

FACULTY GUIDE

SETON HALL UNIVERSITY



Effective: September, 1986
Last Revised: June, 2020

TABLE OF CONTENTS

ARTICLE 1	DEFINITIONS.....	Page 1
ARTICLE 2	University Policies.....	Page 4
ARTICLE 3	APPOINTMENTS.....	Page 6
3.1	Categories of Faculty.....	Page 6
3.2	Ranks of Faculty.....	Page 8
3.3	Hiring of Faculty.....	Page 9
3.4	Initial Appointment of Faculty.....	Page 11
3.5	Modifications of Appointments.....	Page 13
3.6	Renewal of Appointment.....	Page 14
3.7	Summer/May Intercession Appointments.....	Page 19
3.8	Resignations.....	Page 19
3.9	Disciplinary Procedures and Dismissals.....	Page 19
3.10	Terminations of Tenured Appointments by the University.....	Page 21
3.11	Rights of Terminated Tenured Faculty Members.....	Page 23
ARTICLE 4	APPOINTMENT, PROMOTION, AND TENURE STANDARDS.....	Page 24
4.1	General Conditions.....	Page 24
4.2	Teaching Effectiveness (Applicable to all except Library Faculty).....	Page 24
4.3	Professional Effectiveness (applicable only to Library Faculty).....	Page 25
4.4	Scholarship, including Research or other Creative Work.....	Page 26
4.5	Service to the University, the Profession, and the Community.....	Page 27
4.6	General Criteria for Academic Ranks -Tenure Track Faculty.....	Page 28
4.7	Criteria for Academic Ranks - Clinical Nursing Faculty.....	Page 29
4.8	Criteria for Academic Ranks - Library.....	Page 30
4.9	General Criteria for Academic Ranks - Senior Faculty Associate/Senior Lecturer.....	Page 31
ARTICLE 5	PROMOTION AND TENURE PROCEDURES.....	Page 32
5.1	General Requirements.....	Page 32
5.2	Departmental Review.....	Page 33
5.3	College Review.....	Page 36
5.4	Dean's Review.....	Page 37
5.5	University Review.....	Page 37
5.6	Provost Review.....	Page 39
5.7	Board of Regents Review.....	Page 39
5.8	Notification.....	Page 39
5.10	Promotion of Term Faculty.....	Page 40
ARTICLE 6	LEAVES.....	Page 42
6.1	Sabbatical Leaves.....	Page 42
6.2	Leaves of Absence.....	Page 44
6.3	Medical Leaves.....	Page 45
6.4	Leaves for Political Activity and Governmental Service.....	Page 47

6.5	Leaves for Jury Duty.....	Page 48
6.6	Leaves for Military Service	Page 48
ARTICLE 7	FACULTY RIGHTS AND RESPONSIBILITIES.....	Page 49
7.1	Academic Freedom.....	Page 49
7.2	General Faculty Responsibilities	Page 50
7.3	Instructional Duties.....	Page 51
7.4	Research Expectations	Page 54
7.5	Overtime.....	Page 54
7.6	Released Time.....	Page 54
7.7	Academic Program Planning	Page 55
7.8	Unpaid Professional Activities	Page 56
7.9	Outside Employment of Faculty	Page 56
ARTICLE 8	FACULTY PERSONNEL FILES	Page 57
ARTICLE 9	FACULTY RESEARCH AND SPONSORED ACTIVITIES	Page 59
9.1	Research.....	Page 59
9.2	General Principles.....	Page 59
9.3	Obligations of Sponsored Activities	Page 59
9.4	Administration and Procedures.....	Page 60
9.5	University Research Council	Page 60
9.6	Faculty Incentives	Page 61
9.7	Travel to Pursue Funding.....	Page 61
9.8	Patent and Copyright Policies.....	Page 61
ARTICLE 10	DEPARTMENT GOVERNANCE.....	Page 62
10.1	Selection of Chairpersons	Page 62
10.2	Term of Office; Absences; Removal	Page 63
10.3	Responsibilities and Duties.....	Page 63
ARTICLE 11	COLLEGE GOVERNANCE.....	Page 67
11.1	By-laws	Page 67
11.2	Required Standing Committees	Page 67
11.3	Officers and Faculty Organization.....	Page 67
11.4	College Organization	Page 68
ARTICLE 12	UNIVERSITY GOVERNANCE.....	Page 69
12.1	Page 69
12.2	Page 69
12.3	Page 69
12.4	Deleted
12.5	Faculty Governance	Page 70
12.6	Charter of the Faculty Senate.....	Page 70

ARTICLE 13	GENERAL GOVERNANCE	Page 74
13.1	Selection of Academic Administrators	Page 74
13.2	Search and Screen Committees -- Composition	Page 74
13.3	Search and Screen Committees -- Process.....	Page 75
ARTICLE 14	COMPLAINTS AND GRIEVANCES -	Page 77
14.1	Introduction and Definitions	Page 77
14.2	Informal Conciliation Process - The Panel of Conciliators	Page 78
14.3	Informal Conciliation Process - Procedures	Page 78
14.4	Grievance Procedure: Initiating a Grievance	Page 79
14.5	Grievance Procedure: The Grievance Investigation	Page 80
14.6	The Grievance Report.....	Page 81
14.7	The Appeal Process.....	Page 81
ARTICLE 15	INTERPRETATION AND AMENDMENT	Page 82
15.1.	Interpretation.....	Page 82
15.2.	Amendment.....	Page 82

ARTICLE 1

DEFINITIONS

All provisions of this Faculty Guide ("Guide") apply to the following major academic divisions of Seton Hall University: the College of Arts and Sciences, the College of Communication and the Arts, the W. Paul Stillman School of Business, the School of Diplomacy and International Relations, the College of Education and Human Services, the South Orange University Libraries, and the College of Nursing. The academic jurisdiction of this Faculty Guide shall extend to all educational programs of the University, except those of the School of Law and the School of Medicine. Only University Governance (Article 12) and General Governance (Article 13) apply to the School of Theology and to the School of Health and Medical Science. Faculty of any newly-established major academic divisions or credit-bearing educational programs shall come under the jurisdiction of this Faculty Guide, unless specifically excluded by agreement of the Faculty Senate and the Provost.

1. The terms "Faculty" or "Faculty member" denote a person or persons having instructional or research duties in one of the above-listed colleges. This designation includes a person or persons having professional library duties.
2.
 - a. "Full-time" Faculty members are those individuals, with principally instructional, research, or professional library duties, who have tenure or whose contracts stipulate that they are full-time employees of Seton Hall University.
 - b. "Adjunct" Faculty members and "Part-Time" Faculty members are those untenured individuals who have instructional duties but who are not on a full-time Faculty contract. These Faculty members enjoy academic freedom and such other rights and responsibilities as are specifically indicated in this document or are contained in their contracts.
3. The term "College" indicates either a college or school within the University academic structure and includes the University Libraries.
4. The term "Department" shall be defined as any academic instructional unit composed at least of three tenured or tenure-track Faculty members and headed by a "Chairperson" (see Article 10).
5. An "Academic Program" consists of: (1) a credit-bearing course of study, including but not limited to majors, minors, concentrations, certificates, and other set curricula that do not bear degrees, and (2) the Faculty responsible for designing and teaching such curricula. An Academic Program may exist within or outside of a Department. Academic Programs outside of a Department are under the jurisdiction of the College to which they belong. Such Academic Programs may require a "Director" or "Coordinator" who shall serve as the head of this Academic Program. When a program has outside funding, the Program

Director/Coordinator (or his/her appointee) shall be the principal investigator as approved by the funding agency conditional on satisfactory performance.

6. “Administration” includes the President, the Provost, Deans, and other administrative officers of the University, including those designated as “assistant” or “associate” or “vice” to any of the above.
7. The “Academic Year” is defined as the fall and spring semesters and those days preceding and following those semesters needed for the proper academic functioning of those semesters.
8. “Calendar Days” denotes the seven days of the week.
9. “Conflict of Interest” is a situation in which officers or employees of the University, their family members, or friends have existing or potential financial, personal, familial, or business interests that impair or might appear to impair the independence and objectivity of judgment of the officers and employees in the discharge of their responsibilities to the University.
10. “Conflict of Commitment” describes external activities or employment that substantially interferes with officers’ or employees’ employment responsibilities to the University. A conflict of commitment will be apparent in the failure of officers or employees to discharge fully the role or duties expected of them based upon other external commitments.

Faculty should refer to the University’s “Conflict of Interest and Commitment Policy.”

11. “Accredited Institution” is an academic institution of higher education accorded that status by an accrediting agency approved by the Council for Higher Education Accreditation or by the United States Department of Education or an equivalent foreign entity.
12. “Notification” is a written, non-electronic communication which shall be effective if delivered personally to the Faculty member or if sent by certified mail to the Faculty member's residence as reported to Human Resources, postmarked by the date specified.
13. The “University” refers to Seton Hall University.
14. The “President” is the Chief Executive Officer of the University.
15. The “Provost” is the Chief Academic Officer of the University.
16. The “Dean” is the Chief Academic Officer of a College.
17. The “Faculty Senate” represents the University Faculty as identified above in matters of academic policies and procedures as well as matters of Faculty welfare. It has the right and duty to represent that Faculty on all matters which affect the Faculty as whole and to help

inform Faculty opinion on matters of campus-wide importance. See Article 12.6.

18. “Departmental Guidelines” refers to Departmental Tenure and Promotion Guidelines, as defined in Article 5.2.a.1 and elsewhere throughout this Guide.

ARTICLE 2

UNIVERSITY POLICIES

The University develops, maintains, and promulgates formal “Policies” (or “University Policies”) to regulate University business across units and in compliance with all applicable laws and accrediting bodies. Approval and publication of a Policy signals a commitment on the part of the University and all members of the University community to abide by its principles and procedures. Failure to adhere to a published Policy may be grounds for a grievance under Article 14 of the Faculty Guide.

1. Types of Policies. Policies may be divided for purposes of Faculty governance into the following categories:
 - a. “Mandated Policies” are those Policies adopted by the University in recognition of its obligations under federal, state, or local law and/or accrediting bodies. Such Mandated Policies include, but are not limited to, the Non-Discrimination/Title IX Statement; the Equal Employment Opportunity/Affirmative Action Policy; the Disability Support Policy; the Policy on Discrimination, Harassment, and Retaliation; Cybersecurity, and the Conflict of Interest and Commitment Policy.
 - b. “Faculty Policies” apply specifically to University Faculty members as defined in Article 1 of the Faculty Guide and govern Faculty hiring, appointment, promotion, and conditions of employment; admissions, teaching, curriculum, assessment, and program development; scholarship, research, publication, and academic standards; and other matters of particular concern to the Faculty. Such Faculty Policies include, but are not limited to, the Copyright and Intellectual Property Policy; the Academic Integrity Policy; the Online and Hybrid Learning Policy; Policies regarding use of Technology and E-mail; Faculty Merit; Policies regarding Tenure, Promotion and Sabbaticals; etc.
 - c. “Other Policies” govern non-academic, regular operations of the University and apply in most cases to all members of the University community, including students and employees (administrators, Faculty, and staff). Faculty do not have a primary role in setting these Other Policies, which include, but are not limited to, safety, access to campus, vehicles and parking, facilities use, financial aid, enrollment, registration, bursar procedures, student conduct, housing, student life, etc.
2. Development and Adoption of University Policy
 - a. Mandated Policies and Other Policies are developed and promulgated as stipulated in the University “Policy on Developing, Adopting and Promulgating University Policies.”
 - b. Faculty Policies may be developed, adopted, and promulgated on the level of the

Academic Program, Department, College, or on the level of the Division of Academic Affairs. Policies on the Program, Department, or College level are developed and adopted by the Faculty in the appropriate unit, according to relevant bylaws, and communicated as necessary to the appropriate administrator for review and confirmation.

- c. Faculty Policies applicable to multiple Colleges generally fall under the purview of the Division of Academic Affairs and must be reviewed and approved by the Faculty Senate and its appropriate Committees before being submitted to the Provost for final approval.
- d. Failure to adhere to Faculty Policies may be grounds for a Faculty Grievance as outlined in Article 14 of the Faculty Guide.

3. Promulgation of University Policy

- a. For a University Policy to be considered binding it must be made publicly available and directly communicated to all to whom it is applicable.
- b. Faculty Policies developed on the level of the Program, Department, College, or multiple units must either be posted on the website of the appropriate units or made available to the members of the unit in electronic or paper format. Faculty Policies applicable to multiple units need also be posted on the Faculty Senate website.

ARTICLE 3 APPOINTMENTS

3.1 Categories of Faculty

University Faculty may be appointed into the following categories: Tenure-track, Tenured, Contract, Faculty Associate, Lecturer, Clinical, and Adjunct. In addition, Tenured Faculty, after retirement, may be appointed to the rank of emeritus, as set forth in University Policy.

a. Tenure-track and Tenured Faculty

1. Tenure-Track Faculty are full-time Faculty members engaged in teaching, research, and service, and who will be eligible to receive but have not yet been granted tenure under the provisions of Article 4. Tenure-Track Faculty are appointed for a period of one (1) year, unless otherwise stated in the Letter of Appointment, with an expectation of renewal for a tenure-track period which shall not exceed seven (7) years. Non-renewal requires written notification from the appropriate Dean as specified in Article 3.6.a.1.
2. Tenured Faculty are full-time Faculty members engaged in teaching, research, and service and who have tenure.
 - i. No individual may acquire tenure unless there is a specific affirmative action by the University Board of Regents.
 - ii. Tenured Faculty members have the right to University employment each and every Academic Year until retirement without reduction in rank and without termination except as provided in Article 3.10. Furthermore, a Tenured Faculty member shall not have her or his salary reduced unless there is a general reduction in salaries for all Faculty members that is necessitated by financial exigency. A Tenured Faculty member may not have her or his benefits reduced unless there is a general reduction in benefits for University employees.
 - iii. Tenured librarians are appointed by the University for twelve (12) months unless they exercise the option set forth in Article 7.2.d.

b. Term Faculty

“Term Faculty” refers to all Faculty members not eligible for tenure who are appointed for a fixed term stated in a contract which specifies obligations and compensation. There are four categories of Term Faculty: Contract Faculty, Lecturers, Faculty Associates, and Clinical Faculty.

1. Contract Faculty

- i. Contract Faculty are full-time or part-time Faculty members employed on a

contractual basis for a fixed term of no more than three years without expectation of renewal. Full-time Contract Faculty may have their terms renewed by the University in its sole discretion but such appointments and reappointments shall not exceed a total period of five years. Contract Faculty are not eligible for promotion.

- ii. Contract Faculty perform teaching without the expectation that they engage in research, scholarship, and service as a condition of their employment unless otherwise set forth in their contract.
- iii. Contract Faculty who have attained an appointment and academic rank at another (“home”) institution of higher education and who leave that institution for a stipulated period of time to engage in teaching, research, service, or clinical activity at the University may use the title “Visiting Professor,” “Visiting Associate Professor,” or “Visiting Assistant Professor,” commensurate with their title at their home institution. Faculty members who have not yet attained a tenure-track appointment elsewhere but who have received a terminal degree in the discipline within five years of the time of appointment may also use the title “Visiting Assistant Professor.” All other Contract Faculty shall use the title “Visiting Instructor.” “Visiting” Faculty are Contract Faculty appointed for a fixed term, which may be extended by the University in its sole discretion as set forth in this Article 3. Visiting Faculty are not on the tenure track and are not eligible for tenure.

2. Faculty Associates

- i. Faculty Associates are ordinarily qualified practitioners in a given field whose academic background and professional activity would not necessarily lead to the kind of scholarly activity that the University requires of its Tenure-Track and Tenured Faculty, and who serve the University primarily as teachers in a field in which their practical experience contributes significantly to the University’s academic endeavors.
- ii. Faculty Associates are appointed as full-time Faculty members for a fixed term which may be extended by the University in its sole discretion as specified in Article 3.6.d.2. Faculty Associates are not eligible for tenure. They may be appointed at or promoted to the position of Senior Faculty Associate.

3. Lecturer

- i. Lecturers are ordinarily full-time Faculty members who perform teaching, but who are not expected as a condition of their employment to conduct research and scholarship or to engage in service outside of their Department and College (unless otherwise specified by the contract)

- ii. Lecturers are initially appointed for a one-year term, which may be renewed and extended for a period of up to three years by the University in its sole discretion as specified in Article 3.6.d.2
- iii. Lecturers are not on the tenure-track and are not eligible for tenure. Lecturers may be appointed at or promoted to the rank of Senior Lecturer.

4. Clinical Faculty

- i. Clinical Faculty are ordinarily full-time Faculty members who are engaged primarily in clinical teaching, professional practice, and service to the University and community; clinical scholarship is also a responsibility.
- ii. Clinical Faculty are appointed for a fixed term of one to three years, which may be extended by the University in its sole discretion as specified in Article 3.6.d.3.
- iii. Clinical Faculty are not on tenure-track and are not eligible for tenure.

c. Adjunct Faculty

Adjunct Faculty are Faculty members who are hired to teach a particular course or courses with no obligation on the part of the University to reemploy them. Adjunct Faculty are employed at will and may be reappointed. They are not on tenure-track and are not eligible for tenure.

3.2 Ranks of Faculty

Ranks are the official positions Faculty members hold at the University for purposes of governance and administration. Titles are as set forth by University, College, and Department policy.

a. Tenure-Track and Tenured Faculty

For Tenured and Tenure-Track Faculty, the ranks shall be:

Professor
Associate Professor
Assistant Professor
Instructor

For Tenured and Tenure-Track Faculty in Walsh Library only, the ranks shall be:

Librarian I (Professor)
Librarian II (Associate Professor)
Librarian III (Assistant Professor)

Librarian IV (Instructor)

b. Contract Faculty

For Contract Faculty, including “Visiting Professor,” “Visiting Associate Professor,” and “Visiting Assistant Professor,” the rank shall be: Contract Faculty Member.

c. Faculty Associate

For Faculty Associates, the ranks shall be:

Senior Faculty Associate
Faculty Associate

d. Lecturer

For Lecturer, the ranks shall be:

Senior Lecturer
Lecturer

e. Clinical Faculty

For Clinical Faculty, the ranks shall be:

Clinical Professor
Clinical Associate Professor
Clinical Assistant Professor
Clinical Instructor

f. Adjunct Faculty

Adjunct Faculty shall have the rank of Adjunct Faculty member.

