusion of a 60 continuous calendar-day waiting period following the onset of disability. After five years of contributing membership in the TSERS or ORP (earned within 96 months prior to the end of the short-term disability period), an employee becomes eligible for a Long-Term Disability Benefit. Details concerning the DIP may be obtained from the Office of Human Resources.

**D. Voluntary Supplemental Disability Insurance**

In addition to the State of North Carolina Disability Income Plan (DIP), the University offers voluntary supplemental disability insurance underwritten by Liberty Mutual Life Insurance Company to employees who are participants of the TSERS. Employees who are participants of the ORP are eligible to enroll in the Standard Disability Benefits Plan. Both plans are designed to augment the coverage provided under the State’s DIP. Details concerning voluntary supplemental disability insurance may be obtained from the Office of Human Resources.

**E. Retirement System: Voluntary Program**

The University makes available voluntary tax-sheltered plans for employees who may wish to provide supplemental income for their retirement years and, at the same time, reduce the amount of their current taxable income through the use of a tax-sheltered annuity. There are three different types of investment vehicles offered through the University as authorized under the Internal Revenue Service Code (IRC). These are Tax-Sheltered Annuities, authorized under Section 403(b) of The Code; the State of North Carolina Deferred Compensation Program, authorized under Section 457 of The Code; and, the State of North Carolina 401(k) Plan, authorized under Section 401(k) of The Code. Under this arrangement, the employee pays state and federal income tax only on the amount of the reduced salary. Social Security deductions and contributions to either the Teachers’ and State Employees’ Retirement System or the Optional Retirement Program will continue to be based on gross salary prior to reduction. Additionally, all three voluntary supplemental plans offer a Post-Tax/Roth option. Details on voluntary tax-sheltered plans may be obtained from the Office of Human Resources.

**F. Voluntary Group Life Insurance**

The University makes available group life insurance, underwritten by Prudential Life Insurance Company, to eligible employees and their dependents. The purpose of this plan is to provide term life insurance coverage (which includes an accidental death and dismemberment benefit) at a reasonable cost. Voluntary individual life insurance policies are also available through Boston Mutual Life Insurance Company (offered to members of the North Carolina State Employees’ Association). Details on voluntary life insurance options are available in the Office of Human Resources.

**G. Health Benefits**

The State Health Plan of North Carolina oversees the health benefit plan that is available to faculty, staff, retirees, and their dependents. Two plans are instituted by the State Health Plan; two Preferred Provider Organization (PPO) Plans. Both plans are designed to provide health insurance protection for State employees – active and retired – and their eligible dependents. Blue Cross and Blue Shield is the Claims Processing Contractor for all two medical plans.

Details on health benefits are available in the Office of Human Resources.

**H. Liability Protection**

Under Article 31A of Chapter 143 of the General Statutes of North Carolina, an employee is entitled to protective assistance by the State if the individual is responsible for an alleged legal wrong attributable to conduct by the employee within the course and scope of his or her State employment.

**I. State Employees’ Credit Union**

The State Employees’ Credit Union (SECU) is a financial cooperative owned by its members and available to State employees and their families. Membership in the Credit Union may be obtained by submitting a completed and signed application for membership, together with a deposit of at least $25 to cover the purchase of at least five shares of stock.

**J. NCFlex**

NCFlex offers multiple benefit programs to employees who are employed in permanent appointments at least half time or greater. The benefits programs include; a dental plan, a Health Care Flexible Spending Account, a Dependent Care Flexible Spending Account, voluntary Accidental Death & Dismemberment insurance, Core Accidental Death and Dismemberment, critical illness coverage, a vision care plan, a cancer insurance and a term life insurance plan. NCFlex allows an employee to contribute money on a pre-tax payroll deduction basis to an NCFlex account, file claims for eligible expenses, and be reimbursed tax-free from the employee’s account.

**K. Educational Program**

A waiver of tuition for faculty and staff:

1. Shall be allowed for full-time faculty of instructor rank and above, and other full-time employees of the university who hold membership in the Teachers’ and State Employees’ Retirement System or Optional Retirement Program. Tuition waivers are not applicable for temporary or part-time employees, or for any employee who is not a member of the Teacher’s and State Employee’s Retirement System or Optional Retirement Program.

2. Shall apply only during the period of one’s normal employment. (The period of normal employment may be for a calendar year.)

