



## UNIVERSITY SENATE

Meeting #1

Thursday, August 25, 2022  
4:00PM  
Letterman Building, Room LB 125

### AGENDA

Approval of the University Senate Minutes of April 21, 2022.

I. Announcements

A. Next Scheduled Meetings

University Senate – Thursday, September 29, 2022, 4:00 p.m., Letterman Building, Rm. LB125

Senate Agenda Committee – Monday, September 19, 2022, 2:00 p.m., Ball Communications Building, Rm. BC200

B. 2022-2023 University Governance Schedule of Meetings (Enclosure #1)

C. Reaffirmation of Standing Rules for University Senate (Enclosure #2)

D. Approval of Senate Actions- 2021-2022

**Does not require Board of Trustees Approval:**

1. Graduate Education Committee- Admission as Non-Degree Only Student Proposal
2. Faculty and Professional Personnel Handbook- Syllabus edits to Section 59.1.8.4, 59.2.1., 100., 108.1.
3. Non-Tenure-Line Faculty and Professional Personnel Handbook- Deletion of Section 16.1.3.2.4.
4. Graduate Education Committee- Section 51- Graduate Faculty Policy edit to Section 51.5.6.

**Does require Board of Trustees Approval:**

1. Faculty and Professional Personnel Handbook edits to Section 113- Selection and Presentation of Lecturers or Speakers by Student Organizations and Section 114- Policy Statement on Selection of Campus Speakers
- E. University Promotion and Tenure Document 2022-2023- Revisions. – Voted on and approved by Faculty Council on April 14, 2022. (Enclosure #3)- Karen Kessler and Henry Wang
- F. Teaching Evaluation Committee- Proposal-Voted on and approved by Faculty Council on April 14, 2022. (Enclosure #4)- Nell Hill
- G. Global Engagement Committee-Rinker Center for Global Affairs (RCGA) Faculty and Professional Personnel Handbook revisions- Voted on and approved by Faculty Council on April 14, 2022. (Enclosure #5)- Laurie Cox

II. Recognition of Deaths

Dr. Dwight W. Hoover

Director Emeritus of the Center for Middletown Studies and Professor Emeritus of History

Retired 1991

32 years of Service

Dr. Charles R. Payne  
Assistant Provost for Diversity Emeritus, Director of the Office of Institutional Diversity Emeritus, and Professor of  
Secondary Education Emeritus  
Retired 2013  
41 years of Service

Mr. David L. Smith  
Professor Emeritus of Telecommunications  
Retired 1998  
22 years of Service

Ross A. Walter  
Superintendent Emeritus of Building Maintenance  
Retired 2016  
27 years of Service

III. Questions Directed to President Mearns

IV. Committee Reports

- A. Governance and Elections Committee – Chairperson
- B. Faculty Council – Chris Van Hof, Chairperson
- C. Professional Personnel Council – Mike Gillilan, Chairperson
- D. Student Government Association- Tina Nguyen/Monet Lindstrand

V. Report by Chairperson of Senate – Nathan Bogert– GANTT chart (Enclosure #6 - Issues in the Senate System)

VI. Question and Answer Period

VII. Unfinished Business

A. Elections for 2022-23 Executive members:

1. University Senate Officers:

Nominations made:

a. Chair: \_\_\_\_\_

b. Vice Chair: \_\_\_\_\_

(Nominee also serves as Chair of G&E)

c. Secretary: \_\_\_\_\_

Nominations will also be taken from the floor.

VIII. New Business

IX. Other Items

X. Adjournment

/kmcc

MINUTES OF THE SEVENTH MEETING OF THE 2021-22 UNIVERSITY SENATE  
April 21, 2022

Members Present: 30

Members Absent: 7

The meeting was called to order by the Chair of the University Senate, Kesha Coker, at 4:00 p.m.  
Substitutions were asked to email Bethany Allen for record keeping purposes.

Members Present: R. Aceska, N. Bogert, A. Bowan, M. Carter, C. Cash, S. Chung, K. Coker, J. Coggeshall, O. Frausto, S. Fulton, L. Gerstein, M. Gillilan, R. Hassenzahl, C. Haynes, S. Lee, T. Nguyen, G. Mearns, J. Place, N. Prater, V. Rapatz, S. Rivera-Mills, N. Seely, S. Shore-Beck, C. Shue, S. Smith, J. Sponseller, L. Taylor, M. Tschopp, P. Turner, C. Van Hof, C. Webster, D. Wheeler

Substitutes: A. Waldron for K. Chipman, V. Fife-Demski for A. Stefanski

Members Absent: C. Biddle, V. Birk, C. Braden, J. Emert, K. Hennessee, A. Hildner, M. Lindstrand, J. Tye

Guests: T. Mahfouz, A. McLachlan, J. Buckrop, K. McBride, K. McCauliff

A motion was made and seconded to approve the minutes of March 24, 2022.

Carolyn Shue noted that she was present at the Senate meeting on March 23, 2022 via phone and was listed as absent. The Senate minutes of March 23, 2022 will be corrected.

No nays noted. No abstentions noted.

Motion carried.

1. Announcements

A. Next Scheduled Meetings

University Senate – Thursday, August 25, 2022, 4:00 p.m., TBD

Senate Agenda Committee – Monday, August 15, 2022, 2:00 p.m., TBD

- B. Policy updates/revisions to the Faculty and Professional Personnel Handbook: (Enclosure #1)- Mike Gillilan
- Selection and Presentation of Lecturers or Speakers by Student Organizations- Section 113
  - Policy Statement on Selection of Campus Speakers- Section 114

The Professional Personnel Council approved the revisions on March 3, 2022, and Faculty Council approved the revisions on March 17, 2022.

- C. University Senate Action update- University Core Curriculum (UCC)- Reduction of Core Curriculum from thirty-six (36) to thirty (30) hours. On March 21, 2019, the Faculty Council reviewed and approved a proposal from the UCC reducing the core curriculum hours from 36 to 30 hours. The vote was conducted via paper ballot, resulting in thirty-one (31) YES votes and seven (7) No votes. This proposal was made an announcement at University Senate on April 22, 2021. Over the summer in June/July 2021, this proposal was sent to administration for review and approved by President Mearns (did not require Board of Trustee approval). At the Faculty Council meeting on October 7, 2021, this proposal was brought forward for discussion. The University Core Curriculum Committee concern was that this proposal was only one part of a larger proposal. Without the entire proposal receiving approval, the core curriculum credit hours should not be reduced. A motion was made and seconded that Faculty Council will rescind the previously approved March 21, 2019, University Core Curriculum Committee- Reduction of Credit Hours from thirty-six (36) to thirty hours (30) proposal. There were no nays and no abstentions. The motion carried.

This information is being made an announcement today so that University Senate is aware, and administration will be aware.

Tarek Mahfouz provided background context about how this item initially came forward.

- D. Brief update regarding House Bill 1134- The American Association of University Professor provided a statement and that was approved by governance. The bill is now dead.

2. Recognition of Deaths – No new notifications

### 3. Questions Directed to President Mearns

President Mearns shared the following remarks including, but not limited to:

- He and the Provost have completed ten academic sessions with the colleges and ten meetings with the professional divisions.
- There are two remaining open forums scheduled for later today at 2:00PM and Wednesday April 27, 2022 at 8:30AM both at the Student Center.
- He has also met with the third shift employees. He is impressed with the commitment of the hard working 11:00PM-7:00AM employees who insure a clean and safe campus for us.
- The current fiscal year ends June 30, 2022. He is expected a positive margin and anticipates carry forward for the colleges and divisions.
- The budget projections for the next year are rather stable currently.
- New enrollment preliminary numbers are positive. There is an improvement in the international enrollment. Remaining area of concern is undergraduate retention.
- He met with a student recently who emphasized they are very grateful for in-person activities returning, including classes, labs, co-curricular activities, and campus life.
- After twenty-four months of zoom meetings, intention is to be back to in-person in August. Monitoring COVID will continue.

Questions addressed:

- In regard to the new budget model, how do the incentives work with departments that are subsidized, for example the College of Fine Arts. This will need subsidies and additional resources. The college deans will be able to determine how to reallocate resources internally within this new budget model. Once we move into a more stable environment post pandemic, the model will be able to begin working more efficiently.
- There has been discussion about how governance meetings will be conducted in the fall. What are the recommendations and expectations of the administration? The presumption should be in-person with an option for remote access on occasion or for special circumstances. The administration has been meeting in-person. We believe our students want and deserve a more robust on-campus experience and it would be peculiar if we did most of our work remotely.

### 4. Committee Reports

- A. Governance and Elections Committee – Nathan Bogert- The committee did not have any new business and did not meet on April 13, 2022.
- B. Faculty Council – Chris Van Hof- The council voted on and approved two items recently. First item were revisions to the University Promotion and Tenure document and the Teaching Evaluation Committee revisions. An item regarding the revisions to the Rinker Center for Global Affairs were approved as well. Revisions regarding non-tenure-line faculty was referred to the Non-Tenure-Line Faculty Committee. Elections for Faculty Council Chair, Vice Chair and Secretary will occur at the first meeting this fall.
- C. Professional Personnel Council – Michael Gillilan- The council met on April 7, 2022. They reviewed next year's meeting dates, election form information and the preference poll. Elections for Professional Personnel Council Chair, Vice Chair and Secretary will occur at the first meeting this fall.
- D. Student Government Association – Tina Nguyen- The Student Government Association wrapped up the year with the inauguration of next year's members. Tina will serve another year and Monet Lindstrand was elected as well.

### 5. Report by Chairperson of Senate – Kesha Coker – GANNT chart (Enclosure #2) - Issues in the Senate System

Kesha Coker reviewed each item briefly, highlighting the current location and ongoing nature of each. These items included:

- A. Academic Freedom and Ethics- Amendments for the Faculty and Professional Personnel Handbook. This item has been tabled until further details can be provided. Chris Van Hof removed this item from the GANNT chart. It will be brought forward later.
- B. Crosswalk Safety- Concerns have been given to the Public Safety Committee for consideration.
- C. Payroll/Benefits Questions- Concerns have been given to the Professional Personnel Salary & Benefits Committee for consideration.
- D. Undergraduate Education Committee- BS/BA Program Distinctions- No new information. Chris Van Hof has requested a status update from the committee.
- E. Undergraduate Education Committee- Credit for Prior Learning- No new information. Chris Van Hof has requested a status update from the committee
- F. Academic Freedom and Ethics Committee- Ombudsperson Proposal- Anyone interested in serving on the Ad hoc can reach out to Chris Van Hof.

- G. Faculty and Professional Personnel Handbook Revisions to Sections 113 & 114- The proposed revisions have been approved by the Student Government Association and Professional Personnel Council. This was announced today and will be removed from the GANNT chart.
- H. University Promotion and Tenure- Revisions- The Senate Agenda Committee has directed this to Faculty Council for review at the next meeting on April 14, 2022. Faculty Council approved everything except one part. It will be sent to University Senate as an announcement this fall.
- I. Rinker Center for Global Affairs- The revisions were referred to Faculty council on April 14, 2022. The council approved the revisions. It will be sent to University Senate as an announcement this fall.
- J. Non-Tenure-Line Faculty- Faculty and Professional Personnel Handbook revisions- The revisions have been directed to the Non-Tenure-Line Faculty committee for their consideration.

6. Question and Answer Period- There are no additional questions currently.

7. Unfinished Business: There is no unfinished business currently.

8. New Business:

A. Updated 2022-2023 University Senate membership list (Enclosure #3)

Elections for Chair, Vice Chair and Secretary of 2022-2023 University Senate.

Kesha Coker explained that her term and Natalee Seely's terms are ending. (Spring 2022).

Kesha entertained nominations for Chair of 2022-2023 University Senate.

Chris Van Hof nominated Nathan Bogert for Chair. Adam Bowen seconded the nomination. Nathan Bogert accepted the nomination.

Nathan Bogert is elected as Chair of 2022-2023 University Senate by acclamation.

Kesha entertained nominations for Vice Chair of 2022-2023 University Senate.

Nathan Bogert provided background information about his responsibilities this past year as Vice Chair.

Nathan Bogert nominated Vanessa Rapatz for Vice Chair. Adam Bowen seconded the nomination.