3.3 Hiring of Faculty

a. Tenure-Track Faculty

1. Departments wishing to hire a Tenure-Track Faculty member shall submit hiring requests to their Deans for review and endorsement, and for approval by the Provost. Requests must be accompanied by a rationale explaining the need for the position, describing the specific area of expertise sought, and stating whether the position is a replacement for a Faculty member in an existing position or a new Faculty line.

2. Tenure-Track positions require a national search and must be openly

advertised in the regular and customary venues of the appropriate discipline. The job announcement should provide a clear description of the desired qualifications and job responsibilities and must include all standard language mandated by the University.

3. After receiving approval from the Provost's office, the Department shall convene a search committee made up of Tenure-Track and Tenured department members chaired by a department member nominated by the Department Chairperson and approved by a majority of Tenured and Tenure-Track Faculty in that Department. The search committee shall carry out the search in accordance with all applicable standards and norms of the discipline. Deans shall allocate sufficient funds to support the search. Ordinarily, no fewer than three (3) finalists shall be brought to campus to present their scholarship and teaching credentials and meet with the Department, Dean, and students.
 4. Upon completion of the search, the Tenured and Tenure-Track Faculty of the Department will select by majority vote the top candidate. The Department shall report its recommendation with justification to the Dean. In its recommendation, the Department in the interest of expediency may, but is not required to, specify subsequent ranking of additional candidates to whom offers may be made in the event that the higher-ranking candidate turns down an offer. Only candidates specifically approved by majority vote of the Tenured and Tenure-Track members of the department as acceptable to hire may be forwarded to the Dean.
 5. Upon receiving the Department's request, the Dean shall review the candidate's qualifications and the conduct of the search. If the request is approved, the Dean shall forward it to the Provost with a written endorsement. Upon attaining the Provost's approval, the Dean shall make an offer to the top-ranked candidate. If an offer is rejected and the Department has provided authorization, the Dean may make subsequent offers to additional candidates.
 6. The Dean or Provost may not make an offer to a candidate without the prior approval of the Tenured and Tenure-track members of the Department as per Article 3.3.a.4.
- b. Term Faculty
1. The full-time Faculty of the Department may make a recommendation to the Dean of the College for the creation of a Faculty Associate, Lecturer, Contract, or Clinical Faculty position. This recommendation is subject to approval by the Dean and then by the Provost. Such a recommendation must include a clear statement of the specific reasons for creating such a position within the Department. If an existing position has or is expected to become vacant, the Department may request permission to conduct a search to fill it.
 2. In Departments with twelve (12) or more full-time Faculty members the total number of Faculty Associate and Lecturer appointments may not exceed one third (1/3) of

the total full time Faculty. In Departments with fewer than twelve (12) full-time Faculty, the number of Faculty Associates and Lecturers shall not exceed the fewer of three (3) or one third (1/3) of the full-time Faculty members. For purposes of this section, counts of full-time Faculty shall not include Contract, Visiting, Clinical and Adjunct Faculty.

3. The hiring of Term Faculty shall typically follow the procedures for Tenure-Track Faculty. When positions need to be filled outside of the regular academic calendar, however, an expedited procedure may be employed to hire Contract Faculty members whereby a search committee is bypassed and the Department Chairperson recommends the finalist directly to the Dean without a Departmental vote. Any subsequent reappointment of the Faculty member must be approved by a majority vote of the Tenured and Tenure-Track Faculty.

3.4 Initial Appointment of Faculty

a. Letter of Appointment

1. New Faculty members are appointed at the recommendation of the Department into which the appointment is made after the completion of a search and review of candidates in accordance with applicable professional standards and norms under the procedures set forth in Article 3.3.
2. The Dean of the appropriate College, with the approval of the Provost, and on the recommendation of the Department into which the hire is made, shall appoint Faculty members, in accordance with the procedures for such an appointment under this Guide and/or the bylaws of the College.
3. The terms of the appointment, including any special conditions, shall be set forth in writing and signed by the Faculty member, the Dean, and the Provost (the "Letter of Appointment"). Copies of the Letter of Appointment will be sent by the Provost to all the signatories as well as to the Chairperson of the Department into which the appointment is made.
4. A maximum of six (6) semesters of full-time service in other accredited institutions of higher education or under a Term contract at the University may count as part of the period of service preceding the required tenure review. The number of semesters counted toward tenure review shall be specified in the Letter of Appointment.
5. The Letter of Appointment shall list any work performed prior to coming to the University and/or under a Term contract at the University that shall be accepted for inclusion in an application for reappointment, promotion, and/or tenure (see Article 4.1.b).
6. The Letter of Appointment shall specify the semester in which mandatory tenure

review must take place (see Article 5.1.d).

7. The Letter of Appointment shall also indicate the number of semesters of prior Faculty service at another Accredited Institution of higher education or under a Term contract at the University that is to be credited toward a Faculty member's initial application for sabbatical leave; the amount to be credited shall not exceed two (2) years. In no case shall time be credited toward sabbatical leave without an equal and greater amount of time being credited toward tenure/promotion review (see Article 6.1).
8. In the case of Tenure-Track Instructors, the Letter of Appointment shall specify the requirements and procedure for promotion from Instructor to Assistant Professor.

b. Effective Date of Appointment

Unless otherwise stated in the Letter of Appointment, the effective date of the appointment is August 15 of the Academic Year.

c. Joint Appointments & Governance

1. Appointments are to a single Department (hereafter referred as the "home" department) or, in the absence of a Department, to a College. Faculty members may only exercise their Departmental governance rights within a single Department and/or College. Faculty members are permitted to vote and participate in governance of interdepartmental Programs in addition to their governance rights in their home Departments as specified in the Program bylaws.
2. Joint appointments, in which new Faculty members are affiliated with additional Academic Programs or Colleges, are permitted, but in such cases, the Letter of Appointment shall specify the primary Department or College to which the appointment is made.
3. Joint appointments must be approved by a majority vote of the Tenured and Tenure-Track Faculty of the affected Departments, and approved by the Dean and Provost. Joint appointments to Programs that are not housed in a Department shall follow procedures outlined in Article 10.7.
4. The Letter of Appointment shall specify the expected contributions that a Faculty member will make to other Departments of Programs. A Faculty member on a joint appointment shall not ordinarily teach more than one-half (1/2) of her or his normal teaching load outside the home Department or College.
5. In an application for promotion, tenure and/or reappointment, the Department Chairperson or Director of an affiliated program may submit an evaluative report to the primary Department by October 1 which shall assess the candidate's contributions to the program as specified in the Letter of Appointment. The failure of

the affiliated program to submit timely evaluative reports shall not prevent the review process from continuing.

- d. Initial appointment to the rank of Associate Professor or Professor does not carry with it an automatic right to tenure. A Faculty member appointed at the rank of Associate Professor or Professor must meet all standards of eligibility established in Article 4 and make application for tenure following expedited procedures as stipulated in Article 5.2.c.3.

3.5 Modifications of Appointments

- a. Any subsequent extensions or modifications of an appointment and/or any new special understandings or conditions shall be approved in writing by the Faculty member, the Dean, and the Provost. Copies of this Supplemental Letter of Appointment must be provided to all signatories as well as the Faculty member's Department Chairperson and kept in the Faculty member's academic personnel file (see Article 8).
- b. Time spent on leave of absence shall not count as tenure-track period service, unless the individual and the Provost agree to the contrary in writing at the time leave is granted (see Article 6). Any change in the tenure review date resulting from leaves, service as an administrator, or other causes shall be enumerated above in the Supplemental Letter of Appointment as specified in Article 3.5.a.
- c. Other causes for delaying the mandatory tenure-review date may include the occasion of childbirth, adoption, or new foster placement. Said delay will be granted upon documented application to the appropriate Dean, though no affected Faculty member is required to request such a delay nor to accept one for which the Faculty member has not applied. The initial tenure review date and any changes thereto shall be endorsed by the dated signatures of the Faculty member and the Provost.
- d. If a Faculty member's appointment changes from one Department or College to another, he/she shall maintain rank and status, commensurate with applicable standards, in the new Department. However, no Faculty member shall suffer a reduction in rank, status, or salary due to a change in appointment and in no case shall a Tenure-Track Faculty member lose the right to apply for tenure.
- e. Full-time Faculty members may choose to accept an appointment to serve in a full-time administrative position at the University. During their period of service, Tenured Faculty members retain their status and Tenure-Track Faculty members retain their right to apply for tenure. Faculty members serve in administrative positions at the will of the University; Faculty tenure rights do not apply to administrative appointments. Since Faculty members serving in administration are not expected to engage in scholarship and teaching, time served in an administrative position does not count toward the length of service required for tenure. Likewise, the contracts of Faculty members on multi-year term appointments are suspended if they accept an administrative position. Such Faculty members may resume and complete their term appointments when they leave their administrative positions, unless otherwise agreed upon at the time of their appointment.

- f. Administrators who hold or apply for appointments to the Faculty are subject to the same appointment, tenure, and promotion review procedures required of all Faculty members, unless otherwise specified at the time of appointment (or soon thereafter) by the Board of Regents.

3.6 Renewal of Appointment

a. Annual Reviews

1. Tenure-Track Faculty

- i. Each Department (or in Walsh Library, a committee of Tenured Faculty members) shall annually review and prepare a written evaluation of a Faculty member's progress during tenure-track service. In the first year of tenure-track service, this evaluation shall be completed prior to February 15 and provided by the Chairperson to the Faculty member and the Dean. Further, the Faculty member shall be advised by the Chairperson of the upcoming evaluation in sufficient time (i.e., not less than two weeks) to submit material relevant to an adequate consideration of his/her status.
- ii. In the second year on the tenure track, a departmental review shall take place by November 15. If a Department decides to recommend non-renewal of a Tenure-Track Faculty member in the second year, that recommendation with justification must be sent to the Dean no later than December 1.
- iii. In the third through the fifth years of a tenure-track appointment, the written evaluation shall be completed prior to May 15, and provided by the Chairperson to the Faculty member and to the Dean.
- iv. Each Department shall specify in its Departmental Guidelines how annual review shall be carried out; however, at a minimum, each Department shall conduct a full review in the third year of the candidate's appointment in which all of the Tenured Faculty members vote on the candidate's renewal.

2. Term Faculty

i. Contract Faculty

In the case of Contract Faculty members, a review and vote of the Tenure-Track and Tenured Faculty members in the Department, or College in the absence of Departments, is necessary to approve renewal of contracts.

ii. Faculty Associates and Lecturers

All Faculty Associates and Lecturers shall be evaluated annually no later than March 1. In an annual evaluation of the performance of a Faculty member in a Faculty Associate or Lecturer

position, the following considerations are of primary importance: the academic needs of the Department and the College; the Faculty member's teaching excellence; the Faculty member's continuing growth as a practitioner of the appropriate discipline; and the Faculty member's service to the Department and College.

The Department will establish criteria for reappointment in the areas of teaching and service and add these to its Departmental Guidelines before any Lecturer or Faculty Associate position for that Department is approved.

iii. Clinical Faculty

- a. All clinical Faculty on one- and two-year contracts shall be evaluated annually no later than March 1.
- b. In the fall semester of the Clinical Faculty member's third year, the Department will undertake a rigorous review of the Faculty member's teaching, scholarship, and service. Criteria guiding the review process must be specified in the Departmental Guidelines.
- c. A similar review process guided by the same criteria shall be undertaken in the fall semester of the third year of any subsequent three-year contract.
- d. Approval of the Department based on the successful conclusion of a third year is necessary for reappointment to an additional three-year contract.

b. Notice of Non-Renewal

In the event of a decision not to renew a tenure-track appointment, the Faculty member shall be informed by the Dean of the decision in writing, and shall be advised of the reasons which contributed to that decision. If the Faculty member so requests, the reasons given for the nonrenewal of an appointment shall be confirmed in writing. A Faculty member has the right to appeal a decision not to renew a tenure track appointment from the Dean to the Provost. In cases of denial of an application for tenure, see Article 5.6.d.

c. Tenure-Track Faculty Procedures for Renewal and Non-Renewal

Regardless of the stated term or other provisions of any appointments, written notice that a tenure-track appointment is not to be renewed shall be given to the Faculty member in advance of the expiration of his/her appointment, as follows:

1. First Year Appointment. Tenure-Track Faculty members are appointed for an initial term of one year, renewable at the University's sole discretion, ordinarily commencing on August 15 of the Academic Year and ending on May 15 of the Academic Year.

2. Second Year Renewal. Unless the University has given the Tenure-Track Faculty member written notice of nonrenewal no later than March 15 of her or his first Academic Year, the Tenure-Track Faculty member shall be appointed to a second Academic Year. This appointment is renewable at the University's sole discretion.
3. Third Year Renewal. Unless the University has given the Tenure-Track Faculty member written notice of nonrenewal no later than December 15 of her or his second Academic Year, the Tenure-Track Faculty member shall be appointed to a third Academic Year. This appointment is renewable at the University's sole discretion.
4. Fourth through Seventh Year Renewals. Unless the University has given the Tenure-Track Faculty member written notice of nonrenewal no later than September 1 of her or his third or subsequent Academic Year, the Tenure-Track Faculty member shall be appointed to an additional year. This appointment is renewable at the University's sole discretion. Notwithstanding the foregoing, unless otherwise agreed as provided in Article 3.4, no Tenure-Track Faculty member may serve for more than seven years, unless she or he has been granted tenure. Agreement to allow a person to remain as a Tenure-Track Faculty member beyond seven years shall not give rise to a claim for tenure by that person.
5. Tenure-Track Appointments Beginning in the Middle of an Academic Year.
 - i. Appointments prior to October 1. In the event that a Tenure-Track Faculty member's initial appointment begins after August 15 of the Academic Year but before October 1, the initial one-year appointment shall ordinarily run from the date of appointment to May 15 of the Academic Year. All the other provisions of Article 3.6.a. shall apply to the Faculty member.
 - ii. Appointments Prior to March 1 but on or After October 1. In the event that a Tenure-Track Faculty member's initial appointment begins on or after October 1 of the Academic Year but before March 1, the initial one-year appointment shall ordinarily extend to December 31 of the following Academic Year. The appointment will be renewable at the University's sole discretion.

Unless the University has given the Tenure-Track Faculty member written notice of nonrenewal, no later than three months prior to the expiration of the initial appointment, the Tenure-Track Faculty member shall be appointed to a second year, extending from January 1 to May 15 of the same Academic Year. This appointment is renewable at the University's sole discretion. For all purposes, this year shall be the Tenure-Track Faculty Member's second year. This appointment is renewable at the University's sole discretion. Appointment to a third and subsequent years shall be made in accordance with Articles 3.6.a.1(iii) & (iv).

Decisions on tenure and promotion for such Faculty members shall follow the procedure stipulated in Article 5.1.d.

d. Term Faculty Procedures for Renewal

1. Contract Faculty

Contract Faculty are appointed for one-year renewable terms, for up to a total of five years. Reappointment of Contract Faculty requires the approval of the Department, the Dean, and the Provost. The University shall provide Contract Faculty written notice no later than April 15 of the Academic Year as to whether they will be reappointed. In the absence of such written notice, the contract shall automatically expire.

2. Faculty Associates and Lecturers

- i. First Year Appointment. Faculty Associates and Lecturers are appointed for an initial one-year term, renewable on the recommendation of the Department and with the approval of the Dean. Ordinarily appointments commence on August 15 of the Academic Year and end on May 15 of the Academic Year.
- ii. Second Year Renewal. No later than March 1 of the first year the Department must review the Faculty Associate or Lecturer and make a recommendation as to reappointment for a second one-year term. Written notification of reappointment must be given by the Dean no later than March 15.
- iii. Third through Fifth Years Renewal. No later than March 1 of the second academic year, the Department shall review the Faculty Associate or Lecturer and may recommend appointment for an additional term of three years. In special circumstances, Lecturers may be renewed for one or two years. Written notice of reappointment must be given by the Dean no later than March 15.
- iv. Subsequent Terms. No later than October 1 of the year in which the contract of a Faculty Associate or Lecturer expires, the Department shall review and by a majority vote of all Tenure-track and Tenured Faculty members recommend renewal of the contract. For Faculty Associates the term of renewal shall ordinarily be five years; for Lecturers the term shall ordinarily be three years. The Dean must approve the reappointment and notify the Faculty Associate or Lecturer no later than December 15. This process may be continued indefinitely.
- v. Appointments Made in the Middle of an Academic Year. In the event that the appointment of a Faculty Associates occurs after September 1, the Letter of Appointment shall set forth whether (a) the current Academic Year shall serve as the initial term of the appointment; or (b) the current and subsequent Academic Year shall serve as the initial term of the appointment; or (c) the Faculty Associate, Dean, and Provost have agreed that some other time

period shall serve as the initial term.

In the event that the Faculty Associate, Dean, and Provost utilize third option (c), the Letter of Appointment shall state by what date the University must give the Faculty Associate notice of nonrenewal. If the Letter of Appointment is silent, then the dates in Article 3.6.d.2 (i)-(iii) shall control.

- vi. In the event that a Faculty Associate or Lecturer serving under a multi-year contract is not renewed under Article 3.6.d.2(iv), the Faculty Associate or Lecturer shall be offered a terminal one-year nonrenewable appointment. The latter shall not apply if Article 3.9 is invoked for dismissal with cause.

