



FACULTY HANDBOOK

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Chapter 1: Introduction to the Appalachian State University Faculty Handbook

1.1 Purpose and Scope of the *Faculty Handbook*. The *Faculty Handbook* provides access to information specific to faculty members such as professional rights and responsibilities, duties, status, as well as employment rights and privileges. It is not intended to be a comprehensive collection of all the policies that affect faculty members at Appalachian State University or to address all possible applications of, or exceptions to, the University's policies and procedures.

1.2 *Faculty Handbook* Not a Contract. This *Faculty Handbook* does not confer any contractual right, either express or implied, and is not a contract.

1.3 Policies Applicable to Faculty. In addition to this *Faculty Handbook*, faculty at Appalachian State University are also subject to federal and state law, [The Code & The UNC Policy Manual](#), and the [Appalachian State University Policy Manual](#).

1.3.1 Relationship of the *Faculty Handbook* to state and federal law. The University as a state government entity is required to comply with all applicable state and federal laws in existence and those enacted in the future. In the event any provision of this *Faculty Handbook* is inconsistent with applicable state or federal law, the state or federal law shall prevail.

1.3.2 Relationship of the *Faculty Handbook* to *The Code & The UNC Policy Manual*. The Board of Governors (BOG) of The University of North Carolina System maintains [The Code & The UNC Policy Manual](#). *The Code* incorporates the requirements of the North Carolina Constitution and General Statutes, as well as Board of Governors bylaws and other UNC System policies. The *UNC Policy Manual* provides more specific direction and policies on university matters. In the event any provision of this *Faculty Handbook* is inconsistent with *The Code & The UNC Policy Manual*, *The Code & The UNC Policy Manual* shall prevail.

1.3.3 Relationship of the *Faculty Handbook* to the *Appalachian State University Policy Manual*. *The Appalachian State University Policy Manual* provides policies that apply to all University employees, including faculty. Faculty are responsible for reviewing, understanding and complying with the policies contained in the *Appalachian State University Policy Manual* in addition to this *Faculty Handbook*. In the event any provision of this *Faculty Handbook* is inconsistent with the *Appalachian State University Policy Manual*, the *Appalachian State University Policy Manual* shall prevail.

1.3.4 Relationship of the Faculty Constitution to the *Faculty Handbook*. [The Faculty Constitution](#) establishes eligibility of faculty to vote and to serve on the Faculty Senate. The Faculty Constitution and Faculty Senate bylaws must conform to the parameters outlined in this *Faculty Handbook*, the [Appalachian State University Policy Manual](#), [The Code & The UNC Policy Manual](#), state and federal law. In the event of any conflict, the order of precedence shall be as follows: (1) Federal or State law; (2) *The Code & The UNC Policy Manual*; (3) *Appalachian State University Policy Manual*; (4) this *Faculty Handbook*; (5) Faculty Constitution; and (6) Faculty Senate bylaws.

1.3.5 Relationship of College, School and Department Policies and Procedures to the *Faculty Handbook*. All college, school, department, or academic program bylaws, policies, and procedures must conform to the parameters outlined in this *Faculty Handbook*, [Appalachian State University Policy Manual](#), [The Code & The UNC Policy Manual](#), state and federal law.

1.4 Chancellor's Authority. Pursuant to [NCGS § 116-34\(a\)](#), the Chancellor is the administrative and executive head of the University and shall exercise complete executive authority therein, subject to the direction of the President of the UNC System. The Chancellor shall be responsible for carrying out policies of the Board of Governors and the Board of Trustees.

1.4.1 Chancellor's Authority to Create an Institutional Faculty Council or Senate. In accordance with *The Code*, the Chancellor has the authority to establish a faculty council or senate. The general faculty,

including at least all full-time faculty and appropriate administrators may function as the council or senate. The Chancellor may attend and preside over all meetings of the council or senate but is not required to attend or preside over such meetings.

1.5 Modification of the *Faculty Handbook*. Any proposed modifications to the *Faculty Handbook* shall be submitted to the Provost and Executive Vice Chancellor or their designee for consideration. The Faculty Senate shall promptly provide any input, suggestions or recommendations on proposed modifications to the Provost for consideration, if requested. All changes, except for those required by Section 1.5.1 below, must be approved by the Chancellor and the Board of Trustees in consultation with the Provost and the Office of General Counsel.

1.5.1 Conforming Amendments Necessitated by Changes in Law or UNC System Policy; Technical Corrections. Conforming amendments to this *Faculty Handbook* required by changes to state or federal law, or UNC System code, policy or regulation, as well as simple technical corrections, may be made by the Provost & Executive Vice Chancellor, in consultation with the Office of General Counsel, upon approval by the Chancellor.

1.5.2 Oversight *Faculty Handbook* Changes. The Office of Academic Affairs shall maintain oversight of all changes to the *Faculty Handbook* and shall provide, via electronic accessibility, the existing policy (if applicable), any modifications that will be presented to the Board of Trustees for approval, and the date of approval from the Board of Trustees.

1.6 Questions regarding Interpretation of the *Faculty Handbook*. Any questions about the contents of this *Faculty Handbook* (including on matters not discussed herein) should be addressed to the Vice Provost for Faculty Policies and Development (hereafter, "Senior Vice Provost.").

1.7 Maintenance of the *Faculty Handbook*. The Office of Academic Affairs hosts the current electronic version of the *Faculty Handbook* and is responsible for updating it as changes are made. Previous versions of the *Faculty Handbook* shall be archived in accordance with the University's record retention policies.

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Chapter 2: Faculty Professional Rights, Ethics and Responsibilities

2.1 Freedom and Responsibility in the University Community.

- A. Appalachian State University is dedicated to the transmission and advancement of knowledge and understanding. Academic freedom is essential to the achievement of these purposes. The University 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 or external restraints that would unreasonably restrict their academic endeavors.
- B. The University shall protect faculty and students in their responsible exercise of the freedom to teach, to learn, and otherwise to seek and speak the truth.
- C. Faculty and students 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.

2.2 Academic Freedom and Responsibility of Faculty

- A. It is the policy of the University to support and encourage full freedom, within the law, of inquiry, discourse, teaching, research, and publication for all members of the academic community. Members of the faculty are expected to recognize that accuracy, forthrightness, and dignity befit their association with the University and their position as faculty members. They should not represent themselves, without prior express authorization, as spokespersons for the University or the University of North Carolina System.
- B. The University shall not penalize or discipline members of its faculty because of the exercise of academic freedom in the lawful pursuit of their respective areas of scholarly and professional interest and responsibility.

2.3 Primary Mission of Faculty/University. The primary mission of the University is the instruction of students. To achieve this important work, the faculty have the primary responsibility for fundamental areas such as the University's curriculum, subject matter and methods of instruction, research, aspects of student life that relate to the educational process, as well as the assessment of professional credentials of candidates for faculty positions, reappointment, tenure, and promotion.

2.4 Faculty Professional Ethics/Expectations. In daily professional interactions, all faculty members shall do the following:

- A. Treat everyone (including, but not limited to students, faculty, staff, administrators, volunteers and community members) with respect, fairness, and without bias or discrimination based on race, color, national origin, religion, sex, gender identity and expression, political affiliation, age, disability, veteran status, genetic information or sexual orientation. At all times engage others with civility to prevent interference with the working and learning environment.
- B. Teach, conduct research, and engage in service to the University with competence, honesty and the highest ethical standards.
- C. Respect the privacy of all individuals and the confidentiality of information entrusted to them regarding students in accordance with applicable law.
- D. When in a supervisory role, provide clear direction and timely feedback as well as constructive suggestions and opportunities for improvement.
- E. Resolve personal conflicts with colleagues, students, and staff in a non-threatening, constructive and private manner, when possible.
- F. Become familiar with and follow University and UNC System policies.

- G. Maintain all licenses and certifications required for their positions, participate in education and training as necessary to maintain professional competence in their discipline.
- H. Complete all required university mandated training as appropriate for their job duties, and in a timely manner.
- I. Disclose all conflicts of personal, professional and financial interest, as required by University policy, in a timely manner.
- J. Use University facilities, equipment, supplies and resources (including telecommunications and information technology resources) responsibly and for legitimate University business.

Faculty who violate this code of professionalism may be subject to disciplinary action, as appropriate, in accordance with *Chapter VI, Section 603 of The Code*.

2.5 Professional Integrity. Appalachian State University believes that honesty and integrity are essential to the search for knowledge and that all faculty must guard the truth, uphold the highest standards in the educational process as well as in their research and scholarship. Faculty must practice intellectual honesty at all times and protect the public trust that the academic environment has long held. Faculty must never plagiarize, fabricate or falsify information or knowingly misrepresent information or its source. Faculty must never engage in any communication that is false, misrepresented or dishonest.

2.5.1 Violations of Professional Integrity. The following shall constitute a violation of professional integrity that may result in disciplinary action, up to and including termination in accordance with Chapter 9 of this *Faculty Handbook*.

- a. willful falsification of credentials or other information significantly related to job qualifications or responsibilities;
- b. willful nondisclosure of information significantly related to job qualifications or responsibilities; and
- c. other violations of professional ethical standards sufficiently related to a faculty member's academic responsibilities so as to disqualify the individual from effective performance of University duties or sufficiently serious as to adversely reflect on the individual's honesty, trustworthiness or fitness to be a faculty member.

2.6 Faculty Professional Workload. The professional workload for faculty members shall include teaching, research/creative activity and service to the department/program, college, University and/or the community. Teaching and instruction are the primary mission of the University and therefore teaching shall serve as the first component of determining faculty workload expectations. In accordance with *UNC Policy Manual, Policy 400.3.4*, the standard teaching load for all full-time faculty members shall be 24 credit hours (or equivalent contact hours) per academic year, along with routinely expected faculty duties such as advising, committee work, and professional development. Faculty members holding additional responsibilities for research/creative activities and service as identified in their annual work plans may have their teaching workload adjusted on a commensurate basis. Any exceptions from the standard teaching workload must be approved by the Provost and be included in the faculty member's employment contract.

2.6.1 Differential Teaching Loads. Differential teaching loads may be approved in recognition of differing individual circumstances including student success considerations, course level (bachelors, masters, doctoral) course pedagogies, programmatic accreditation requirements, team-taught courses, research productivity, time bought out by external grants, significant administrative or service assignments, significant advising responsibilities, or other activities aligned with the University's mission and/or critical to student success.

2.6.2 Faculty Workload Assignments/Annual Work Plan. Each faculty member shall work with their department chair or dean to develop a work plan for the upcoming academic year, in alignment with the University's workload expectations and the needs of the academic department, program, college/school, or University. In accordance with *UNC Policy Manual, Policy 400.3.4*, all workplans shall include expectations for teaching, research/creative activity and service via percentage time allocations that equal the faculty member's FTE status. If changes in a faculty member's instructional assignment become necessary, the faculty member shall be notified of such changes as soon as possible.

2.7 Faculty Role in Curriculum Development. The basic and most important unit in determining curricula is the academic department. To accomplish curricular work, each department/academic unit and college/school shall have a curriculum committee charged with carefully considering additions, deletions, and changes to courses, programs, policies, or structures within or affecting the academic unit.