Vanessa Rapatz accepted the nomination pending she is re-elected to University Senate by her college.

Kesha entertained nominations for Secretary of 2022-2023 University Senate.

Natalee Seely provided background information about her responsibilities this past year as Secretary.

No one was nominated or self-nominated. A Secretary will be elected at the first meeting in the fall.

B. Senate Agenda Committee:

An election is needed for one vacancy on the Senate Agenda Committee.

Kesha Coker entertained nominations for Senate Agenda Committee.

Suzy Smith provided background information about her responsibilities this past year on the committee.

Suzy Smith nominated Linda Taylor for Senate Agenda Committee. Veronica Fife-Demski seconded the nomination.

Linda Taylor accepted the nomination.

Linda Taylor is elected to serve on the Senate Agenda Committee by acclamation.

Kesha Coker thanked everyone and that it was a pleasure working with everyone.

9. Other Items: There are no other items currently.

10. Adjournment:

A motion was made (S. Smith) and seconded (R. Aceska) to adjourn at 4:55 p.m.

No nays noted. No abstentions noted.

Motion carried

Respectfully Submitted,

Natalee Seely, Secretary

Members Present: S. Abebe, B. Dale, C. Dowling, J. Forbey, K. Gatzlaff, K. Heuett, T. Ho, F. Kitchens, R. Kraus, A. Latz, M. Lee, L. Li, D. Little, M. Lorsung, C. Luchs, C. Malone, A. Marri, M. Marvel, J. Mayer, P. Nagelkirk, P. Schaal, M. Stuve, M. Subir, K. Trainor, K. Turcotte, C. Van Hof, S. Vitale, J. Ward, J. Warrner, A. Yen, M. Zhang

Substitutes: H. Homes for J. Erickson, J. Court for T. Horan, D. Mix for J. Huff

Members Absent: C. Baas, C. Bohanon, B. Frankel, M. Gillilan, V. Gondi, K. Hennessee, C. Hitchens, F. Jin, A. Kuban, M. Lindstrand, J. Lorch, K. Mesarosh, D. Roof, P. Spengler, B. Wagner, J. Walls, M. Wilson

The Chairperson of the 2021-22 Faculty Council, Chris Van Hof called the meeting to order at 4:00 p.m. Roll call was taken by logging into the Zoom meeting. The meeting will be digitally recorded through Zoom.

A motion was made (C. Van Hof) and seconded (P. Nagelkirk) to approve the minutes of March 17, 2022.

It was made known that within the minutes of March 17, 2022, under number six (6)- The sentence, “Currently Ball State University has roughly 40% tenured faculty and 60% non-tenured faculty so there is some flexibility, but this will be part of the discussions in April.”- The percentages needed interchanged, “60% tenured faculty and 40% non-tenured faculty” is correct. The correction was accepted.

No nays noted. No abstentions noted.

The motion carried.

1. Announcements

A. Next scheduled meetings

- Items for next agenda to be received by Senate Office no later than Friday, August 19, 2022, for electronic review by Faculty Council Chair.
- Faculty Council – September 1, 2022, 4:00 p.m., TBD.
- Elections can be done today or at the first meeting in September.
- Quick update on the meeting modality of meetings moving forward.- A survey was sent out and feedback was collected. Survey results were about half preferring fully remote or a hybrid meeting. There is discussion about the university moving towards in-person meetings. A final decision has not been made. Further discussion will happen.

B. Items currently in committees- GANTT Chart (Enclosure #1)

1. Academic Freedom & Ethics Committee- Amendments to the Faculty and Professional Personnel Handbook will be sent in the fall for consideration. Chris Van Hof asked for this item to be removed from the GANNT Chart until it is brought forward again.
2. Teaching Evaluation Committee- Revisions to committee information- This item will be reviewed today.
3. Crosswalk Safety- This item has been sent to the Public Safety Committee for consideration.
4. Payroll/Benefit Questions- This item has been sent to the Professional Personnel Salary & Benefits Committee for consideration.
5. Undergraduate Education Committee- BA/BS Program Distinctions- This item remains with the committee. No updated information.
6. Undergraduate Education Committee- Credit for Prior Learning- this item remains with the committee. No updated information.
7. Academic Freedom & Ethics Committee- Ombudsperson Proposal- an Ad hoc committee is being formed to address further research.

8. Section 113 & 114 revisions to Faculty and Professional Personnel Handbook- This item has been reviewed and approved by Faculty Council, the Professional Personnel Council, and the Student Government Association. It will be made an announcement at University Senate April 21, 2022.
9. University Promotion and Tenure Revisions- This item will be reviewed today.
10. Rinker Center for Global Affairs- revisions in the Faculty and Professional Personnel Handbook. This item will be reviewed today.
11. Non-Tenure-Line faculty revisions to Sections 16 and 21.- The revisions will be directed to the Non-Tenure-Line Committee for consideration.

C. 2022-2023 Faculty Council membership list (Enclosure #2)- The list was reviewed. Telecommunications will be updated to Media.

2. Committee Reports:

A. University Core Curriculum Subcommittee- Carolyn Malone- The committee has been working on detailed instructions for proposing programs for the University Core Curriculum. The instructions will include a lot more detailed information with a formatted template that anyone can use. This guidance will be posted on the Registrar's Office by the end of the semester.

No other reports were provided.

3. Unfinished Business- There is no unfinished business currently.

4. New Business-

A. University Promotion and Tenure Document- Revisions- (Enclosure #3 and attached University P&T Document)- Karen Kessler and Henry Wang  
Karen Kessler provided background information about the revisions being proposed. Discussion ensued. Questions and concerns including but not limited to the following:

- Section 35.6.2.3., wording of outstanding and extraordinary was concerning to several members.
- How is outstanding and extraordinary defined. These words can be subjective.
- All departments and colleges are responsible for defining and determining those recommended for early tenure.
- There may be some colleges and/or departments that define outstanding and extraordinary differently.
- The University Promotion and Tenure Document only provides guidance to the units.
- The local units can develop their own policies.
- Recent trend has been an increase in denials of early tenure, leading the administration to encourage the colleges to provide more detailed guidelines to faculty.
- The College Promotion and Tenure Committees should develop specific and detailed guidelines for their faculty.
- If units/colleges do not have flexibility that would be an issue to address with their Promotion and Tenure Committees.

A motion was made (S. Vitale) and seconded (D. Mix) to approve the proposed revisions except for the changes made in section 35.6.2.3.

A motion was made (C. Van Hof) and seconded (C. Dowling) to take a vote.

No nays noted. No abstentions noted.

The motion carried.

B. Teaching Evaluation Committee- Proposals (Enclosure #4)- Nell Hill

1. Revision of one of Teaching Evaluation Committee Responsibilities as mentioned in 10.7.4.10.2.
2. Revision of Methodological and Statistical Considerations within 44.3.

Nell Hill provided a summary of the proposed revisions. Discussion ensued including but not limited to the following questions/concerns:

- Different specific class scenarios were discussed.
- Concerns about the wording “fewer responses” in section 44.3.1.
- Suggestion to use a percentage-based figure rather than a specific number of responses.
- Non-Tenure-Line and adjunct faculty do not have any alternative methods for evaluations.
- Intention of changes were to assist faculty.
- Even if evaluations cannot be used, the information is still accessible to review.

A motion was made (C. Van Hof) and seconded (K. Gatzlaff) to approve the revisions proposed and send this to University Senate as an announcement.

No nays noted. No abstentions noted.

The motion carried.

Nell Hill will provide this information to the Teaching Evaluation Committee

- C. Global Engagement Committee- Rinker Center for Global Affairs (RCGA) revisions in the Faculty and Professional Personnel Handbook. (Enclosure #5)- Laurie Cox  
Laurie Cox provided background information.

A motion was made (C. Van Hof) and seconded (D. Mix) to approve the revisions proposed and send this to University Senate as an announcement.

No nays noted. No abstentions noted.

The motion carried.

- D. Elections for 2022-2023 Executive members of Faculty Council

1. Faculty Council Officers

Nominations made:

d. Chair: \_\_\_\_\_

e. Vice Chair: \_\_\_\_\_

f. Secretary: \_\_\_\_\_

Nominations will also be taken from the floor.

2. Governance and Elections Committee: one (1) open vacancy- (Enclosure #7)

- a. \_\_\_\_\_ (2025)- Representative from CCIM

It was decided that the elections would be held at the first Faculty Council meeting of 2022-2023 on September 1, 2022.

5. Question and Answer Period- There are no additional questions currently.

6. Other items- There are no other items currently.

7. Adjournment

A motion was made (C. Van Hof) and seconded (C. Mesarosh) to adjourn at 5:19 p.m.

The motion carried.

Respectfully submitted,

Rachel Kraus, Secretary



Members Present: M. Brown, W. Cooper, C. Dowling, S. Fulton, D. Garreth, M. Gillilan, J. Glesing, R. Grigoletti, R. Hassenzahl, C. Haynes, S. Jenkins, K. Kelly, J. Mayer, N. Prater, S. Sheptoski, M. Sorrell, K. Trainor, M. Turner, R. Wilson, R. Wirt

Substitutes: T. Peters for M. Baker

Ex Officio (non-voting) Members Present: C. Van Hof

Members/Ex Officio Members Absent: T. Nguyen, M. Lindstrand, M. Shaw

The Chairperson of the 2021-22 Council, Michael Gillilan, called the meeting to order at 4:02 p.m.  
Roll call was taken by joining the Zoom meeting. Quorum was met.  
Substitutes were noted.

Approval of the minutes from March 3, 2022, was entertained.  
A motion was made (C. Haynes) and seconded (N. Prater) to approve the minutes.  
The motion carried.

1. Announcements

- A. Next meeting: Professional Personnel Council: September 8, 2022, 4:00 p.m., TBD  
The date was reviewed. Everyone should have received a link to a Qualtrics survey to determine mode of meeting. May be different for other groups. CVH will be able to share data soon. By end of day tomorrow.
- B. Reminder of the 2022-2023 University Governance Schedule of Meetings (Enclosure #1)
  - September 8, 2022
  - October 13, 2022
  - November 10, 2022
  - February 2, 2023
  - March 2, 2023
  - April 6, 2023
- C. 2022-2023 Election Forms for University Senate and the Professional Personnel Council to all professional divisions distributed April 1, 2022, due May 2, 2022. (Enclosure #2)
- D. Preference Poll will be distributed in April to compile committee interest.

2. Committee Reports: (Professional Personnel Council reps listed)- Some committees may not have a report.

- A. Admissions and Credits Committee- Charles Haynes- No new report.
- B. Global Engagement Committee- No new report.
- C. Master Planning and Facilities Committee- Will Cooper- No new report.
- D. Professional Personnel Technology Committee- No new report.
- E. Professional Personnel Salary and Benefits Committee- Mike Gillilan has asked Kate Stoss to hold a meeting.
- F. Research Committee- Kelly Knable- No new report.

3. Unfinished Business- There is no unfinished business currently.

4. New Business- We will hold elections for the executive members at the first meeting in the fall. Self-nominations are welcome. As an executive member you do receive a lot of support to reduce the added responsibilities. Executive members serve for a one-year term. Charles Haynes thanked Mike Gillilan for her service and for taking the lead this year.

A. Elections for Chair, Vice Chair, and Secretary—Fall 2022

2. Professional Personnel Council Officers:

g. Chair: \_\_\_\_\_

h. Vice Chair: \_\_\_\_\_

c. Secretary: \_\_\_\_\_

5. Items in Committees- GANNT Chart (Enclosure #3)

- A. Academic Freedom & Ethics Committee- Amendments to the FPPH- This item was tabled by Faculty Council for further review later.
- B. Teaching Evaluation Committee- Revisions to committee information- This item has been submitted to Faculty Council for consideration on April 14, 2022.
- C. Crosswalk Safety- This item has been sent to the Public Safety Committee.
- D. Payroll/Benefit Questions- This item has been sent to the Professional Personnel Salary & Benefits Committee. This item will be addressed in the fall.
- E. Undergraduate Education Committee- BA/BS Program Distinctions- This item remains with the committee. There is no updated information.
- F. Undergraduate Education Committee- Credit for Prior Learning- This item remains with the committee. There is no updated information.
- G. Academic Freedom & Ethics Committee- Ombudsperson Proposal- An Ad hoc committee is being formed to address further research. Please reach out to Chris Van Hof if interested in serving.
- H. Graduate Student Government Association Inquiry- This inquiry was directed to the Student Government Association.
- I. Commercial Activity- Non-Commercial Activity Policies- Revisions to Faculty and Professional Personnel Handbook Section 113 and 114.- This item will be made an announcement at University Senate April 21, 2022.
- J. University Promotion and Tenure Revisions- The revisions have been referred to Faculty Council for review on April 14, 2022.