3. Clinical Faculty

- i. First Year. Clinical Faculty are appointed for an initial one-year term, renewable at the sole discretion of the University, ordinarily commencing on August 15 of the Academic Year and ending on May 15 of the Academic Year.
- ii. Second and Third Year. The University must give the Clinical Faculty member written notice of nonrenewal by no later than March 15 of her or his first Academic Year; if notice is not given, the Clinical Faculty member shall be appointed to a two-year term. This appointment is renewable at the University's sole discretion. Clinical Faculty members are reviewed in the fall semester of their third year of service and upon the recommendation of the Department and the Dean, the Clinical Faculty members are reappointed for an additional three-year term. If the Department and Dean do not recommend a reappointment, the University must give the Clinical Faculty member written notice nonrenewal no later than March 15th of her or his third year.
- iii. Subsequent Three-Year Terms. No later than October 1 of the final year of a subsequent three-year term, the Department will complete a review of the Clinical Faculty member's teaching, scholarship, and service. Upon the recommendation of the Department and the Dean, the Faculty member will be reappointed for an additional three-year term. If the Department and Dean do not recommend a reappointment, the University must give the Clinical Faculty member written notice of nonrenewal by no later than December 15 of her or his final Academic Year of any three-year appointment.
- iv. There is no limit to the number of times that a Clinical Faculty member's three-year contract may be renewed.

e. Adjunct Faculty

Adjunct Faculty are appointed on an at-will basis to teach specific courses in a given

semester.

3.7 Summer/May Intersession Appointments

- a. Appointments to the Faculty do not normally include the various summer and May intersession sessions offered at the University. The University is not obligated to offer the Faculty member summer/winter session assignments nor is the Faculty member obligated to accept summer/winter session assignments. In offering such session assignments, the University shall give preference to full-time Faculty members.

3.8 Resignations

- a. A Faculty member may terminate his/her appointment effective at the end of an Academic Year, provided notice is given in writing at the earliest possible opportunity, but no later than thirty (30) days after receiving notification of the terms of his/her appointment for the coming year.
- b. The Faculty member may properly request a waiver of this requirement of notice in case of hardship or in a situation where he/she would otherwise be denied substantial professional advancement or other opportunity. Notification of resignation or of a waiver request shall be submitted in writing to the appropriate Dean.

3.9 Disciplinary Procedures and Dismissals

- a. Termination of a Term or Tenure-Track appointment before its specified end, or termination of an appointment with tenure, shall be effected by the University only for adequate cause.
- b. Adequate cause for a dismissal shall be related directly and substantially to the fitness of the Faculty member in his/her professional capacity. The burden of proof that adequate cause exists rests with the University. Such a termination shall not be used to restrain a Faculty member in the exercise of academic freedom or other legal rights.
- c. Disciplinary and Dismissal proceedings under this article may be instituted only for one or more of the following reasons:
 1. teaching incompetence;
 2. continued neglect of scheduled academic duties in spite of written warnings;
 3. serious violation of the rights and freedoms of fellow Faculty members, administrators, or students;
 4. conviction of a crime directly related to the Faculty member's ability to fulfill his/her

professional responsibilities to the University;

5. falsification of credentials or academic experience;
6. loss of required professional licensure;
7. serious act or acts of academic dishonesty as defined in Article 7.1(e).

This Article does not pertain to disciplinary proceedings under other University Policies.

- d. Before procedures for the dismissal against a Faculty member with tenure, or for the termination of a Term or Tenure-Track appointment, are initiated, the following must take place:
 1. Discussion must occur between the Faculty member and appropriate administrative officers in which the Faculty member is informed of the reasons for the disciplinary procedure and is provided the opportunity to respond. Ordinarily, the Department Chairperson and/or Dean initiate this discussion; however, the Provost must be informed if further action is to be taken. The Faculty member may be suspended with pay, or assigned other duties in lieu of suspension, if immediate harm to the Faculty member or others is threatened by continuance.
 2. A Faculty member accused of misconduct may use the grievance procedure under Article 14 to initiate an investigation into alleged violations of the Faculty Guide and/or University Policy and may also be subject to a grievance.
 3. A detailed statement of charges explaining the specific grounds for potential dismissal and the nature of the evidence supporting those charges must be presented by the Provost or his/her designated representative.
 4. The Faculty member shall have thirty (30) Calendar Days after receipt of a certified letter to respond to the statement of charges. In this response, the Faculty member may elect to have the University's statement of charges reviewed by a committee of Tenured Faculty members elected by the Senate. This committee shall consist of five full-time Tenured Faculty members. Members deeming themselves ineligible for reasons of bias or Conflict of Interest may remove themselves from the case (see Article 1.9). The charged Faculty member and the Provost each shall have two peremptory challenges. The committee shall adopt by-laws which are consistent with the current version of the 1958 "Statement on Procedural Standards in Faculty Dismissal Proceedings" approved by the AAUP. Should these temporary by-laws adopted by this ad hoc committee conflict with this Guide, the Guide shall prevail. In the conduct of its investigation, the committee shall enjoy the full cooperation of the University administration and of the Faculty member under review, with access to all documentation relevant to the issues relating to the dismissal proceedings, consistent with rights of privacy and other legal rights. If the University deems it

inappropriate to provide certain documentation, a detailed explanation must be provided and all information specifically relevant to the dismissal procedure must be extracted and made available. This committee shall have thirty (30) Calendar Days to make its report and recommendations to the Provost.

- e. After considering the Faculty member's response or, if applicable, the committee report, the Provost shall inform the Faculty member and the committee in writing within a period of thirty (30) Calendar Days of his/her decision. If the Provost's decision is counter to the committee's recommendation, the Provost shall state in writing his or her reasons for so doing, and shall provide opportunity for response.
- f. A decision by the Provost to dismiss a Faculty member with a Term or Tenure-Track appointment before the end of a specified term, or to impose a less severe sanction (except for suspension with pay or written reprimand), may be appealed to the President. Such an appeal must be filed with the President within thirty (30) Calendar Days after the Faculty member has received effective notice of said decision.
- g. A decision by the Provost to dismiss a Faculty member with tenure, or to impose a less severe sanction (except for suspension with pay or written reprimand), may be appealed to the Board of Regents.

3.10 Terminations of Tenured Appointments by the University

- a. Termination of tenured appointments by the University, other than dismissal for cause, shall occur only from either or both of the following two circumstances:
 - 1. A decision by the Dean, ratified by the College Faculty, to reduce or terminate a Program following program review undertaken by the University. The program review process may be invoked out of cycle either by the Provost, Dean, or Chairperson, and/or Program Director if substantive questions have been raised about the viability of the Program.
 - 2. A decision by the Board of Regents, upon the recommendation of the Provost, to reduce or terminate a Program or a Faculty position because of a severe, drastic, and emergency University-wide situation.
- b. It is understood that any reduction in force shall first take place from among non-tenured Faculty using existing procedures for nonrenewal, including notification dates.
- c. With the consent of the Faculty member, early retirement may be arranged as an alternative to any of the steps described in Article 3.10.d below.

- d. If it is determined that no alternative to further reduction in force is possible, the steps below shall be followed in order, as applicable, before termination of the appointment of a Tenured Faculty member.
 1. Shared load between Programs, Departments, and Colleges. Whenever possible, an affected full-time Faculty member shall be given the opportunity to complete a full teaching load by teaching in his or her area of demonstrated competence in another Department or College. The procedures for a joint appointment shall be applied in this instance (see Article 3.4.c).
 2. Reappointment to another Department or College. Prior to actual termination of any Tenured Faculty member, a good-faith effort shall be made to place that Faculty member in another Department or College of the University, provided that the Faculty member can be assigned courses which he or she is demonstrably qualified to teach, and provided that the reappointment of the Faculty member is acceptable to the receiving Department or College. The procedures for a joint appointment shall be applied in this instance (see Article 3.4.c).
 3. Supplementation of teaching with non-teaching duties. Whenever possible, an affected full-time Faculty member shall be offered suitable, useful, and available non-instructional duties to complete a full load. In no case shall such non-instructional load be greater than the established teaching norm for that Faculty member.
 4. Shared teaching with other institutions. The University shall cooperate with affected Faculty members in their seeking either shared or full-time appointments in other Accredited Institutions.
 5. Reduced load with proportionate reduction of compensation. Where available, the affected Tenured Faculty member shall have the opportunity to accept a reduced load without loss of tenure or fringe benefits, but with a proportionate reduction of salary and University contributions to retirement.
 6. Transfer to a non-teaching position. If it is not possible to retain a Tenured Faculty member in a teaching position, the University shall attempt to place the Faculty member in a University non-teaching position for which he or she is qualified with an appropriate adjustment in salary, provided that such placement does not adversely affect existing administrative or professional staff. While in this position, the Faculty member shall retain tenure as a Faculty member.
- e. When termination becomes necessary, the procedures below shall be followed:
 1. The Department shall initiate recommendations for termination based on criteria of seniority (as defined by the date of hire to full-time Faculty membership) giving due regard to the academic necessity of providing specialists in the relevant sub-

disciplines.

2. Primary consideration shall be given to the responsibility to offer an appropriate range of courses and services despite reduction. Term and Adjunct Faculty may not be used to replace the instructional services provided by the terminated Tenured Faculty members.
3. When individuals fulfill the same disciplinary needs in a Department, seniority shall prevail. Seniority shall be based on the date of the initial appointment to full-time with the University if subsequent service has been continuous (including authorized leaves of absence but specifically excluding those leaves taken to assume administrative positions). Those who resign from the University and are reappointed later shall count seniority from the time of reappointment.
 - f. A terminated Tenured Faculty member shall continue to be employed by the University for one Academic Year following the Academic Year in which written notice is given.

3.11 Rights of Terminated Tenured Faculty Members

- a. Tenured Faculty who are terminated, other than dismissal for cause, shall have recall rights for an available departmental position for a period of four (4) years from the date of written notice of termination. No new full-time Faculty member, or the equivalent in Adjunct Faculty, shall be hired for a teaching position in the same area of competence in the Department as long as the terminated Faculty member retains recall rights. If more than one Faculty member is found to have recall rights within the same area of competence, seniority shall prevail. Recalled Faculty members shall have tenure and rank reinstated and shall have the time of termination counted in total years of service for purposes of seniority.
- b. If a Faculty member is recalled and fails to respond in writing within sixty (60) Calendar Days after receipt of written recall, the Faculty member is deemed to have forfeited recall rights.
- c. In all cases of termination under Article 3.10, the facilities of the University may continue to be utilized free of charge by the Faculty member in seeking employment elsewhere.

ARTICLE 4
APPOINTMENT, PROMOTION, AND TENURE STANDARDS

4.1 General Conditions

- a. In considering an applicant for appointment, promotion, and tenure, all parties involved shall evaluate the application with reference to the criteria for the appointment, promotion, and tenure status for which application is made.
- b. In general, teaching and service performed and scholarly or creative works published before coming to the University are the basis for appointment; teaching and service performed and scholarly or creative works published after the appointment are the basis for the first promotion and/or tenure; and teaching and service performed and scholarly or creative works published after submission of an application for a previous successful promotion are the basis for the next promotion. "Published" in this context is understood to mean official public dissemination of a scholarly work or public performance or presentation of creative work. Exceptions permitting previously published works and/or teaching at previous institution to be considered for tenure or promotion must be specifically noted in writing and signed by the Faculty member and Dean and approved by Provost at the time of appointment (see Article 3.4.a.3 and 3.4.a.5).
- c. Each Department, and in the case of the Library, the College, that evaluates an application for promotion or tenure shall have on file in the Dean and Provost's office a clear set of Departmental Guidelines stating the procedures and criteria for tenure and promotion as mandated in Article 5.2.a.
- d. Evaluations of candidates for tenure and promotion on all levels shall be based on evidence presented as part of the candidate's application viewed in light of Departmental Guidelines and Faculty Guide standards for tenure and promotion. Such evidence may include external reviews of scholarship as well as internal recommendations from colleagues and students documenting teaching effectiveness and service contributions where the dept has set up processes for these. External reviews and internal recommendations are added to the candidate's application by the Department Chairperson at the time of its submission for departmental review.

4.2 Teaching Effectiveness (applicable to all except library Faculty members).

Evidence of teaching effectiveness that may be submitted with the application includes but is not limited to the following items. Department Guidelines may determine which of these items are mandatory:

- a. Applicant's statement of teaching objectives and significant teaching activities.
- b. Samples of instructional materials such as syllabi, lab manuals, or other materials developed by the instructor for use by students in courses. Applicants do not need to

include all instructional materials, but effective documentation requires a good sampling of materials from lower and upper division courses and, where appropriate, graduate courses.

- c. Evaluation and grading methods: a statement on the use of examinations and papers and other instruments as a means of determining student success in handling the materials in the course. The relationship between testing and the objectives of the course should be emphasized.
- d. Records of supervision of independent study courses, honors theses, graduate theses and dissertations, field trips, internships, clinical supervision, and practica.
- e. Development of new courses or labs, or new approaches to teaching.
- f. Formal student evaluations of teaching, in accordance with Departmental Guidelines.
- g. Teaching observation by the Chairperson and/or by senior Faculty members delegated to that task by the Chairperson. Each Department will approve and make available written guidelines for the implementation of regular teaching observation of Tenure-Track and Clinical Faculty members.
- h. Publication of books or articles, or conference presentations and invited lectures on teaching methods.
- i. Enrollment in courses or programs designed to improve teaching or to broaden one's expertise.
- j. Evidence of revision and improvement of teaching practices incorporating input from evaluations, classroom observation, experience, and mentoring.

4.3 Professional Effectiveness (applicable only to library Faculty members).

Evidence of professional effectiveness which may be submitted with the application includes but is not limited to:

- a. Evidence of effectiveness in the development and use of library resources for undergraduate, graduate, and research programs:
 - 1. Developing and building the library collection.
 - 2. Skillful interpretation of the users' needs and the retrieval of bibliographic information to meet those needs.
 - 3. Teaching activity, broadly defined, of groups or individuals, e.g., teaching formal classes, orientation lectures, aiding students in finding and using

information sources, aiding Faculty colleagues in using library resources effectively to supplement and enrich the classroom experience.

4. Continuing education (additional degrees, diplomas, certificates, or a substantial number of credit hours at the graduate level beyond the required two master's degrees).
5. Internships, consultancies, mentoring student theses, or evaluating library or Academic Programs.
 - b. Evidence of effectiveness in the performance of library or technical operations enabling the creation and/or development of, access to, preservation of, or organization of important intellectual resources in support of the Libraries' mission.
 - c. Evidence of the initiation, development and implementation of policies, programs, or services within the Libraries' mission.
 - d. Evidence of , responsibilities for Departments or Programs where applicable.
 - e. Evidence of contributions to relationships with other areas of the University.
 - f. Evaluation of performance by a committee of Tenured Faculty members as per Article 3.6.a.1.i.

4.4 Scholarship, including Research or other Creative Work

- a. In evaluating the merits of research or other creative work, primary consideration shall be given to the norms and standards of the applicable discipline as articulated in Departmental Guidelines. Greater weight shall be given to original authorship than to editorial work, to refereed books, articles in referred journals and law review articles than to non-refereed publications; to non-refereed publications than to self-published or unpublished materials; for creative works, greater weight shall be given to public performance and display open to review than to performance in private closed venues. In cases of multiple authorship, the extent of the applicant's role must be described.
- b. Department Guidelines must specify the weight assigned to various forms of scholarship in assessing applications. Evidence of scholarly achievement and potential for future scholarship may include, but is not limited to: lectures and papers presented to professional organizations and educational institutions, articles, chapters in edited volumes, books, translations, significant editorial work, reviews, research grants, commissions, applied research, bibliographic research, unpublished manuscripts, scripts, manuals, works of art, public performances, professional work performed as a practitioner, media appearances, films, computer software, multimedia presentation, blogs and other online presentation of scholarship, and

emerging forms of information technology. Applicants may also submit evidence of recognition of scholarship including but not limited to reviews of published works, awards, nominations, commendations, citations and/or citation metrics, and other indicators.

- c. The applicant shall document scholarship in full bibliographic detail using generally accepted standards for attribution. A copy of each publication or other research or creative material shall be submitted along with any evaluations by colleagues, reviews, citations, awards, and other forms of scholarly recognition. Completed manuscripts accepted for publication must be accompanied by a written affirmation of a final decision to publish from the editor and/or publisher. Such publications must be identified as “in press” and shall count toward tenure and/or promotion as publications. Completed research that is not yet accepted, including manuscripts under review, may not be listed under publications. The applicant shall clearly distinguish research in progress from publications.

4.5 Service to the University, the Profession, and the Community

Service, whether compensated or not, includes but is not limited to the following. In all cases, specific documentation of the activities performed and contributions should be provided. In documenting service, applicants should endeavor to show how it advances the mission of the University.

- a. Service to the University
 - 1. Service to students such as serving as Faculty advisor to a student organization, honor society, or engaging in extra-academic activities with students.
 - 2. Service to the Faculty such as serving on Department, College, or Faculty Senate committees, Faculty governance bodies, and major curricular development projects.
 - 3. Service to the University such as serving as Department Chairperson or Program Director, or serving on University-wide task forces or committees.
- b. Service to the profession. Offices, leadership positions, and committee work in professional organizations; contributing consultative, advisory, peer-review or editorial service in a professional capacity.
- c. Service to the community. Lectures, performances, panel discussions, membership on advisory boards or civic committees; involvement in community, political, or charitable organizations; services to religious bodies or to government. To have weight toward tenure and promotion, service to the community must be connected to

the candidate's areas of professional competence and/or the mission of the University.