2.8 Additional Obligations of Faculty. In addition to the responsibilities above, faculty as employees of Appalachian State University also have obligations to the University. Those obligations are contained in the Appalachian State University Policy Manual. They include, but are not limited to, the following:

- A. **Research Misconduct:** To engage in research, scholarship and creative endeavors with integrity and to comply with the University's Research Misconduct Policy in regard to any allegations of misconduct;
- B. **Grading:** To ensure all final grades are reported to the Registrar by the deadline set by the University each semester;
- C. **Intellectual Property:** To disclose any intellectual property that may be created by the faculty member in the scope of their employment including research to the Intellectual Property Council in accordance with the University's IP Transfer Policy;
- D. **Mandatory Reporter/Responsible Employee Title IX:** To fulfill the role as a Mandatory Title IX Responsible Employee. Faculty members must be trained annually and report any occurrence of prohibited conduct under University Policies on Discrimination, Harassment, Title IX and Sex-Based Misconduct;
- E. **Anti-Nepotism/Improper Relationships:** To not engage in the supervision of an individual that is either related to the faculty member or is in a personal or amorous relationship with the faculty member and to not engage in sexual activity with any enrolled student of the institution, other than a spouse, who is a minor (below the age of 18). When appropriate, Department Chairs who have spouses in the department they oversee shall be required to have a COI management plan in place to ensure their spouse reports to another administrator to ensure compliance with these policies.
- F. **Signature Authority:** To comply with the University's Delegation of Signature Authority Policy and to not sign any contractual documents on behalf of the University, including click-through software agreements, unless the faculty member has received prior written delegation of signature authority from the University;
- G. **IT Software or Hardware Acquisition:** To follow the University's IT Acquisition process through the University's ITS department prior to the use or purchase of any software or hardware;
- H. **Conflict of Interest or Commitment:** To not engage in activities that would result in a conflict of interest or conflict of commitment in violation of the University's Conflict of Interest and Commitment Policy;
- I. **Outside Work:** To only engage in outside work or professional activities for pay when approved in accordance with the University's External Professional Activities for Pay Policy;
- J. **Political Activities/Office Holding:** To comply with all University and UNC System policies regarding engaging in political activities and candidacy for or holding a public office;
- K. **Duty to Cooperate:** To fully cooperate in any investigation or other administrative process whether the faculty member is the respondent or just a witness, at the request of the University. Failure to cooperate with any such investigation or administrative process could result in disciplinary action and the North Carolina Attorney General's Office choosing to not indemnify or defend the faculty member under the Defense of State Employees Act.
- L. **Misuse of State Property:** To engage in the responsible use of state property and avoid at all times using any state property for personal, political or other unapproved purposes. To report the misuse of any state property or buildings to their immediate supervisor; and

M. **Other:** To comply with all other applicable University or UNC System policies in existence or created in the future.

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Chapter 3: Tenure-Track Faculty Appointments, Contracts, Performance Reviews, and Promotion/Tenure Process

3.1 Introduction. *The Code & The UNC Policy Manual* of the Board of Governors of the University of North Carolina authorizes the establishment of tenure eligible appointments.

3.2 Tenure Eligible Appointments. The University shall require the doctorate or other appropriate earned terminal degree for all full-time tenure eligible faculty appointments above the rank of Instructor unless there are exceptional circumstances. The tenure eligible ranks are Instructor, Assistant Professor, Associate Professor, and Professor. Minimum qualifications for each are below:

3.2.1 Instructor. The rank of Instructor is appropriate when the individual lacks, when appointed, one or more qualifications for appointment to a rank of Assistant Professor.

a. An Instructor must possess at a minimum:

- i. a master's degree from an accredited institution in a relevant field, or special competencies in lieu of the master's degree, or completion of all but the final requirements of the doctorate or other appropriate terminal degree;
- ii. evidence of ability in teaching; and
- iii. evidence of potential in either: (1) research or other germane creative activity; or (2) professional service to the University and/or to the public.

b. Initial Appointment/Requirements. A tenure eligible faculty member that does not possess the minimum requirements to be hired at the rank of an Assistant Professor will receive an initial appointment that includes the condition of completion of all requirements for the position prior to the date stated in contract (July 31 for fall hires and November 30 for spring hires). In the event these requirements are not satisfied, the appointment shall be changed to the rank of Instructor for a probationary term of one (1) academic year and the salary reduced to a lower rate commensurate with other full-time non-tenure track faculty in the same department in accordance with the faculty employment contract provisions.

c. Failure to Meet Requirements for Assistant Professor. If the Instructor still does not meet the requirements for the rank of Assistant Professor prior to the end of the one-year probationary term the Department Chair and Dean shall determine if the faculty member will be offered:

- i. A reappointment for an additional one-year probationary term at the same rank of Instructor; or
- ii. A terminal appointment at the rank of Instructor for one (1) additional academic year; or
- iii. Notice that they will not be reappointed at the end of their current fixed term employment contract.

d. Reappointment Limits. Instructors may only be reappointed at the same rank for a total of four (4) academic years. Each of these terms counts toward tenure.

e. Notice of Non-Reappointment. In the event an Instructor will not be reappointed, the faculty employment decision shall be made by the appropriate administrators early enough to permit reasonable notice to be given. For a full-time Instructor, timely notice shall be as follows:

- i. During the first year of service, the faculty member shall be given not less than sixty (60) calendar days' written notice before the fixed term contract expires;
- ii. During the second year of continuous service, the faculty member shall be given not less than ninety (90) calendar days' written notice before the fixed term contract expires; and
- iii. After two or more years of continuous service, the faculty member shall be given not less than twelve (12) months' written notice before the fixed term contract expires.

3.2.2 Assistant Professor.

a. An Assistant Professor must possess at a minimum:

- i. the appropriate earned terminal degree from an accredited institution, unless there are exceptional circumstances;

- ii. demonstrated ability in teaching;
- iii. evidence of ability for research or other germane creative activity; and
- iv. willingness to contribute to institutional affairs and professional service to the University and/or to the public.

b. Initial Appointment/Probationary Periods. An initial appointment to the rank of Assistant Professor will be for a probationary term of four (4) academic years. If a faculty member begins employment in the spring semester (January – May), the first probationary year shall begin in the subsequent academic year. If an Assistant Professor is reappointed at the end of their initial probationary period, the appointment shall be for a second probationary term of three (3) academic years. Under no circumstances should the total length of probation exceed seven (7) years of full-time service except when the probationary period has been extended due to an approved leave or other extenuating circumstances.

c. Notice of Non-Reappointment. In the event an Assistant Professor will not be reappointed, the decision shall be made by the appropriate administrators early enough to permit reasonable notice to be given. For a full-time Assistant Professor, timely notice shall be as follows:

- i. During the first year of service, the faculty member shall be given not less than sixty (60) calendar days' written notice before the fixed term contract expires;
- ii. During the second year of continuous service, the faculty member shall be given not less than ninety (90) calendar days' written notice before the fixed term contract expires; and
- iii. After two or more years of continuous service, the faculty member shall be given not less than twelve (12) months' written notice before the fixed term contract expires.

d. Grant of Credit Toward Tenure. A candidate for Assistant Professor must request that any credit for tenure-track service received at another institution be granted toward tenure at the time of the offer of employment for any such credit to be considered by the University. Credit towards tenure may be for a maximum of two (2) years. To request such credit, the candidate must submit a written request with supporting documentation to the Department Chair at the time of the offer of employment. The Chair shall discuss the request with the Dean. The Dean shall make a recommendation to the Provost. The Provost's decision shall be final and shall be included in the candidate's initial faculty employment contract. No requests for the grant of credit towards tenure received at another institution shall be considered after the initial faculty employment contract has been signed. Credit granted towards tenure shall be irrevocable.

e. Application for Tenure. An Assistant Professor in good standing must be considered for tenure during their sixth academic year or earlier if they have been granted credit toward tenure, prior to the end of their second probationary period. However, an Assistant Professor who has demonstrated exceptional performance by exceeding Departmental criteria during their probationary period may apply for promotion and tenure during their fifth academic year.

- i. All applications for tenure shall be made in accordance with the requirements outlined in the *Academic Affairs Standard Operating Procedures for Reappointment, Promotion and Tenure Applications*.
- ii. An Assistant Professor may elect to be evaluated under either the Department's current criteria for promotion and tenure or the criteria that was in effect at the time of their hire. The faculty member must notify the Department Chair of their choice at the time they submit their application. If the faculty member does not notify the Department Chair of their choice as a part of their promotion and tenure materials, the faculty member's materials will automatically be evaluated under the Department's current criteria.

3.2.3 Associate Professor.

a. An Associate Professor must possess at a minimum:

- i. the appropriate earned terminal degree from an accredited institution;
- ii. at least five (5) years of appropriate experience, unless there are exceptional circumstances;
- iii. recognized skill in teaching;
- iv. recognized accomplishment in research or other germane creative activity;
- v. recognized accomplishment in professional service to the University and/or to the public; and
- vi. demonstrated willingness to participate in institutional affairs.

b. Initial Appointment/Reappointment. An initial appointment to the rank of

Associate Professor may be with tenure or for a probationary fixed term of up to five (5) academic years before becoming eligible to apply for tenure. If a faculty member begins employment in the spring semester (January – May), the first probationary year shall begin in the subsequent academic year.

c. Notice of Non-Reappointment. In the event an Associate Professor on a probationary fixed term will not be reappointed, the decision shall be made by the appropriate administrators early enough to permit reasonable notice to be given. For a full-time Associate Professor without tenure, timely notice shall be as follows:

- i. During the first year of service, the faculty member shall be given not less than sixty (60) calendar days' written notice before their fixed term employment contract expires;
- ii. During the second year of continuous service, the faculty member shall be given not less than ninety (90) calendar days' written notice before their fixed term employment contract expires; and
- iii. After two (2) or more years of continuous service, the faculty member shall be given not less than twelve (12) months' written notice before their fixed term employment contract expires.

d. Grant of Credit Toward Tenure. A candidate for Associate Professor who is not appointed with tenure, must request that any credit for tenure-track service at another institution be granted toward tenure at the time of the offer of employment for any such credit to be considered by the University. Credit towards tenure may be for a maximum of two (2) years. To request such credit, the candidate must submit a written request with supporting documentation to the Department Chair at the time of the offer of employment. The Chair shall discuss the request with the Dean. The Dean shall make a recommendation to the Provost. The Provost's decision shall be final and shall be included in the candidate's initial faculty employment contract. No requests for the grant of credit towards tenure received at another institution shall be considered after the initial faculty employment contract has been signed. Credit provided towards tenure shall be irrevocable.

e. Application for Tenure/Promotion. An Associate Professor in good standing who was initially appointed without tenure may apply for tenure at any time during the probationary term; however, they must be considered for tenure no later than their fourth academic year. Under no circumstances should the length of the probationary period exceed four (4) academic years of full-time service except when the probationary period has been extended due to an approved leave or other extenuating circumstances. An Associate Professor may apply for promotion to the rank of Professor once they meet the requirements under Section 4.2.4.

- i. All applications for tenure or promotion shall be made in accordance with the requirements outlined in the *Academic Affairs Standard Operating Procedures for Reappointment, Promotion and Tenure Applications*.
- ii. An Associate Professor may elect to be evaluated under either the Department's current criteria for promotion and tenure or the criteria that was in effect at the time of their hire. The faculty member must notify the Department Chair of their choice at the time they submit their

application. If the faculty member does not notify the Department Chair of their choice as a part of their promotion and tenure materials, the faculty member's materials will automatically be evaluated under the Department's current criteria. Should the faculty member take more than five (5) years to seek promotion to the rank of Professor, the candidate shall then be bound by the Department's criteria in place at the time they seek promotion.

3.2.4 Professor. An initial appointment to the rank of Professor shall be made with permanent tenure.

a. A Professor must possess at a minimum:

- i. the appropriate earned terminal degree from an accredited institution;
- ii. at least ten (10) completed years of appropriate experience;
- iii. recognized skill in teaching;
- iv. demonstrated ability and participation in professional service to the University and/or public; and
- v. evidence of at least one of the following: (1) outstanding accomplishment in research or other germane creative activity with ongoing, recognized accomplishment in professional service to the University and/or public; or (2) outstanding accomplishment in professional service to the University and/or to the public with ongoing, recognized accomplishment in research or other germane creative activity.

3.3 Exceptions to Minimum Qualifications. It is in the sole discretion of the Provost and Executive Vice Chancellor to approve any exceptions to minimum qualifications for faculty members. Any requests for exceptions must be submitted by completing a Faculty Credential Template Form. This form gathers information regarding documented experience which allows the University to hire individuals who have a breadth and depth of experience outside the classroom in the specific discipline and course content the faculty member will be teaching.

