

**OKLAHOMA CITY UNIVERSITY**

**FACULTY HANDBOOK**

(Replacing 2008 Faculty Handbook)

Effective November 1, 2016

Revised April 26, 2017 – Board of Trustees Approved

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## 1. PREFACE

Pursuant to direction from the University Board of Trustees (“Trustees”) in 2015, this revised *Faculty Handbook* was prepared cooperatively between November 2015 and October 2016 by faculty members from each academic unit, one academic dean, the Chair of the Faculty Senate Executive Committee, the Provost/Vice President for Academic Affairs (“Provost/VPAA”), the Associate Provost, the University General Counsel, and three members of the Trustees, including the Chair of the Academic Affairs Committee, the Chair of the Strategic Planning Committee, and the Chair of the Audit and Finance Committee. This *Faculty Handbook* has been revised to reflect accurately the current structure of the University and, pursuant to the “shared governance” provisions originally adopted by the Trustees during the Spring 2000 semester, the University’s relationship with its faculty. This *Faculty Handbook* has been approved by the Trustees during the Fall 2016 semester, after consultation with the Faculty Senate Executive Committee, the Provost and Vice-President for Academic Affairs, and the President. Its effective date is November 1, 2016.

## 2. VISION AND MISSION OF THE UNIVERSITY

(Vision and Mission revised per BOT approval April 26, 2017)

### 2.1 VISION

**Oklahoma City University will be an innovative academic institution with local impact and global reach and reputation.** By providing a student-focused learning environment and an inclusive, values-centered culture that engages the community and the world, Oklahoma City University will be a university of choice for talented and high-potential students, faculty, and staff.

### 2.2 MISSION

**Oklahoma City University prepares all learners to Create, Lead, and Serve.** We provide a diverse, inclusive culture committed to producing graduates who think critically and innovatively, communicate effectively, and use their knowledge and talents to make a local and global impact.

Oklahoma City University is committed to an education that:

- Provides students with the skills and confidence to adapt to and excel in a complex and dynamic world
- Invests continually in its students, staff, faculty, and programming to enrich academic and co-curricular offerings
- Fosters partnerships within and beyond the university to enrich life-long learning
- Develops informed global citizens ready to engage with their communities and contribute to the world
- Develops graduates who are ethical, highly employable professionals
- Honors our United Methodist history and tradition of scholarship and service

### 3. ORGANIZATION OF THE UNIVERSITY

#### 3.1 UNIVERSITY BYLAWS

The Bylaws of the University set forth the corporate governance structure for the institution. The Trustees have absolute authority to oversee the institution's compliance with the Bylaws. The Trustees may, from time to time, amend the Bylaws. The University's current Bylaws can be found at [\[Bylaws\]](#).

#### 3.2 SHARED GOVERNANCE

The organization of the University is designed to recognize the value of shared governance between the Trustees, the Administration, and the Faculty. The structure described in this Section is intended to recognize a balance of roles and responsibilities between administrative and academic functions; University Councils address administrative functions. University Committees address academic functions and also provide input into operational decisions for the University. Councils and Committees work together to identify priorities and implement approaches to improve the institution.

#### 3.3 ADMINISTRATIVE STRUCTURE

3.3.1 **Trustees.** The Trustees and the Executive Committee of Trustees have plenary power over all action of the University.

3.3.2 **President.** The President serves as the Chief Executive Officer of the University and is responsible for managing the overall operations and resources of the University, as well as for the general supervision of the University, and effectuating the policies and procedures promulgated by the Trustees. The President is responsible for appointing leadership staff, including the Provost/VPAA, various other vice presidents and administrative officers, academic deans\*, administrative staff, and other employees. Presidential appointees serve at the pleasure of the President and may be removed by the President at any time, with or without cause\*. \*(Verbiage added per BOT approval April 29, 2020)

3.3.3 **Provost/VPAA.** The Provost/VPAA serves as the second-ranking officer of the University and represents the University in the absence of the President.