4.6 General Criteria for Academic Ranks — Tenure-Track Faculty

- a. Instructor. A master's degree or its equivalent in an appropriate field from an Accredited Institution. Evidence of teaching effectiveness or potential to teach effectively; evidence of or potential for scholarly publication, research, or other creative work in the appropriate discipline or field.
- b. Assistant Professor. A doctoral degree or the commonly accepted terminal degree for that discipline or field from an Accredited Institution as specified in the applicable Departmental Guidelines; evidence of teaching effectiveness or potential to teach effectively; evidence of, or potential for, scholarly publication, research, or other creative work in the appropriate discipline or field. In exceptional cases, outstanding professional or scholarly achievements may serve as a substitute for the terminal degree. Such exceptions must be explained in the applicant's letter of appointment.
- c. Associate Professor. In addition to the credentials for Assistant Professor: four (4) years of full-time teaching experience at an Accredited Institution, evidence of teaching excellence, scholarly publication, research, or other creative work in the appropriate discipline or field as defined in Departmental Guidelines; service to the University, the profession, or the community. For promotion to Associate Professor, the four (4) years of full-time teaching experience must take place at the University at the rank of Instructor or Assistant Professor unless specifically waived in writing by the Provost. Unlike the two lower ranks, promotion to this rank rests on proven ability and accomplishments. In exceptional cases, the University may waive teaching experience for an initial appointment at this rank.
- d. Professor. In addition to the credentials for Associate Professor: four (4) years of full-time teaching experience at an Accredited Institution; demonstrated professional recognition of meritorious publications, research, or other creative work in the form of peer-review, citations, scholarly reviews, awards, grants, or press or venue prestige as appropriate to the discipline and as defined in Departmental Guidelines; continued and consistent excellence in teaching; substantial service and leadership in the university, the profession, or the community. For promotion to Professor, the four years of full-time teaching must take place at the University unless specifically waived in writing by the Provost prior to submission of the application. To hold the rank of Professor, Faculty members must have previously attained tenure or be awarded tenure concurrently with promotion or appointment. In exceptional cases, the University may waive teaching experience for an initial appointment at this rank.
- e. The criteria for Associate Professor are applicable to the granting of tenure except that an additional consideration for tenure must be the needs of the Program, Department or College. If the initial appointment is at the level of Associate

Professor, the granting of tenure requires ongoing teaching, scholarship and service commensurate with that rank. Granting of tenure to an Associate Professor or Professor requires fulfillment of the requirement of four years teaching at the University unless tenure is recommended at the time of appointment and subsequently granted by the Board of Regents in accordance with Article 3.1.a.2.i.

- f. Any additional criteria for rank specific to particular disciplines shall be enumerated by departments in their Departmental Guidelines as specified in Article 5.2.a.

4.7 Criteria for Academic Ranks — Clinical Nursing Faculty

- a. Clinical Instructor Qualifications for appointment:

1. Licensed (unrestricted) to practice nursing in the State of New Jersey.
2. Master's degree in field of nursing specialty.
3. Experience of at least 4 years in clinical specialty area.

- b. Clinical Assistant Professor Qualifications for appointment:

1. Licensed (unrestricted) to practice nursing in the State of New Jersey.
2. Master's degree in nursing specialty, and an earned terminal doctoral degree in Nursing; either PhD, EdD or DNP.
3. Certification in a nursing specialty.
4. Publications in peer-reviewed journals. Those publications can be in clinical, professional, and/or research journals.
5. A minimum of two years teaching experience.

- c. Clinical Associate Professor Qualifications for Appointment:

1. Licensed (unrestricted) to practice nursing in the State of New Jersey.
2. A master's degree in nursing specialty and an earned terminal degree in Nursing; either PhD, EdD or DNP.
3. Certification in a nursing specialty.
4. Evidence of professional leadership.
5. Progressive record of publications in peer-reviewed journals. A minimum of four years teaching experience.

- d. Clinical Professor Qualification for Appointment:
 1. Licensed (unrestricted) to practice nursing in the State of New Jersey.
 2. A master's degree in nursing specialty, and an earned terminal doctoral degree in Nursing; either PhD, EdD or DNP.
 3. Certification in a nursing specialty.
 4. National and/or international leadership in clinical specialty area.
 5. Progressive record of publications in peer-reviewed journals.
 6. A minimum of six years of teaching experience.

- e. Promotion to Clinical Ranks
 1. Promotion to a higher clinical rank requires ongoing teaching, scholarship, and service commensurate with that rank. Promotion to the ranks of Associate Professor or Professor requires fulfillment of the requirement of four years teaching at the University unless waived in writing by the Provost.
 2. Promotion from the rank of Clinical Instructor to the rank of Clinical Assistant Professor takes place upon the completion the necessary terminal degree as specified in article 4.7.b.

4.8 Criteria for Academic Ranks — University Library

Standards of professional effectiveness applicable to criteria for University library academic ranks are understood as defined in Article 4.3.

- a. Librarian IV (Instructor). An M.L.S. from an Accredited Institution and evidence of potential for professional effectiveness.
- b. Librarian III (Assistant Professor). In addition to the credentials for Librarian IV: a master's degree in a subject or disciplinary field from an Accredited Institution; evidence of professional effectiveness or the potential for same; evidence of scholarship or the potential for same.
- c. Librarian II (Associate Professor). In addition to the credentials for Librarian III: four (4) years of full-time library service at the College or University level; a documented record of professional effectiveness and of scholarly activity; a documented record of service to the University, the profession, and/or the community. Unlike the two lower ranks, promotion or appointment to this rank rests on proven ability and accomplishments.

- d. Librarian I (Professor). In addition to the credentials for Librarian II: four (4) years of full-time library service at the College or University level; a continuing and consistent record of excellence in professional effectiveness and of leadership in the University, the profession, or the community; demonstrated professional recognition of meritorious publications, research, or other creative work.
- e. The criteria for tenure are identical to the criteria for Librarian II except that an additional consideration for tenure must be the needs of the library. If the initial appointment is at the rank of Librarian II (Associate Professor) the granting of tenure requires ongoing teaching, scholarship, and service commensurate with that rank. For promotion to the rank of Librarian II (Associate Professor) the four (4) years of full-time service must take place at the University at the rank of Librarian I or Librarian II unless specifically waived in writing by the Provost.

4.9 General Criteria for Academic Ranks — Senior Faculty Associate and Senior Lecturer

- a. Five (5) years teaching at the University. Demonstration of teaching excellence as defined in Article 4.2.
- b. Service on the College and Departmental level.
- c. Fulfillment of contractual responsibilities as specified in the applicant's Letter of Appointment.

ARTICLE 5
PROMOTION AND TENURE PROCEDURES

5.1 General Requirements

- a. Each applicant for promotion or tenure shall submit an application with documentation. Faculty members who do not submit an application by the deadline before mandatory tenure review shall be terminated at the end of that Academic Year.
- b. All applications for promotion and tenure must be submitted on appropriate forms provided by the University. The application must include a table of contents listing every item submitted by the applicant.
- c. Applications for promotion to the rank of Assistant Professor may be submitted at any time and such promotion, if approved, shall be effective immediately upon approval. Such applications shall be submitted to the Department (or, in Colleges without Departments, to the Dean). The Department shall submit its recommendation to the Dean whose decision, if favorable, is final. An applicant may appeal an unfavorable decision to the Provost.
- d. Tenure review must begin no later than the eleventh (11th) semester of full-time service on a Tenure-Track appointment at the University unless otherwise specified in a Letter of Appointment or Supplement thereto as specified in Articles 3.4 and 3.5. Faculty members whose eleventh semester begins in January, shall adhere to the deadlines for that Academic Year and submit their application to their Department by October 1 of the previous semester. Faculty members are expected to complete the maximum allowable period before applying for tenure. Departments may accept and recommend for further consideration applications from Tenure-Track Faculty members for tenure (and Associate Professor) who have demonstrated exceptional performance before they have completed the maximum allowable period provided they have met the minimum requirements for applying for tenure, as specified in Article 4.6.e, including four years of teaching at the University. Acceptance of such an application does not constitute a vote for approval of the application.
- e. All promotion and tenure committees shall keep records of their proceedings, which shall include a tabulation of all formal votes taken. Any recusals must be entered into the record of the committee's proceedings. These records are strictly confidential and shall be kept by the responsible administrator at each level (Department Chairperson, Dean, and Provost) for a period of at least six (6) years following the date fixed for notification by the Board of Regents.
- f. The applicant has the right to make a personal appearance and presentation to the Dean, and to the Department, College, and University Rank and Tenure Committees. This right may be waived by the applicant, but such waiver must be in writing.

- g. At each level, voting shall be by secret written ballot. All eligible committee members shall vote either positively or negatively on each application, except for a clear Conflict of Interest as defined in Article 1.9. Members with such a conflict must declare their recusal with stated justification prior to the start of deliberation on an application. Notification of the recusal must be included in the committee chair's letter stating the committee's vote. All eligible committee members shall also include on their ballots a simple statement of reasons for their votes. The ballots shall be included in the record kept by the committee of its proceedings. All records of the committee including the ballots shall be provided to the Office of the Provost at the conclusion of the committee's activity.
- h. Faculty members who intend to submit an application for promotion and/or tenure must ordinarily submit a notice to this effect to their Department Chairperson not later than May 15 of the Academic Year prior to submission of the application.
- i. Written documents shall be the primary evidence considered at all levels in the promotion/tenure process. College Rank and Tenure Committees and the University Rank and Tenure Committee may, during the course of their deliberations, invite the responsible official(s) at each level (Department Chairperson, committee chairperson/Dean/Provost) to present evaluative statements and/or respond to questions. The record shall summarize these statements/responses, and the Chair shall notify the candidate of who was invited.
- j. Procedures specifically applicable to the promotion of non-Tenure-Track Faculty members such as Nursing Clinical Faculty, Faculty Associates and Lecturers are specified in article 5.10.
- k. Notwithstanding the above, the University reserves the right to conduct reviews and investigations of faculty as elsewhere specified in the Faculty Guide and other University Policies.

5.2 Departmental Review

- a. Departmental Tenure and Promotion Guidelines
 - 1. All Departments shall create written guidelines for promotion and tenure that include a statement of expectations for tenure, promotion to Associate Professor, and promotion to Professor in the areas of scholarship, teaching, and service ("Departmental Guidelines"). The Departmental Guidelines should also specify procedures for pre-tenure departmental review.
 - 2. Departmental Guidelines must be consistent with all standards and procedures established in the Faculty Guide, including Articles 3.6.a, 4, and 5.
 - 3. Departmental Guidelines must specify voting procedures for promotion to the

rank of Professor in the event that no Faculty members are serving at that rank in the Department.

4. Guidelines must be formally approved by a majority vote of all Tenured and Tenure-Track Department members and provided to the Dean for formal review. Once approved by the Dean, Department Guidelines apply at all stages of the tenure and promotion process and must be provided to the Office of the Provost.
5. All Tenure-Track and Tenured Faculty members must receive these Departmental Guidelines at the time of appointment.
6. Review for tenure is governed by the Departmental Guidelines in effect at the time of an applicant's appointment. Review for promotion is governed by the Departmental Guidelines in effect at the time of the more recent promotion or the Departmental Guidelines in effect six (6) years prior to the application, whichever is the lesser interval of time. Changes introduced to Departmental Guidelines shall not be otherwise retroactive unless explicitly agreed upon by a unanimous vote of all Tenure-Track and Tenured members of the Department and the approval of the Dean and the Provost.

b. External Review

1. Departments may solicit and submit external reviews of their applicants' scholarship from scholars in their fields. Departments conducting external review shall state their policies and procedures in accordance with the provisions below in their Departmental Guidelines.
2. External reviewers shall be chosen by the Department Chairperson after consultation with the applicant. External reviewers should have made significant contributions to scholarship within the applicant's field and should hold an academic rank equal to or above the rank to which the applicant is applying.
3. When soliciting evaluations from reviewers, the Department Chairperson shall compose a letter to be sent to all reviewers stating the points to which the reviewers shall respond and providing whatever contextual information is considered necessary. In the letter, reviewers shall be instructed to explain the nature of their relationship with the applicant. Chairpersons shall share this letter with the applicant before it is sent. The letter shall be added to the applicant's portfolio along with the external reviews.
4. Reviewers shall be provided with copies (paper or electronic) of all publications included in the applicant's portfolio along with the Departmental Guidelines, and must be provided with ample time to review the materials and produce a written evaluation before the application is submitted for departmental review. External reviews may not be added to the applicant's

portfolio any later than the start of departmental review on October 1.

5. External reviews are added to the application by the Department Chairperson and must be taken into consideration at every stage of the review for tenure or promotion.
6. External reviews are strictly confidential with regard to the identity of their individual authors. Applicants are not to see the full review letters submitted by external reviewers. At the request of the candidate, the Department Chairperson may reveal to the applicant information from the external letters without revealing the identities of the authors.

c. Submission of Applications

1. All applications for promotion to the ranks of Associate Professor, Professor, and for tenure are initially submitted to the Department and, after departmental review and recommendation, to the Dean. In Colleges without Departments, a committee of Tenured Faculty members performs the function of departmental review.
2. Applications shall be submitted to the Department or its equivalent by October 1 and become available to the Dean and to the College Rank and Tenure Committee on November 1.
3. In the case of a recommendation for initial appointment of a Faculty member with tenure, the deadlines for submission of an application and for review by committees and administrators may be extended and/or expedited. In such instances, the Provost in consultation with the appropriate committee chairs and administrators shall determine the applicable deadlines for their respective determinations and/or actions. In such cases a Departmental vote of Tenured Faculty is required for the granting of tenure.
4. Once submitted to the Department, the application may not be modified, amended, or abridged, except with the explicit written consent of the applicant and the Provost.

d. Departmental Procedures

1. The Department Tenure and Promotion Committee for a given application shall be comprised of all full-time members of the Department holding an academic rank and tenure status equivalent to or higher than the rank for which the application was submitted. An exception may be made for applications for promotion to Professor in Departments with no Faculty members at that rank. In such cases the Department shall follow the procedures stipulated in its Departmental Guidelines.

2. Departments shall conduct a review of the application, which must include a personal interview scheduled by the Department Chairperson unless waived in writing by the applicant.
3. Departmental votes are to be submitted on uniform ballot forms prepared in advance by the Chairperson and must be accompanied by a statement explaining the reasons for the vote.
4. Upon receipt of the ballots, the Department Chairperson shall prepare a letter stating the results of the departmental vote. The letter shall also include the Chairperson's review of the application, pursuant to the applicable provision of this Guide and the Departmental Guidelines. Both the Chairperson's letter and the ballots are made available to the applicant and subsequent reviewers of the application after the Chairperson's letter has been added to the application and submitted to the Dean for College level review. The failure of the Department or Chairperson to submit timely evaluations regarding tenure or promotion shall not prevent the review process from continuing.

5.3 College Review

- a. Composition of a College Rank and Tenure Committee is determined by the Faculty of the College, but in no case shall any member of a College Rank and Tenure Committee hold an untenured appointment, vote on a promotion to a rank higher than his/her own rank, vote on his/her own promotion, or have a Conflict of Interest.
- b. The Faculty of each College shall adopt by-laws governing the conduct of the College Rank and Tenure Committee; a copy of the by-laws shall be on file in the Office of the Provost and shall be made available to the University Rank and Tenure Committee.
- c. The Dean shall convene the Rank and Tenure Committee of the College, provide pertinent information, and answer any questions from committee members. Thereafter, the Dean shall be excused from the deliberations and the committee shall proceed to its review and recommendations of individual applicants.
- d. Each College Rank and Tenure Committee shall elect a chairperson who shall be responsible for ensuring that proper records are kept of committee proceedings, and that deliberations are carried out in accordance with the provisions of the committee's Bylaws and the Faculty Guide. All communication with applicants for tenure and promotion on behalf of the committee shall take place through the chairperson.
- e. All applicants for tenure and promotion shall meet with the College Rank and Tenure Committee in fulfillment of their rights under article 5.1.f prior to any vote on their applications. Applicants shall be allocated reasonable time both to give a presentation on their applications and to respond to questions. The committee chairperson is responsible for scheduling meetings with applicants unless the applicant specifically waives the right to a meeting in writing.

- f. Review of applications shall be based on the materials included in the applicant's portfolio viewed in light of the standards established by this Guide and the Departmental Guidelines. In exceptional cases, the committee may address questions either in person or in writing to responsible officials (Department Chairpersons, Deans, Provost) with knowledge of the applicant's qualifications. The making of such inquiries shall be entered into the committee's record and shared with the applicant.
- g. Voting shall take place as specified in Article 5.1.g. Ballots and the accompanying statements shall become part of the record of the committee's proceedings and shall be made available to the applicant upon completion of the committee's work.
- h. The committee chairperson shall compile the committee's ballots and report the number of positive and negative votes and any recusals. Each College Rank and Tenure Committee shall submit its report to the Provost on or before December 15. A copy of the report shall be forwarded to the applicant at the same time.

5.4 Dean's Review

- a. All applicants for tenure and promotion shall meet with their Dean in fulfillment of their rights under Article 5.1.f prior to the submission of the Dean's recommendation to the Provost. The Dean is responsible for scheduling this meeting unless the applicant waives the right to a meeting in writing.
- b. Each Dean shall submit a separate recommendation for each applicant addressing the applicant's portfolio viewed in light of the standards established by this Guide, the Departmental Guidelines and any other applicable University Policies (as well any other relevant information) on or before December 15. The Dean's recommendation shall be added to the application and made available to the Provost and the University Rank and Tenure Committee. A copy of the recommendation shall be forwarded to the applicant at the same time.

5.5 University Review

- a. Composition of the University Rank and Tenure Committee
 - 1. The University Rank and Tenure Committee shall consist of eleven (11) Tenured Faculty members holding the rank of Professor.
 - 2. Each of the constituent schools of the University in which tenure is granted must be represented on the committee and three (3) of its members shall hold tenured rank in the College of Arts and Sciences, two (2) of its members shall hold tenured rank in the W. Paul Stillman School of Business, and two (2) of its members shall hold tenured rank in the College of Education and Human Services. The College of Nursing, the School of Diplomacy, the College of Communication and the Arts, and the Library will be represented on the committee by one member each. If a College

has fewer than five (5) Faculty holding Professorial rank, then a Tenured Faculty member with the next highest rank shall be eligible to serve on the University Rank and Tenure Committee and have rights equal to those of the other members.