3.4 Tenure-Track/Tenured Faculty Employment Contracts. All faculty designations shall be conferred in a written faculty employment contract that must be signed by the faculty member within ten (10) calendar days of receipt of the contract. Failure to do so shall be considered as a rejection of the offer of employment. The contract shall include the rank, salary, start date, any special terms and shall incorporate by reference all University policies, as they may be adopted and amended from time to time.

3.4.1 Term. Appointments for tenure-track faculty members shall be for a fixed probationary term and for tenured faculty members shall be continuous until retirement, death, resignation, or dismissal pursuant to the processes in Chapter 9 of this *Faculty Handbook*.

3.4.2 Special Terms & Conditions. Any special terms and conditions such as workload reassignments, moving expenses, research startup funds, administrative duties, licensing requirements, etc. shall be recommended by the Dean to the Provost and if approved by the Provost, included in the final faculty employment contract. The contract shall state the entire agreement between the faculty member and the University and shall be the final offer to any faculty member with respect to their employment. All faculty employment contracts shall supersede any previous written or oral representations, statements, negotiations or agreements.

3.4.3 Faculty Appointments with Special Funding/ Availability of Funding. Any faculty employment contract for a position funded in whole or in substantial part from sources other than continuing state appropriated funds, shall include language specifying that the continuance of the faculty member's employment shall at all times be contingent upon the availability of such special funds.

3.4.4 Resignations of Faculty. Due to academic responsibilities of faculty positions, faculty members must provide written notice of their intention to resign their position to the Provost, with a copy to the Department Chair and Dean, with an effective date at the end of the term in which they intend to resign (December 31 or June 30). Upon receipt of the notice of intent to resign, the Provost or their designee shall respond in writing to the faculty member confirming the resignation and shall state the effective date of such resignation.

3.4.5 Faculty Retirement. Faculty members shall consult with the Office of Human Resources regarding

retirement. All retirements shall be in accordance with Chapter 135 of the North Carolina General Statutes. Full-time tenured faculty members may also be eligible for Phased Retirement. When a faculty member retires, the faculty member relinquishes all tenure rights, and any subsequent employment shall be subject to University post-retirement policies.

3.4.6 Summer Appointments and Resignations. All full-time faculty members who agree to teach during the summer are paid for summer course work based on a percentage of their nine-month base salary. If a full-time faculty member submits their intention to resign, resigns, or is terminated from their faculty position prior to August 30 however, they will not be paid the percentage of their nine-month base salary, but instead will be paid at the posted adjunct salary rate in the Academic Affairs Pay Schedule for all summer work performed.

3.4.7 Abandonment of Position. Any faculty member who needs to be absent during the semester shall notify their Department Chair and Dean in writing in advance of the proposed absence. Any faculty member who does not report for the opening day of classes in any term and continues to be absent for fourteen (14) calendar days without being excused by the Department Chair and Dean, or is absent at any point in the term for fourteen (14) consecutive days when classes are in session without being excused by the Department Chair and Dean, shall be subject to formal discharge in accordance with Chapter 9 of this *Faculty Handbook*.

3.5 Distinguished Professorships. All Distinguished Professorships must be created in accordance with the UNC System policies and applicable state law. Approval of any new Distinguished Professorships or revisions to a current Distinguished Professorship must be approved by the Board of Trustees and the President of the UNC System.

3.6 Faculty Teaching Performance Indicators. Due the primacy of teaching, all faculty members shall be subject to regular teaching performance assessment, which shall include at minimum the following: (1) student reviews of instruction and (2) peer observation of teaching. Both shall be conducted at regular intervals as designated below. Any other assessments must be described in the foundational documents of the Department.

3.6.1 Student Reviews of Faculty Instruction. The University's online student evaluation survey shall be conducted in all classes in at least one (1) semester of each academic year. Colleges/Schools and Departments may choose to review more frequently and/or employ additional methods to offer students the opportunity to provide feedback on instruction, but those methods must be outlined in the College/School or Department's foundational documents.

3.6.2 Peer Observation of Faculty Teaching. Faculty members shall participate in peer observation of teaching in accordance with the procedures the following:

- a. During the probationary period, Tenure-Track Faculty shall participate in a minimum of one (1) peer observation of teaching per academic year. There shall be a peer observation of a tenured faculty member a minimum of one (1) time per five (5) year period.
- b. Departments shall adopt procedures and practices for peer observations of teaching, which shall be included in their Department's foundational documents, that shall include: (i) An orderly rotation among all faculty of the responsibility for peer observations; (ii) A uniform format for the observation; (iii) Reporting of the results to Department Chairs, with a copy provided to the faculty member being observed, within ten (10) calendar days following the observation; (iv) The right of a faculty member being observed to request an additional peer observation by a different faculty member; (v) The right of a faculty member being observed to provide a written response to any peer observation. Such a response must be presented to the Department Chair within seven (7) calendar days from the receipt of the peer observation and shall be attached to the peer observation narrative.

3.7 Annual Review of Tenure-Track and Tenured Faculty. Each tenure-track and tenured faculty member shall have their performance assessed annually by their respective Department Chair. For each review, the faculty member shall provide a performance self-assessment to the Department Chair. The Department Chair shall meet with each faculty member to review the work of the faculty member relative to their approved work plan including the faculty member's performance related to teaching, research/creative activity and service, the progress of the faculty member toward tenure

or Post-Tenure Review (PTR) and shall develop the work plan for the upcoming academic year. A faculty member who does not adequately satisfy their workload expectations for the review period shall be subject to a Performance Improvement Plan. The plan must include specific steps designed to lead to improvement, a specified timeline in which improvement is expected to occur, and a clear statement of consequences should improvement not occur within the designated timeline. These plans must be approved by the Dean.

3.7.1 Items Not Considered in Annual Review. No items that will be considered or relied upon in an annual review may be placed in the faculty member's personnel file within seven (7) calendar days prior to the annual review, except under extenuating circumstances.

3.7.2 Presence of an Observer at the Annual Review. Faculty members have the right to request, no later than five (5) calendar days prior to their annual performance review meeting with the Department Chair, to be accompanied by an observer of their choosing. If the faculty member chooses to bring an observer, the Department Chair may also have an observer at the meeting. Observers may not participate in the discussion between the faculty member and the Department Chair and in no event may an observer be present as an attorney for either party. Due to the confidential nature of the annual performance review meeting and the fact that personnel information will be shared, all observers must sign an Observer Waiver in advance of attending the meeting. This document includes the faculty member's authorization for the observer to hear the confidential information and commits the observer to maintain the confidentiality of any information heard at the meeting.

3.8 Academic Tenure and Promotion. To promote and protect the academic freedom of its faculty, the Board of Trustees is required to adopt policies and regulations governing academic tenure. The Chancellor shall review the tenure policies periodically, but at least every five (5) years, and shall report to the UNC System President whether or not amendments or revisions are appropriate. In all instances, the tenure conferred on a faculty member is held with reference to employment at Appalachian State University, rather than employment by the UNC System. Appalachian State University's tenure policies and regulations by which decisions concerning promotion and the conferral of permanent tenure are included below.

3.8.1 Purpose of Tenure. The purposes intended to be served by providing the protection of academic tenure to faculty members are to assure the faculty member's academic freedom and to help the institution attract and retain faculty members.

3.8.2 Minimum Criteria for Tenure. The conferral of tenure requires:

- a. a doctorate or other appropriate terminal degree;
- b. an assessment of the faculty member's demonstrated professional competence;
- c. potential for future contributions;
- d. commitment to effective teaching, research;
- e. professional service to the University and the public; and
- f. the needs and resources of Appalachian.

3.8.3 Departmental Criteria and Timeline for Reappointment, Tenure, and Promotion. The criteria in this *Faculty Handbook* for initial appointment, reappointment, conferral of tenure, and promotion (hereinafter "Faculty Employment Decisions") shall be the basis for each academic department's criteria. It is the responsibility of the Department Chair to ensure that recommendations about reappointment, tenure, and/or promotion follow the schedule outlined in the faculty member's contract. Both the *Faculty Handbook* and departmental criteria shall be considered in all Faculty Employment Decisions. Departmental criteria may be more rigorous than *Faculty Handbook* criteria.

3.8.4 Impermissible Basis for Faculty Employment Decisions. A faculty employment decision shall not be based upon (1) 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; (2) the faculty member's membership in a group protected from discrimination under state or federal law; (3) other violation of state or federal law; or (4) material violation of applicable university policies for reappointment, promotion, and tenure that materially affected the decision.

3.9 Reappointment of Tenure-Track Faculty.

3.9.1 Materials Required for Reappointment of Tenure-Track Faculty Prior to Tenure Consideration.

Tenure-track faculty seeking contract renewal prior to tenure consideration shall follow their departmental guidelines for submission of materials to the APT for review.

3.9.2 Recommendation of Appointment, Promotion and Tenure Committee (APT). Upon review of the materials and a vote of the APT, the final recommendation regarding reappointment of the faculty member shall be forwarded to the Department Chair.

3.9.3 Chair Recommendation. The Department Chair shall review the APT vote and recommendation. The Department Chair will then submit their own independent recommendation regarding reappointment of the faculty member to the Dean within seven (7) calendar days, except under extenuating circumstances.

3.9.4 Dean Recommendation. The Dean shall review the Department Chair's recommendation and all attached materials. The Dean will then submit their own independent recommendation regarding reappointment of the faculty member to the Provost within fourteen (14) calendar days, except under extenuating circumstances.

3.9.5 Provost Determination. The Provost and Executive Vice Chancellor shall review the Dean's recommendation. The Provost's determination regarding reappointment of any instructor, assistant professor, or associate professor shall be final. There shall be no administrative appeal right unless a claim can be made under *Chapter VI, Section 604 of The Code*, that the decision was based on an Impermissible Basis.

3.9.6 Notification of Reappointment.

- a. A faculty member who will be reappointed shall receive a new faculty employment contract by the end of the Spring semester. The faculty member shall be notified that they must return their signed faculty employment contract within ten (10) calendar days and that failure to return the signed faculty employment contract within the ten (10) calendar days will be interpreted to mean that the faculty member has declined reappointment.
- b. A faculty member who will not be reappointed shall receive a letter from their Dean via certified mail, return receipt requested, notifying them of the non-reappointment. The letter shall include information regarding the review process in accordance with *Chapter VI, Section 604 of The Code*.

3.10 Promotion and Tenure Process.

3.10.1 Materials Required for Promotion or Tenure. All faculty members applying for promotion or tenure shall submit a promotion and tenure portfolio that complies with the requirements outlined in the *Academic Affairs Standard Operating Procedures for Reappointment, Promotion and Tenure Applications* in the manner prescribed in the same document.

3.10.2 Notification of APT Vote/Recommendation. The Department Chair shall notify the faculty member of the results of the APT vote regarding promotion and/or tenure within seven (7) calendar days, except under extenuating circumstances.

3.10.3 Chair Recommendation. The Department Chair shall review the vote and recommendation of the APT. The Department Chair will submit their own independent recommendation regarding promotion and/or tenure to the Dean that shall include an explanation of the reason(s) for the Department Chair's recommendation, the results of the APT vote, all vote justification forms, and the promotion and tenure application submitted by the faculty member. The Department Chair recommendation shall be submitted to the Dean with a copy to the faculty member within seven (7) calendar days of receipt of the APT recommendation, except under extenuating circumstances.

3.10.4 Dean Recommendation. The Dean shall review the Department Chair's recommendation and all attached materials. The Dean will submit their own independent recommendation regarding the promotion and/or tenure of the faculty member to the Provost and Executive Vice Chancellor. The Dean's recommendation shall include an

explanation of the reason(s) for the Dean's recommendation, the vote justification forms, and the promotion and tenure materials submitted by the faculty member. The Dean's recommendation shall be submitted to the Provost with a copy to the faculty member no later than January 15, except under extenuating circumstances.