6. Question and Answer Period

- Melanie Turner asked if there are meetings with the university president? Chris Van Hof- Faculty Council Chair explained that he and the University Senate Chair meet with the provost monthly.
- Mike Gillilan reminded the council that the President will be meeting with a variety of groups. His meeting with Student Affairs next Thursday morning. One question he plans to ask is if he believes the governance is working well. Academic Affairs will meet with him this week.
- Sarah Jenkins inquired about the revisions for the Academic Freedom and Ethics Committee. Chris Van Hof explained that the revisions have to do with the definitions and responsibilities of the committee in the handbook. The revisions will be worked on this fall and brought forward at that time.
- Sarah Jenkins asked about trainings for governance. Mike Gillilan explained that some trainings were completed recently. He will share that information with the council.

7. Other items- There are no other items currently.

8. Adjournment

A motion was made and seconded to adjourn Professional Personnel Council at 4:29 p.m.

The motion carried.

Respectfully submitted,

Rhonda Wilson, Secretary

## University Governance Schedule of Meetings 2022-2023

### August 2022

- 15 *Senate Agenda Committee*
- 25 Governance & Elections
- 25 University Senate

### September 2022

- 1 Faculty Council
- 8 Professional Personnel Council
- 19 *Senate Agenda Committee*
- 29 Governance & Elections
- 29 University Senate

### October 2022

- 6 Faculty Council
- 13 Professional Personnel Council
- 17 *Senate Agenda Committee*
- 27 Governance & Elections
- 27 University Senate

### November 2022

- 3 Faculty Council
- 10 Professional Personnel Council
- 14 *Senate Agenda Committee*

### December 2022

- 1 University Senate

### January 2023

- 9 *Senate Agenda Committee*
- 19 Governance & Elections
- 19 University Senate
- 26 Faculty Council

### February 2023

- 2 Professional Personnel Council
- 9 Governance & Elections
- 13 *Senate Agenda Committee*
- 16 Faculty Council
- 23 University Senate

### March 2023

- 2 Professional Personnel Council
- 13 *Senate Agenda Committee*
- 16 Governance & Elections\*\*
- 16 Faculty Council
- 23 University Senate

### April 2023

- 6 Professional Personnel Council
- 10 *Senate Agenda Committee*
- 13 Governance & Elections\*\*
- 13 Faculty Council
- 20 University Senate

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### **ALL GOVERNANCE MEETINGS ARE BACK TO IN-PERSON**

University Senate, Faculty Council, and Professional Personnel Council will meet @ 4:00 PM in LB 125.

Senate Agenda Committee will meet @ 2:00 PM in BC 200.

Governance and Elections Committee will meet @ 8:10 AM in BL 301

\*\*Optional meeting, depending upon the status of the Senate Executive slate.

## STANDING RULES FOR CONDUCTING SENATE BUSINESS

1. A member of the faculty, professional personnel, or a student who is not a senator may initiate an agenda item by having a senator sponsor that item or by presenting the item to the Agenda Committee.
2. Senators may submit new agenda items in writing to the Agenda Committee.
3. The Senate will be called to order on the hour with sessions limited to one hour and twenty minutes.
4. Roll will be taken by the members initialing a roster.
5. Senators will be seated in a designated section of the room. Special areas of the chamber will be reserved for the seating of visitors.
6. The distribution of the minutes by mail will substitute for the reading of the minutes.
7. Announcements must be limited to Senate business and must be cleared through the Chair.
8. Scheduled meetings will include, following committee reports, a question-and-answer period not to exceed ten minutes in length, during which senators may request information from other persons present on matters of concern to the University community as a whole. The Chair shall rule out of order questions that are personal, departmental, or collegiate in scope or that do not pertain to University affairs.
9. The first time they speak at a meeting, senators will stand if able/willing and identify themselves when addressing the Chair or the Senate.
10. Senators may, as a prerogative, address the Senate from the lectern.
11. Senate committees and councils must send minutes, reports, and recommendations to the Agenda Committee. These should be sent following every meeting of the committee or council. If the committee or council does not meet in a given semester, a report to that effect should be delivered to the Agenda Committee.
12. Committee reports should be brief (no longer than five minutes), official statements of the conclusions formally adopted within the reporting body.
13. Proposals must be framed as resolutions or as motions. A lengthy resolution or motion should be submitted in writing prior to the call to order of the meeting.
14. All motions will be put on the floor for debate by a Senator first stating their name followed by a second with a Senator stating their name.
15. When a motion appears on the Senate agenda, the chair of the sponsoring committee, or a representative, or the person sponsoring the motion must be present in the Senate to present the motion.

16. The Senate may move to return a motion to committee, amend, or refer to another committee for matters of clarification. This will require an immediate second, a debate and a simple majority vote of the body of the Senate. A majority vote will send the item back to the appropriate committee for further work or clarification. If the motion fails, debate will continue on the original motion followed by a vote of the body.
17. Voting will be by voice vote unless there is a request for a division of the house or for a written ballot. If the meeting is held virtually, voting will be by voice vote unless there is a request for written ballot, in which case the vote will be taken by whatever method the technology allows for written votes (a chat feature, a poll of participants, etc.)
18. Voting procedures shall be “of the members present and voting” as defined in Robert’s Rules of Order. In this process, “yes” and “no” votes are counted, while abstentions are not counted in the total. Unless defined differently by the standing rules of the Senate or Robert’s Rules of Order, motions pass by a simple majority of the votes cast. Voting by proxy is disallowed in this process.
19. The Chairperson will appoint a parliamentarian for the Senate, should a qualified applicant be available and willing to serve. The appointee may be a member of the Senate or from outside the body. An appointee from the body of the Senate will retain all privileges of a Senator, while an appointee from outside the body will have no voice or voting rights. It will be the responsibility of the parliamentarian to keep the Senate acting within the Standing Rules of the Senate and to interpret other issues by using Robert’s Rules of Order. Should no qualified and willing applicant be appointed as parliamentarian, all rulings from the Chairperson shall be final on parliamentary matters.
20. Any items remaining on the agenda in the last meeting of the Spring will automatically be carried over to the Fall Agenda.
21. The Senate Agenda Committee will be empowered to act for the Senate during the summer on emergency items, pending acceptance by the Senate in the fall.
22. Timetables proposed by the Senate Agenda Committee will be subject to subsequent acceptance by the University Senate at their next meeting.
23. The Senate, the Agenda Committee and the Governance and Elections Committee may conduct official business electronically. This includes, but is not limited to e-mail, electronic postings, websites, voting and meetings. However, the membership of the aforementioned groups must first develop policies and procedures for electronic voting and meetings within each group. If a public health crisis requires that all business be conducted electronically, the Senate Agenda Committee shall determine reasonable accommodations to the format and structure of meetings to allow business to continue as much like regular order as possible.

Approved by University Senate 9/3/2020

## **VOTED ON AND APPROVED BY FACULTY COUNCIL, APRIL 14, 2022:**

### **35. UNIVERSITY PROMOTION AND TENURE DOCUMENT**

#### **Preamble**

Among the most important decisions of a university are those regarding tenure and promotion of its faculty. At a university such as Ball State, the diverse nature of colleges and departments must be respected in any document pertaining to the university as a whole. However, a degree of continuity across disciplines is necessary to ensure equitable decisions for individuals. Consequently, the purpose of this document is to provide a set of common policies and procedures governing all promotion and tenure decisions at Ball State University. Although the Promotion and Tenure Documents of all colleges and departments must be consistent with this document in both spirit and detail, it is expected that these documents may also need to contain a variety of additional elements not included here.

The promotion and tenure expectations for each faculty member are dependent on the individuals' particular assignment and are defined by university, college, and departmental documents. It is the responsibility of each faculty member to become familiar with all three applicable documents.

#### **35.1. GUIDELINES FOR PROMOTION AND TENURE**

- 35.1.1. The evaluation of a faculty member's eligibility for promotion or tenure shall be conducted in light of the University Mission Statement and shall be based on evidence of a continuing pattern of achievement throughout the faculty member's professional career in the following areas:
  - 35.1.1.1. Teaching;
  - 35.1.1.2. Scholarship;
  - 35.1.1.3. Service in a professional capacity.
- 35.1.2. Policies and criteria related to recommending promotion and tenure shall be clear, specific, and accessible to all personnel.
- 35.1.3. Each affected department, school, and college must have formal criteria, procedures, and policies for recommendations for promotion and tenure.
- 35.1.4. Policies and criteria for promotion and tenure shall be subject to annual evaluation and review and to periodic revision.
- 35.1.5. Departmental policies and criteria for promotion and tenure must be approved by the College Promotion and Tenure Committee and the University Promotion and Tenure Committee and shall be on file with the academic dean and the ex officio member of the University Promotion and Tenure Committee.
- 35.1.6. The collegiate policies and criteria for promotion and tenure must be approved by the University Promotion and Tenure Committee and must be on file with the University Promotion and Tenure Committee and the Office of the Provost and Executive Vice President for Academic Affairs.
- 35.1.7. Experiential learning in all its forms (internships, field trips, practica, student teaching, study abroad, immersive learning projects, etc.) is and has been a hallmark of a Ball State University education. Faculty who lead these types of activities should receive consideration for their involvement as they contribute to the established standards for Teaching, Scholarship and Service.
- 35.1.8. At Ball State University, we recognize inclusive excellence as an integral endeavor to fulfill our mission and our strategic plan. Faculty members who engage in activities that promote inclusive excellence (training, development, intergroup dialogue, pedagogies and

curriculum, community and campus partnerships, mentoring, peer-reviewed research, etc.) will receive credit for their involvement as they contribute to the established standards for Teaching, Scholarship and Service.

## **35.2. DEFINITIONS**

- 35.2.1. Department and departmental refer to schools and academic departments located within the seven colleges.
- 35.2.2. College and collegiate refer to the seven academic colleges
- 35.2.3. Reconsideration is the act whereby a candidate may request that an initial adverse decision by the department, college, or Provost be re-examined. Reconsideration provides an opportunity for the candidate to clarify content of materials. A decision in favor of the candidate does not guarantee tenure and/or promotion.
- 35.2.4. Appeal is the act whereby a candidate alleges that a violation of existing policy and/or procedure, or unfair treatment, or discriminatory treatment by the department, college, or Provost has resulted in an adverse decision. An appeal may be filed without following the reconsideration process. Appeals examine the process followed and not the content of materials. A decision in favor of the appellant does not guarantee tenure and/or promotion.
- 35.2.5. Working days are those days when Ball State University administrative offices are open.
- 35.2.6. Calendar days are the days which appear on a calendar, including Saturday, Sunday, and holidays. They do not relate to the Ball State academic schedule or calendar.
- 35.2.7. Tenure is a means to certain ends; specifically: (1) freedom of teaching and research, and of extramural activities and (2) a sufficient degree of economic security to make the profession attractive to individuals of ability. (Faculty Handbook: Appointment, Academic Freedom, and Tenure, Section 24). Freedom and economic security, hence tenure, are indispensable to the success of an institution in fulfilling its obligations to its students and to society.
- 35.2.8. Tenure-track faculty are those who are currently in the seven-year probationary tenure period.
- 35.2.9. Tenured faculty are those faculty who have been granted tenure.
- 35.2.10. Joint appointments are when a faculty member holds two or more instructional, research, or clinical instructional appointments in two or more units such as schools, colleges, departments/programs or between an academic unit and another unit on campus.
- 35.2.11. Scholarship is the process of attaining new knowledge, creating a new work, or recreating/interpreting existing works, and disseminating the results. Generally this takes the form of appropriate peer reviewed publications, presentations or exhibits, performances, other creative endeavors and grant proposals. Scholarship can occur in four areas: discovery, integration, application, and teaching.
  - 35.2.11.1. The scholarship of discovery is traditional research and creative endeavors that pursue and contribute to new knowledge for its own sake.
  - 35.2.11.2. The scholarship of integration makes connections across disciplines bringing together isolated knowledge from two or more disciplines or fields to create new insights and understanding.
  - 35.2.11.3. The scholarship of application applies knowledge to address significant societal issues.
  - 35.2.11.4. The scholarship of teaching studies the development of knowledge, skill, mind, character, and/or ability of others.
- 35.2.12. At promotion and tenure committee meetings where candidate decisions are made, all committee members (or their alternates) must be present. A quorum for these meetings therefore means a committee of the whole.