3. Members shall be recommended by the Deans and appointed by the Provost of the University for staggered two-year terms. Once appointed, Faculty members are obliged to serve. No Faculty member shall serve more than once on the committee until all other eligible Faculty members at the same rank from the appropriate College have served on this committee
 4. No Faculty member shall serve on this committee while serving on a College Rank and Tenure Committee during a single Academic Year.
 5. The committee shall elect one of its members as chairperson. The Provost shall appoint a secretary to this committee, who shall have no vote and who shall not hold Faculty rank.
- b. The Provost shall convene the University Rank and Tenure Committee no later than December 20 and answer any questions from committee members. Thereafter, the Provost shall be excused from the deliberations and the committee shall proceed to its review of individual applicants.
 - c. The University Rank and Tenure Committee shall adopt Bylaws which shall be made available to member of the Faculty and to the Provost. The Provost shall keep such Bylaws on file and provide the most recent version of such Bylaws to the committee at the time that the committee is convened under subsection b.
 - d. The committee shall keep a record of its proceedings , including all votes taken.
 - e. All applicants for tenure and promotion shall meet with the University Rank and Tenure Committee in fulfillment of their rights under Article 5.1.f prior to any vote on their application unless the applicant specifically waives the right to a meeting in writing. The chairperson of the committee is responsible for scheduling meetings with applicants unless the applicant has waived the right to a meeting.
 - f. Review of applications shall be on the materials included in the applicant's portfolio viewed in light of the standards established by this Guide and the Departmental Guidelines. In exceptional cases, the committee may address questions either in person or in writing to responsible officials (Department Chairpersons, Deans, Provost) with knowledge of the applicant's qualifications. The making of such inquires shall be entered into the Committee's record and shared with the applicant.
 - g. Voting shall take place as specified in Article 5.1.g. Ballots and the accompanying statements shall become part of the record of the committee's proceedings and shall be made available to the applicant upon completion of the committee's work.

- h. The chairperson shall compile the committee's positive and negative votes accounting for any recusals due to Conflict of Interest as per Article 5.1.g. The committee shall submit its report of votes to the Provost on or before March 1st. Applicants shall be informed of the report at the same time that it is communicated to the Provost.

5.6 Provost Review

- a. The Provost will review applications for tenure and promotion concurrently with the University Rank and Tenure Committee. A meeting between the Provost and applicant is not required but may be arranged at the discretion of the Provost.
- b. The applicant may submit to the Provost a supplementary statement, but not additional documentation, no later than March 15.
- c. Each applicant shall be notified of the Provost's action on the application by April 1.
- d. Should an application for tenure or promotion be denied by the Provost on its merits, the decision of the Provost may be appealed to the President provided that the application had been positively recommended by majority vote of the University Rank and Tenure Committee. The appeal must be made by letter addressed to the president within 15 days of effective notice of denial.
- e. Should a decision favorable to the candidate be reached on appeal to the president and subsequently approved by the Board of Regents, the effective date of promotion or appointment with tenure is August 15 of the Academic Year following that in which the application was filed, regardless of the date on which the decision is reached.

5.7 Board of Regents Review

- a. Applications positively endorsed by the Provost are forwarded to the Board of Regents for final review. Applications denied by the Provost are not so forwarded unless the applicant successfully appeals to the President to reverse the recommendation of the Provost. As per Article 3.1.a.2.i, tenure may be only be granted by a positive action of the Board of Regents.
- b. Each applicant shall be notified of the action of the Board of Regents by April 30.
- c. If the decision of the Board of Regents on promotion or tenure is favorable, the effective date of such promotion or appointment with tenure is August 15 of the following Academic Year.

5.8 Notification

- a. At each step of the process the appropriate chairperson of the Department, College, and University Rank and Tenure Committee and the Dean shall inform the applicant and the applicant's Department Chairperson in writing of his or her recommendation, or that of the Committee.

- b. Notification shall be effective if personally delivered to the Faculty member or if sent by certified mail postmarked by the date specified. The certified letter shall be sent to the Faculty member's residence as reported to Human Resources.

5.9 Withdrawal

- a. An applicant has the right to withdraw an application for promotion at any stage of the process.
- b. An applicant who withdraws from a mandatory tenure review must submit a written letter of resignation from the University to be effective no later than the end of the current Academic Year.
- c. An applicant who requests or agrees to a tenure review prior to the year of mandatory tenure review may withdraw the application at any stage of the process.
- d. All notifications of withdrawal shall be submitted in writing to the Provost with copies sent to the Department Chairperson and Dean. A record of the stages of the process which were enjoined, the results of these stages, and the fact of withdrawal shall be kept in the Faculty member's official personnel file.

5.10 Promotion of Term Faculty

- a. Faculty Associates and Lecturers who have served the University at that rank for a period of at least five full Academic Years may apply in their sixth year or later for promotion to Senior Faculty Associate/Senior Lecturer according to the Department's criteria for that position in its Departmental Guidelines. Clinical Nursing Faculty members may apply for promotion to a higher rank when they have served the times required by Article 4.7.
- b. Promotion of Term Faculty members requires review by, and a majority vote of, the Tenured members of the Department and the College Rank and Tenure Committee as well as review and approval by the Dean and the Provost.
- c. Consistent with Article 6.2.d, a leave of absence shall not count as a part of the pre-promotion period for promotion to a higher Clinical Faculty rank, Senior Faculty Associate or Senior Lecturer, unless this provision is waived in writing by the applicant and the Provost.
- d. Appointments and reappointments as Senior Faculty Associate and Senior Lecturer follow the same rules as Faculty Associate or Lecturer appointments. Clinical Faculty who have been promoted continue to follow the rules for appointment and reappointment as set forth in Article 3.6.d.3.
- e. Procedures for the promotion of Faculty Associates, Lecturers, and Clinical Faculty are identical to those described above except that these applications are not reviewed by the

University Rank and Tenure Committee.

ARTICLE 6 LEAVES

Full-time members of the faculty are eligible, consistent with provisions of this article, to apply for sabbatical leaves, unpaid leaves of absence, medical leaves, leaves for political activity, government service, military service, and jury duty.

6.1 Sabbatical Leaves

The major purpose of a sabbatical leave is to provide the opportunity for continued professional growth and new or renewed intellectual achievement through study, research, scholarly writing, or professionally related travel. The number of sabbatical leaves awarded each year shall depend upon the university's financial ability to meet its continuing obligation to provide a balanced, quality academic program to its student body.

a. Eligibility.

1. All full-time members of the faculty have the right to apply for sabbatical leave for each period of six (6) years of full-time faculty service with the university, exclusive of time on leave.
2. Ordinarily, a faculty member shall take sabbatical leave in the seventh, fourteenth, twenty-first, etc. year with the university.
3. If a sabbatical is taken with more than six years of credited full-time faculty service, those years in excess of six years are credited toward the eligibility requirement for the subsequent sabbatical. There must, however, be a minimum of four (4) years between the taking of sabbatical leaves.
4. Probationary faculty members are not eligible for sabbatical leave.
5. Up to two (2) years of faculty service at another accredited institution of higher learning at an unqualified rank may be credited in the letter of appointment toward a faculty member's application for sabbatical leave.

b. Application and granting procedure

1. Every applicant must apply for sabbatical leave on forms provided by the Office of the Provost.
2. Every applicant must state the purpose, as specifically as possible, in applying for sabbatical leave.

3. Every application must state that the applicant shall continue to serve for at least one (1) year after expiration of the term of the leave unless this provision is waived in writing by the provost.
4. Applications must be submitted by October 1 of the year preceding the academic year in which the leave is to be taken (1) to the department Chairperson in the Colleges of Arts and Sciences, Education and Human Services, Nursing, School of Diplomacy and International Relations, and in the W. Paul Stillman School of Business; (2) to the elected standing committees in the Walsh Library. Recommendations based upon a majority vote of the total full-time faculty members in the department and/or committee holding tenured appointments, and probationary faculty, plus faculty associates and term faculty members with two academic years of service completed, are submitted to the dean of the respective college no later than November 1. Deans shall submit their recommendations to the provost by December 1. The provost shall take action on applications by the tenured faculty before January 15. The provost shall not take action on any application by a faculty member who has also applied for tenure until a final affirmative tenure decision is rendered.
5. At each step of the process the respective body or individual shall inform the applicant and all appropriate parties (department chairpersons, committee chairpersons, dean, provost), in writing, of the recommendations made.
6. The applicant has the right to appeal from the department, and, in the library, from the committee to the dean, and also from the dean to the provost. Should an application for sabbatical leave be denied by the provost on its merits, after approval by the department and dean (or the dean in the absence of departments), the decision of the provost is appealable to the president of the university.
7. The department, college, or library endorsement must state that the work of the department, college, or library in which the applicant serves can be so arranged as to be carried forward effectively during the period of the leave. An endorsement should not be contingent upon replacing the applicant during the leave. If the sabbatical is rejected on grounds that a particular applicant's services are necessary, such an application shall not be rejected in a succeeding year on those grounds, nor shall this rejection prejudice the faculty member's eligibility under 6.1a.

c. Criteria for selection

Every participant involved shall consider the advantages of such leave to the applicant and to the university. Primary consideration shall be given to the academic potential of the faculty member's proposal in terms of its contribution to the

discipline, the intellectual development of the individual, or to the strengthening of the department or the university. A faculty member's choice of a one-semester or one-year sabbatical is not a criterion for selection.

d. Compensation and Expenses

1. Salary payments during sabbatical leave shall be three-quarters (3/4) pay if the leave is for one (1) year, and full pay if the leave is for one-half (1/2) year. Salary payments are calculated only on the faculty member's base salary.
2. The granting of sabbatical leave shall not affect the applicant's tenure or any salary increment for which the applicant may be otherwise qualified.
3. A faculty member on sabbatical leave shall be entitled to the continuation of pension and other fringe benefits provided by the university.
3. A faculty member on sabbatical leave may accept remunerated employment only with the written approval of the provost.
4. A faculty member whose application has been finally approved may compete for University-funded travel and research money in conjunction with her/his sabbatical project.

- e. At the conclusion of a sabbatical leave, the faculty member shall forward to the departmental chairperson, the dean and the provost copies of a report of his/her activities during the period of the leave.

6.2 Leaves of Absence

All full-time faculty members may apply for the following leaves of absence: (1) professional development of the faculty member, and (2) the protection and/or recovery of health, including family emergencies..

- a. The procedures for application and granting of a leave of absence are identical to the procedures described in the section 6.1b on sabbatical leave except that required deadlines may be waived in unusual circumstances, as when an applicant's leave depends upon approval by a grant external to the university such as a foundation grant or national fellowship.
- b. Leaves for the protection and/or recovery of health are frequently extraordinary requests and shall be expedited.
- c. In special circumstances ordinary leaves of absence may be granted with compensation.

- d. For faculty members without tenure, a leave of absence shall not count as a part of the probationary period (see article 3) unless this provision is waived in writing by the individual and the provost.
- e. Where it enhances the professional development of the faculty member, a leave of absence may be granted for the purpose of taking up temporary employment elsewhere.
- f. The continuation of the university's contribution to fringe benefits during the leave of absence shall depend upon the circumstances of the leave, and the precise status of the faculty member's benefits shall be stated in writing by the provost in the letter approving the leave of absence. If the university does not continue its contribution, faculty members have the option to maintain any or all of their fringe benefits at their expense during the leave of absence.

A faculty member on leave of absence for reasons of health, or to participate in a fellowship or a professional program (except when pursuing an advanced degree) shall have fringe benefits paid by the university during this leave of absence.

- g. The maximum period that may be spent on any single leave of absence is two (2) calendar years. The failure of any faculty member, with tenured or probationary appointment, to return to his/her full-time appointment after the agreed upon leave shall result in termination of the appointment. The dean shall notify the faculty member in writing of the requirement to return, at least one-hundred and twenty (120) days before the scheduled termination of the leave.

6.3 Medical Leaves

A faculty member who is unable to work because of illness or disablement for one (1) to ten (10) academic calendar days must notify the department chairperson (or, where applicable, the dean) of the reason for the absence and its estimated duration. It is expected that, as a matter of professional courtesy, faculty colleagues shall substitute for absent members in teaching and other assignments without receiving additional compensation. Where this is not possible, faculty shall be expected to make up any missed classes as soon as possible upon returning to work.

- a. A faculty member who is unable to work for more than two (2) weeks (ten (10) academic calendar days) because of illness or disablement shall be granted a leave of absence in accordance with the following procedures and conditions:
 - 1. Within these two (2) weeks the member is expected to notify, or cause to be notified as promptly as possible, the department chairperson (or equivalent officer) of the member's illness or disablement and to provide the department chairperson (or equivalent officer) with a physician's certificate indicating the date of the inception, nature, and estimated duration of the illness or

disability. When a faculty member knows in advance of an expected absence due to illness or disablement, the member shall notify the department chairperson (or equivalent officer) at once.

2. Upon receiving the physician's certificate, the department chairperson (or equivalent officer) shall transmit the certificate to the provost through the dean for leave approval.
3. The leave shall be approved by the provost and shall take effect two (2) weeks after the date of inception of the illness or disability and shall extend for the duration of the disability as attested by the member's physician or six (6) months, whichever is shorter. Human Resources shall provide the member with a summary of medical benefits.
4. Paragraph 6.3a.3 notwithstanding, a faculty member who is absent from teaching duties for more than four (4) weeks (twenty (20) academic calendar days) shall not resume teaching duties for the remainder of the semester in which the illness or disability occurred, but may be assigned other duties. Full salary shall be resumed upon return to university service.

b. Disability compensation

1. A faculty member in the first year of service at the university shall receive an amount equal to the difference between the temporary disability insurance payments to which the member is entitled and the member's base contract salary for one month. Employment shall terminate after an uninterrupted absence due to illness or disablement of more than three (3) months.
2. A faculty member who has from two (2) to ten (10) years of service at the university shall receive for two (2) months an amount equal to the difference between the temporary disability payments to which the member is entitled and the member's base contract salary. For an additional period of leave of up to four (4) months in each academic year, such faculty members shall receive 60 percent of their base contract salary (disability plus university payments). A faculty member who has from ten (10) to 15 years of service at the university shall receive for four (4) months an amount equal to the difference between the temporary disability payments to which the member is entitled and the member's base contract salary. For an additional period of leave of up to two (2) months in each academic year, such faculty members shall receive 60 percent of their base contract salary (disability plus university payments). A faculty member who has 15 or more years of service at the university shall receive for six (6) months an amount equal to the difference between temporary disability payments to which the member is entitled and the member's base contract salary.

3. In the event a faculty member continues to be disabled after being on medical leave for six (6) months, the member, if declared eligible by the university's insurance carrier, shall be entitled to benefits under the university's total disability plan. In addition, the university shall pay the tenured faculty member's health program premiums for the duration of the disability or until retirement. For faculty members on term or probationary appointment, the university shall pay health program premiums until the expiration of the contract.

Members of the full-time tenured faculty, ineligible for total disability, shall be placed on an unpaid leave of absence for one (1) year but shall have health program premiums for which they are eligible paid by the university during this period. In the event such a faculty member continues to be disabled after that period the university's obligations to such faculty member shall cease.

- c. Upon return from a medical leave, the faculty member shall submit to the department chairperson (or equivalent officer) a physician's statement certifying that the member has recovered and can resume normal duties without restriction. The university may, at its option, refer the faculty member to a physician mutually agreeable to the university and the faculty member for an examination prior to the member's resumption of duties. The findings of such a physician with regard to the member's ability to return to work shall be conclusive.
- d. Medical leaves in excess of six (6) months shall not be counted toward the probationary period for tenure.
- e. The provisions of medical leave (section 6.3) shall apply in all respects to a faculty member's illness or disablement caused or contributed to by pregnancy, childbirth and/or recovery therefrom.
- f. The provisions of medical leave (section 6.3) shall apply in all respects to a faculty member's illness or disablement caused or contributed to while working at the university. Such illness or injury is covered by the University's Workers Compensation and Employer's Liability Policy. All injuries in the performance of duties must be reported immediately to Human Resources. Human Resources shall prepare the proper worker's compensation form which is required in order to qualify for benefits.

6.4 Leaves for Political Activity and Governmental Service

Faculty members, as citizens, are free to engage in political activities. Leaves may be granted for political activity and governmental service in accord with procedures established in section 6.2. Where appropriate, such requests shall be expedited. The terms of each leave of absence shall be written, and any leave shall not affect unfavorably the tenure status of a

faculty member except that such leave shall not count as probationary service toward acquisition of tenure.

6.5 Leaves for Jury Duty

The university reserves the right to seek a delay in jury service to a time that shall not interfere with the faculty member's class or academic schedule. If the delay is not granted, the university shall provide substitutes and continue the faculty member with full salary and fringe benefits during the term of jury duty. A faculty member notified of jury duty is obligated immediately to inform his/her chairperson or, where appropriate, dean.

6.6 Leaves for Military Service

If a faculty member is called to active duty in the armed forces of the United States, the leave shall not affect the member's faculty status except that such a leave shall not count as service for the acquisition of tenure.

ARTICLE 7

FACULTY RIGHTS AND RESPONSIBILITIES

7.1 Academic Freedom

- a. All members of the faculty, whether tenured or not, are entitled to academic freedom as set forth in the 1940 "Statement of Principles on Academic Freedom and Tenure" formulated by the Association of American Colleges and the American Association of University Professors.
- b. Academic freedom is essential to the purposes of the university and applies to both teaching and research. Freedom in research is fundamental to the advancement of truth. Academic freedom in teaching is fundamental for the protection of the rights of the teacher and of the student.
- c. Faculty members are entitled to freedom in discussing their subjects. They should be careful not to introduce into the classroom matter which does not contribute to student understanding of the course for which the faculty member has responsibility.
- d. When faculty members speak or write they are free from university censorship, but their special position in the community imposes special obligations. As scholars and members of the university, they should remember that the public may judge their profession and the university by their remarks. Therefore, they should at all times endeavor to be accurate, to exercise appropriate restraint, and to show respect for the opinions of others. While properly identifying themselves to outside audiences, they should not purport to function as institutional spokespersons unless specifically commissioned to serve in such a capacity.
- e. Faculty members' primary responsibility to their subject(s) is to seek and to state the truth as they see it. They are expected to devote their energy to develop and improve their scholarly competence. They are obligated to exercise critical self-discipline and judgment in using, extending, and transmitting knowledge. They practice academic honesty. The definition of 1) what constitutes academic dishonesty, 2) its levels of severity, and 3) the procedures for determining its existence and possible consequences in individual cases are to be determined by the Faculty Senate with the approval of the Provost and published to the faculty.
- f. As teachers, faculty members encourage the free pursuit of learning in their students and protect student academic freedom. They foster honest academic conduct and, on their part, provide equitable evaluations of student performance. They respect the confidential nature of the relationship between faculty member and student. They acknowledge significant assistance from students and avoid any exploitation of students for their own private advantage.