3.10.5 Provost Recommendation. The Provost and Executive Vice Chancellor shall review the Dean's recommendation and all attached materials. The Provost will submit their own independent recommendation regarding promotion and/or tenure to the Chancellor and make all materials available to the Chancellor. The Provost's recommendation shall be submitted to the Chancellor with a copy to the faculty member by March 15, except under extenuating circumstances.

3.10.6 Chancellor Recommendation to the Board of Trustees. If the Chancellor recommends that a faculty member be granted a promotion in rank and/or tenure, the Chancellor shall forward the recommendation to the Board of Trustees for a final decision. If the Chancellor does not recommend promotion or tenure, the Chancellor shall notify the faculty member in writing and the faculty member will have the right to seek a review of the Faculty Employment Decision in accordance with *Chapter VI, Section 604 of The Code*, if the faculty member believes the decision was made based on an Impermissible Basis.

3.10.7 Final Decision by Board of Trustees. For faculty members not hired initially with academic tenure, academic tenure may only be conferred by action of the Board of Trustees. The faculty member shall be informed within fourteen (14) calendar days of a decision by the Board of Trustees.

3.11 Post-Tenure Review. Post-Tenure review ("PTR") is a comprehensive, periodic evaluation of faculty performance conducted at a maximum of every five (5) years after a faculty member has received tenure. This review is in addition to the required annual performance review. The purpose of PTR shall be to support and encourage excellence among the tenured faculty by: (1) recognizing and rewarding exemplary (exceeding expectations) faculty performance; (2) providing a clear plan and timetable for improvement to faculty performance that does not meet expectations; and (3) providing for the imposition of appropriate corrective measures for those faculty whose performance continues to not meet expectations, up to and including termination in accordance with *Chapter VI, Section 603 of The Code*.

PTR shall provide for the evaluation of all aspects of the professional performance of tenured faculty, whose primary responsibilities are teaching, research, and/or service. If faculty responsibilities are primarily in one or two of these areas, PTR and resulting recommendations shall take this allocation of responsibilities into account. Faculty performance shall be examined relative to the mission of the University, college, school, and program. All reviews must include a statement of the faculty member's primary responsibilities and delineate specific strengths and weaknesses as they relate to the faculty member's performance in teaching, research, scholarship and/or service.

3.11.1 Beginning PTR. At the beginning of the PTR cycle, the faculty member shall develop with their Department Chair a five-year goal or plan which shall be approved by the Dean. This plan can be modified annually by the faculty member, in consultation with their Department Chair and subject to approval by the Dean, as deemed appropriate by changes in institutional, departmental, or personal circumstances. Annual performance evaluations should be considered as a component of PTR, but alone are not a substitute for a comprehensive five-year evaluation.

3.11.2 Departmental PTR Committee. Each department shall have a PTR committee made up of at least three (3) tenured faculty members who will serve staggered, non-renewable, three (3) year terms. Each department shall maintain procedures for appointment of a committee chair and filling of any vacancies for their PTR committee. All members of a PTR committee shall be trained annually how to perform a meaningful and unbiased review of a faculty member.

3.11.3 PTR Committee Consideration of Faculty Member Performance. Upon receipt of the faculty member's summary of their accomplishments during the PTR period, a current vita, five (5) years of annual performance reviews and a copy of the faculty member's five-year plan from the Department Chair, the PTR shall review all submitted materials and shall draft a one (1) page summary concerning its evaluation. The evaluation summary shall include a recommendation by the PTR Committee to the Department Chair that the faculty member's performance over the previous five (5) years be ranked as either: (1) exceeds expectations, (2) meets expectations, or (3) does not meet expectations. This summary and recommendation shall be in writing and

provided to the faculty member and the Department Chair within twenty (20) calendar days of receiving the materials, barring any extenuating circumstances.

3.11.4 Faculty Member's Right to Respond to PTR Committee Evaluation. Upon receipt of the PTR committee's evaluation and recommendation, the faculty member shall have an opportunity to provide a written response directly to the Department Chair within fourteen (14) calendar days.

3.11.5 Chair Evaluation/Recommendation. Upon receipt of the PTR Committee's evaluation and any response to that evaluation from the faculty member, the Department Chair shall submit to the Dean their own independent evaluation and recommendation of the performance rank along with the faculty member's materials, the PTR committee evaluation and any faculty response, within twenty (20) calendar days. This evaluation and recommendation shall be provided to the faculty member and the Dean. For academic units without departmental divisions, the Associate Dean functions as the Department Chair.

3.11.6 Faculty Member's Right to Respond to Chair Evaluation. Upon receipt of the Department Chair's evaluation and recommendation, the faculty member shall have an opportunity to provide a written response directly to the Dean within seven (7) calendar days.

3.11.7 Dean Evaluation/Recommendation. Upon receipt of the PTR evaluation materials from the Department Chair and any response from the faculty member, the Dean shall submit to the faculty member and the Provost and Executive Vice Chancellor their own independent cumulative evaluation and recommendation of the faculty member's performance rank within thirty (30) calendar days.

3.11.8 Provost Evaluation/Recommendation. The Provost and Executive Vice Chancellor shall review the Dean's evaluation and recommendation including all attached materials. In the event the recommended performance rank is "exceeds expectations" the Provost will submit their own independent recommendation regarding the performance rank to the Chancellor and make all materials available to the Chancellor.

3.11.9 Exceeds Expectations PTR. Any recommendation received by the Provost for a faculty member who has exceeded expectations on their PTR shall be submitted to the Chancellor for consideration of a reward for exemplary service. If the Chancellor recommends that a faculty member be rewarded for exemplary service, the Chancellor shall forward the recommendation to the Board of Trustees for a final decision.

3.11.10 Does Not Meet Expectations PTR/Professional Development Plan. Any faculty member who receives a "does not meet expectations" rating on their PTR will be given the opportunity to improve performance. In consultation with the Dean, the faculty member's Department Chair will: (a) consider the evaluation from the PTR committee and the faculty member's response; and (b) prepare a written individual Professional Development Plan ("PDP") for the faculty member.

- a. The PDP shall include a specific timeline including steps for improvement and a clear statement of consequences should improvement not occur within the designated timeframe. Consequences for failure to make improvement within the designated timeframe shall include disciplinary action including but not limited to demotion or discharge for "sustained unsatisfactory performance" in accordance with *Chapter VI, Section 603 of The Code*
- b. As a part of the PDP, the Department Chair is encouraged to assign one or more mentoring peers to the faculty member, and to require at least two (2) progress meetings during the specified timeframe. If the faculty member's duties are modified as a result of a less than satisfactory rating, the PDP should consider the new allocation of responsibilities.

This summary shall include recognition for exemplary performance, if applicable.

3.11.11 Annual Reporting. Academic Affairs shall compile an annual report of the faculty regarding PTR evaluations across all colleges/schools. The report shall be provided to the Chancellor who may share the report with the Board of Trustees at the Chancellor's discretion.

Chapter 4: Special Faculty Appointments, Contracts and Performance Reviews

4.1 Introduction. *The UNC Code & The Policy Manual* of the Board of Governors of the University of North Carolina authorizes the establishment of special faculty appointments including unpaid “affiliate” faculty designations.

4.2 Special Faculty Appointments. Special Faculty appointments are part-time faculty, adjunct faculty, visiting faculty, artists-in-residence, writers-in-residence, practitioners-in-residence, executives-in-residence, lecturers, clinical faculty, research faculty, postdoctoral fellows, or other special categories. Such appointments are not ones in which the occupant may be granted permanent tenure. Prior to initial appointment, subsequent appointment, or promotion, the credentials of Special Faculty shall be reviewed by the appropriate departmental committee (e.g., Faculty Search Committee or APT Committee).

4.2.1 Part-Time Faculty/Adjuncts. Part-time faculty/adjuncts are any faculty member whose workload is seventeen (17) semester credit or contact hours or less per academic year (or the equivalent per semester) and who receive no employment benefits. The minimum criteria for appointment as a part-time faculty/adjunct is eighteen (18) hours of graduate coursework in the relevant discipline or equivalent documented experience.

4.2.2 Visiting Faculty. Visiting faculty appointments are limited to faculty who are under contract but retain their status in a position at another institution of higher education, research organization, or other entity with a significant research or educational mission. Visiting faculty from other higher educational institutions, including international faculty, shall generally be appointed at the rank held at their home institution., with the rank modified by “Visiting” (e.g., “Visiting Associate Professor” or “Visiting Librarian”).

4.2.3 Faculty-in-Residence. Faculty members appointed as artists-in-residence, writers-in-residence, practitioners-in-residence, executives-in-residence or other similar categories offer special expertise or training under terms and conditions approved by the Provost and Executive Vice Chancellor and stated in their employment contract.

4.2.4 Lecturers and Senior Lecturers. Lecturers must have appropriate professional credentials as defined below. Lecturers may apply for promotion to Senior Lecturer but are not required to advance. The minimum qualifications are below:

4.2.4.1 Lecturers. Minimum criteria for appointment to the rank of Lecturer are:

- i. A master’s degree from an accredited institution with 18 graduate credits in the relevant field of teaching;
- ii. Evidence of potential in teaching; and
- iii. Evidence of potential in department, college/school or University service.

4.2.4.2 Senior Lecturers. Minimum criteria for appointment to the rank of Senior Lecturer are:

- i. A master’s degree from an accredited institution in the relevant field of teaching or its equivalent;
- ii. At least 120 semester hours taught at Appalachian State University after the receipt of a master’s degree or its equivalent (or, in the case of Library Lecturers, a minimum of five (5) years);
- iii. Recognized skill in teaching; and
- iv. Recognized skill in department, college/school, or University service.

4.2.5 Clinical Faculty. Clinical faculty must be qualified as defined by professional/discipline standards, have practical experience appropriate for the responsibilities assigned, and must maintain appropriate professional credentials. Clinical faculty may hold the ranks defined below and may choose to apply for promotion. Minimum qualifications for each rank are below:

4.2.5.1 Clinical Instructors. Clinical Instructors must possess:

- i. a master’s degree from an accredited institution in the field of practice and appropriate

- licensure and/or certifications; and
- ii. demonstrated ability in: (a) clinical/professional practice; (b) performance of teaching duties; and (c) assisting the unit in meeting its needs for clinical/professional services.

4.2.5.2 Clinical Assistant Professors. Clinical Assistant Professors must possess:

- i. the appropriate earned terminal degree in the field of practice from an accredited institution and appropriate licensure(s) and/or certifications; and
- ii. demonstrated ability in: (a) clinical/professional practice; (b) performance of teaching duties; (c) contributing to research, publications, and presentations; and (d) assisting the unit in meeting its needs for clinical/professional services.

4.2.5.3 Clinical Associate Professors. Clinical Associate Professors must possess:

- i. the appropriate earned terminal degree in the field of practice from an accredited institution, and appropriate licensure(s) and/or certifications;
- ii. at least five (5) years of appropriate professional experience; and
- iii. recognized skill in: (a) clinical/professional practice; (b) teaching; (c) research, publications and presentations; and (d) assisting the unit in meeting its needs for clinical/professional services.

4.2.5.4. Clinical Professors. Clinical Professors must possess:

- i. the appropriate earned terminal degree in the field of practice from an accredited institution, and appropriate licensure(s) and/or certifications;
- ii. at least ten (10) years of appropriate professional experience;
- iii. Outstanding skill in clinical/professional practice; and
- iv. Evidence of recognized skill in all of the following and outstanding accomplishment in at least one of the following: (a) teaching associated with the position; (b) research, publications, and presentations associated with the position; and (c) assisting the unit in meeting its needs for clinical/professional services.