3. Shall be allowed for the regular-term academic year and shall not include charges or fees for enrollment in correspondence courses, continuing education courses, extension courses, summer sessions, or other instruction principally supported by receipts from enrollees.

4. Shall be granted only to employees who meet the requirements for admission to the university and who have been duly admitted by the appropriate Office of Admissions.

5. Do not include such other charges as registration, laboratory, supplementary texts, and/or material fees which must be paid by the student. Members of the faculty and the staff of the university, who enroll for a course under these regulations, shall be required to complete the full schedule of work encompassed in their normal employment obligations.

6. Tuition waivers are not applicable for temporary or part-time employees, or for any employee who is not a member of the Teachers’ and State Employees’ Retirement System or Optional Retirement Plan.

7. Each applicant for tuition waiver must complete and submit through regular administrative channels, a “Request for Full-Time Faculty and Staff Enrollment in Course” form. These forms are available in the office of the department heads. The WCU Tuition Waiver Application Form can be accessed at: [http://www.wcu.edu/WebFiles/Excel/HR**\_**tuitiondoc**\_**052007.xls](http://www.wcu.edu/WebFiles/Excel/HR_tuitiondoc_052007.xls)

8. Enrollment requests should be cleared as follows: faculty members—vice chancellor for academic affairs; staff members—appropriate vice chancellor for the unit in which the staff member works. For staff in units that do not report to a vice chancellor, the assistant to the chancellor will provide this review.

**4.18 Services**

**A. University Health Services Center**

Western Carolina University is pleased to make available medical services offered by the University Health Services (UHS) to our employees. The details of all coverage, eligibility requirements and instructions for enrollment are outlined in this policy. Health Services will review this policy annually and make adjustments as needed.

1. General Information for all University Employees

a. Services rendered must be paid in full at the time of the visit. Health Services will not bill for services. UHS can accept cash, checks, all major credit cards and the CatCard system for payment of services. Employees will receive official receipts that will allow the employee to file charges on his or her insurance policy.

b. Health Services medical staff should not replace the employee’s primary physician; rather employees should use health services for non complicated sick visits such as sore throats, strep, and upset stomach.

c. Telephone calls and e-mail requests for medical advice, treatment and requests for prescription medicines are prohibited.

d. All employees must submit a medical history form and report any allergies or allergic reactions before services can be rendered.

e. All medical contacts and health records are strictly confidential and are maintained securely in compliance with all HIPAA regulations.

f. Health Services is open to faculty and staff Monday-Friday from 8:00 a.m. to 5:00 p.m. During holidays and scheduled breaks, the Center’s hours are subject to change and will be updated on the UHS website at studenthealth.wcu.edu

g. Children and dependents of employees and retirees of WCU are not eligible for services.

2. Permanent Full-Time and Permanent Part-Time EPA, SPA (SPA Exempt) Employees, Tenure Track, Tenured, Phased Retirement Faculty Employees

All permanent full-time and permanent part-time EPA, and SPA employees, tenure track, tenured and phased retirement faculty employees who work on the WCU campus are required to pay a monthly access fee as a condition of employment. The Student Affairs Division will determine the access fee and this information will be forwarded to employees each fiscal year.

The monthly fee gives the employee access to the Center’s services. Additional fee-for service charges may be incurred during the course of care provided at health services. These charges are typically for lab work performed and medications prescribed and dispensed in UHS. . Health Services will strive to maintain nominal charges for these health care services. However, as health care prices increase or decrease locally, the access fee and other charges may be adjusted annually.

a. Health Services is designed for urgent care assessments, treatments and procedures. This includes, but not limited to, the management of colds, flu, minor suturing of wounds, allergy shots, basic immunizations, brief physicals, and performing basic laboratory and diagnostic procedures.

b. Health Services cannot serve as the employee’s primary physician for acute and/or chronic medical conditions. Employees will be provided a list of local primary physicians upon request.

c. Health Services clinicians cannot provide medical advice, treatment, assessment or prescriptions over the telephone or through e-mail. All medical contacts must be done in person in Health Services located in the Bird Building on the upper part of campus

d. Each employee is entitled to three free medical provider contacts per fiscal year (June 30-July 1). The free provider contacts only include the medical contact. Lab work, procedures and some medical diagnostic tools will have a charge. Upon the employee’s fourth medical provider contact, an additional charge will be incurred.

e. Services that do not have an associated charge are as follows: routine blood pressure checks, travel clinic assessment and basic medical assessments by the nursing staff, some over the counter medications and nutritional consults.

f. Employees are also allowed to utilize allergy clinic services in UHS. If the employee is receiving immunotherapy injections as part of an ongoing allergy treatment plan, UHS staff can work with the prescribing physician/allergy specialist to administer the allergy shots on campus. There is a fee for the injection service and those visits do not count toward the three (3) visits per year.