- g. When a student has a grievance, a faculty member shall be reasonably available, such as during office hours or by appointment, to consult with the student. If the matter cannot be resolved to their mutual satisfaction, either party may carry the grievance further in accordance with established university grievance procedures. Faculty members are obligated to participate in established grievance procedures.
- h. If faculty members allege that considerations violative of academic freedom significantly contributed to a decision adverse to them, they should employ the grievance procedure in article 14.

7.2 General Faculty Responsibilities

- a. Full-time faculty holding academic year appointments have professional responsibilities to the university for the period of the academic year.
- b. Full-time faculty holding twelve (12)-month appointments for the fiscal year have professional responsibilities to the university for the period commencing July 1 and ending June 30 with the understanding that such faculty member is entitled to one (1) month's vacation during that period, to be taken at time(s) consistent with assigned responsibilities and scheduled classes.
- c. All full-time librarians shall be employed on twelve (12)-month contracts consisting of thirty-five (35) hours per week of assigned duties with thirty (30) working days of vacation per year as per present practice. However, full-time librarians employed on or after August 1, 1979 shall be entitled to only twenty (20) working days of vacation per year.
- d. Librarians who desire to be employed on a ten (10)-month basis shall work thirty-five (35) hours per week for thirty-nine (39) weeks, plus they shall be paid for twenty-five (25) working days of vacation per year. However, full-time librarians employed after August 1, 1979 shall be entitled to only sixteen (16) working days of vacation if employed on a ten (10)-month basis. Application for this ten (10)-month arrangement should be made in writing to the Dean of University Libraries by October 15 of the preceding fiscal year. The dean, in consultation with the applicant's immediate supervisor and/or the Rank and Tenure Committee, shall render a decision by November 1. In the event that the request cannot be granted to all librarians submitting such a request, the dean, in making a determination, shall do so on the basis of the operating needs of the library and the relative seniority of the librarians involved. Where there is a conflict and one or more of the librarians has been refused in a prior request, then preference shall be granted to such librarian(s) notwithstanding relative seniority. Nor shall a librarian who is the sole professional in a given area, and who has had a prior refusal because of operating needs of the library be denied a second consecutive request for this reason.

- e. Faculty members are obligated to follow the university calendar.
- f. The primary professional responsibility of each member of the faculty is to the university and the university community. Since faculty members should display a high degree of professionalism, they shall:
 1. Aspire to excellence in teaching, promote the learning process, and stimulate the intellectual development of their students.
 2. Keep informed of contemporary developments in pedagogy and in their fields of specialization.
 3. Accept a reasonable number of assigned or elected committee responsibilities and conscientiously serve on those committees of which they are members.
 4. Serve as a resource to university, college, or department student organizations, where this is consistent with other commitments.
 5. Recognize their obligations to university graduates and their families by attending commencement exercises. The administration shall make every effort to promote a meaningful ceremony with an appropriate recognition of the faculty's role in the university.
 6. Adhere to reasonable deadlines and schedules established for the timely reporting of grades and for other matters related to student registration and record keeping.
 7. Assume a fair share of responsibility in student academic advisement, in the student academic review process, and in curriculum review and development.

7.3 Instructional Duties

- a. Teaching Load. The basic teaching load for full-time faculty members is eighteen (18) credit hours per academic year and shall normally be nine (9) credit hours per academic semester. Courses are assigned to faculty members by the chairperson after consultation with each faculty member, subject to the dean's review
 1. Credits hours are described in hours per week of formal class meetings. Normally a maximum of three (3) fifty (50)-minute periods of class meetings per week per semester equal three (3) credit hours.
 2. Faculty members responsible for a laboratory to which a teaching assistant (laboratory instructor) is assigned for the relevant contact hours, shall receive a reduction of one (1) credit hour per laboratory block. A laboratory block

consists of one (1) laboratory meeting time of one hundred fifty (150) or more minutes.

3. Faculty supervising laboratory sections to which a teaching assistant (laboratory instructor) is not assigned shall receive two-thirds (2/3) of one (1) credit hour of teaching load for each laboratory contact hour of fifty (50) minutes per week per semester.
4. Faculty supervising senior student teachers shall receive one (1) credit of teaching load for each four (4) students supervised. Faculty in the College of Education and Human Services supervising sophomore or junior student teachers shall receive one (1) credit of teaching load for each nine (9) students supervised. No credits shall be received for fractional loads.
5. In the College of Nursing full-time faculty conducting clinical courses shall receive credit hours of teaching load based on contact hours in the particular clinic according to the following schedule:

Contact Hours	Credit Hours
8	5
6	4
5	3
4	2

6. In courses following the "team instruction" approach, the instructors shall receive credit toward the required teaching load proportional to their responsibility for the classroom or contact hours.
- b. Course preparation and implementation
1. The number of separate course preparations in any given semester shall not ordinarily exceed three (3) except in cases where multiple sections are not available within the department or discipline, where the faculty member voluntarily accepts in writing and/or requests more, or where the faculty member accepts and receives an overload assignment. Independent study courses, internship mentoring assignments not offered on a course basis, honors program mentoring, graduate thesis advisement, or similar courses of individual instruction shall not be counted as separate course preparations. All course preparations for different sections of the same course during a semester are considered a single course preparation.
 2. Each faculty member shall adhere within reason to course descriptions published in the university bulletin and other media, such as department brochures and summer/winter session bulletins.

3. Faculty shall meet each class as scheduled.
 4. At the beginning of each course, the faculty member shall establish clear course objectives and explain the evaluative techniques and standards to be used. Each enrolled student shall be provided with a course outline or syllabus. Copies of the syllabus shall be given to the department chairperson within one week of the start of each course.
 5. Faculty members shall evaluate assignments and examinations in a timely and effective manner, thereby promoting student development.
 6. The number of new course preparations for a tenured faculty member shall not ordinarily exceed two (2) per year.
- c. Student advising
1. Faculty members are expected to advise a reasonably proportionate number of students in their department/college. Assignments are made as equitably as possible by the department chairperson or, with respect to undecided students, the dean.
 2. The policy regarding advisement of undecided majors shall be a matter for faculty determination within each college.
- d. Office hours
1. All full-time faculty shall hold office hours at least three (3) hours per week during the fall and spring semesters.
 2. These office hours are to be posted in advance and made available to the department chairperson.
- e. Limitation on advising and committee work
1. Faculty members (unless otherwise provided herein) shall not normally be required to exceed a maximum of nine (9) working hours per week, exclusive of the office hours indicated in article 7.3d, in the performance of professional duties such as student advisement and departmental committee work.
 2. This limitation does not apply to elected faculty offices or to voluntary committee assignments.

7.4 Research Expectations

- a. Faculty are expected to have an active research program during their tenure at the university.
- b. Departments shall establish guidelines for assessing progress in research for tenure-track and tenured faculty. Faculty will submit an annual report on their research to the department chair.
- c. Chairs may assign equivalent departmental duties for non-research active faculty.

7.5 Overtime

- a. Overtime assignments shall be made by the department chairperson. Assignments of overtime may be made only with the permission of the affected faculty member. The chairperson shall notify the dean of each overtime assignment.
- b. Overtime shall not exceed three (3) contact hours or one (1) course, whichever is greater, per academic year without the prior written approval of the college dean and the provost. In no case shall a faculty member teach more than one overtime course per semester.
- c. No faculty member may combine time released from teaching load for research or administrative duties, or overtime.
- d. Compensation for the preparation and/or teaching of noncredit courses or for extraordinary services shall be by special contractual arrangement between the faculty member and the university.
- e. There is no guarantee of the assignment of overtime.

7.6 Released Time

- a. A department may recommend to the dean load reductions for faculty members engaged in the assignments listed below. Determination of reductions shall be made annually by the dean from the list of department recommendations and with the concurrence of the provost.
 1. Supervision of special academic programs.
 2. Preparation of new programs of substantial scope.
 3. Unusual academic or research assignments.

- b. Load reductions supported by funded research shall be made pursuant to the terms of the contract or grant award. All proposals for grants and contracts shall be approved in accordance with current university practices and policies.

7.7 Academic Program Planning

A quality academic program requires effective program planning and a judicious selection of courses consistent with enrollment patterns and program needs. Moreover, the university commitment to the students mandates that required and elective courses be offered in a consistent sequence, and with sufficient frequency to assure completion of graduation requirements within a four-year cycle. Accordingly, each department shall be required to prepare both a four-year and a one-year course plan.

- a. In accord with established procedures for program review, each department shall undergo an evaluation every four years. The self-evaluation of the department shall include:
 - 1. a statement of program purpose;
 - 2. a four-year curriculum plan and schedule of courses to be offered. The statement of purpose, the curriculum plan and schedule shall be considered recommendations until approved by the dean and the provost.
- b. To assist the department in such planning, the Administration shall issue to the department a four-year projection of university enrollments, planned changes in facilities, and other pertinent information.
- c. In developing this plan, each department shall recognize the desirability of pruning excess courses from its curriculum and of reducing the frequency with which low enrollment courses are offered.
- d. The provost shall publish a timetable for the submission of statements of purpose and curriculum plans.
- e. Annually, department chairpersons and faculty shall:
 - 1. Submit to the dean a schedule of course offerings for the academic year. The schedule shall be based on the four-year plan. Deviations shall be noted and justified.
 - 2. Recommend maximum and minimum course enrollments for each of these course offerings.
- f. In recommending maximum/minimum enrollments, the department shall consider:
 - 1. The optimal educational format for each course.

2. The possibility of altering that format to accommodate student demand (e.g., from a seminar to a lecture course).
 3. Maintaining a reasonable relationship between the total student enrollment in the department and the number of courses/sections offered by it.
 4. Standards required by accrediting agencies.
- g. The Office of the Provost shall establish a timetable for the submission of annual schedules.
 - h. During the registration process, a department chairperson may exceed the maximum enrollment in a specific course with the consent of the faculty member assigned to said course. If registration demand exceeds the established maximum significantly, the chairperson may divide the course or section with the approval of the dean.
 - i. Minimum enrollments may be lowered only with the express permission of the college dean.

7.8 Unpaid Professional Activities

The university encourages faculty participation in other unpaid professional activities which add to the faculty member's knowledge, qualifications, and reputation, and to the reputation of the university, so long as these activities do not interfere with his/her primary responsibility to the university. The faculty member shall cooperate with the university in striving to inform both the university community and the outside community of such achievements.

7.9 Outside Employment of Faculty

A faculty member may engage in professional consulting and/or outside employment provided that such activity is not inconsistent with or does not interfere with the faculty member's responsibilities and obligations to the university.

ARTICLE 8

FACULTY PERSONNEL FILES

8.1

The university shall maintain only two categories of personnel files for each faculty member.

- a. There shall be a pre-employment file which shall contain all materials requested or received by the university in connection with the original employment of the member. Initial letters of recommendation shall be kept confidential and destroyed after the search is completed. Copies of nonconfidential materials received prior to the employment of the member shall be transferred to the member's official personnel file.
- b. There shall be an official personnel file which shall be maintained by the Office of the Provost. A copy of this file may be maintained by the dean or the chairperson of the member's department.

8.2

The official personnel file of each faculty member shall include, but not be limited to, the following:

- a. Copies of nonconfidential materials from the member's pre-employment file.
- b. An updated curriculum vitae. It shall be the member's responsibility to update his/her curriculum vitae.
- c. All faculty status recommendations and decisions.
- d. All nonstudent evaluations of teaching.
- e. Information relating to the member's academic and professional accomplishments. Bibliographic summaries may be substituted for bulky material at the discretion of the provost.
- f. Signed memoranda of discussion between the faculty member and university officials and committees.
- g. Mandatory tenure review data form for probationary faculty.

8.3

The official personnel file and copies thereof held by the dean and the department chairperson shall be available by appointment for examination and review by the member.

Any faculty personnel documents other than copies of the official file held by the provost, the dean, or the department chairperson are in breach of article 8.1. Should any such documents exist, they must be made available to the faculty member upon request.

The file shall be available within one working day of a written request. A member shall be permitted to make copies of materials in his/her personnel file at the member's expense.

8.4

The official personnel file of the faculty member shall be made available to the department chairpersons, the dean, the chairpersons of the college Rank and Tenure Committee, and the University Rank and Tenure Committee. All individuals having access to personnel files shall maintain the contents of such files in confidence.

8.5

If a member alleges that some of the contents of his/her file are demonstrably false (excluding judgmental observations such as faculty and student evaluations), the following opportunities shall be available to the member:

- a. The member may include in the file any rebuttal material and evidence he/she may choose.
- b. The member may appeal to the provost to have such material removed from the file and destroyed.

8.6

Nothing in this section shall limit the university in the maintenance and retention of records dealing with routine matters, including but not limited to payroll and benefits. Upon adequate notice, members shall be provided with appropriate information from such records to meet their stated needs.

ARTICLE 9

FACULTY RESEARCH AND SPONSORED ACTIVITIES

9.1 Research

Teaching and research are complementary activities. A faculty member's professional development requires a continuing commitment to scholarly research and publication. The university expects faculty members to engage actively in research and other professional activities for the advancement and dissemination of knowledge. Such expectation includes the promulgation of policies and procedures necessary to foster a climate for research, the provision for internally funded research, and the endorsement and support of acceptable proposals to external sources for sponsorship.

The above shall be consistent with the goals and objectives of the university as adopted by the Board of Regents and the provisions of the Faculty Guide.

9.2 General Principles

The following are general principles established by university policy:

- a. The university imposes no limitation on the freedom of the faculty in the choice of fields of inquiry or the dissemination of the results obtained.
- b. The university shall accept or administer only those research grants and contracts that clearly retain for the faculty investigators unrestricted control with regard to the manner in which research is carried out and conclusions are reached.

9.3 Obligations of Sponsored Activities

The responsibilities of the university in accepting grants and contracts and the responsibilities of departments, faculty, and staff are as follows:

Seton Hall University encourages the development and implementation of projects involving fundamental and applied research, training, and community-service activities by faculty, administrators, and students.

To further these activities, the university, through its Office of Research Services, shall provide all necessary assistance that may be required by individuals and groups seeking to attract extramural funds to support such endeavors. The solicitation, acceptance, execution, and administration of grants and contracts, however, imposes legal, fiscal, and moral obligations by sponsoring groups and agencies upon the university. It is therefore important and necessary that requests for extramural funding for projects be reviewed and approved prior to submission of proposals to potential sponsors. In accepting a grant or contract, Seton Hall University must

provide the appropriate share of the time and effort of its personnel to perform work mutually agreed upon with a sponsor. Charges for the work shall be based on the employee's regular compensation which, in accordance with university practice, constitutes the basis of his/her salary. Grant or contract funds should not be used to increase the total salary or rate of salary of an employee, nor may these funds be used for overload compensation. All personnel costs must be substantiated by payroll distribution records.

9.4 Administration and Procedures

The provost is responsible for the formulation of policies and procedures relating to extramurally sponsored projects. This responsibility is carried out with the advice of the University Research Council.

The director of the Office of Research Services is responsible for certifying that university and sponsor policies and procedures have been met. All official documents pertaining to grants and contracts are maintained by the Office of Research Services.

The review criteria and procedures for submitting proposals are outlined in administrative announcements and the "Seton Hall University Manual for Sponsored Activities" available from the director of the Office of Research Services.

Proposals for research support in the form of grants from or contracts with outside agencies must be approved in accordance with current procedures and practices. Use of campus facilities and equipment for these purposes requires the prior written permission of the department chairperson, the college dean, and the provost. The department chairperson and the dean shall be advised periodically in writing of the progress of such programs.

No faculty member is empowered to enter into any grant or contract in the name of the university.

Faculty interested in applying for a sponsored project should contact the director of the Office of Research Services, who shall assist them in identifying appropriate sources and in preparing proposals.

9.5 University Research Council

The University Research Council was established to foster faculty research and to promote faculty development activities, including the identification of priorities and programs which shall provide opportunities for faculty growth and renewal.

The University Research Council conducts an annual awards competition for research-expense grants and summer stipends in accord with guidelines approved by the university. The provost appoints faculty members to the University Research Council for two-year terms from a list provided by the college and school assemblies. The University

Research Council determines its own operating procedures. It is assisted by the director of the Office of Research Services, who serves as an ex-officio member.

The annual competition for research grants and summer stipends is announced to the faculty during the fall semester by the provost. Applications and guidelines are available through the Office of Research Services. Awards are made in the early spring.

Program guidelines and operating procedures shall be reviewed annually by the council and are available from the Office of Research Services.

9.6 Faculty Incentives

In addition to its sabbatical and released-time policies, the university implements a University Research Incentive Award Program. Research incentive awards are a sharing of indirect costs recovered for sponsored research to encourage additional research activities. Additional information is available through the Office of the Provost and the Office of Research Services.

9.7 Travel to Pursue Funding

Faculty in need of travel funds to pursue a funding possibility for a specific project with a sponsor may request same through their department chairperson.

9.8 Patent, Copyright and Intellectual Property Rights Policies

The respective rights of individual faculty members with respect to patents, copyrights and intellectual property rights are outlined in periodic administrative announcements, fashioned in consultation with a standing faculty committee selected by the Faculty Senate for this purpose. In such announcements the university's willingness to share in some of the costs and potential royalties or income is outlined. Since this is a highly specialized area, guidance should be sought through the university offices responsible for implementation.