4.2.6 Research Faculty. Research Faculty must be qualified as defined by professional/discipline standards. While the primary responsibility of such faculty is research, they may also be involved in teaching and service. Research faculty may hold the ranks below and may choose to apply for promotion. Minimum qualifications for each rank are below:

4.2.6.1 Research Assistant Professors. Research Assistant Professors must possess:

- i. The appropriate earned terminal degree from an accredited institution or outstanding research training, credentials, and accomplishments earned in a non-university environment;
- ii. Research accomplishments defined by the department as no less than comparable to those of tenure-track faculty at the same rank;
- iii. Potential to obtain external funding; and
- iv. Demonstrated potential to (a) contribute to research, publications, and presentations and (b) assist the unit in accomplishing its research agenda.

4.2.6.2 Research Associate Professors. Research Associate Professors must possess:

- i. The appropriate earned terminal degree from an accredited institution or outstanding research training, credentials, and accomplishments earned in a non- university environment;
- ii. at least five (5) years of appropriate experience;
- iii. Research accomplishments defined by the department as no less than comparable to those of tenured faculty at the same rank; and
- iv. Demonstrated (a) success at obtaining external funding and (b) contributions to the unit's research agenda.

4.2.6.3 Research Professors. Research Professors must possess:

- i. The appropriate earned terminal degree from an accredited institution or outstanding research training, credentials, and accomplishments earned in a non-university environment;
- ii. at least ten (10) years of appropriate experience;
- iii. Research accomplishments defined by the department as no less than comparable to those of tenured faculty at the same rank; and
- iv. Outstanding success (a) at obtaining external funding; (b) extensive contributions to research, publications, and presentations; and (c) sustained increasingly significant contributions to the unit's research agenda.

4.2.7 Post-Doctoral Fellows. Post-Doctoral Fellows are appointed to the research staff under terms and conditions approved by the Provost and Executive Vice Chancellor and stated in their employment contract. Contracted duties may include teaching of both undergraduate and graduate students.

4.2.8 Exceptions to Minimum Qualifications. Any exceptions to minimum qualifications for faculty members must be approved in advance by the Provost and Executive Vice Chancellor, in their sole discretion. Any requests for exceptions must be submitted by completion of the Faculty Credential Template Form. This form gathers information regarding documented experience which allows the University to hire individuals who have a breadth and depth of experience outside the classroom in the specific discipline and course content the faculty member will be teaching.

4.3 Affiliate Faculty Designation. In accordance with *Chapter VI, Section 611 of The Code*, Appalachian is permitted to confer the honorary academic title to outstanding individuals who wish to engage with University faculty and/or staff on research or other special projects. These persons may be provided an affiliate faculty designation for access to campus resources such as the library, email, system access, etc. An individual who receives affiliate faculty designation are not employed by the University, are unpaid, and are not entitled to any rights under any section of this *Faculty Handbook* or *The Code and UNC Policy Manual*. Anyone interested in working with Affiliate Faculty must complete the [Non-Employee Affiliate Request form](#) on the Academic Affairs resource page and receive approval from Academic Affairs. Once approved the Affiliate Faculty member shall receive a contract detailing requirements to hold such a position that must be signed prior to the research or project beginning. Affiliate Faculty who will be on campus or interacting with enrolled students or minors must comply with all University criminal background check requirements and all other applicable University policies.

4.4 Special Faculty Employment Contracts. All Special Faculty appointments shall be conferred in a written faculty employment contract that must be signed by the faculty member within ten (10) calendar days of receipt of the contract. Failure to do so will be considered as a rejection of the offer of employment. The employment contract shall include the rank, salary, start date, any special terms, and shall incorporate by reference all University policies, as they may be adopted and amended from time to time.

4.4.1 Term. Special Faculty appointments are for a fixed term, automatically terminate upon expiration of the fixed term, and must comply with the following:

- a. Initial appointments for Special Faculty shall be for a minimum of (1) semester or up to a maximum of one (1) academic year. Any subsequent appointments may be for a minimum of one (1) semester, or up to a maximum of three (3) academic years. Any exceptions to these terms must be approved by the Provost or the Provost's designee in advance.
- b. Any special terms and conditions such as course reassignments, moving expenses, research start-up funds, administrative duties, licensing requirements, etc. shall be recommended by the Dean to the Provost and if approved by the Provost, shall be included in the faculty employment contract. The contract shall be the final offer to any faculty member with respect to their employment and shall supersede any previous written or oral representations, statements, negotiations or agreements.

- c. The term of appointment for Special Faculty members concludes at the end of the specified period set forth in the faculty employment contract and constitutes full and timely notice that a new term will not be granted when that term expires. Therefore, the University shall not be required to provide any notice before the current term expires as to whether a subsequent appointment will be offered.
- d. The continued employment of a Special Faculty member may be made expressly contingent during the contract period on items such as the continued availability of funds from any source, enrollment levels, or any other contingency established by the University. Any such contingencies shall be included in the faculty employment contract.

4.4.2 Special Faculty Appointments with Special Funding. Any Special Faculty employment contract (for appointment, reappointment, or promotion) for a position funded in whole or in substantial part from sources other than continuing state appropriated funds, shall include language specifying that the faculty member's employment shall at all times be contingent upon the availability of such special funds.

4.5 Job Abandonment. Any special faculty member who needs to be absent during the semester shall notify their Department Chair and Dean in writing in advance of the proposed absence. Any special faculty member who does not report for the opening day of classes in any term and continues to be absent for fourteen (14) calendar days without being excused by the Department Chair and Dean, or is absent at any point in the term for fourteen (14) consecutive days when classes are in session without being excused by the Department Chair and Dean, shall be subject to formal discharge in accordance with Chapter 9 of this *Faculty Handbook*.

4.6 Resignations of Special Faculty. Due to academic responsibilities of faculty positions, all special faculty members must provide written notice of their intention to resign their position to the Provost with an effective date at the end of the term in which they intend to resign (December 31 or June 30). Upon receipt of the notice of intent to resign, the Provost or the Provost's designee shall respond in writing to the faculty member confirming the resignation and effective date of such resignation.

4.7 Summer Resignations. Any full-time special faculty members are paid based on a percentage of their nine-month base salary. If a special faculty member submits their intention to resign, resigns, or is terminated from their special faculty position prior to August 30, they will not be paid the percentage of their nine-month base salary, but will be paid at the posted adjunct salary rate in the Academic Affairs Pay Schedule for all summer work performed.

4.8 Special Faculty Retirement. Full time special faculty who are eligible for benefits shall consult with the Office of Human Resources regarding retirement. All retirements shall be in accordance with Chapter 135 of the North Carolina General Statutes.

4.9 Special Faculty Performance Indicators. Due the primacy of teaching, Special Faculty members with teaching responsibilities shall have their teaching performance evaluated annually and shall include the following: (1) Student evaluations of teaching conducted at regular intervals (at least one semester of each academic year) and (2) Peer reviews of teaching evaluations including direct observation of the classroom. Appropriate and timely feedback from evaluations shall be provided to the special faculty members each year.

4.9.1 Student Reviews of Faculty. Student reviews of faculty instruction can provide insight into a number of the important dimensions of a teacher's efforts: classroom performance, advising, and informal and formal contact with students. The University online survey shall be conducted in all classes in at least one semester of every academic year. Colleges/Schools and Departments may choose to review more frequently and/or employ additional methods to offer students the opportunity to provide feedback on instruction, but those methods must be outlined in the college/school or department's foundational documents.

4.9.2 Peer Observation of Special Faculty. Special Faculty members with teaching responsibilities as well as Teaching Assistants and graduate students in teaching roles shall participate in peer observation of teaching in accordance with the following:

- a. In the first three (3) years of continuous service, Special Faculty shall participate in a minimum of one (1)

peer observation of teaching per academic year (if the contract is for one term only, a peer observation of teaching must be conducted in that term). After three (3) years of continuous service, there must be at least one (1) peer observation of teaching per contract period. Teaching assistants and graduate students in teaching roles shall be subject to a minimum of one (1) peer observation of teaching per academic year (if the contract is for one term only, a peer observation of teaching must be conducted in that term).

- b. Departments shall adopt procedures and practices for peer observations of teaching which shall include:
 - i. An orderly rotation among all faculty of the responsibility for peer observations of teaching;
 - ii. A uniform format for the observation;
 - iii. Reporting of the results to the Department Chair, with a copy provided to the faculty member being observed, within ten (10) calendar days following the observation;
 - iv. The right of a faculty member being observed to request an additional peer observation by a different faculty member and the right of a faculty member being observed to provide a written response to any peer observation. Such a response must be presented to the Department Chair within seven (7) calendar days from the receipt of the peer observation and shall be attached to the peer observation narrative.

4.10 Annual Review of Special Faculty. Each special faculty member shall have their performance assessed annually by their respective Department Chair/Supervisor. For each review, the faculty member shall provide a performance self-assessment to the Department Chair. The Department Chair shall meet with each faculty member to review the work of the faculty member relative to their approved work plan including the faculty member's performance related to teaching, research/creative activity and service and shall develop the work plan for the upcoming academic year. A faculty member who does not adequately satisfy their workload expectations for the review period shall be subject to a Performance Improvement Plan. The plan must include specific steps designed to lead to improvement, a specified timeline in which improvement is expected to occur, and a clear statement of consequences should improvement not occur within the designated timeline. These plans must be approved by the Dean.

4.10.1 Items Not Considered in Annual Review No items that will be considered or relied upon in an Annual Review may be placed in the faculty member's personnel file within seven (7) calendar days prior to the Annual Review, except under extenuating circumstances.

4.10.2 Presence of an Observer at the Annual Review. Special Faculty members have the right to request, no later than five (5) calendar days prior to their annual performance review meeting with the Department Chair, to be accompanied by an observer of their choosing. If the faculty member chooses to bring an observer, the Department Chair may also have an observer at the meeting. Observers may not participate in the discussion between the faculty member and the Department Chair and in no event may an observer be present as an attorney for either party. Due to the confidential nature of the annual performance review meeting and the fact that personnel information will be shared, all observers must sign an Observer Waiver in advance of attending the meeting. This document includes the faculty member's authorization for the observer to hear the confidential information and commits the observer to maintain the confidentiality of any information heard at the meeting.

4.11 Subsequent Appointment of Special Faculty.

4.11.1 Submission of Materials for Review. Special Faculty members seeking appointment for a subsequent term shall follow departmental guidelines for submission of materials for review.

4.11.2 Recommendation of APT Committee. The Department Chair shall provide materials related to requests for subsequent appointment to the APT Committee for consideration. Upon review of the materials and a vote, the final recommendation regarding the subsequent appointment of a Special Faculty member shall be forwarded to the Department Chair by the APT Committee Chair.

4.11.3 Department Chair Recommendation. The Department Chair shall review the vote and recommendation of the APT Committee. Upon review, the Department Chair shall forward the APT recommendation and their independent recommendation to the Dean within seven (7) calendar days.

4.11.4 Dean Recommendation. The Dean shall review the Department Chair's recommendation and all attached materials. The Dean shall then submit an independent recommendation regarding subsequent appointment to the Provost and Executive Vice Chancellor within fourteen (14) calendar days, except under extenuating circumstances.

4.11.5 Provost Determination. The Provost and Executive Vice Chancellor shall review the Dean's recommendation, and all attached supporting materials. The Provost's determination regarding subsequent appointment of a Special Faculty member shall be final.

4.11.6 Notification to Special Faculty Member. A Special Faculty member who will be offered a subsequent appointment shall receive a new faculty employment contract by the end of their current contract term. Special Faculty members shall be notified that they must return their signed faculty employment contract within ten (10) calendar days and that failure to return the signed faculty employment contract within the ten (10) calendar days shall be interpreted to mean that the faculty member has declined the appointment.

4.11.7 No Grievance Rights. Special Faculty members are not covered by *s Chapter VI, Section 604 of The Code* and that section does not afford them any rights to additional review of a decision by the University to not grant a subsequent appointment at the end of any fixed term contract.