## **35.3. ACADEMIC RANK**

- 35.3.1. There are three basic academic ranks for the consideration of promotion and tenure:

- 35.3.1.1. ASSISTANT PROFESSOR
- 35.3.1.2. ASSOCIATE PROFESSOR
- 35.3.1.3. PROFESSOR

Qualifications for rank are set by the individual colleges and must be approved by the University Promotion and Tenure Committee.

35.3.2. ADVANCEMENT IN RANK

This is based on a continuing pattern of achievement throughout the faculty member's professional career in:

- 35.3.2.1. Teaching;
- 35.3.2.2. Scholarship;
- 35.3.2.3. Service in a professional capacity.

- 35.3.3. A terminal degree in the faculty member's specialty area is usually required for either hiring at, or advancement to, associate or full professor. However, certain kinds of expertise, experience and/or recognition may be accepted by individual colleges as appropriate qualifications for either rank, upon approval of the Provost and Executive Vice President for Academic Affairs.

**35.4. PROMOTION AND TENURE COMMITTEE STRUCTURE**

35.4.1. DEPARTMENT PROMOTION AND TENURE COMMITTEES

35.4.1.1. Membership

- 35.4.1.1.1. The Department Promotion and Tenure Committee shall be elected annually by confidential ballot. The electorate shall consist of tenured and tenure-track faculty members of the affected unit.

- 35.4.1.1.2. The departmental committee shall consist of tenured faculty.

- 35.4.1.1.3. No person may serve as a member of a Department Promotion and Tenure Committee who is a candidate for promotion.

- 35.4.1.1.3.1. Once an individual submits a written statement to the department chair indicating the intent to apply for promotion, that person is considered to be a candidate and can no longer serve on the committee. Each department shall establish a date by which the written statement must be submitted. The date must occur in the Spring Semester prior to review.

- 35.4.1.1.3.2. The one exception to these provisions involves the chairperson of the department when they are a candidate for promotion. In that circumstance, they shall not participate in their ex-officio capacity during the deliberations of promotion to the same rank.

- 35.4.1.1.4. No candidate shall be evaluated by a Promotion and Tenure Committee of fewer than three (3) eligible voting members. Departments which under these or any other conditions cannot form a Promotion and Tenure Committee of at least three voting members shall develop specific provisions subject to the approval of the College and the University Promotion and Tenure Committees.

- 35.4.1.1.5. If sufficient number of tenured faculty is not available, the department promotion and tenure committee and department chair will propose a solution to the college dean, including but not limited to, using tenured faculty from other departments. All committee members should be qualified to evaluate the candidate's credentials.



- 35.4.1.1.6. In the event of the resignation of an elected committee member, the Department shall have procedures in place for the replacement of the resigning member.
- 35.4.1.1.7. The department chairperson shall be an ex officio non-voting member.
- 35.4.1.1.8. The names of the committee members shall be forwarded to the academic dean by the second week in October of each academic year.
- 35.4.1.2. Responsibilities
  - 35.4.1.2.1. The committee shall implement departmental, collegiate, and University promotion and tenure policies and procedures; departmental policies and procedures must not conflict with those of the college and University.
  - 35.4.1.2.2. The committee shall make recommendations concerning policy changes to both the collegiate and University committees.
  - 35.4.1.2.3. The committee shall review and evaluate the credentials of all departmental candidates for tenure and/or promotion. It shall forward the credentials of those candidates being recommended favorably, with written recommendations, to the academic dean.
  - 35.4.1.2.4. The committee shall review and respond to reconsideration requests submitted by the candidate.
  - 35.4.1.2.5. The committee shall review and evaluate the credentials of all department tenure-track persons and forward these credentials, with recommendations, to the academic dean.
  - 35.4.1.2.6. Minutes of all committee actions must be maintained by the department chairperson in a secure and confidential manner.
- 35.4.2. COLLEGE PROMOTION AND TENURE COMMITTEES
  - 35.4.2.1. Membership
    - 35.4.2.1.1. Each department in a college shall be represented on the College Committee.
    - 35.4.2.1.2. The College Committee shall consist of tenured faculty only.
    - 35.4.2.1.3. No person may serve as a member of a College Promotion and Tenure Committee who is a candidate for promotion. An individual so elected who later becomes a candidate for promotion must resign from the committee.
    - 35.4.2.1.4. In the event that the department representative to the College Committee should resign, the College and the Department shall have procedures in place for replacement of the resigning member.
    - 35.4.2.1.5. The academic dean, or designee, shall be an ex officio non-voting member.
    - 35.4.2.1.6. The elected college representative to the University Promotion and Tenure Committee from each college shall meet with the College Committee as an ex officio non-voting member.
  - 35.4.2.2. Responsibilities
    - 35.4.2.2.1. The College Committee shall establish and implement collegiate promotion and tenure policies and procedures and implement those of the University; collegiate policies and procedures must not conflict with those of the University.
    - 35.4.2.2.2. The committee shall make recommendations for policy changes to the University Committee.

- 35.4.2.2.3. The committee shall review departmental compliance with policy implementation.
- 35.4.2.2.4. The committee shall review and evaluate the credentials of all collegiate candidates for promotion/tenure. It shall forward the credentials of those candidates being recommended favorably for promotion/tenure, with recommendations, to the dean.
- 35.4.2.2.5. The committee shall review and respond to reconsideration requests submitted by the candidate.
- 35.4.2.2.6. The committee shall review and evaluate the credentials of all collegiate tenure-track persons in year four and forward these credentials, with recommendations, to the dean.
- 35.4.2.2.7. The committee shall hear appeals from individuals who feel aggrieved by the action of the Department Committee, and/or department chairperson.
- 35.4.2.2.8. Minutes of all committee actions must be maintained by the dean's office in a secure and confidential manner.
- 35.4.2.3. No one may serve to hear an appeal who has a demonstrated conflict of interest such as previous involvement with the case, assignment to the same academic department or administrative area as any of the principals in the case, business involvement, or relationship to any of the principals. Decisions regarding such conflicts shall be made by the committee chairperson.
- 35.4.3. UNIVERSITY PROMOTION AND TENURE COMMITTEE
  - 35.4.3.1. Membership
    - 35.4.3.1.1. The University Promotion and Tenure Committee shall consist of the following:
      - 35.4.3.1.1.1. Seven tenured faculty, one representing each college, elected by the tenured and tenure-track faculty, for staggered three year terms.
      - 35.4.3.1.1.2. Should a college representative be unable to complete the term of election, the college will vote to elect a new representative or the college alternate to the committee will serve the remainder of the term.
      - 35.4.3.1.1.3. The Provost and Executive Vice President for Academic Affairs, ex officio, or a designee.
  - 35.4.3.2. Responsibilities
    - 35.4.3.2.1. The University Promotion and Tenure Committee is responsible for carrying out on a continuing basis the following initiatives and activities:
      - 35.4.3.2.1.1. To review existing University promotion and tenure policies and procedures and to recommend appropriate changes to the Faculty Council;
      - 35.4.3.2.1.2. To review and approve departmental and collegiate promotion and tenure policies to ensure both adherence to University policies and efficient and equitable operation;
      - 35.4.3.2.1.3. To review compliance with promotion and tenure policy implementation and make appropriate recommendations and/or judgments in the case of infraction;

- 35.4.3.2.1.4. To hear appeals and make recommendations and/or decisions that are consistent with University policies describing the right of a faculty member or a department to appeal an adverse promotion or tenure recommendation;
- 35.4.3.2.1.5. To maintain minutes of all committee actions and file in a secure and confidential manner by the advisory, non-voting member; to summarize those actions in regular reports to Faculty Council.
- 35.4.3.2.2. The elected members of the committee or their substitute shall serve as ex-officio non-voting members of the promotion and tenure committees of their respective colleges.
- 35.4.3.3. No one may serve to hear an appeal who has a demonstrated conflict of interest such as previous involvement with the case, assignment to the same academic department as any of the principals in the case, business involvement, or relationship to any of the principals. Decisions regarding such conflicts shall be made by the committee chairperson.

### **35.5. POLICY STATEMENTS FOR PROMOTION AND TENURE**

- 35.5.1. Any department faculty member has the right to present themselves to the Department Promotion and Tenure Committee for consideration for promotion to Associate Professor after the fourth tenure credible year. A request for consideration for promotion to Professor can be made any time after achieving the rank of Associate Professor.
- 35.5.2. Promotion to Associate Professor and the tenure decision will be aligned and occur in year seven.
  - 35.5.2.1. A candidate may apply early for tenure and promotion to Associate Professor once in either year five or six.
  - 35.5.2.2. Each college and department shall have policies and criteria for early tenure and promotion.
- 35.5.3. If a faculty member is hired at the rank of Associate Professor but without tenure, the tenure process is followed. Promotion to Professor is not tied to the tenure process.
- 35.5.4. Recommendations for promotion and tenure shall be initiated at the level where the candidate's qualifications can be best identified and evaluated. In most instances this would be the department.
  - 35.5.4.1. Any academic unit, Department and/or College, which initiates a joint appointment shall include in their Promotion and Tenure documents clear and equitable policies and procedures which identify the review and evaluation processes associated with that joint appointment. (See *Faculty and Professional Personnel Handbook*, Other Ranks section for more information.)
- 35.5.5. Work accomplished before hiring at Ball State, as well as work accomplished while a faculty member at Ball State, will be considered in promotion and tenure deliberations. It is understood that greater attention and significance will be given to the work accomplished during the appointment at Ball State. The evidence must demonstrate a record of continuous activity.
- 35.5.6. Materials Presented for Promotion and Tenure
  - 35.5.6.1. Recommendations shall be supported by ample documentary evidence demonstrating that the candidate for promotion and tenure satisfies established criteria. Documentation shall include:
    - 35.5.6.1.1. Evaluation forms approved by the administrative unit concerned.