3. Temporary Part-Time, Temporary Full-Time and Hourly SPA (SPA Exempt) Employees, Fixed Term, Adjuncts, Part-Time and Visiting Lecturer Faculty Employees

All temporary part-time or hourly employees, fixed term, adjuncts, part-time and visiting lecturer faculty may choose to participate in the services offered at UHS. A monthly access fee will not be charged to the employee. Part-time employees must pay all fees-for service charges. The guidelines are as follows:

a. Employees are not entitled to free medical provider contacts. Services rendered must be paid in full at time of the medical contact. Lab work, procedures, blood pressure checks, travel clinic assessment, and other medical diagnostic tools will be charged to the employee.

b. Health Services is designed for urgent care assessments, treatments and procedures. This includes, but not limited to, the management of colds, flu, minor suturing of wounds, allergy shots, basic immunizations, basic physicals, and performing basic laboratory and diagnostic procedures.

c. Health Services cannot provide medical advice, treatment, assessment or prescriptions over the telephone or through e-mail. All medical contacts must be done in person in Health Services located in the Bird Building on the upper part of campus

d. The Health Services Center cannot serve as the employee’s primary physician for acute and/or chronic medical conditions. Employees will be provided a list of local primary physicians upon request.

4. Worker’s Compensation Claims

Worker’s Compensation medical contacts will be charged directly to the department in which the employee works as outlined in the fee-for-service schedule. Employees are responsible for following university and departmental policies and procedures for reporting these claims and the medical contacts. Further information is available in Western Carolina University’s Safety and Health Program Manual or by contacting the Director of Safety and Risk Management.

**B. Speech and Hearing Clinic**

The Speech and Hearing Clinic is the primary clinical training site for students in the Communication Sciences and Disorders Department. Students in the training program receive supervision by the American Speech Language and Hearing Association certified speech-language pathologists and audiologists. In order to accomplish this training mission, the clinic offers speech, language, and hearing evaluations and follow-up treatment for individuals for all ages (birth through geriatrics) with known or suspected communication disorders. The clinic also offers a broad range of consultative services to individuals and agencies in western North Carolina.

**C. Faculty Housing**

A limited number of apartments are available for on-campus housing. The accommodations consist of one, two, and three bedroom units and are available under the terms outlined in the Faculty Transitional Housing Agreement with new faculty and staff given first priority. Since the intent is to provide transitional housing, all residents will be limited to a maximum stay of two years. Information concerning faculty/staff housing may be obtained at <http://www.wcu.edu/student-life/division-of-student-affairs/departments/residential-living/residential-living-for-faculty-staff/faculty-staff-housing.asp> .

**D. Off Campus Partners**

The Student Affairs Division has entered into an agreement with Off-Campus Partners to list off-campus housing opportunities. OCP provides a site to link potential tenants with potential landlords/property managers. Users are provided with a variety of online services, including but not limited to the capability to search a database of off-campus properties, to post properties for rent or sale and to post and search messages on message boards. The link to this service is available at: <http://www.wcu.edu/offcampus/>

**E. Hunter Library**

Hunter Library employees collaborate with students and faculty to find, obtain, and use quality information for their research, teaching, and learning. Faculty and students have access to more than 2.6 million items of intellectual content, including books, journals, serials, government documents, microforms, computer files, manuscripts and archives, audiovisual materials (cartographic, graphic, audio, film and video, etc.), as well as photographs and other resources documenting the history of western North Carolina and Southern Appalachia, the history of the Cherokee Indians, literary works and papers of authors residing in or native to western North Carolina. The library also provides library materials to Western Carolina University’s courses and programs offered at its Biltmore Park location in Asheville.

The library is generally open every day of the academic semester.During the final two weeks of the semester, the library is open 24/7. Librarians provide research and instructional assistance for every course of study offered at Western Carolina University. Research assistance is also available online, via IM, telephone, chat, and email. The library provides wireless internet connectivity and its website is accessible via mobile devices. Students and faculty enjoy the use of quiet study spaces in Hunter Library, the presentation practice rooms, group study rooms, film viewing rooms, and the hospitality of a Java City lounge. The Coulter Faculty Commons and the Technology Commons are also conveniently located in the library. For information on services provided to all faculty, see our web page “For Faculty and Staff” http://www.wcu.edu/library, or call 227-7465.