ARTICLE 10

DEPARTMENT GOVERNANCE

10.1 Selection of Chairpersons

- a. Department chairpersons are elected by a majority vote of tenured faculty members, probationary faculty, and those faculty who will be continuing employment at the University in the subsequent year. These faculty include full-time clinical faculty members, lecturers, and faculty associates. Since eligibility is based on continuance in the following year, eligibility may need to be clarified with the dean. Faculty members on a terminal contract are not eligible to vote. Departmental faculty eligible to vote may vote in person or by mail while on sabbatical leave; departmental faculty eligible to vote may vote in person or by mail during the first year of a non-sabbatical leave, but not thereafter. Departmental faculty with more than a half course load reduction for administrative service (excluding work as departmental chair) may not vote, even if they are engaged in part-time teaching. The selected chairperson must be approved by the dean.
- b. All full-time faculty members holding tenured appointments in the department are eligible to serve as chairperson. The department may petition the provost to waive this requirement.
- c. Elections shall be held in April; voting is by secret ballot.
- d. All elections under this article shall be conducted under the supervision of the standing college committee on Nominations and Elections.
- e. The results of each election shall be certified by said committee to the dean of the college. The dean shall transmit the results to the provost.
- f. When the needs of a department require a program director/coordinator (see article 1), the faculty in this program shall elect such director/coordinator in the same manner prescribed for department chairperson except that the program director/coordinator must be approved by the dean rather than the provost. If there are fewer than three full-time faculty in a program, the chairperson shall select the program director/coordinator. A program director/coordinator may also serve as department chairperson.
- g. Administrative officers who hold faculty rank (see article 1.6) do not have the right to be present during discussion or voting with respect to personnel decisions, e.g., appointments, rank and tenure recommendations, and chairperson elections at the department level. Such individuals may participate in other department decisions by department invitation.

10.2 Term of Office; Absences; Removal

- a. The term of office of department chairpersons is three (3) years. The term shall commence on July 1 following election, and shall end three (3) years later on June 30.
- b. A department chairperson shall hold a 12-month appointment. However, a department chairperson may for adequate cause petition the dean for an academic-year appointment; if the petition is granted, the department shall elect a temporary chairperson for the affected intervening period.
- c. Proceedings to remove a department chairperson may be initiated by the dean of the school or by the departmental faculty. A department chairperson may be removed by the provost after consultation with the full-time faculty of the department. Said department chairperson shall be notified of such removal in writing by the provost. The provost's decision on removal is appealable to the president of the University by the chairperson or by the departmental faculty.
- d. In case of the death, disability, prolonged absence, resignation, or removal of a department chairperson, or of a vacancy in the office occurring for any other reason the dean of the college shall designate an acting chairperson. The acting chairperson shall serve no longer than thirty (30) calendar days following said appointment, during which time an election shall be conducted to choose a chairperson for the remainder of the original term of office or the specified length of the absence or leave, but not to exceed the original term of office .
- e. In case of absences of fewer than thirty (30) calendar days, the chairperson (or, in case of illness, the department) shall so advise the dean, who shall appoint an acting chairperson.

10.3 Responsibilities and Duties

- a. A chairperson is responsible for the direction of all personnel in the department.
- b. In addition to teaching responsibilities, the chairperson shall perform the following duties either personally or by delegation:
 1. Assign faculty schedules, subject to final approval by the dean.
 2. Make recommendations concerning the promotion, tenure, and leaves of the department faculty, in accordance with approved procedures.

3. Advise probationary faculty of upcoming evaluations in a timely manner, and present at the conclusion of the academic year a written evaluation of each full-time faculty member to that member and then to the dean.
4. Evaluate the quality of examinations and the accuracy of grading within the department.
5. Recruit term faculty except as otherwise specified in article 10.3c.2.
6. Recruit and recommend to the dean the hiring of adjunct faculty.
7. Receive, evaluate, and maintain a department file of course syllabi.
8. Notify the university librarian of the department's library and media needs.
9. Approve or disapprove requests for library purchases originating with department members.
10. Call at least two (2) regular meetings of the department during each semester.
11. Prepare the agenda for and preside at department meetings, and appoint a representative to preside in his/her absence.
12. Arrange for faculty advisers for preregistration, registration, and orientation counseling.
13. Submit an annual report to the dean on the work of the department, and make such other reports as are requested by appropriate authorities.
14. Maintain a current inventory of the capital equipment assigned to the department.
15. Forward minutes of all department meetings, following department approval, to the provost, the dean, and each faculty member of the department.
16. Encourage and facilitate faculty research, effective teaching, and university/community service.
17. Prepare material for catalogues and other official publications.
18. Perform such other duties as are necessary for the efficient operation of the department.

In departments with program directors/coordinators, the program director/coordinator shall accomplish the duties specified in articles 10.3b.1, 10.3b.11, and 10.3b.17 in lieu of the chairperson and shall assist the chairperson with respect to article 7.6.

In carrying out the above duties, it is expected that chairpersons shall be on campus each week during the fall and spring semesters no fewer than two (2) hours for each hour of released time granted to the chairperson for the performance of the duties specified above. In addition, the chairperson shall be on campus on days of all formal registration periods as listed in the academic calendar and shall work such hours as are necessary on each day of registration. At all other times, chairpersons, individually or jointly, are expected to maintain a campus presence commensurate with their departmental needs.

- c. The chairperson shall, together with all full-time faculty members of the department meeting as a committee of the whole, be responsible for the following:
1. Preparing the department budget, except for individual salary lines, which are confidential for departmental purposes. Should the proposed overall college budget be insufficient to meet all the proposed department budgets, allocation of department budgets shall occur after decisions between the dean and each chairperson.

In colleges which have unitary budgets, departments, through the chairpersons, shall have input into the budgets with regard to departmental needs and shall be consulted by the dean regarding budget allocations except for individual salary lines, which are confidential for departmental purposes.
 2. Recruiting full-time faculty. No probationary appointment, including a joint appointment, of an individual to a department can be made in any manner without the approval of a majority of the tenured faculty members of the department. No term reappointment of an individual to a department can be made in any manner without the approval of a majority of the tenured faculty members of the department.
 3. Preparing a list of qualified adjunct faculty. Such a list must reflect an order of preference based on teaching competence, professional qualifications, and other criteria used in the hiring of full-time faculty.
 4. Developing and recommending any modification in course prerequisites, course requirements, and course sequences.
 5. Making recommendations to the dean and the college Educational Policy Committee for new courses and for modifications in the department program(s).

6. Making recommendations to the college Educational Policy Committee for new programs and/or majors.
7. Allocating the department's library budget.
8. Implementing registration and counseling procedures.
9. Academic program planning specified in article 7.6 herein.
10. Determining the department's infrastructure.

ARTICLE 11

COLLEGE GOVERNANCE

11.1 By-laws

The entire full-time faculty of a college must, by majority vote, establish by-laws for their own governance groups. Such by-laws are the preserve of the faculty, except that they shall not be in conflict with the statutes or by-laws of Seton Hall University, or with the provisions of the Faculty Guide.

Each of the standing committees below shall function by written by-laws, adopted either by the general faculty of the college or by said committees.

11.2 Required Standing Committees

a. The following elected standing committees shall be established in the College of Arts and Sciences, the College of Nursing, the W. Paul Stillman School of Business, the College of Education and Human Services, the School of Diplomacy and International Relations, and the Walsh Library:

1. Nominations and Elections Committee. This committee shall function for purposes of elections of faculty to appropriate university committees, institutions, or agencies, as well as to any offices and committees that the college creates by its own by-laws.
1. This committee shall be responsible, consistent with established university academic policies, for recommending academic policy to the faculty of its college, and for reviewing proposed changes or additions to academic programs and making corresponding recommendations to the faculty of its respective college. The Educational Policy Committee of each school or college shall consider the impact of its policy decisions on ongoing or proposed programs in other units of the university. The Library Educational Policy Committee shall be responsible for recommending to its faculty policies affecting services to the students, faculty, community, and administration. Where appropriate, a college faculty may create separate graduate and undergraduate Educational Policy Committees. Likewise a faculty, if it deems appropriate, may create a separate standing committee to handle matters dealing with the college/school core curriculum.
3. Rank and Tenure Committee. This committee shall consider all faculty applications for promotion and tenure within the college, as well as faculty status matters.

11.3 Officers and Faculty Organization

The faculty of each college is free to create such officers and agencies (committees, task forces, etc.) as it deems appropriate to promote the interests of such faculty. The officers and agencies shall be selected and function in accordance with the by-laws stipulated in article 11.1 and must, in all announcements, publicity, etc., be clearly identified as officers/agents of the particular college faculty.

11.4 College Organization

Changes in the internal academic organization of a college, including the number of departments/divisions therein, are determined by majority vote of the full-time college faculty holding tenured or probationary appointments, and approved by the dean.

ARTICLE 12

UNIVERSITY GOVERNANCE (revised 10/92)

12.1

The faculty of the university participates in the general governance of the university through its membership in the Faculty Senate, in college governance organizations, and on committees of the university.

12.2

The entire full-time faculty of the university shall have primary responsibility for recommending academic policy to the Board of Regents, through the provost and the president, for the following:

- a. Academic standards for admission, recruitment, retention, and graduation of students.
- b. The academic calendar as to its educational parameters (accepting the right of all sections of the university relative to its implementation).
- c. Establishment and review of a core curriculum for the university.
- d. Establishment and review of university policies on matters of research assistance, educational programs and purposes and faculty development.
- e. Review and coordination of all college curricula and academic programs, including continuing education.
- f. Review and approval of all university degree programs, existing and proposed.
- g. Consultation in the preparation of the University's budgets and the monitoring of the adequacy of academic facilities and resources.

12.3

The faculty exercises its academic responsibility through the following agencies:

- a. academic departments;
- b. college faculty governance organizations;
- c. the Faculty Senate, whose Charter is article 12.6 below and whose duties include monitoring matters listed in articles 12.2a through 12.2g above. In its operations, the

Faculty Senate shall not replace, modify or assume any of the internal governance prerogatives of the South Orange campus units identified in Article 1.

Resolutions pertaining to the items listed in articles 12.2a through 12.2g passed by the Faculty Senate or by plenary faculty meetings shall be forwarded to the provost or where required under Article 12.6h to the president and to the Board of Regents.

Resolutions of all faculty agencies are subject to the approval of the provost and the president or, where required under article 12.2f, of the Board of Regents.

12.4 Deleted

12.5 Faculty Governance

- a. Through their governance units, the faculty of each school or college are free to create such officers and agencies (committees, task forces, etc.) as they deem appropriate to promote the interests of the faculty. These officers and agencies shall be selected in accordance with procedures developed and promulgated by the respective faculty units. Such officers and agencies must, in all announcements, etc., clearly identify themselves as representatives of their respective faculty unit, not of the Faculty Senate or the university administration. The By-laws Committee of each school or college shall review the by-laws of any new committee to ensure that the responsibilities of that new committee are clearly articulated.
- b. Although its members are elected by faculty governance units, the Faculty Senate is faculty-wide in its representation and purposes and is the sole campus-wide vehicle of faculty governance on the South Orange campus.
- c. The Faculty Senate shall send to the president and to the provost a slate of twice as many names of full-time South Orange faculty members as needed to serve on major campus-wide committees and task forces appointed by these administrators, including the University budget committee. The administration will give consideration to those nominees before appointing campus-wide committees and task forces.

12.6 Charter of the Faculty Senate

- a. **Purpose.** Created by the full-time faculty of the South Orange campus of Seton Hall University October 7, 1992, it represents that faculty in matters of academic policies and procedures as well as matters of faculty welfare. It has the right and duty to represent that faculty on all matters which affect the South Orange faculty as a whole and to help inform faculty opinion on matters of campus-wide importance.
- b. **Successor to Other Faculty Organizations.** The Faculty Senate succeeds to and replaces all campus-wide faculty organizations created since February 1985, including the Faculty Governance Coordinating Committee and its constituent

committees (Merit, Compensation, Governance, and Guide) and the Faculty Executive Committee.

All matters before these predecessor campus-wide committees on are transferred to the Faculty Senate for its consideration concurrent with the creation of the Faculty Senate.

- c. The Faculty Senate's responsibilities include the monitoring of compliance with decisions reached and agreements entered into by the university administration with it and with each of the prior campus-wide governance organizations and committees which during its existence were officially recognized by the university.
- d. **Plenary Meetings.** A plenary meeting of the South Orange faculty may be convened by the Faculty Senate whenever it believes that such meeting will be advantageous in discussing matters of great importance, helping to inform and ascertain faculty opinion, or communicating with the faculty.
- e. **Eligibility for Election.** Each full-time faculty member at the time of an election is eligible to be elected by his or her faculty governance unit to be a Senator or an Alternate in the Faculty Senate.
- f. **Membership.** The number of Senators from each campus unit shall be apportioned according to the number of its full-time faculty members, with a minimum of two Senators for each unit. Sufficient Alternates shall be elected from each unit to replace temporarily Senators who are unavoidably absent from Faculty Senate meetings.

Until 30 April 1994, the total membership of the Faculty Senate shall be 27 Senators and 19 Alternates, elected by and from the full-time faculty of the South Orange campus as follows: Arts and Sciences, 13 Senators and 7 Alternates; Business, 5 Senators and 3 Alternates; Education and Human Services, 3 Senators and 3 Alternates; Library, 2 Senators and 2 Alternates; Nursing, 2 Senators and 2 Alternates; Theology 2 Senators and 2 Alternates. The first election of Senators and Alternates by the six campus units will be held as soon as feasible after the Charter of the Faculty Senate comes into effect.

In electing Senators and Alternates, each faculty governance unit shall use procedures specified in its Bylaws. Results of these elections, including information on the number of votes received by each candidate, will be reported in writings to the Executive Secretary of the Faculty Senate.

- g. **Actions Taken by the Faculty Senate.** Any resolution passed by the Faculty Senate that requires university action, as well as information on all administration-sponsored resolutions submitted to the Faculty Senate, whether accepted, modified or rejected by the Senate shall be communicated by the Executive Secretary of the Faculty Senate in writing directly to the president and provost and other concerned parties as soon as possible after Senate action occurs. At scheduled meetings of the Executive

Committee with the provost held as soon as possible after each Senate meeting, the Committee shall discuss and report on matters of concern to the Faculty Senate, including both resolutions under consideration and resolutions passed and rejected. It shall also report to the provost and the president faculty opinion on matters of general campus concern.

For matters that clearly concern only one campus unit, governance organizations of the eight faculty units may communicate their actions directly to appropriate university administrators as well as to the Faculty Senate.

- h. Response by Administration. Recommendations made by the Faculty Senate on behalf of the campus faculty shall be communicated in writing to the provost and the president. Within a reasonable time after receiving these recommendations, the provost shall reply in writing to the Faculty Senate concerning each recommendation, indicating (1) acceptance of the recommendation and giving a timetable for its implementation, (2) a statement of the reasons for its non-acceptability, or (3) a request that it be modified in stated ways.

If the provost fails to approve a recommendation forwarded by the Executive Committee or if the timetable proposed by the provost for its implementation is unacceptable to the Faculty Senate, the Faculty Senate Executive Committee shall meet with the provost. Failing to come to an agreement, the Faculty Senate may appeal the provost's decision or failure to respond in timely fashion directly to the president.

If within a reasonable period of time after receiving from the Faculty Senate an appeal or a request for action on a matter of academic policy (such as rank and tenure, welfare, or administrator failure to follow the Faculty Guide), the president fails to accept its recommendation, the Faculty Senate by two-thirds vote may exercise its right of appeal to an appropriate committee or committees of the university's Board of Regents.

For purposes of this section, a reasonable time for action (approval, request for reconsideration in whole or in part, or disapproval) is defined as 30 calendar days after receipt, except for cases in which the Executive Committee and the administrator concerned both agree in advance and in writing that a longer or shorter specified amount of time is acceptable.

If the provost or the president submits to the Faculty Senate for review and recommendation a proposed academic policy or procedure, the Faculty Senate shall act within a reasonable time. Otherwise such policies and procedures may become effective as proposed after 40 academic calendar days, except for cases in which the Executive Committee and the administrator concerned both agree in advance and in writing that a longer or shorter specified amount of time is acceptable.

- i. Only the Faculty Senate Acts for It. Except as specifically provided in given cases, the Faculty Senate does not authorize any member, officer, committee or other agency to reach final agreement for it in negotiations/discussions, including those with university administrators. Final decisions in actions taken on behalf of the campus faculty are reserved to the Faculty Senate itself; only in exceptional cases and for valid cause may these responsibilities be delegated.

The Executive Committee of the Faculty Senate, consisting of its three major officers and two other members, is authorized to act for it between meetings, subject to the requirement that any actions it takes must be submitted to the Faculty Senate at its next regular meeting for confirmation.

- j. Support for Faculty Senate. To enable the Faculty Senate and its major officers to carry out their responsibilities, the provost will each year provide the Senate with an operating budget sufficient for its needs, substantial secretarial assistance for the Executive Committee and for other standing committees as specified by the Executive Committee, and suitable office space with appropriate furnishings and equipment. Twelve credit hours of release time per semester will be available for the Senate officers, apportioned by the Senate Executive Committee. For librarian faculty, the released time shall be equivalent to six or three credits of release time provided to other faculty.

(Faculty Governance Task Force comment: "operating budget" is to be interpreted as including space, secretarial help, supplies and postage. etc.)

- k. Implementation of the Faculty Senate Charter. The Faculty Senate shall begin operations immediately after (a) the approval of its Charter by a majority of the full-time campus faculty in a referendum for that purpose conducted by the Faculty Governance Task Force, (b) approval by the University Board of Regents and (c) the election of a majority of its members by two or more of the six campus faculty units.
- l. Changes in article 12.6 other than numerical redistribution of Senate membership will be treated like any amendment to the Faculty Guide.

ARTICLE 13

GENERAL GOVERNANCE

13.1 Selection of Academic Administrators

- a. Authority for appointing administrators resides with the Board of Regents, the president, or their delegates. The university endorses the participation of the faculty in the selection process for administrators with responsibility in the academic area.
- b. The chain of academic responsibility proceeds from the president to the chief academic officer (currently the provost) to the academic deans and the Dean of the University Libraries.

Positions such as "associate," "assistant," or "assistant to" obtain their academic authority, if any, from one of the positions indicated above, and do not possess the right of independent action. Persons holding such titles are administrators.

- c. There shall be faculty participation, as specified below, in the Board of Regents' search for the chief academic officer.
- d. There shall be faculty participation in the selection of the president and executive vice president.
- e. There shall be search and screen committees, as specified below, for the positions of academic dean and Dean of the University Libraries.