- 35.5.6.1.2. Each department shall have a specific evaluation form for rating a faculty member in relation to promotion and tenure. This form shall be used when a faculty member is being considered for promotion and tenure. This rating form must be kept on file with the chairperson of the department and must be approved by the College Promotion and Tenure Committee and the University Promotion and Tenure Committee.
- 35.5.6.1.3. In the case of a candidate seeking promotion to Professor, a minimum of two letters from reviewers external to the University shall be included.
- 35.5.6.2. Promotion and Tenure Materials Presented by Faculty Members. Faculty members shall present promotion and tenure materials in a format specified by college and departmental policies for tenure or promotion deliberations. Those materials shall contain a curriculum vitae and supporting documentation in accordance with guidelines established by departments and colleges for those materials.
- 35.5.6.3. Internal Records and Materials: A portion of the personnel file shall be designated the Promotion and Tenure file, shall be separately maintained, and shall be kept in the department chairperson's office for every individual faculty member who is eligible to be considered for promotion and/or tenure. As is the case with the entire personnel file, this Promotion and Tenure file shall be open to the faculty member concerned. Materials shall be placed in the file in a timely manner by the department chairperson. A candidate's Promotion and Tenure file shall contain all materials and only those materials relevant to promotion and/or tenure. Such materials include, but are not limited to, vita; forms concerning changes in appointment; formal evaluations by supervisors; teaching evaluations; information concerning scholarly productivity or creative endeavors; information concerning service in a professional capacity; information concerning any disciplinary actions taken; information concerning the status of any formal charges against an employee; or signed letters from students, alumni, peers, supervisors, etc., concerning teaching, scholarly productivity or creative endeavors, or service in a professional capacity. Information about the individual's gender, race, disability, national origin, religion, age, veteran status, citizenship, sexual orientation, or marital status may not be included. As with all contents of the personnel file, when information detrimental to an individual is placed in the candidate's Promotion and Tenure file, it shall be brought to their attention in writing at once by their administrative head. The faculty member shall have the opportunity to place in the file materials which might rebut or explain the detrimental information. Detrimental material that has not been brought to the attention of the faculty member cannot be used in subsequent promotion and tenure deliberations. Anonymous letters shall not be made a part of this file.
- 35.5.6.4. Supplemental External Review Letters for Promotion to Professor. Candidates who intend to seek promotion to full professor should declare their intentions no later than April 30th of the spring semester before they will be reviewed, so that there is adequate time to begin the process of seeking external review letters. This process should be conducted according to department and college policies but should normally commence by May of the spring semester before the candidate will be reviewed in the following fall semester. Candidates who declare their intentions after April 30 may not have adequate time for external

letters to be received and reviewed by the evaluators, and therefore will not be eligible for consideration if their files are not complete. In the case of a candidate seeking promotion to Professor, a minimum of two letters from reviewers external to the University shall be included. Such letters shall provide a supplementary evaluative review of the candidate's scholarship, creative endeavors, and other scholarly productivity. These letters shall be acquired and presented in accordance with departmental and college policies and procedures. The candidate shall be fully involved in the selection of reviewers, with one-half of the contacted reviewers being from the candidate's list. Challenges to the list of reviewers will be handled according to department and college policies. All letters received from external reviewers will be available to evaluators in the promotion review process. External review letters shall be inserted and retained in the candidate's Promotion and Tenure file for use by the departmental, collegiate, and in the case of an appeal, University Promotion and Tenure committees, and by the Provost in promotion deliberations for the current year. The candidate has the right to examine all external review letters received. For the examination of the letters by the candidate, anonymity of the external evaluators must be protected in accordance with procedures established by departments and colleges. The candidate has the right to respond to information contained in the letters. At the conclusion of these deliberations, the letters shall be retained in a confidential file in the Office of the Dean of the College. Once letters are placed in this separate confidential file, they cannot be reopened for purposes of subsequent promotion deliberations at any level of consideration unless requested by the candidate.

### **35.6. PROCEDURES FOR PROMOTION AND TENURE**

- 35.6.1. Recommendations for promotion and tenure shall be initiated at the departmental level. After evaluating the candidate's qualifications, the Department Promotion and Tenure Committee must indicate whether or not the candidate is to be recommended for promotion and tenure. All candidates for promotion and/or tenure will be informed of the department committee's recommendation in a letter written by the committee chair that will include an evaluation of their strengths and weaknesses in the areas of teaching, scholarship, and service.
- 35.6.2. Tenure and promotion to Associate Professor will be aligned.
  - 35.6.2.1. The tenure and promotion to Associate Professor decision will be made in the seventh year.
  - 35.6.2.2. The recommendation will be to grant tenure and promotion to Associate Professor at the end of the year or to recommend termination of the faculty member at the end of the following academic year.
  - 35.6.2.3. A faculty member may request consideration for early tenure and promotion to Associate Professor one time, either in year five or six, without penalty of dismissal if not granted. If approved, tenure and promotion to Associate Professor will be granted at the end of the year. If not approved, the faculty member will continue in the tenure and promotion process.
- 35.6.3. Materials presented for promotion and tenure of those candidates to be recommended favorably for promotion and tenure by the Departmental Committee shall be forwarded to the academic dean in an order to be specified by the faculty of each college. Included with the materials presented for promotion and tenure will be the Department Promotion and Tenure Committee's evaluations and recommendations.
- 35.6.4. The recommendations of the Department Promotion and Tenure Committee shall be forwarded to the academic dean. If the department chairperson has serious reservations

concerning a faculty member's qualifications, the department chairperson shall inform the Department Committee of the bases of the reservations. If the differences between the chairperson and the Department Committee are not resolved, the department chairperson may forward to the academic dean their own evaluations and recommendations concerning the faculty member's qualifications.

- 35.6.4.1. The credentials of any candidate who is requesting reconsideration and/or appealing an adverse decision from a departmental committee shall not be forwarded to the college committee until the reconsideration and/or appeal process has been completed.
- 35.6.5. The dean shall forward credentials to the College Promotion and Tenure Committee and charge it with the responsibility for evaluating each individual's credentials and determining whether or not candidates are to be recommended for promotion and/or tenure.
  - 35.6.5.1. Any recommendations from the College Committee not receiving approval by the academic dean shall be returned to the committee with reasons for the disapproval. A two-thirds vote of the committee shall be required to override the disapproval, after which the dean must forward the recommendation.
- 35.6.6. The College Committee shall review and evaluate the credentials of all collegiate tenure-track persons in the fourth year and forward those credentials, with recommendations, to the dean. The credentials of any candidate who is appealing an adverse decision from a departmental committee shall not be forwarded to the college committee until the appeal process has been completed.
  - 35.6.6.1. Any recommendation from the College Committee not receiving approval by the dean shall be returned to the committee with reasons for the disapproval. A two-thirds vote of the committee shall be required to override the disapproval after which the dean must forward the recommendation.
- 35.6.7. Vote counts shall accompany any final recommendations.
- 35.6.8. The dean shall forward the recommendations, including their evaluations, to the Provost and Executive Vice President for Academic Affairs. If the recommendations are not acceptable, the Provost and Executive Vice President for Academic Affairs shall consult with the academic dean about the differences.
- 35.6.9. The Provost and Executive Vice President for Academic Affairs, upon reviewing and being satisfied with the recommendations from the academic deans, shall forward these recommendations to the President.
- 35.6.10. At any step in the promotion and tenure process (Department Promotion and Tenure Committee; department chairperson; College Promotion and Tenure Committee; academic dean; Provost and Executive Vice President for Academic Affairs), the first committee or individual not recommending a faculty member favorably for promotion and/or tenure shall provide that faculty member with a written statement delineating their strengths and weaknesses in each of the areas of teaching, scholarship, and service in a professional capacity. The committee or individual may also suggest areas for improvement.
- 35.6.11. Final recommendations in all matters pertaining to promotion and tenure reside with the President who forwards these recommendations to the Board of Trustees.
- 35.6.12. All promotions to Associate Professor and Professor will be granted on the basis of the spring recommendations.

## **35.7. TENURE-TRACK FACULTY**

- 35.7.1. When a candidate is hired, academic rank and any years granted toward tenure at the time of hiring must be recommended by an academic department chairperson in conjunction with the Department Promotion and Tenure Committee (or, if it is unavailable, by another

faculty committee approved by the college dean) and subsequently approved by the appropriate schools, colleges, administrators, and the Board of Trustees.

- 35.7.2. When a faculty member is employed in a tenure-track position, a probationary period of seven years is ordinarily required before tenure is granted by the Board of Trustees. Generally, the probationary period will not exceed seven full-time years of tenure-creditable service as a faculty member at Ball State University. The exceptions are noted below.

35.7.2.1. When transferred from one academic area to another, a tenure-track person, in addition to the normal probationary period, may request or may be required to complete an additional probationary period not to exceed two years. The length of the extension of time must be established and stated in writing at the time of the new appointment.

35.7.2.2. Ball State University is committed to providing a work environment that enables faculty to be successful. The university also recognizes that faculty may encounter life circumstances which can impair or prevent progress toward professional and scholarly achievement. This is true for faculty working toward tenure within a limited and specific timeframe.

35.7.2.2.1 A faculty member may request that certain years (normally not to exceed two years total) not be counted as tenure-creditable years, and that the tenure clock be stopped for the requested year(s), if any of the following pertain:

35.7.2.2.1.1. Birth or adoption of a child

35.7.2.2.1.2. The faculty member is seriously ill;

35.7.2.2.1.3. The faculty member is the principal care-giver for a dependent who is seriously ill or incapacitated;

35.7.2.2.1.4. The faculty member is the principal care-giver for a family member who is seriously ill;

35.7.2.2.1.5. The faculty member will be on leave for at least one semester of the academic year.

35.7.2.2.1.6. Widespread health crisis or natural disaster that affects a faculty member's progress towards tenure.

35.7.2.2.2. Within one year of the occurrence of the qualifying event, but before the affected annual Promotion and Tenure review, a request that a year not be counted as a tenure-creditable year (stopped clock) shall be made to the department chair by no later than September 15. The request shall include documentation of the circumstances involved. The request requires approval of the department chairperson, the appropriate dean, and the Provost and Executive Vice President for Academic Affairs.

35.7.2.2.3. Faculty who receive approval are not required to submit Promotion and Tenure materials during the period approved by the Provost and Executive Vice President for Academic Affairs. The faculty member is also not expected to submit an extra year's worth of research when tenure review resumes.

35.7.2.3. In cases where the exceptional achievements of a candidate in teaching, research, publication, creative endeavors, scholarly productivity, and other meritorious activities resulted in appointment at the associate or professor ranks, tenure may be recommended to the trustees as early as the completion of the third year, following a recommendation from the Department Promotion and Tenure Committee, and approval from the department chairperson, academic

dean, Provost and Executive Vice President for Academic Affairs, and the President. The Board of Trustees may grant tenure in special cases to an individual who holds or will hold academic rank without any probationary period, or with a probationary period of fewer than three years, if all of the following conditions are fulfilled:

- 35.7.2.3.1. The Board obtains the prior positive recommendations of the Promotion and Tenure Committee of the academic department in which the candidate holds (or will hold) academic rank, the department chairperson, the academic dean, the Provost and Executive Vice President for Academic Affairs, and the President.
  - 35.7.2.3.2. The Board concurs with the recommendation that the individual possesses superior academic and/or creative qualifications;
  - 35.7.2.3.3. The Board concurs with the recommendation that waiver of the normal probationary period is necessary to induce the individual to accept an offer of employment or to continue their employment with the University.
- 35.7.3. Specific conditions of employment that must be fulfilled by a tenure-track faculty member (in addition to the general standards of performance) shall be stated in writing to the individual by the University administration (the department, the school director or chairperson, the appropriate dean, the appropriate Vice President, and the President) at the time of employment. In order to be eligible for a favorable tenure recommendation, the faculty member must meet these employment conditions unless they are released therefrom, in whole or in part, by means of a written departmental recommendation that is approved by the academic dean, the Provost and Executive Vice President for Academic Affairs, and the President.
- 35.7.4. A faculty member must complete at least one semester of full-time service during any academic year in order to receive a full year's credit for purposes of tenure consideration.
- 35.7.5. Contract full-time appointment service may be considered as part of the probationary period for those who are later placed on tenure-track faculty status.
- 35.7.6. Prior service at Ball State University may be counted toward tenure after the person has completed a one-year probationary period following the return.
- 35.7.7. Years of service remain with the individual when tenure-track faculty transfer from one academic area to another.
- 35.7.8. The following are necessary prerequisites in order to be eligible for promotion and tenure:
- 35.7.8.1. The faculty member must have satisfied any specific conditions of employment set forth in their letter of appointment;
  - 35.7.8.2. The faculty member must have received a positive tenure recommendation from their academic department;
  - 35.7.8.3. The faculty member must make available significant evidence of excellent performance, and there must be the expectation for continuation of such in the future;
  - 35.7.8.4. The faculty member meets qualifications to be promoted to Associate Professor.
- 35.7.9. The Department Promotion and Tenure Committee will make an annual recommendation to the dean of the college on progress toward tenure for tenure-track faculty members, pending any reconsideration or appeal. After the department promotion and tenure committee's determination, the following will happen:
- 35.7.9.1. The credentials of any candidate who is requesting reconsideration and/or appealing an adverse decision from a departmental committee shall not be forwarded to the college committee until the reconsideration and/or appeal process has been completed. This would include candidates for fourth year