**F. Technology Support**

Technology Support has been specifically designed around services. Faculty can find all services they need at this page: <http://www.wcu.edu/academics/campus-academic-resources/it/itservices/index.asp> Services are available in the following areas: academics and instructional support, accounts and access, Banner and MyCat, email, calendaring and collaboration, servers and storage, training, research, security, web, video and event support, hardware and software, network and internet.

**G. Services for Retired Faculty and Staff**

1. **Parking.** Upon request, the Office of University Police will provide parking stickers to retired faculty and staff at no charge.

2. **Library.** Retired faculty and staff have the same library privileges as active faculty and staff. However, priority is given to students and active faculty and staff. A book checked out by a retired member is subject to recall if it is needed by a student or active faculty or staff member. Carrels are available for annual assignment on a space available basis after the needs of students and active faculty or staff has been addressed. Guidelines are established in consultation with the Library Committee for assignment of these study carrels.

3. **Athletic Activities and University Events.** Athletic activities are available on the same basis as to active faculty and staff. For paid events, prices are the same for both retired and active faculty and staff. Free activities are equally open to both retired and active faculty and staff and participation is welcomed.

4. **Athletic Facilities.** Retired faculty and staff have the same privileges as active faculty and staff. The policies and procedures governing use of the swimming pool, tennis courts, and other facilities make no distinction between the two groups of persons.

5. **Personnel Services.** The Human Resources staff provides retired faculty and staff with assistance upon request regarding insurance, death claims, and new regulations or legislation affecting retired persons, and with their medical insurance coverage, which continues to be paid (for retiree only) by the state after retirement.

6. **Identification Cards.** A permanent ID card is available for retired faculty and staff; requests should be addressed to the CatCard Office.

**H. CatCard Office**

1. The CatCard Office is responsible for producing WCU’s faculty and staff identification card, the CatCard. Faculty members may obtain a CatCard photo ID in the CatCard Office, 135 Killian Annex. The CatCard provides WCU faculty members with proof of employment and access to a variety of campus-wide services and systems.

2. Faculty members use the CatCard for employment identification, to utilize Library services, to receive treatment at University Health Services, and to enter the Campus Recreation Center (once Campus Recreation Center fees are paid). The CatCard can also be used to make purchases (as a debit card) at various locations across campus. These locations presently include: IT Services, Health Services, vending machines, copiers and printers, the University Bookstore, Catamount Clothing & Gifts, all food service locations, and the University Center (tickets, outdoor rentals, copies, faxes, etc.).

3. Faculty members may take advantage of the Cat Card’s debit function by depositing money at the OneStop Student Services Center counter located in Killian Annex or online using a debit or credit card at https://itapp.wcu.edu/BannerUPay/. Funds may also be added to the CatCard debit account at Add-Value stations in Hunter Library, Hinds University Center, Health and Human Sciences Bldg., and the Courtyard Dining Hall lobby.

4. Value remaining in an employee’s debit account is carried forward until the conclusion of employment. A refund may be requested at any time. A processing fee of $5.00 is charged for all refunds.

5. Cardholders are responsible for safeguarding their CatCard. If a CatCard is lost, either accidentally or by theft, the card owner should notify the CatCard Office at 227-7003 during normal business hours (8 am to 5 pm) Monday through Friday. After 5:00 P.M. and on weekends you should notify University Police at 227-7301. Upon notification, the lost card will be electronically deactivated, thereby preventing any further use. A replacement card can be obtained by paying the replacement fee at the OneStop Student Services Center counter and bringing the receipt to the CatCard Office in 135 Killian Annex. A replacement fee is due when the new card is made. The University cannot accept responsibility for unauthorized use of a lost card prior to deactivation.

1. In computing any period of time, the day in which notice is received is not counted but the last day of the period being computed is to be counted. [↑](#footnote-ref-1)
2. To meet this deadline, faculty are encouraged to consider scheduling hearings during the evening, weekend, or other non-class time. It is strongly recommended that several days and times be established for the hearing when scheduling the first day, for the eventuality that the hearing may take two or more sessions. [↑](#footnote-ref-2)
3. See UNC Policy 101.3.1 for additional information [↑](#footnote-ref-3)