13.2 Search and Screen Committees -- Composition

- a. For the selection of the chief academic officer, five (5) faculty members elected by the full-time faculty of the South Orange campus as defined in Article 1 (three from the ballot list of Arts and Sciences nominees and two from the ballot list of nominees from the remaining academic units) who shall constitute no fewer than fifty (50) percent of the voting members of the search and screen committee. The two members elected from the non-Arts and Sciences list must be from different academic units.
- b. Search and screen committees for the position of academic dean or Dean of the University Libraries shall be composed as follows:
 - 1. For academic dean:
 - 4 faculty members elected by the faculty of the particular college;
 - 2 students from that college elected by the Student Senate or its successor body;

1 alumnus/alumna selected by the college Alumni Association;

1 nonvoting administrator appointed by the chief academic officer;

1 faculty member appointed by the chief academic officer to represent the faculty-at-large. This individual cannot come from the college for which the search is being held.

2. For Dean of the University Libraries:

3 members of the library faculty elected by the full-time members of that body;

2 faculty members, from colleges other than the library, appointed by the chief academic officer;

1 nonvoting administrator appointed by the chief academic officer;

2 students elected by the Student Senate or its successor body;

1 alumnus/alumna appointed by the Alumni Board of Governors.

13.3 Search and Screen Committees -- Process

- a. The search and screen process for any of the offices specified in article 13.2 should generally be initiated by the university within sixty (60) calendar days after a vacancy occurs or a resignation is effective.
- b. The charge to search and screen committees under article 13.2a shall be given by the president or his designate after consultation with the Faculty Senate.
- c. The charge to a search and screen committee under article 13.2b shall be given by the chief academic officer after consultation with the chairpersons of the appropriate college faculty.
- d. The charge to any search and screen committee must include, but need not be limited to, the following:
 1. position description, and responsibilities;
 2. experience and educational requirements;
 3. affirmative action and other requirements set by federal or state regulations;

4. potential sources of candidates;
 5. the budget allocation for the selection process;
 6. advertising procedures, and internal posting;
 7. desired date for start of the appointment.
- e. The first meeting of a search and screen committee shall be convened by the person delivering the charge. Said committee shall then proceed to elect its own officers.
- f. The following steps shall be the basic modus operandi for a search and screen committee:
1. place advertisements, initiate searches, and receive resumes;
 2. screen candidates and develop a list of those to be interviewed;
 3. interview those candidates decided on in step 2;
 4. recommend a slate of candidates to the appropriate administrator. The slate should normally include no fewer than three (3) candidates;
 5. the appropriate administrator (or the Board of Regents) shall then interview the candidates on the recommended slate;
 6. the appropriate administrator (or the Board of Regents) shall proceed to make an appointment from the candidates on the recommended slate. If an appointment is not made, the administrator (or the Board of Regents) shall notify the committee via a conference meeting at which the reasons for nonappointment shall be given;
 7. If the particular office is not filled in step 6, the committee may be requested to provide a new slate; otherwise the convening authority shall dissolve the committee.

ARTICLE 14

14.1 Introduction and Definitions

- a. A grievance is a formal allegation that a violation of the Faculty Guide or other applicable University policy has taken place. If based upon a violation of a University policy other than the Faculty Guide, such policy must have been adopted in written form through faculty governance procedures and made available to all to whom it applies.
- b. Allegations of discrimination, harassment, retaliation (including against whistleblowing), sexual misconduct, or violation of other federal and state laws are handled through the Office of Compliance and Risk Management, or other appropriate University offices, and are not the subject of the grievance process under this Article. Alleged violations of University policies outside the Faculty Guide may be addressed through the Grievance Process only if the alleged violations concern failure to follow applicable procedures under that policy.
- c. Grievances may be filed by faculty members in academic units governed by the Faculty Guide as specified in the preamble to Article 1. A person filing a grievance shall be referred to herein as the “grievant.” Grievances may be filed only against other faculty members, department chairs, committee chairs, deans, the Provost and the University President. Such a person when the subject of a grievance shall be referred to herein as the “respondent.” Grievances against subordinate administrators shall be filed against the chief administrator of the immediate unit in which they serve. For purposes of this Grievance Process, in cases where the entire committee is being grieved, the respondent shall be the committee chair or, if there is no chair, the person who convened the committee.
- d. The authority of this Grievance Process and the Faculty Grievance Committee is limited to whether a violation of the Faculty Guide or applicable University policy has occurred. This includes grievances concerning the process for the following: appointments, reappointments, tenure, contract renewal, promotion, dismissal, sabbaticals, leaves, reductions in rank or force, job evaluations, assignments and reassignments. Nothing in this provision precludes other means of appeal listed in the Faculty Guide (e.g., Articles 6.1.b.6 and 5.1.n).
- e. The Grievance Process protects the rights of all parties involved. Any form of retaliation against, or coercion of, an individual who files or is a respondent in a grievance, provides evidence in a grievance investigation or serves on the grievance committee, is strictly prohibited. Such forms of retaliation or coercion can lead to further disciplinary sanctions, independent of the grievance itself.
- f. All time intervals listed below for the fulfillment of specific steps in this Article refer to calendar days excluding University holidays. If a time limit for acting under this Article falls on a weekend or University holiday, the time limit shall be extended to the next University business day.
- g. The procedures set forth in this Article 14.1 and Articles 14.2 through 14.7 shall be known collectively as the “Grievance Process”. The term “Informal Conciliation Process” refers to the procedures set forth in Article 14.2 and 14.3. The term “Grievance Procedure” refers to the procedures set forth in Article 14.4 through 14.7.
- h. The Grievance Process is intended to facilitate the resolution of disputes at the lowest possible level, with the parties acting in good faith.

14.2 Informal Conciliation Process – The Panel of Conciliators

- a. Before a formal grievance may be filed, the Informal Conciliation Process, aimed at reconciling the opposing sides, must be undertaken.
- b. For the purpose of conducting the Informal Conciliation Process a panel of conciliators shall be convened. The panel shall consist of five (5) tenured full-time faculty members serving in the Colleges covered by this Article. No College covered by this Article should ordinarily have more than one (1) person serving as a conciliator. Conciliators shall serve for the full year on a volunteer basis without compensation and may be reappointed for subsequent terms.
- c. No later than June 1st, the Chair of the Faculty Senate shall submit to the Provost for confirmation a roster of proposed conciliators, which the Provost shall review and return to the Chair of the Faculty Senate within thirty (30) days after receipt. If the Provost deems a proposed conciliator unacceptable for any reason, the Senate Chair shall nominate a replacement and resubmit the revised roster to the Provost for review and confirmation in accordance with this Article 14.2(c)
- d. Before engaging in the Informal Conciliation Process, conciliators shall receive no less than two (2) hours of training in mediation practices to be arranged and funded through the Provost’s office.
- e. Once the panel of conciliators is confirmed by the Provost in writing, the Chair of the Faculty Senate will convene the panel to review procedures. The panel will elect a lead conciliator who will coordinate the work of the panel. The name of the lead conciliator will be made public by the Faculty Senate along with instructions for initiating the Informal Conciliation Process.
- f. All materials associated with the Informal Grievance Process are considered confidential and conciliators and the Faculty Grievance Committee have a duty to keep such material confidential; however, a violation of confidentiality in and of itself shall not serve as grounds to invalidate a grievance.

14.3 Informal Conciliation Process -- Procedures

- a. The Informal Conciliation Process must be invoked within forty-five (45) days of the occurrence or discovery (whichever is later) of the events giving rise to the grievance.
- b. A faculty member wishing to initiate the Informal Conciliation Process must submit to the lead conciliator a “Request for Informal Conciliation” (“Request”) on a form provided for this purpose by the Faculty Senate and available on its website. If a group of faculty members has been adversely impacted in an identical manner by an alleged violation of the Faculty Guide or university policy, they may constitute themselves as a group and submit a single request.
- c. Upon receipt of a Request for Informal Conciliation the lead conciliator will, within three (3) days, assign the request to a member of the panel of conciliators and provide a copy of the Request to the respondent. Whenever possible conciliators are to be assigned from outside the College in which the dispute has arisen.
- d. Within seven (7) days of the lead conciliator receiving the Request, the assigned conciliator shall meet with the parties directly involved in the dispute, specifically the individual or group initiating the process and the person against whom the process is directed. The conciliator should ordinarily arrange a meeting of the two sides in which both shall have the

- opportunity to express their positions and seek a resolution. The assigned conciliator may conduct additional meetings in an effort to resolve the dispute. In the extraordinary event that either party refuses to participate in a face-to-face meeting, the conciliator shall fully communicate each party's position to the opposing side and seek a resolution of the dispute.
- e. The conciliator shall listen to the viewpoints expressed by the parties to the dispute but will neither engage in an independent investigation nor render a decision or recommendation in favor of one side or the other. The conciliator will keep no permanent records of the dispute nor divulge information about its content to anyone beyond the parties directly involved.
 - f. Within fourteen (14) days of receiving the Request, the conciliator shall inform the lead conciliator whether a resolution has been attained. No further information regarding the substance of the dispute or the conciliation shall be reported. If necessary, an additional seven (7) days may be granted by the lead conciliator to complete the process. If a resolution has not been reached at the end of this period, the Informal Conciliation Process shall be considered completed and the lead conciliator shall so notify the parties in writing. If the faculty member who initiated the Informal Conciliation Process wishes to file a formal grievance, the faculty member will attach to the grievance form the written notification of completion of the Informal Conciliation Process.

14.4 Grievance Procedure: Initiating a Grievance

- a. A grievance is filed using a form developed jointly by the Provost and Chair of the Faculty Senate. Any changes to the form must be agreed upon by both the Provost and the Chair. The form is obtained from the Provost's Office and is simultaneously (a) filed with the Chair of the Faculty Grievance Committee and (b) provided to the respondent and to the respondent's immediate administrative supervisor. In the case of a grievance against the President, the grievance shall be filed with the Chair of the Faculty Grievance Committee and provided to the President. If the grievance is against the President, the reference to "respondent's supervisor" shall not apply. On the form, the grievant must indicate the specific article of the Faculty Guide and/or applicable University policy that the respondent is alleged to have violated.
- b. A grievance must be filed within fourteen (14) days of the completion of the Informal Conciliation Process outlined in Article 14.3. After filing, the grievant may withdraw a grievance at any time by so informing the Chair of the Faculty Grievance Committee, the respondent, and the respondent's supervisor in writing.
- c. Upon receiving a grievance, the Faculty Grievance Committee must, within a period of fourteen (14) days, determine whether the actions alleged in the grievance fall within the scope of the Faculty Guide or applicable University policy and therefore may serve as a basis for a grievance. The Committee shall communicate in writing to the grievant, the respondent, the respondent's immediate supervisor and the Provost (unless the President is the respondent) whether or not it intends to consider the grievance. During this initial fourteen (14) day period, the Faculty Grievance Committee may only investigate its authority to determine the alleged violation.
- d. During this same fourteen (14) day period, the immediate supervisor may take any actions he or she deems appropriate in order to resolve the grievance. The grievance is considered resolved when the grievant submits a written request to withdraw the grievance under Article 14.4(b).

- e. If by the end of the fourteen (14) day period a resolution has not been reached and the Faculty Grievance Committee has determined that it has authority to consider the grievance, the Grievance Investigation shall begin.

14.5 Grievance Procedure: The Grievance Investigation

- a. Within a period of thirty (30) days following the determination set forth in Article 14.4.e, the Faculty Grievance Committee will conduct and complete an investigation (the “Grievance Investigation”) to determine whether the allegations in the grievance are factually correct and constitute a violation of the Faculty Guide or other applicable university policy.
- b. The Grievance Investigation shall be conducted as specified in the bylaws of the Faculty Grievance Committee. All parties to the grievance shall be provided with the bylaws at the start of the Grievance Investigation. All materials associated with the Grievance Investigation, including testimony, written information presented to the committee, and committee deliberations are considered confidential and members of the Faculty Grievance Committee have a duty to keep such material confidential; however, a violation of confidentiality in and of itself shall not serve as grounds to invalidate a grievance.
- c. The Grievance Investigation shall consist primarily of hearings conducted by the Faculty Grievance Committee. At a minimum, the Faculty Grievance Committee will hear testimony from both the grievant and respondent such that both have equal opportunity to present their positions and respond to questions. The Faculty Grievance Committee may also invite individuals thought to have information of direct relevance to the alleged violations, or whose testimony may assist committee members in understanding the issues at stake. All members of the University community are expected to cooperate in all aspects of a Grievance Investigation.
- d. No one will be permitted to bring legal counsel to a grievance hearing. However, parties asked to give testimony may be accompanied to the hearing by a support person and that person may provide assistance to the person that they are accompanying, as necessary (and only when that person is present). The Faculty Grievance Committee will only recognize the individual invited to testify.
- e. The grievant and the respondent may provide the Faculty Grievance Committee with whatever documentation they feel is necessary to explicate and substantiate their claims. In addition, the Faculty Grievance Committee may request specific written materials thought to have direct bearing on the facts of the investigation from the grievant, the respondent, or from other individuals. Both the grievant and respondent have the right to see all the materials submitted to the Faculty Grievance Committee.
- f. It is expected that the Faculty Grievance Committee will conclude its investigation and present a written report summarizing its findings within thirty (30) days after initiation of the Grievance Investigation. If more time is needed, the Faculty Grievance Committee Chair may obtain an automatic extension of seven (7) days by informing the Provost and the Faculty Senate Executive Committee. If more time is needed the Faculty Grievance Committee Chair may request an additional extension but must provide a written explanation to the Provost and the Executive Committee of the extenuating circumstances that necessitate the extension as well as an anticipated completion date. If both the Provost and the Executive Committee agree, the extension will be allowed.

14.6 The Grievance Report

- a. Upon conclusion of the Grievance Investigation, the Faculty Grievance Committee shall produce a written report stating its findings, in accordance with the timeframe in Article 14.5(f). The report shall include a summary of the grievance, which shall include an explanation of the Faculty Grievance Committee's jurisdiction over the grievance, a reference to the specific violation of the Faculty Guide or other University policy, an indication that the Informal Grievance Process was completed, an account of the Grievance Investigation, a clear statement as to whether a violation was identified, and, if so, recommended measures of redress. Within ten (10) days of receiving the Committee's report, both the grievant and the respondent have the right to add a short statement explaining their disagreement with any factual errors or discrepancies in the Faculty Grievance Committee's report.
- b. The Grievance Report must be approved by a majority of the members of the Faculty Grievance Committee in accordance with the procedures stipulated in the Faculty Grievance Committee's bylaws.
- c. Upon approval, the Grievance Report shall immediately be sent to the grievant, the respondent, the respondent's immediate supervisor, the Provost (unless the grievance is against the President), and the Chair of the Faculty Senate. A copy of the report shall be preserved in the Faculty Senate's electronic repository where it may be accessed by the Senate Executive Committee and the Chair of the Faculty Grievance Committee.
- d. Within fourteen (14) days of receiving the Grievance Report, the respondent's supervisor (or, if the respondent is the President, the President) must present a response indicating acceptance or rejection of the findings of the Report and specifying the actions to be taken (if any) in response to the grievance, to the extent appropriate and consistent with privacy rights. The response must be provided to the grievant, the respondent, the Provost (unless the respondent is the President), and the Chair of the Faculty Grievance Committee. The supervisor of the respondent (or, if the respondent is the President, the President) is not obliged to follow the Faculty Grievance Committee's recommendations, but if a different course is taken an explanation should be provided in writing to the grievant, the respondent, the Provost (unless the respondent is the President), and to the Chair of the Faculty Grievance Committee.

14.7 The Appeal Process

- a. A grievant who is dissatisfied by the response of a supervisor to a Grievance Report may appeal the decision up the administrative hierarchy: from Department Chair to the Dean, to the Provost, and then to the President. The appeal must be filed at each level within fifteen (15) days of the receipt of the decision at the previous level. At each stage the grievant shall submit a short statement explaining the basis(es) of the appeal along with the decision being appealed, the Grievance Report, and the initial grievance form. The individual receiving the appeal shall provide a written response stating clearly whether the decision is upheld or struck down within twenty-one (21) days after receiving the appeal. Any decision issued by the President shall be considered final and may not be appealed. If the grievance is against the President, there is no appeal.

ARTICLE 15

INTERPRETATION AND AMENDMENT

15.1. Interpretation

- a. All official requests for interpretation of the Faculty Guide shall be communicated to the chair of the Faculty Senate. If the Executive Committee of the Faculty Senate agrees that the Guide provision(s) require(s) interpretation, the chair of the Faculty Senate shall refer the matter to the chairperson of the Faculty Guide Committee, who shall convene said committee to discuss the question(s).
- b. The chair of the Faculty Guide Committee shall forward the committee's interpretation to the Faculty Senate. When the Faculty Senate approves an interpretation, the Faculty Senate will forward the interpretation to the Provost. If the Provost agrees with the interpretation, such interpretation shall be stated in a letter of understanding, signed by both the chair of the Faculty Senate and the Provost and sent to all full-time members of the faculty.
- c. In the event agreement is not reached under 15.1b, the university or the Faculty Senate may initiate fact-finding procedures using panelists, as in article 14.6b operating under the rules of the American Arbitration Association. The university shall bear the expenses and fees of the fact-finder. The findings of this fact-finder with respect to the interpretation under question shall be recommendatory and shall be transmitted in writing to the provost and to the chair of the Faculty Senate within thirty (30) calendar days after the close of hearings.

15.2. Amendment

- a. Proposed amendments to the Faculty Guide may be initiated either by the university through the Office of the Provost, or by the faculty through the Faculty Senate. Any amendment or modification agreed to in writing by both the Faculty Senate and the provost shall be incorporated into the Faculty Guide.
- b. In the event agreement regarding modification or amendment of the guide is not reached under article 15.2a, the university or the Faculty Guide Committee may initiate fact-finding procedures as contained in articles 14 and 15 operating under the rules of the American Arbitration Association. The university shall bear the expenses and fees of the fact-finder. No amendment or modification may be implemented by the university until the fact-finder has issued a report and recommendation.