4.12 Promotion of Special Faculty. Special Faculty members whose appointments qualify for consideration for promotion in rank (i.e., lecturers, clinical, and research faculty) may apply in accordance with the process established in their department's foundational documents. All decisions on promotion of Special Faculty by the Provost and Executive Vice Chancellor are final. A candidate whose promotion is denied, but who has not yet reached the maximum number of appointments for Special Faculty set forth in this Chapter, may still be eligible to receive a subsequent appointment at the existing rank and can apply for promotion again, when eligible.

ARCHIVE

Chapter 5: Leaves, Benefits and Personnel Files

5.1 Faculty Leaves. There may be times when a faculty member may need or desire to be absent in total or in part for an extended period of time. In such cases, faculty members who are unable to perform their duties are expected to make advance arrangements with their supervisor to fulfill their employment responsibilities. The supervisor then determines the acceptability for the absence from duty, and if necessary, will coordinate substitute arrangements in consultation with the Dean.

5.1.1 Faculty Leave and Benefits. Prior to taking leave, all faculty are encouraged to speak with the Office of Human Resources to determine benefit continuation options.

5.1.2 Effect of Leave on Tenure/PTR. Any academic year during which a Tenure-Track or Tenured Faculty member is on unpaid professional leave (*See Section 5.2 below*) or on paid/unpaid medical leave for more than twenty-five (25) class days of the academic calendar or receives a total teaching-load reduction of more than six (6) credit hours per academic year will not count toward the faculty member's tenure or PTR, unless the faculty member requests in writing to the Departmental Chair that it be counted.

5.1.3 Service Obligations During Approved Leave. A faculty member is relieved of all service obligations to the University while on paid or unpaid leave, including professional leave and medical leave. More specifically, a faculty member is not eligible to serve on departmental, college or University committees during the period of time in which the leave occurs, or during an academic year in which they are absent from campus from any reason (for example, on a foreign exchange) for a semester or more. However, tenured faculty members may choose to participate in Appointment, Promotion, and Tenure Committees (APT) meetings while on professional leave or reassigned time, provided they are not located in a foreign country on leave.

5.2 Professional Leave (Unpaid). Professional leave may be granted to tenure-track or tenured faculty members to further their research, or to undertake advanced study or other professional development experiences. This type of leave also allows faculty members to accept competitive awards for these opportunities, including those that provide an externally funded salary to the faculty member. This form of leave is also an option for those that are not able to apply for Reassigned Time due to lack of eligibility. Professional leave, however, is not an entitlement and is not based on length of service. Decisions to grant or deny requests for professional leave will be based on the following: (1) merits of the proposal; (2) productivity appropriate for the discipline; (3) the ability to cover the faculty member's course(s) and other work; (4) business needs of the department, college and University; (5) the faculty member's stage of career development; (6) and the availability of funds.

5.2.1 Eligibility/Duration. Tenured and tenure-track faculty members are eligible to request Professional Leave (unpaid). Professional leave may be requested for one semester or one academic year.

5.2.2 All requests for professional leave shall be made by the faculty member to their Department Chair no less than one year prior to the requested leave period in accordance with the process provided in the *Academic Affairs Standard Operating Procedure for Leave Requests*.

5.3 Reassigned Time Leave (formerly Off-Campus Scholarly Assignment (OCSA)). Reassigned Time Leave is to provide full-time, tenured faculty members sustained and dedicated periods of time to carry out tasks related to teaching, research/creative endeavors, or external activities related to their position. This leave is full time leave for a semester and does not include a workload reassignment or other course reassignment for research or administrative duties. Reassigned Time Leave is not an entitlement nor is it based on length of service; rather it is granted or denied based on the availability of funds, ability to cover the course(s) and other work of the requesting faculty member, and on the merits of the individual proposal.

5.3.1 Eligibility. Only the following faculty members are eligible to apply for Reassigned Time Leave:

- a. Full-time tenured faculty members;
- b. Full-time tenured faculty members holding an administrative appointment, with the support of the Provost. If approved for leave, the faculty member's administrative role will be reassigned and the faculty member will forgo all administrative stipends for the period of the Reassigned Time Leave.
- c. Tenure-track faculty members in their last probationary year may apply; however, if the Reassigned Time

Leave is approved, the Reassigned Time Leave will be contingent upon the faculty member receiving tenure.

- d. Faculty members are only eligible to apply for Reassigned Time Leave every six (6) years.

5.3.2 Duration of Leave. Faculty members may be awarded Reassigned Time for either one (1) or two (2) semesters.

5.3.3 Compensation. Depending on availability of funds, faculty members may be granted Reassigned Time Leave for a full academic year for no less than fifty percent (50%) of their annual salary or leave for one (1) semester for full salary.

- a. **Reduction of Salary Based on External Funds.** However, if the faculty member is receiving any funds from an external source, the faculty member's total salary cannot exceed their current annual salary. The faculty member's salary shall be adjusted to take into account the external funds. Compensation for salary and expenses from all sources shall be included in the proposal and approved before the leave is granted. If the amount or source of compensation changes, the faculty member must immediately notify the Provost and Executive Vice Chancellor for approval of the changes.
- b. **External Funds Excluded from Salary Calculations.** Funds obtained by the faculty member for travel, per diem, housing and similar expenses are not considered salary.
- c. **Supplemental Funds.** A faculty member on Reassigned Time Leave may not receive any supplemental funds (e.g. one-time or overload pay) from the University.

5.3.4 Request for Reassigned Time Leave. All requests for Reassigned Time Leave shall be made by the faculty member to their Department Chair no less than one year prior to the requested leave period in accordance with the process provided in the *Academic Affairs Standard Operating Procedure for Leave Requests*. All requests for Reassigned Time Leave shall include the following:

- a. an abstract of the proposed project (maximum one (1) page);
- b. compensation for salary or any expenses from all external sources;
- c. faculty member's current *curriculum vitae*;
- d. a narrative which shall include the following: (i) a detailed description of the research or creative project; (ii) potential enhancement of the faculty member's teaching, scholarship, or service and the potential value to the teaching, scholarship or service of the department, university or community; (iii) contribution to the knowledge in the field of study or discipline; and (iv) expected outcomes from the project, for example the submission or publication of one or more peer reviewed articles, a book or book chapters, or a patent; and
- e. invitations to other institutions, award letters for fellowships, or other supporting documentation.

5.3.5 Terms and Conditions for Reassigned Time Leave. The terms and conditions of an approved Reassigned Time Leave shall be documented in a Reassigned Time Leave Faculty Contract issued from Academic Affairs. Faculty members shall sign and return the contract within ten (10) calendar days. The failure to return the signed contract within the ten (10) calendar day period shall be interpreted to mean the faculty member has declined to accept the terms of Reassigned Time and the approval shall be invalidated.

5.3.6 Faculty Expectations During Reassigned Time Leave.

- a. Faculty members on Reassigned Time Leave are expected to be devoted full-time to the approved project with a goal toward producing a tangible creative or scholarly product.
- b. Reassigned Time Leave will count as time toward promotion to professor and/or PTR.
- c. A faculty member is relieved of all service obligations to the University while on Reassigned Time Leave. Tenured faculty members may choose to participate in APT Committee meetings while on Reassigned Time Leave.
- d. Faculty members on Reassigned Time Leave are expected to maintain contact with any student advisees

or make other arrangements to ensure that any advisees' progress will not be disrupted. This expectation will be clearly stated in the Reassigned Time Leave Faculty Contract.

- e. Faculty members on Reassigned Time Leave shall be required to participate in and undergo the annual performance evaluation process.
- f. Faculty members on Reassigned Time Leave will continue to have the general obligations of a University employee other than teaching and service during the reassigned period, including but not limited to the following: (i) remaining accessible through a reliable means of communication with their supervisor, (ii) complying reasonably with directives of supervisors and other University officials, (iii) responding in a timely and cooperative manner to requests for information, and (iv) taking such other action as may be required to comply with any applicable law, or University policy/process.
- g. Faculty on Reassigned Time Leave are eligible for consideration for merit salary increases, promotion, and any other salary adjustments as approved by the General Assembly (consistent with the instruction of the Office of State Budget and Management), the Board of Governors, and the University.
- h. Faculty on Reassigned Time Leave will continue to receive university contributions for the State Health Plan and the State Employees' Retirement System or the UNC Optional Retirement Program in accordance with the UNC System Code and Policy Manual. A faculty member should contact the Office of Human Resources regarding information about continuation of other benefits while on Reassigned Time.
- i. Any intellectual property (including patentable and copyrightable works) that result from approved Reassigned Time Leave shall be subject to the requirements of the UNC System Patent and Copyright Policy and the Appalachian Intellectual Property Transfer Policy. Patentable materials created during Reassigned Time Leave will be owned by the University and copyrighted materials may be owned by the University. Faculty members shall complete an IP Disclosure form for any IP created during any period of Reassigned Time Leave and shall not sign any contracts granting ownership or rights to a publisher or other outside entity until the ownership of the IP is determined by University in accordance with the Appalachian Intellectual Property Transfer Policy. This information will be clearly stated in the Reassigned Time Leave Faculty Contract.

5.3.7 Faculty Expectations Upon Return from Reassigned Time Leave.

- a. Faculty members shall be required to return to full-time employment at the University at the end of the Reassigned Time Leave. The period of obligation shall be twice that granted for the Reassigned Time Leave. If the faculty member does not return for the required period, that faculty member shall be required to repay the salary received during the entire Reassigned Time Leave by a date specified by the University. These provisions will be clearly stated in the Reassigned Time Leave Faculty Contract.
- b. A faculty member on Reassigned Time Leave who accepts a position at another post-secondary institution or any other paid employment that was not included in the proposal or approved in accordance with the External Professional Activities for Pay Policy, shall be considered to have failed to comply with the requirements of the Reassigned Time Leave and to have voluntarily resigned from their employment at Appalachian State University.
- c. Faculty members shall within three (3) months after the end of the Reassigned Time Leave be required to submit a report substantial enough to convey all of the work accomplished during the leave to their Department Chair and Dean.
- d. Faculty members shall within one (1) year after the end of the Reassigned Time Leave be required to provide a formal presentation of the work accomplished during the Reassigned Time Leave to department colleagues and/or the University community at large.
- e. The failure of any faculty member to comply with the terms and conditions set forth in this section may result in the faculty member not being considered for future Reassigned Time Leave, may be reflected in

annual performance evaluations, and may subject the faculty member to repayment of the salary received during the Reassigned Time Leave.

5.4 Faculty Family/Medical Leave. Faculty members may find it necessary to be absent and unable to perform their duties for an extended period of time due to serious illness, disability or family responsibilities. In these situations, faculty members who meet the below criteria are able to apply for a paid leave of absence.

5.4.1 Faculty Eligibility. Consistent with the Family Medical Leave Act (FMLA), faculty members who meet all the following conditions are eligible to apply for Family/Medical Leave:

- a. employed in a nine-month non-leave earning faculty position; and
- b. been continuously employed by Appalachian for at least twelve (12) consecutive calendar months; and
- c. has been in pay status at least 1040 hours during the previous twelve months;
- d. eligible to participate in the NC Teachers' and State Employees' Retirement System or the UNC Optional Retirement Program.

5.4.2 Eligible Conditions: Consistent with FMLA, the following are qualifying conditions for Family/Medical Leave:

- a. the birth of a child and to care for the newborn child after birth;
- b. placement of or care for a child with the faculty member for adoption or foster care;
- c. serious health condition of the faculty member's child, spouse, or parent, that requires the faculty member's care; or
- d. serious health condition of the faculty member that prevents the faculty member from performing the essential functions of their job.

5.4.3 Duration. While the total period of time provided by the FMLA for job-protected leave is twelve (12) weeks or four hundred eighty (480) hours within a twelve (12) month period, due to the teaching/instruction structure of faculty positions, the duration of the leave shall be for one full semester.

5.4.4 Compensation. Faculty members approved for Family/Medical leave shall be entitled to their full compensation for one semester. Any additional leave requested (See Extension of Leave Section below) will be unpaid leave.