- review, candidates going up for early promotion, anyone being recommended for termination, and anyone who receives unsatisfactory progress towards tenure.
- 35.7.9.2. The Department Promotion and Tenure Chair will write a recommendation letter that reviews the candidate's strengths and weaknesses and areas for improvement.
  - 35.7.9.3. The letter will be forwarded to the dean of the college after all departmental deliberations are complete.
  - 35.7.9.4. The department chair may agree or disagree in writing with the Department Promotion and Tenure Committee's recommendation.
  - 35.7.9.5. Upon request from the faculty member, the department promotion and tenure chair will meet with the faculty member to discuss and clarify the content of the letter.
  - 35.7.9.6. In years one through six, the recommendation shall be: satisfactory progress, unsatisfactory progress, or termination.
- 35.7.10. The College Committee shall review and evaluate the credentials of all collegiate tenure-track persons in the fourth year and forward those credentials, with recommendations, to the dean; the credentials of any candidate who is appealing an adverse decision from a departmental committee shall not be forwarded to the college committee until the appeal process has been completed.
- 35.7.10.1. Any recommendation from the College Committee not receiving approval by the dean shall be returned to the committee with reasons for the disapproval. A two-thirds anonymous vote of the committee shall be required to override the disapproval after which the dean must forward the recommendation.
- 35.7.11. Tenure may be attained only through official action by the Board of Trustees of the University. The Board will make its decision after receiving and reviewing the recommendations of the department, academic dean, Provost and Executive Vice President for Academic Affairs, and the President, but the Board will not be bound to follow any of said recommendations.
- 35.7.12. No later than February 15 of each academic year, each department Promotion and Tenure chairperson will send a letter to the Provost and Executive Vice President for Academic Affairs, via the academic dean, and to the faculty member, setting forth the status of each tenure-track faculty member with respect to their fulfillment of the conditions of appointment and any matters pertaining to the quality of their performance. The materials sent forward will contain the recommendations of the department chairperson and the academic dean.
- 35.7.12.1. Before the end of each academic year prior to year seven, the Provost and Executive Vice President for Academic Affairs will notify each tenure-track faculty member in writing as to the University's official assessment of their status with regard to progress toward tenure. The contents of the letter will reflect:
    - 35.7.12.1.1. The University's official record of the individual's status with respect to fulfillment of specific conditions of employment which were stated in the letter of employment; and
    - 35.7.12.1.2. The University's assessment of the individual's performance and progress toward tenure.
    - 35.7.12.1.3. In years one through six, three decisions are possible: satisfactory progress, unsatisfactory progress, or termination.  
If the members of a departmental promotion and tenure committee recommend termination of the appointment of a tenure-track

faculty member at the end of any academic year during the probationary period, a letter to that effect shall be filed in the Office of the Provost and Executive Vice President for Academic Affairs at least two weeks in advance of the final date set forth in 35.7.13 below for giving written notice of non-reappointment or of intention not to recommend reappointment to the Board of Trustees. The letter must contain the recommendations of the academic dean.

35.7.13. Notice of non-reappointment, or of intention not to recommend reappointment to the Board of Trustees shall be given to the faculty member in writing in accordance with the following standards:

- 35.7.13.1. Not later than March 1 of the first academic year of service, if the appointment is to expire on the day the spring semester closes; or, if a one-year appointment terminates during an academic year, at least three months in advance of its termination;
- 35.7.13.2. Not later than December 15 of the second academic year of service, if the appointment is to expire on the day the spring semester closes; or, if an initial two-year appointment terminates during an academic year, at least six months in advance of its termination;
- 35.7.13.3. At least twelve months before the expiration of an appointment after two or more years at Ball State University.

### **35.8. RIGHT OF RECONSIDERATION RE: PROMOTION AND TENURE**

#### **35.8.1. Reconsideration**

- 35.8.1.1. Reconsideration is the act whereby a candidate may request that an initial adverse decision by a departmental or collegiate committee be reexamined. Reconsideration can take place before an appeal. Reconsideration provides an opportunity for a candidate to clarify content of material.
- 35.8.1.2. An adverse recommendation can be made at any of several levels: the department Promotion and Tenure Committee, the College Committee, the dean, or the Provost; nevertheless, the procedures for requesting a reconsideration are essentially the same no matter where an adverse recommendation is made. The candidate may ask for a reconsideration only at the level at which the initial adverse recommendation was made.
  - 35.8.1.2.1. The candidate must ask, in writing, for the reconsideration within ten (10) calendar days following the date of the faculty member's receipt of the written recommendation adversely affecting them. For example, if a Department Promotion and Tenure Committee (or the College Committee or dean, or the Provost) advises a faculty member in writing that it is recommending against awarding tenure, the period to request reconsideration would run from the date of receipt of that communication, rather than from the date on which the Board of Trustees subsequently announces the names of faculty members who have been awarded tenure. Any request for reconsideration not filed within this time limit will be denied automatically, unless the academic dean, or Provost, dependent on the level of request, determines that good cause has existed for the delay.

- 35.8.1.2.2. There are two permissible reasons to request reconsideration: 1) an incomplete review of the candidate's file on the part of the department Promotion and Tenure Committee (or the College Committee or dean, or the Provost); or 2) a misinterpretation of the promotion and tenure file. The candidate's written request must address the specific examples of the submitted materials potentially not reviewed or misinterpreted. The written request for reconsideration shall be recorded in the files of the department chairperson (or the College dean, or the Provost, depending on the level of the reconsideration request) and forwarded to the appropriate Promotion and Tenure Committee.
- 35.8.1.2.3. After receiving a request for reconsideration, the Department Promotion and Tenure Committee (or the College Committee, College dean, or the Provost) must meet to reconsider their initial adverse recommendation. The Department Promotion and Tenure Committee (or the College Committee, the College dean, or the Provost) must meet with the candidate if they so request. The candidate may provide an oral presentation of the request for promotion or tenure. No additional materials may be introduced or added to the documents or the process.
- 35.8.1.2.4. After meeting to reconsider the candidate's materials, the committee shall vote to overturn or affirm the previous decision. This vote supersedes the previous vote. If the decision is to affirm the initial adverse recommendation, the committee shall address, in writing, either in a detailed summary or by specific points, the reasons to affirm the initial adverse recommendation. The letter will be a part of promotion and tenure file.
- 35.8.1.2.5. If the first adverse decision is at the level of the dean, the dean will inform the candidate of their decision following reconsideration. If the decision is to affirm the initial adverse recommendation, the dean shall address, in writing, either in a detailed summary or by specific points, the reasons to affirm the initial adverse recommendation regarding the candidate's written request. The letter will be a part of promotion and tenure file.
- 35.8.1.2.6. In cases where the dean makes the initial adverse decision, the candidate's materials for promotion and/or tenure shall be held in the files of the dean where the initial adverse recommendation was made and shall not be forwarded to the Provost until the requests for reconsideration have been completed.
- 35.8.1.2.7. After reconsidering the candidate's materials, if the first adverse decision is at the level of the Provost, the candidate may request reconsideration directly from the Provost. The Provost shall overturn or affirm the previous decision. This decision supersedes the previous decision. The Provost will inform the candidate in writing of their decision following reconsideration.

## **35.9. RIGHT OF APPEAL RE: PROMOTION AND TENURE**

### **35.9.1. Appeals from Adverse Decisions**

- 35.9.1.1. Tenured or tenure-track faculty may appeal promotion and tenure decisions that adversely affect such individuals in accordance with provisions set forth in this section (35.9). An appeal is the act whereby a candidate alleges that a violation

of existing policy and/or procedure or unfair treatment, or discriminatory treatment by the department, college, or Provost has resulted in an adverse decision. An appeal may be filed without following the reconsideration process. Appeals examine the process followed and not the content of materials. A decision in favor of the appellant does not guarantee tenure and/or promotion.

35.9.2. Bases for Request for Appeal

35.9.2.1. If the appellant is not satisfied with the decision of the Department Committee, then they may appeal to the College Promotion and Tenure Committee. The request must be made within ten (10) calendar days following the appellant's receipt of the Department Committee's decision and must be recorded in the files of the academic dean. Any request that is not filed within this time limit will be denied automatically unless the Provost and Vice President for Academic Affairs determines that good cause has existed for the delay.

35.9.2.2. There are three permissible reasons to request appeal:

35.9.2.2.1. Allegation of violation of approved departmental, collegiate, and/or University promotion and tenure policies and/or procedure, including those set forth in the Faculty and Professional Personnel Handbook;

35.9.2.2.2. Allegation of unfair treatment on the part of the decision makers;

35.9.2.2.3. Allegation of discriminatory treatment on the part of the decision makers.

35.9.2.3. When an appellant alleges violation of approved departmental, collegiate, and/or University policies, including those set forth in the Faculty and Professional Personnel Handbook, then they must cite the specific policies which a committee or administrator failed to follow. When filing a request for appeal, the appellant must also provide a summary of the way(s) in which the policies were violated and how such violation(s) adversely affected the appellant.

35.9.2.4. When an appellant alleges unfair treatment on the part of the decision makers, then they must cite the specific treatment engaged in by a committee or administrator. When filing a request for appeal, the appellant must also provide a summary of the reasons why the decision in question was clearly not merited by the evidence available to the decision makers and must also attach to the summary specific and detailed evidence in support of the reasons listed in the summary. Unfair treatment is defined as a Promotion or Tenure decision that is arbitrary or capricious or is not supported by the evidence.

35.9.2.5. When an appellant alleges discriminatory treatment on the part of the decision makers, then they must cite the specific treatment engaged in by a committee or administrator. When filing a request for appeal, the appellant must also provide a summary of the constitutionally or statutorily prohibited reasons upon which they believe the decision was based and a detailed summary of the evidence which supports the appellant's allegation. Discriminatory treatment is defined as decisions based upon constitutionally or statutorily prohibited reasons, including unlawful discrimination.

35.9.2.6. When a request for appeal is filed which alleges discriminatory treatment on the part of the decision makers, the University's Director of Employee Relations and Affirmative Action, or their designee, shall serve in an advisory capacity to the committee or hearing panel at each level of appeal. All appeals alleging discriminatory treatment in promotion and tenure decisions shall be pursued under the procedures set forth in this document rather than under the Ball State

University "Equal Opportunity and Affirmative Action Complaint Investigation Procedure and Appeal Process."

35.9.2.7. In all cases, the appellant has the burden of proving their allegations.

35.9.3 Appeals Which Begin at the Department Level

35.9.3.1. The academic dean is responsible for preparing an appeal file that will consist of (a) the formal request for hearing and any other materials submitted by the appellant; (b) the response and any other materials submitted by the Department Committee or Department Chair. The appeal file will be forwarded to the chairperson of the hearing panel who will make certain that it is made available to all parties to the hearing.

35.9.3.1.1. The academic dean will assist the chairperson of the hearing panel in arranging the hearing at the collegiate level.

35.9.3.2. A formal hearing will take place.

35.9.3.2.1. Timing. The College Committee must hold the hearing within thirty (30) calendar days of its receipt of the request for hearing. Days outside the regular academic year will not be counted in the thirty-day computation. The chairperson of the College Committee may, with good cause, extend the thirty-day deadline.

35.9.3.2.2. Membership of the hearing panel. The College Promotion and Tenure Committee may serve as the hearing panel, or it may establish a separate hearing panel. The hearing panel shall consist of not fewer than five (5) faculty members, at least two (2) of whom must also be members of the Promotion and Tenure Committee establishing the panel. The chairperson of the College Promotion and Tenure Committee, or their designee, will serve as chairperson of the hearing panel.

35.9.3.2.2.1. When an appeal is filed which alleges that a decision was the result of illegal discrimination, two (2) of the members of the hearing panel shall be appointed from among the full-time faculty serving on the Complaint Appeals Board of the Ball State University "Equal Opportunity and Affirmative Action Appeal Procedures." The appellant shall choose one (1) of such panelists and the responding party shall choose the other such panelist. If either the appellant or the responding party fails to make a selection, the University's Director of Employee Relations and Affirmative Action shall make that party's selection. The University's Director of Employee Relations and Affirmative Action, or their designee, shall serve in an advisory capacity to the hearing panel.

35.9.3.2.2.2. No one may serve to hear an appeal who has a demonstrated conflict of interest such as previous involvement with the case, assignment to the same academic department as any of the principals in the case, business involvement, or relationship to any of the principals. Decisions regarding such conflicts shall be made by the committee chairperson.

- 35.9.3.3. Parties. Parties participating in the hearing are (a) the appellant; and (b) the department chairperson and the Department Promotion and Tenure Committee chairperson, who together shall serve as the responding party (unless the chairperson of the College Promotion and Tenure Committee appoints a different individual or individuals to serve as the responding party).
- 35.9.3.4. Notice of hearing. The parties shall be given at least ten (10) days' notice of the date, time, and place of the hearing, unless they waive that notice in writing. The hearing may be postponed or continued by the chairperson of the hearing panel whenever they may deem appropriate, or upon the request of either party for good cause shown.
- 35.9.3.5. Materials used in hearing. The parties must furnish the chairperson of the hearing panel with the following materials at least five (5) working days prior to the date of the hearings:
  - 35.9.3.5.1. Copies of all documents upon which they intend to rely but which are not already a part of the appeal file;
  - 35.9.3.5.2. A list of any witnesses whom they plan to call. These materials must be made available to all participants by the chairperson of the hearing panel at least three (3) working days prior to the date of the hearing. Additional materials and/or witnesses may not be utilized by either party at a hearing without the consent of the hearing panel.
- 35.9.3.6. Attendants at hearing. In addition to the hearing panel and the previously specified parties, the following persons may attend a hearing. Failure, without good cause, of the appellant or the responding party to appear and proceed at the hearing may force the hearing panel to hear and respond to the appeal in the absence of the appellant or the responding party.
  - 35.9.3.6.1. A full-time tenured or tenure-track Ball State faculty member to serve as faculty colleague for the appellant.
  - 35.9.3.6.2. Representative of the academic dean's office.
  - 35.9.3.6.3. Other University-affiliated persons whose attendance is requested or approved by the chairperson of the hearing panel.
  - 35.9.3.6.4. Any person designated by the chairperson of the hearing panel to record and to prepare a summary of the evidence presented at the hearing.
  - 35.9.3.6.5. Witnesses called by either party. Such witnesses shall be present only while they are testifying.
  - 35.9.3.6.6. A recording secretary designated by the appellant, if they desire. This person must be a full-time Ball State faculty, professional personnel, or staff member.
- 35.9.3.7. Quorum and challenges. All the members of a hearing panel shall constitute a quorum. Either party may challenge a panel member on the grounds of personal bias. The decision whether to disqualify a challenged member shall be made by a majority vote of the remaining members, conducted by confidential ballot. If this vote results in a tie, the decision shall be made by the chairperson of the hearing panel.
- 35.9.3.8. Conduct of hearings. Hearings shall be conducted with a view toward providing the hearing panel with a complete understanding of the circumstances surrounding the decision that is being appealed. The chairperson of the hearing panel shall preside at the hearing and shall make all procedural rulings. These

rulings may be reversed by a majority vote of the panel members present, including the chairperson.

35.9.3.9. Witnesses. Each party is responsible for ensuring the presence of their witnesses at a hearing. Written or virtual statements in lieu of the personal testimony of a witness shall not be permitted unless a majority of the panel members determines that a witness is unavailable to testify. All witnesses who testify may be questioned concerning any matter relevant to the hearing by any member of the hearing panel.

35.9.3.10. Hearing records. The hearing panel must arrange for minutes of the hearing to be taken. These minutes shall include a statement of who was present including witnesses, a general summary of the major points made by the parties and participants at the hearing, and any motions made or votes taken by the hearing panel. Approved minutes shall be made available upon request to the appellant and/or respondent within twenty (20) calendar days of the conclusion of the hearing. Further use of these minutes by either party is restricted to appeals at higher levels of the procedures outlined here or in external legal proceedings. No recordings of a hearing shall be permitted.

35.9.3.11. Decision by the hearing panel. After the conclusion of the hearing, the hearing panel shall meet to consider the evidence presented at the hearing, or evidence already presented in the hearing file. At this time, the hearing panel may request an interview with the academic dean, or the academic dean may request an interview with the hearing panel. The hearing panel must determine whether the appeal should be upheld or denied, and it must set forth in writing a concise summary of the reasons for its decision. That decision is to be addressed to the academic dean and must be provided to all participants in the appeal and the appellant within twenty (20) calendar days of the conclusion of the hearing.

35.9.3.11.1. The decision of the hearing panel shall be deemed to be the decision of the College Promotion and Tenure Committee, without further action on the part of the committee.

35.9.3.11.1.1. When a hearing panel votes to uphold an appeal, then it must specify a remedy for the situation or specify a recommended course of action to the appropriate parties (for example, a rehearing of a case by a previous committee or administrator or of an appellant). If the responding party does not agree with this recommendation, that party may appeal to the University Promotion and Tenure Committee.

35.9.3.11.1.2. When a hearing panel votes to deny an appeal, then the appellant has the right to appeal this decision to the University Promotion and Tenure Committee.

#### 35.9.4. Appeals Which Begin at the College Level

35.9.4.1. If the initial adverse recommendation has been made by the College Promotion and Tenure Committee or academic dean, then the appellant may request a hearing before the University Promotion and Tenure Committee.

35.9.4.2. If an appellant or respondent decides to appeal the decision of a collegiate hearing panel, either may request a hearing before the University Promotion and Tenure Committee. The request must be made within ten (10) calendar days following receipt by the appealing party of the collegiate hearing panel's

decision and must be filed in the Office of the Provost and Executive Vice President for Academic Affairs. See Bases for Request for Appeal section for information on the bases of appeal and what should be included in the request for a hearing. Any request not filed within this time limit shall be denied automatically unless the Provost and Vice President for Academic Affairs determines that good cause has existed for the delay.

35.9.4.3. The Provost and Executive Vice President for Academic Affairs is responsible for preparing an appeal file that shall consist of (a) the formal request for hearing and any other materials submitted by the appellant; (b) the responses and any other materials submitted by the Department Committee and/or dean. The appeal file shall be forwarded to the chairperson of the hearing panel who shall make certain that it is made available to all parties to the hearing.

35.9.4.3.1. The Provost and Executive Vice President for Academic Affairs designee shall assist the chairperson of the hearing panel in arranging the hearing at the University level.

35.9.4.4. A formal hearing will take place.

35.9.4.4.1. Timing. The University Promotion and Tenure Committee must hold the hearing within thirty (30) calendar days of its receipt of the request for hearing. Days outside the regular academic year shall not be counted in the thirty-day computation. The chairperson of the University Committee may, with good cause, extend the thirty-day deadline.

35.9.4.4.2. Membership of the hearing panel. The University Promotion and Tenure Committee may serve as the hearing panel, or it may establish a separate hearing panel. The hearing panel shall consist of not fewer than five (5) faculty members, at least two (2) of whom must also be members of the University Promotion and Tenure Committee establishing the panel. The chairperson of the University Promotion and Tenure Committee, or their designee, shall serve as chairperson of the hearing panel.

35.9.4.4.2.1. When an appeal is filed that alleges a decision was the result of illegal discrimination, two (2) of the members of the hearing panel shall be appointed from among the full-time faculty and professional personnel then serving on the Complaint Appeals Board of the Ball State University "Equal Opportunity and Affirmative Action Appeal Procedures." The appellant shall choose one (1) of such panelists and the responding party shall choose the other such panelist. If either the appellant or the responding party fails to make a selection, the University's Director of Employee Relations and Affirmative Action, shall make that party's selection. The University's Director of Employee Relations and Affirmative Action, or their designee, shall serve in an advisory capacity to the hearing panel.

35.9.4.4.2.2. No one may serve to hear an appeal who has a demonstrated conflict of interest such as previous involvement with the case, assignment to the same



academic department or administrative area as any of the principals in the case, business involvement, or relationship to any of the principals. Decisions regarding such conflicts shall be made by the hearing committee chairperson.

- 35.9.4.5. Parties. The parties participating in the hearing are (a) the appellant; and (b) the administrator and the chairperson of the Promotion and Tenure Committee at the level of the initial adverse recommendation; and (c) the dean and the chairperson of the College Promotion and Tenure Committee.
- 35.9.4.6. Notice of hearing. The parties shall be given at least ten (10) calendar days' notice of the date, time, and place of the hearing, unless they waive that notice in writing.  
The hearing may be postponed or continued by the chairperson of the hearing panel whenever they may deem appropriate, or upon the request of either party for good cause shown.
- 35.9.4.7. Materials used in hearing. The parties must furnish the chairperson of the hearing panel with the following materials at least five (5) working days prior to the date of the hearings:
  - 35.9.4.7.1. All documents, including records of the college hearing, upon which they intend to rely but which are not already a part of the appeal file;
  - 35.9.4.7.2. A list of any witnesses whom they plan to call. These materials must be distributed to all participants by the chairperson of the hearing panel at least three (3) working days prior to the date of the hearing. Additional materials and/or witnesses may not be utilized by either party at a hearing without the consent of the hearing panel.
- 35.9.4.8. Attendants at hearing. In addition to the hearing panel and the previously specified parties, the following persons may attend a hearing.
  - 35.9.4.8.1. A full-time tenured or tenure-track Ball State faculty or professional personnel member to serve as faculty colleague for the appellant.
  - 35.9.4.8.2. Representative of the Provost and Vice President for Academic Affairs' Office.
  - 35.9.4.8.3. Other University-affiliated persons whose attendance is requested or approved by the chairperson of the hearing panel.
  - 35.9.4.8.4. Any person designated by the chairperson of the hearing panel to record and to prepare a summary of the evidence presented at the hearing.
  - 35.9.4.8.5. Witnesses called by either party. Such witnesses shall be present only while they are testifying.
  - 35.9.4.8.6. A colleague designated by the appellant to take notes, if they desire. This person must be a full-time Ball State faculty, professional personnel, or staff member. Failure, without good cause, of the appellant or the responding party to appear and proceed at the hearing may force the hearing panel to hear and respond to the appeal in the absence of the appellant or the responding party.
- 35.9.4.9. Quorum and challenges. All the members of a hearing panel shall constitute a quorum. Either party may challenge a panel member on the grounds of personal

bias. The decision whether to disqualify a challenged member shall be made by a majority vote of the remaining members, conducted by confidential ballot. If this vote results in a tie, the decision shall be made by the chairperson of the hearing panel.

- 35.9.4.10. Conduct of hearings. Hearings shall be conducted with a view towards providing the hearing panel with a complete understanding of the circumstances surrounding the decision which is being appealed. The chairperson of the hearing panel shall preside at the hearing and shall make all procedural rulings. These rulings may be reversed by a majority vote of the panel members present, including the chairperson.
- 35.9.4.11. Witnesses. Each party is responsible for ensuring the presence of their witnesses at a hearing. Written statements in lieu of the personal testimony of a witness shall not be permitted unless a majority of the panel members determines that a witness is unavailable to testify. All witnesses who testify may be questioned concerning any matter relevant to the hearing by any member of the hearing panel.
- 35.9.4.12. Hearing records. The hearing panel must arrange for minutes of the hearing to be taken. These minutes shall include a record of who was present at the meeting including witnesses, a general summary of the major points made by the parties and participants at the hearing, and any motions made or votes taken by the hearing panel. Copies of approved minutes shall be made available upon request to the appellant and/or respondent within twenty (20) calendar days of the conclusion of the hearing. Further use of these minutes by either party is restricted to appeals at higher levels of the procedures outlined here or in external legal proceedings. No recordings of a hearing shall be permitted.
- 35.9.4.13. Decision by the hearing panel. After the conclusion of the hearing, the hearing panel shall meet to consider the evidence presented at the hearing, or evidence already presented in the hearing file. The hearing panel must determine whether the appeal should be upheld or denied, and it must set forth in writing a concise summary and clarification of the reasons for its decision. Copies of that decision are to be addressed to the Provost and Executive Vice President for Academic Affairs, and must be provided to all participants in the appeal within twenty (20) calendar days of the conclusion of the hearing.
  - 35.9.4.13.1. The decision of the hearing panel shall be deemed to be the decision of the University Promotion and Tenure Committee, without further action on the part of the committee.
    - 35.9.4.13.1.1. When a hearing panel votes to uphold an appeal, then it must specify a remedy for the situation or specify a recommended course of action to the appropriate parties (for example, a rehearing of a case by a previous committee or administrator, or a recommendation that the Provost review the materials of the appellant in consideration of promotion and/or tenure). If the responding party does not agree with this recommendation, that party may appeal to the Provost and Vice President for Academic Affairs.
    - 35.9.4.13.1.2. When a hearing panel votes to deny an appeal, then the appellant has the right to appeal this decision to

the Provost and Vice President for Academic Affairs.