5.4.5 Requests for Family/Medical Leave. Faculty members who find it necessary to take Family/Medical leave must complete a [Request for Leave of Absence](#) Form on the Appalachian Office of Human Resources website. Certification from a health care provider or other medical documentation may be requested to determine eligibility for Family/Medical Leave. All requests for Family/Medical leave shall state the reason(s) for the request and the expected length of time (not to exceed one semester) the absence or reduced workload is expected to last. All Family/Medical Leave requests shall be submitted at least sixty (60) days in advance of the leave or as soon as practicable after the need for the leave is foreseeable.

5.4.5.1 Notification of Department Chair and Dean. Upon determination that the faculty member is eligible for Family/Medical Leave, the Leave Management Administrator in HR shall inform the Department Chair and Dean of the faculty member's paid leave designation with a copy to the faculty member.

5.4.5.2 Notification of Family/Medical Leave to Provost. Upon receipt of the determination from the Office of Human Resources that the faculty member is eligible for Family/Medical Leave, the Dean shall notify the Provost and Executive Vice Chancellor, with a copy to the CFO of Academic Affairs, of the approval of the Family/Medical Leave and the plan to cover the responsibilities of the faculty member for the duration of the leave.

5.4.6 Coverage of Faculty Member's Duties. The Department Chair in consultation with the Dean shall be responsible for arranging coverage of the faculty member's duties. Any adjustments to work schedules within the department are at the discretion of the Department Chair with the approval of the Dean and are subject to department and University needs and resources. Whenever funds and qualified candidates are available, replacement instructors shall be hired to assume the duties of a faculty member while on leave. Responsibility for

covering the cost of replacement instructors will be determined through consultations among the Department Chair, Dean, and Provost.

5.4.7 Confidentiality of Medical Information. Any information obtained by the Leave Management Administrator related to the faculty member's eligibility will be maintained confidentially in the Leave Management Office of Human Resources in compliance with the FMLA.

5.4.8 Family/Medical Leave Concurrent with FMLA Leave. All periods of paid leave under this policy will be construed as family and medical leave under the Family Medical Leave Act, and the FMLA entitlement of twelve (12) weeks without pay will run concurrently with any period of paid medical leave.

5.4.9 Other Benefits/Insurance During Family/Medical Leave. Paid leave provided under this section has no effect on the faculty member's other employment benefits. During Family/Medical leave, Appalachian will continue to pay the employer portion of faculty member's health insurance premiums. However, the faculty member is responsible for any employee/dependent costs. In the event a faculty member fails to return to work following their medical leave, or if the faculty member resigns their position within thirty (30) calendar days after the return to work, Appalachian may bill the faculty member for the employer paid health insurance premium that was paid during the period of medical leave unless the reason for the resignation is related to the faculty member's health condition, recurrence or onset of a serious health condition.

5.4.10 Returning to Work. When leave is taken due to the faculty member's medical condition, the University may require that the faculty member have a health care provider certify that the faculty member is fit to resume duties. The University makes the ultimate decision as to the faculty member's fitness to resume duties.

5.4.11 Extended Leave Requests. In the event a faculty member is not able to return to work at the end of the semester and needs to be out of work for an additional period of time, the faculty member can apply for either an unpaid leave of absence or a medical disability leave. The North Carolina Family Illness Act allows for an extension of up to fifty-two (52) weeks of leave without pay during a five-year period in cases of serious illness of a child, spouse, or parent.

5.4.12 Unused Leave. Faculty members with a balance of accrued leave from a previous twelve (12) month appointment will be required to exhaust that leave before receiving paid leave under this section. Unused leave will not be accumulated or carried over to another academic year; allowable as terminal leave payment when the faculty member leaves the University; or used to extend years of creditable service for retirement benefit purposes.

5.4.13 Other Campus Obligations/Relieved of All Duties. During the period a faculty member is out on Family/Medical leave, the faculty member is relieved of all duties and not permitted to participate in any department, college, or University committees or other obligations.

5.5 Other Forms of Leave.

- A. **Military Leave.** Leave is granted to fulfill a military obligation, such as a call to active duty for a reservist. (See UNC Policy 300.2.8)
- B. **Community Service Leave.** Leave may be granted under certain circumstances for twelve-month leave earning faculty to support volunteer activities at schools, communities, citizens and non-profit charitable organizations. (See UNC Policy 300.2.10)
- C. **Other Special Leaves of Absence.** Any faculty member that otherwise needs to seek a leave of absence on a temporary, part-time, or full-time basis should discuss the reason(s) for the need of a leave with their Department Chair and Dean. Special leaves, with or without pay, may be granted at the sole discretion of the Provost and Executive Vice Chancellor.

5.6 Faculty Personnel Files. In accordance with the North Carolina State Human Resources Act, all University employees, including faculty members, have an official personnel file that includes any employment-related or personal information gathered by the University with respect to an individual applicant for employment, current employee, or

former employee, including but not limited to, any information that relates to the individual's application, selection or non-selection for a position, promotions, demotions, transfers, leave, salary, suspension, annual performance evaluations, faculty employment contracts, student review and peer review materials, promotion and tenure materials, post tenure review materials, performance improvement plans, professional development plans, disciplinary actions, grievance documentation and any termination of employment documentation.

5.6.1 Information Not Contained in Personnel Files. Not all information that relates to an employee is part of their personnel file. Information that relates to an employee, but is not part of the personnel file includes:

- a. **Investigative Materials.** Any information that is otherwise confidential under other UNC System or Appalachian State University policies, including investigative files housed in the Office of Human Resources, Academic Affairs, Office of General Counsel, or the Office of Access & Equity, shall not be in the personnel file. This information, which includes witness statements and other documentary evidence, will not be released except under court order.
- b. **Information Under Appeal/Review.** No materials on a personnel matter that is being contested under the provisions of Chapter 8 of this *Faculty Handbook* shall be included in a Personnel File prior to all appellate proceedings being completed.
- c. **No Anonymous Information.** While anonymous reporting may be the basis for an investigation, no material or information received from or provided by anonymous sources may be placed in a personnel file. The only exception is data from student reviews of a faculty member's instruction. These materials may be used for purposes of annual evaluation and other personnel decisions.
- d. **No Additions Immediately Prior to Annual Review or Other Personnel Action.** No items that will be considered or relied upon in an Annual Review or other personnel action may be placed in the faculty member's personnel file within the seven (7) calendar days prior to the Annual Review or personnel action, except under extenuating circumstances.

5.6.2 Access to Personnel File. In accordance with the North Carolina State Human Resources Act, a faculty member, applicant for faculty employment, former faculty member, or the faculty member's properly authorized agent (including the faculty member's attorney) may have access to their personnel file in its entirety except for: (i) letters of reference solicited prior to employment; or (ii) information concerning a medical disability, mental or physical, that a prudent physician would not divulge to a patient. An employee's medical record may be disclosed to a licensed physician designated in writing by the employee.

5.6.2.1 Requests for Access to Personnel File. A faculty member may request access to their personnel file by making a request to the Office of Academic Affairs at least five (5) calendar days in advance of the date the faculty member wants to review the file. Upon receipt of the request, any pre-employment letters of reference and any medical information will be removed, and the faculty member will be given a scheduled date, time, and location to view the file. All faculty members shall be required to show proof of identity with a state approved identification card with photograph prior to being granted access to the file.

5.6.3 Public Information. In accordance with the North Carolina State Human Resources Act (N.C.G.S. § 126-23), certain information in a personnel file of a state employee is considered a public record and shall be made available upon request.

5.6.4 Objections to Materials in Personnel File. Any faculty member who objects to material in their personnel file may: (a) place a statement in their file relating to the material they consider to be inaccurate or misleading; (b) file a petition for a 607 grievance hearing in accordance with Chapter 8 of this *Faculty Handbook*.

5.6.5 Consequences for Unauthorized Release of Personnel Information.

- a. **Criminal Liability.** Any unauthorized public official or employee that knowingly releases or possesses any portion of a personnel file designated as confidential in accordance with the North Carolina State Human Resources Act (N.C.G.S. § 126-27) shall be guilty of a Class 3 misdemeanor and upon conviction shall be fined.

- b. Civil Liability.** University employees, including faculty members, who engage in unauthorized disclosure or release of confidential personnel file information risk liability in civil lawsuits arising out of claims such as defamation, infliction of emotional distress, interference with contractual relationships, etc. In such lawsuits, if malice or willful conduct can be proved, punitive damages may be awarded.
- c. No Defense or Indemnification.** Because litigation defense by the North Carolina Attorney General's Office, and indemnification and excess liability insurance coverage are available only to employees performing duties within the course and scope of their employment, and because conduct that violates state law or University policy is deemed outside the scope of employment, any employee who is sued or prosecuted for violating the confidentiality of personnel file information shall hire their own private attorney, bear all costs of their defense (i.e. attorney's fees and court costs), and pay for any and all damages or fines assessed against the employee.
- d. Disciplinary Action.** In addition to the other consequences above, because the unauthorized disclosure of a personnel file is a violation of state law and University policy, faculty members who engage in such conduct will be subject to disciplinary action, up to and including termination.

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Chapter 6: Graduate Faculty Appointments and Emeritus/Emerita/Emeritx Status

6.1 Graduate Faculty Membership. Graduate Faculty are responsible for teaching graduate courses, mentoring graduate students, serving on thesis or dissertation committees, and performing research and creative activities to stay current in and advance their fields. All faculty are eligible to apply for membership on the Graduate Faculty. Only Graduate Faculty and Affiliate Graduate Faculty may vote on changes to graduate programs and curriculum in their respective areas.

6.1.1 Membership and Affiliate Membership. Members of the Graduate Faculty hold appointments of up to five (5) years (or until the next reappointment, tenure, promotion, or post-tenure review, whichever is shorter.) Affiliate membership may be granted for up to three (3) years in circumstances where the faculty member's credentials do not meet the qualifications for Graduate Faculty membership, but the faculty member has enough professional or other academic experience to teach a specific graduate class(es) or serve on a thesis/dissertation committee.

6.1.2 Qualifications for Graduate Faculty Membership. The following qualifications are required for regular Graduate Faculty Membership:

- a. the highest degree (e.g., Ph.D., Ed.D., MFA, JD) in the discipline or, for clinical faculty, a master's degree from an accredited institution in the field of practice and appropriate licensure and/or certifications; and
- b. evidence of engagement in graduate education and research, including:
 - i. evidence of effective teaching and mentoring at the graduate level; or evidence of potential for effective teaching and mentoring at the graduate level; and
 - ii. evidence that the faculty member is staying current in the discipline (or relevant area of practice); consult the Graduate Faculty website for the approved list of [suggestions for appropriate evidence of engagement](#).

Departments shall establish standards in accordance with these guidelines for assessing applications for Graduate Faculty membership. Those standards shall be in their foundational documents.

6.1.3 Timing of Applications for Graduate Faculty Membership. While, if necessary, applications may be submitted at any time, the following guidelines are typical:

- a. For Special Faculty, the application process will coincide with hiring and subsequent appointment.
- b. For Tenure-Track Faculty, the application process shall coincide with hiring, reappointment, and tenure, typically in the first semester, the third year, and the sixth year of employment. Credit may be given for years taught at other institutions, as appropriate.
- c. For Tenured Faculty, the application process shall coincide with hiring, promotion, or post-tenure review, unless a special need arises for membership in the interim.
- d. For Tenured Faculty holding an administrative appointment, they shall be eligible to apply every five (5) years.

6.1.4 Application for Graduate Faculty Membership. Faculty members seeking appointment as a member of the Graduate Faculty shall submit the following to their Department Chair:

- a. A completed application form; and
- b. A cover letter summarizing evidence of engagement in graduate education and research in the last five (5) years, including specifically the following: (a) evidence of effective teaching and mentoring at the

graduate level; or evidence of potential for effective teaching and mentoring at the graduate level; and (b) evidence that the faculty member is staying current in the discipline.