- 35.9.4.14. If either the appellant or the respondent is not satisfied with the response of the University hearing panel, then either may request a conference with the Provost and Vice President for Academic Affairs. This request must be made within ten (10) calendar days following the requesting party's receipt of the University hearing panel's decision. Any appeal not filed within this time limit will be denied automatically unless the Provost and Vice President for Academic Affairs determines that good cause has existed for the delay. The Provost and Vice President for Academic Affairs must confer with the parties and then reply in writing to any bases for appeal set forth by the party requesting the conference, and must furnish a copy of this statement to the appellant and the responding parties within thirty (30) calendar days of receipt of the request for the conference. The Provost and Executive Vice President for Academic Affairs may, with good cause, extend the thirty (30) day deadline.
- 35.9.4.15. The decision of the Provost and Executive Vice President for Academic Affairs is final.
- 35.9.5. Appeals Which Begin at the Provost and Executive Vice President for Academic Affairs Level
  - 35.9.5.1. When the initial adverse recommendation has been made by the Provost and Vice President for Academic Affairs, then the appeal must be made to the President.
  - 35.9.5.2. The request for appeal must be made in writing within ten (10) calendar days following the appellant's receipt of written notice of the adverse decision on the part of the Provost and Executive Vice President for Academic Affairs. Any appeal not filed within this limit will be denied automatically unless the President determines that good cause has existed for the delay. The President must confer with the parties and then reply in writing to any bases for appeal set forth by the appellant, and must furnish a copy of this statement to the appellant and the responding parties within thirty (30) calendar days of receipt of appeal. The President may, with good cause, extend the thirty (30) day deadline.
  - 35.9.5.3. The decision of the President is final.

**VOTED ON AND APPROVED BY FACULTY COUNCIL, APRIL 14, 2022:**

**Teaching Evaluation Committee Revisions:**

**Revision of one of TEC Responsibilities as mentioned in 10.7.4.10.2**

The amended language will align with §44.6 and §43.2.1. Colleges approve evaluation of teaching policies not the Teaching Evaluation Committee.

Current Wording:

§10.7.4.10.2.4. To review and approve department policies and procedures for the evaluation of teaching on a rotating three-year cycle or whenever a department makes a substantial change

Revised Wording:

§10.7.4.10.2.4. To review and ~~approve~~ **report on** department policies and procedures for the evaluation of teaching on a rotating three-year cycle or whenever a department makes a substantial change

**Revision of Methodological and Statistical Considerations**

In addition to its primary role in improving teaching, evaluation of teaching plays a role in personnel decisions such as promotion, tenure, and merit pay. The evaluation of teaching for personnel decisions must be fair and systematic (§43.2). With this in mind, the Teaching Evaluation Committee requests the following changes for §44.3.

Current Wording:

§44.3. Methodological and Statistical Considerations

Sound methods and statistical procedures are to be followed. Among these are the following:

44.3.1. Statistical summary of information from classes with enrollment of ten (10) or fewer should be avoided. Other methods of evaluation are recommended in this case.

44.3.2. Information derived from teaching rating forms will not be disseminated to or received by a faculty member's peers, department chairperson, any Promotion and Tenure committees, or anyone else unless it is accompanied by a copy of the evaluation questions used and copies of any instructions provided to those completing the forms.

44.3.3. Information relating to any individual faculty member and derived from different evaluation forms which include different items and configurations of items will never be averaged nor co-mingled.

44.3.4. Electronic access to student evaluations is limited to the instructor and his/her department chair.

Revised Wording:

§44.3. Methodological and Statistical Considerations

Sound methods and statistical procedures are to be followed. Among these are the following:

44.3.1. Statistical summary of information from classes with ~~enrollment of~~ ten (10) or fewer **responses** should be avoided. Other methods of evaluation are recommended in this case.

44.3.2. Information derived from teaching rating forms will not be disseminated to or received by a faculty member's peers, department chairperson, any Promotion and Tenure committees, or anyone else unless it is accompanied by a copy of the evaluation questions used and copies of any instructions provided to those completing the forms.

44.3.3. Information relating to any individual faculty member and derived from different evaluation forms which include different items and configurations of items will never be averaged nor co-mingled.

44.3.4. Electronic access to student evaluations is limited to the instructor and his/her department chair.

44.3.5. Arbitrary thresholds for rating of instruction values should be avoided, but class means that are substantially below the department average (e.g, two standard deviations) should be examined for context and may be deemed unsatisfactory.

#### *Rationale for 44.3.1*

Even if enrollment is higher than 10 students, responses must also be higher than 10 students.

#### *Rationale for 44.3.5*

The TEC discourages departments to set arbitrary minimum thresholds (such as 3.5 is meritorious but 3.4 is not; below 2.5 is unsatisfactory but 2.6 is not) because the difference of any arbitrary threshold is extremely unlikely to be meaningful, and thus, such minimum thresholds would be difficult to defend if appealed. Block (2021) which supports the continued use of student evaluations, advocated for “dismissing numerical averages.” Given the known factors which influence rating in course evaluation (e.g., mode of delivery, demographics of the student, demographics of the instructor), which obviously differ between faculty members, the use of numerical averages in promotion and/or merit documents seems to be in conflict with the Inclusive Excellence Plan goal “of creating an atmosphere that will lead to the retention of diverse faculty.”

Block, S. (2021). Yes, student reviews of classroom teaching have value. *Inside Higher Education*.

[https://www.insidehighered.com/views/2021/03/17/colleges-can-use-student-teaching-evaluationsimprove-classroom-experience-opinion?utm\\_source=Inside+Higher+Ed&utm\\_campaign=fcfa395c5bDNU\\_2021\\_COPY\\_02&utm\\_medium=email&utm\\_term=0\\_1fcbc04421-fcfa395c5b197382789&mc\\_cid=fcfa395c5b&mc\\_eid=58db3950ed](https://www.insidehighered.com/views/2021/03/17/colleges-can-use-student-teaching-evaluationsimprove-classroom-experience-opinion?utm_source=Inside+Higher+Ed&utm_campaign=fcfa395c5bDNU_2021_COPY_02&utm_medium=email&utm_term=0_1fcbc04421-fcfa395c5b197382789&mc_cid=fcfa395c5b&mc_eid=58db3950ed)

## **VOTED ON AND APPROVED BY FACULTY COUNCIL, APRIL 14, 2022:**

### **Faculty and Professional Personnel Handbook Academic Year 2021-2022 on RCGA:**

#### **NEW PROPOSED VERSION**

118.1. The Rinker Center for Global Affairs promotes diversity and cultural understanding; enriches the Ball State student, scholar, and faculty experience, and encourages and supports global citizenry on all levels.

118.2. The Rinker Center for Global Affairs comprises four units: Study Abroad (SA), International Services (IS), Academic Engagement and Global Initiatives (AEGI), and the Intensive English Institute (IEI).

118.3 Study Abroad supports BSU student engagement in, and BSU faculty development of credit-bearing, high impact, international experiences.

118.4 International Services provides all aspects of F-1/J-1/H-1B document processing, orientation, cultural engagement activities, employment authorization, F- 1 and J-1 student compliance, and support for all international scholars.

118.5 Academic Engagement and Global Initiatives facilitates and supports all aspects of strategic institutional internationalization including global partnership development, international relationship management, and global operations assessment.

118.6. The Intensive English Institute supports ESL-only and conditionally admitted international students through language proficiency development, acculturation to the U.S. classroom experience, and broader cultural experiences.

118.7. The Rinker Center for Global Affairs is a recognized facilitator for international initiatives within Ball State University and the greater global community and serves as a ready resource for campus and community stakeholders.

#### **CURRENT VERSION**

##### **118.RINKER CENTER FOR INTERNATIONAL PROGRAMS**

118.1. The Rinker Center for International Programs is responsible for overseeing, encouraging, and evaluating all international programs and activities on campus. These programs and activities fall under five major headings: 1) international admissions programs, 2) international educational services, 3) faculty exchanges and similar international experiences, 4) foreign studies on campus, and 5) joint University/ community international activities.

118.2. The International Admissions Office is responsible for recruiting students from abroad and for handling all related admissions correspondence as well as for evaluating credentials and making admissions recommendations. This office sends students final letters of admission as well as the proper forms for obtaining visas. It also coordinates arrangements for living accommodations and financial support with the relevant offices, cooperates with the English Department in identifying those students needing remedial help with the language, and provides orientation services as well as developing other activities, such as the host family program, for fully integrating the foreign students into the University and larger communities. The office is always available to help foreign students with their problems or for consultation with individual instructors concerning specific problems that may arise regarding foreign students.

118.3. The International Educational Services Office compiles and makes available to students' information on the widest possible range of study abroad opportunities, whether those involve the various "Ball State Abroad" programs (such as the London Centre), programs offered by various consortia to which we belong, exchange and fellowship opportunities, or programs offered by other universities. It also offers students assistance in applying for these programs and issues international student identification cards.

118.4. The Rinker Center for International Programs provides guidelines for establishment of international academic exchanges and oversees selection of participants. Official coordinators for each existing exchange agreement are appointed by the director of the Center, and these individuals are available for consultation by those interested. Information is available on other opportunities for faculty to obtain experience abroad as well.

118.5. The Center is interested in encouraging a very broad range of opportunities for foreign studies on campus, including, for example, the development of new courses for the global studies component of university core curriculum. The Associate Director for International Admissions and Sponsored Programs also acts as coordinator of the regional studies programs on campus currently Asian Studies and Latin American Studies.

118.6. In all the areas for which the Center is responsible, the staff stands ready to help interested parties in any way possible, whether it be with advice, information, or assistance in identifying possible sources of funding for the development or support of international programs and activities.

### Issues in the Senate System, 2022-2023 (08.15.22)

FACULTY COUNCIL				10%	20%	30%	40%	50%	60%	70%	80%	90%	100%
Issues	Committee	Start	End										
TEC revisions proposals	FC To SAC	04.14.22 08.15.22											
UCC- Reduction of Core Curriculum Hours- Reversal	FC Senate Sent to Admin. SAC To FC	10.07.21 04.21.22 06.20.22 08.15.22 09.01.22											
UCC Membership Modifications	To FC	09.01.22											
PROFESSIONAL PERSONNEL COUNCIL				10%	20%	30%	40%	50%	60%	70%	80%	90%	100%
Issues	Committee	Start	End										
Crosswalk Safety	To Public Safety	02.17.22											
Payroll/benefits Questions	To PPS&B	02.17.22											
STUDENT GOVERNMENT ASSOCIATION				10%	20%	30%	40%	50%	60%	70%	80%	90%	100%
Issues	Committee	Start	End										
FOE: The Student in the University revisions	To Student Activities	8.31.22											
SENATE AGENDA				10%	20%	30%	40%	50%	60%	70%	80%	90%	100%
Issues	Committee	Start	End										
UEC- BA/BS Program Distinctions	SAC To UEC	01.06.20											
UEC-Credit for Prior Learning	SAC To UEC	08.17.20											
AF&E Ombudsperson Proposal	SAC FC Ad hoc	04.12.21 04.15.21											
FPPH Section 113 & 114 Revisions	To SAC To FC To PPC To SAC To Senate- Annc.	02.14.22 03.17.22 03.03.22 04.11.22 04.21.22											



UP&T Revisions	SAC To FC To SAC	03.14.22 04.14.22 08.15.22											
RCGA	SAC To FC To SAC	04.11.22 04.14.22 08.15.22											
NTL- FPPH Sec: 16 &21 Revisions	SAC To FC	04.11.22 04.14.22											
Joint Appointment Statement Proposal	SAC FC Senate Sent to Admin. Sent back-FC Senate-Annc. Sent to Admin. Sent back UP&T SAC FC	03.15.21 03.18.21 04.22.21 06.14.21 11.04.21 01.20.22 02.08.22 02.23.22 05.04.22 08.15.22 09.01.22											
<b>GOVERNANCE &amp; ELECTIONS</b>				10%	20%	30%	40%	50%	60%	70%	80%	90%	100%
<b>Issues</b>	<b>Committee</b>	<b>Start</b>	<b>End</b>										