6.1.5 Review of Graduate Faculty Applications by APT. Once materials are submitted by the faculty member, the Department Chair shall forward the materials to the APT Committee Chair for consideration. The APT shall meet to consider the application and then forward their recommendation to the Department Chair.

6.1.6 Chair and Dean Consideration of Application. Upon receipt of the APT recommendation, the Department Chair shall review all materials and provide an independent recommendation. The Department Chair shall forward the APT recommendation and the Department Chair's own recommendation to the Dean of the Graduate School who shall inform the applicant of the final decision in a timely manner.

6.2 Emeritus/Emerita/Emeritx Status. Emeritus/a/x faculty status is a privilege that may be awarded to honor a faculty member who has retired, resigned due to a long-term disability, or who has died after a distinguished professional career that included significant contributions to the University.

6.2.1 Minimum Requirements for Emeritus/Emerita/Emeritx Status. A candidate shall meet the following minimum qualifications to qualify for a grant of Emeritus/a/x status:

- a. Permanent tenure and at least ten (10) years of full-time employment at Appalachian State University prior to retirement, long-term disability resignation, or death; and
- b. a consistent record of quality performance as demonstrated by one or more of the following:
 - i. a substantive record of scholarly achievement commensurate with national and international standards within the specific discipline;
 - ii. a recognized record of outstanding teaching and educational contributions; and
 - iii. evidence of significant service both to the University and to the candidate's respective discipline.

6.2.2 Application for Emeritus/Ermita/Emeritx status. A faculty member, a Department Chair, or another tenured Faculty member in the candidate's department may submit an application and provide supporting documentation via the Faculty Emeritus/Emerita/Emeritx Application [online portal](#) no later than September 15 in the year of consideration.

6.2.3 Consideration of Application. The APT Committee, Department Chair, and Dean shall all review the application, and each shall provide an independent recommendation through the [online portal](#) prior to December 15. These recommendations shall be provided to the Provost who shall review and make a final recommendation to the Chancellor no later than February 15.

6.2.4 Final Decision. If the Chancellor concurs in the recommendation of the Provost, the Chancellor shall submit the recommendation to the Board of Trustees for final decision. If the Board of Trustees decides to confer the status, they shall notify the candidate or the nominator (in the case of death) in writing of the rank.

Chapter 7: Appointment, Promotion, and Tenure (APT) Committees and Faculty Search Committees

7.1 The Purpose of Faculty Committees for Faculty Personnel Recommendations. The faculty have the primary responsibility for assessing the professional credentials of candidates for faculty hire, reappointment, tenure, and promotion. The role of the faculty personnel committees shall be to determine if the candidate meets the professional qualifications of the position (i.e., the ability of a candidate to fulfill the professional requirements of the position) according to the criteria set forth in this *Faculty Handbook* and in the Department's foundational documents. The final decision regarding hiring and reappointments shall be made by the Provost and Executive Vice Chancellor. Final decisions regarding promotion and tenure shall be made by the Board of Trustees.

7.2 Required Training. All members of the APT and any other faculty search committees shall be required to attend annual training provided by Academic Affairs.

7.3 Appointment, Promotion and Tenure (APT) Committees. Each department (or other comparable academic unit; hereafter "Department") shall have an APT Committee. The APT Committee shall consist of all tenured faculty in a Department but shall not be smaller than four (4) total faculty members. In Departments with fewer than four (4) tenured faculty members, the APT Committee members shall nominate and elect tenured faculty from allied disciplines on campus to comprise a total of four (4) members. The faculty from other Departments shall serve for a term of one year.

7.3.1 The Department Chair. The Department Chair shall attend all meetings of the APT Committee in a non-voting role, except when there is a conflict of interest among one or more voting members.

7.3.2 Participation of Tenured Faculty on Paid Leave. A faculty member who is on paid leave (other than paid FMLA, other medical leave or administrative leave with pay pending the outcome of an investigation) may choose to participate in APT Committee meetings and actions.

7.3.3 Participation of Senior Academic and Administrative Officers (SAAOs). Tenured faculty who also hold SAAO appointments shall not participate in Department APT Committees.

7.3.4 Functions of the APT Committee. The functions of the APT Committee include, but are not limited to:

- a. establishing any departmental criteria for appointment, promotion, or tenure of faculty members beyond the minimum qualifications indicated in this *Faculty Handbook*;
- b. reviewing the relevant material and making recommendations regarding the reappointment of probationary-term faculty and the subsequent appointment of Special Faculty;
- c. reviewing applications for and making recommendations on graduate faculty status;
- d. reviewing applications and making recommendations on all faculty promotions;
- e. reviewing applications and making recommendations for the granting of permanent tenure;
- f. reviewing materials and making recommendations on the credentials of faculty who could be granted tenure upon hire;
- g. recommending a tenure-track open ranked position candidate's rank and/or tenure status to the appropriate Dean for consideration; and
- h. reviewing applications and making recommendations on Emeritus/a/x status.

7.3.5 Chair of the APT Committee. Prior to September 1 of each Academic Year, the members of the APT Committee shall elect a Chair. The Department Chair cannot serve in this role. Prior to presiding over the first meeting of the academic year, the Chair of the APT Committee shall complete the annual APT Committee Chair training.

7.4 Faculty Search Committees. Departments shall utilize search committees when seeking to fill vacant faculty positions that have been approved by the Dean and Provost. Departments shall establish in their foundational documents a procedure for creating Faculty Search Committees.

7.4.1 Composition of Faculty Search Committees. For Tenure-Track Faculty Search Committees, only full-time tenured or tenure-track Faculty in the ranks of Instructor, Assistant Professor, Associate Professor, and Professor shall be eligible to serve on the search committee. For Special Faculty Search Committees, the committee may include any faculty ranks with at least a simple majority of the members being tenured or tenure-track faculty members. Department Chairs shall not serve on faculty search committees in their Departments.

7.4.2 Chair of Faculty Search Committees. Departments shall specify in their foundational documents if Faculty Search Committee Chairs shall be appointed by the Dean or Department Chair, elected by the members of the Department, or elected by the Faculty Search Committee. Faculty Search Committee Chairs must be tenured or tenure-track Faculty Members.

7.4.3 Functions of Faculty Search Committees. The functions of Faculty Search Committees include but are not limited to: creating the position description, job posting, review rubrics, and recruiting plan; advertising the position; reviewing applications; conducting reference checks and initial interviews; making determinations regarding candidates chosen for on-campus or final interviews; conducting on-campus visits or final interviews; recommending a candidate or candidates; and documenting the search process. Faculty Search Committees shall at all times comply with applicable federal and state laws, UNC System and University policies.

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Chapter 8: Administrative Appointments

8.1 Academic Leadership. There are two academic leadership roles responsible for the administration of the Division of Academic Affairs: The Chancellor, who is the administrative and executive head of the University, and the Provost and Executive Vice Chancellor, who is the chief academic officer.

8.2 Appointment of the Chancellor. Pursuant to North Carolina law, the Board of Governors shall elect the Chancellor upon nomination by the President of the UNC System.

8.3 Appointment of the Provost and Executive Vice Chancellor. As the administrative and executive head of the University, the Chancellor shall determine the process for appointing the Provost and Executive Vice Chancellor.

8.4 Other Administrative Appointments. As the administrative and executive head of the University, the Chancellor, in coordination with the Provost and Executive Vice Chancellor, shall determine the process for appointing other academic administrative leaders. These appointments include, but are not limited to, Vice Provosts, Deans, Associate Deans, Assistant Deans, Chairs, Assistant Chairs, Directors, and Coordinators.

8.5 At-Will Appointments. All academic administrative appointments are at-will appointments and must be approved by the Provost and Executive Vice Chancellor. An individual holding one of these positions does not attain tenure in the administrative position and the administrative appointment may be removed by the Provost and Executive Vice Chancellor at any time. Any faculty member holding an administrative position who also holds a tenured academic rank at the time of appointment shall retain tenure in the faculty rank even if removed from the administrative position. Duties of such administrative appointees shall be outlined in that person's faculty employment contract. When any administrative appointment ends or is removed, faculty members holding such positions shall receive a superseding faculty employment contract that removes the administrative stipend and any reference to prior administrative duties and responsibilities.

8.6 Annual Performance Evaluation of Department Chairs. All Department Chairs, including interim chairs, shall be evaluated annually by the Dean through a performance evaluation process.

8.6.1 Performance Review of Department Chairs by Faculty. As a part of the annual performance evaluation of Department Chairs, Deans shall seek feedback from the department faculty and staff through an online, confidential review instrument sent out from the Appalachian State University Office of Institutional Research, Assessment & Planning at the beginning of each spring semester. The Dean shall consider this feedback as one component of the Department Chair's overall performance evaluation.

8.6.2 Annual Performance Evaluation and Recommendation from Dean. By the end of the spring term, Deans shall share with the Provost the annual performance evaluations of all Department Chairs along with a written recommendation either to renew the Department Chair, place the Department Chair on a Professional Development Plan (PDP), or remove the Department Chair in the next academic year.

8.6.3 Periodic Reopening/Evaluation of Department Chairs. Department Chairs serve at the will of the Provost. Department Chairs shall be appointed for an initial term not to exceed five years. At the beginning of September in the final year of a Chair's initial term, the Dean shall inform the department faculty and staff by email that the Dean is seeking feedback regarding the Chair. After consideration of all annual performance reviews and the feedback received from department faculty and staff, the Dean shall provide a written recommendation to the Provost to either reappoint the Department Chair for an additional term of up to a maximum of three years or to seek a new Department Chair through either an internal or external search process.

8.6.4 Department Chair Searches. When a Department Chair position is unfilled the Dean may request the appointment of a Department Chair Search committee when seeking to fill the position. Departments shall specify in their foundational documents who will serve on a Department Chair Search Committee and how the chair of the committee will be chosen.

8.7 All Other Administrative Positions. All other administrative appointments, including Vice Provosts, Deans, Associate Deans, Assistant Deans, Assistant Chairs, Program Directors, Directors and Coordinators, shall be evaluated annually through the annual performance evaluation process by their supervisors.

Chapter 9: Faculty Employment Rights

9.1 Introduction. In accordance with the provisions of *Chapter VI of The Code* and applicable policies and regulations of the *The UNC Policy Manual*, the University adopts by reference the following as its faculty grievance policies. Additional information can be found in the *Academic Affairs Standard Operating Procedure for Faculty Grievance Process*.

9.2 Non-Disciplinary Separation/No Grievance Rights. Faculty are subject to non-disciplinary separations as provided in *Chapter VI, Section 602 of The Code* and any accompanying regulations in the *UNC Policy Manual*.

9.3 603 Disciplinary Hearing Rights. Faculty are permitted to grieve disciplinary discharge, suspension or demotion (not including demotion that results in the loss of a faculty member's tenure) in accordance with *Chapter VI, Section 603 of The Code* and any accompanying policies or regulations in the *UNC Policy Manual* including but not limited to UNC Policy 101.3.1.1[R].

9.4 604 Campus Review of Faculty Employment Decisions (Reappointment, Tenure and Promotion). Tenure-track and tenured faculty members are permitted to grieve non-reappointment, denial of tenure and denial of promotion in accordance with *Chapter VI, Section 604 of the The Code* and any accompanying policies or regulations in the *UNC Policy Manual*, including but not limited to UNC Policy 101.3.1.2[R].

9.5 605 Reconsideration Rights. Faculty are permitted to grieve separation due to financial exigency or program curtailment in accordance with *Chapter VI, Section 605 of The Code* and any accompanying policies or regulations in the *UNC Policy Manual*.

9.6 607 Grievance Rights. Faculty members whose term and conditions of employment are negatively affected by a decision made by an administrator in a supervisory role over the faculty member whose decision was in violation of federal or state law, UNC Policy or regulation, or University policy or regulation are permitted to grieve in accordance with *Chapter VI, Section 607 of The Code* and any accompanying policies or regulations in the *UNC Policy Manual*, including but not limited to UNC Policy 101.3.2[R].