3.3.4 **Academic Deans.** The Dean serves as the academic officer and chief administrator of a college or school within Oklahoma City University. The Dean is appointed by the President of the University as described in section 4.2.8 of this *Faculty Handbook*. The President shall define the term of the Dean's service and may appoint the Dean to one or more subsequent terms.

The Dean is responsible for managing the overall operations of a college or school in accordance with the University's mission, core values, policies, and procedures.

Responsibilities particular to each college or school may be enumerated in a job description for each Dean's position.

The Dean serves as a member of the Deans council and such other committees and councils as the Provost may direct. Except for the Dean of the Oklahoma City University School of Law, the Dean reports to the Provost/VPAA, who is responsible for conducting an annual performance evaluation as described in chapter 10 of this *Faculty Handbook*. The Dean of the Oklahoma City University School of Law reports to the President, who is responsible for conducting an annual performance evaluation in consultation with the Provost/VPAA.

(3.3.4 Added per BOT Approval April 29, 2020)

**3.3.5 Fiscal Year.** The Fiscal Year (Academic Year) of the University runs from July 1 through June 30.

### **3.4 ACADEMIC ORGANIZATION OF THE UNIVERSITY**

**3.4.1 Academic Units.** As used in this *Handbook*, the phrase "academic units" means the Ann Lacy School of American Dance and Entertainment, the College of Health Professions\*, the Dulaney-Browne Library, the Kramer School of Nursing, the Meinders School of Business, the Petree College of Arts and Sciences, the School of Law, the School of Theatre, the Wimberly School of Religion and the Wanda L. Bass School of Music. (\*Amended to add newly created "College of Health Professions" BOT Approval January 27, 2021)

**3.4.2 Modifications to Academic Units.** If the Provost/VPAA, the President, and the Trustees modify the University's academic organization, the Provost/VPAA shall unilaterally amend the listing of academic units in this *Handbook* to conform with those modifications.

### **3.5 FACULTY SENATE**

**3.5.1 Purpose** The Faculty Senate oversees all matters that affect the academic welfare of the University. The Faculty Senate is governed by the Faculty Senate Constitution, which may be amended from time to time. The current Faculty Senate Constitution may be found at [[FSECConstitution](#)].

**3.5.2 Representation.** The Faculty Senate Executive Committee (FSEC) serves as the representative body of the Faculty Senate.

**3.5.3 Promotions and Tenure Committee of the Faculty Senate.** The Faculty Senate Constitution sets forth the structure of the Faculty Senate Promotion and Tenure Committee:

### ***Promotion and Tenure Committee (8 members)***

*The Faculty Senate Promotion and Tenure Committee consists of one tenured faculty member appointed by the Faculty Senate Executive Committee from each of the University's academic units. The Promotion and Tenure Committee shall elect a chair and a secretary from among its membership. In the event that no tenured faculty member is available to represent a specific academic unit, a faculty member from the unit who holds the rank of "Professor" may be appointed, provided the faculty member has no more than 25% administrative load\*.*

*The Committee is empowered by the Faculty Senate to monitor procedures and standards relating to faculty status, including receiving and reviewing, in a timely manner, all documentation submitted by candidates eligible for promotion to higher rank or for tenure. The list of eligible candidates shall be provided by the Provost and Vice-President for Academic Affairs to the Chair of the Committee in a timely manner. After its review, the Promotion and Tenure Committee forwards each candidate's documentation to the Provost and Vice-President for Academic Affairs with its comments as to whether or not the University's and relevant school or college's procedures (or the School of Theater's procedures) for the promotion and/or tenuring have been followed.*

*The Faculty Senate Promotion and Tenure Committee is not empowered to promote or grant tenure to candidates. Recommendations for promotion and tenure are ultimately acted upon by the University's Board of Trustees.*

## **3.6 UNIVERSITY COUNCILS**

**3.6.1 Purposes.** University Councils provide a forum for the exchange of ideas and the recommendation of policies related to each council's specific subject matter area. University Councils provide input into University administrative and operational decisions.

**3.6.2 Council Structure.** University Councils, including specific functions, powers, and membership are more specifically described in the table below.

**3.6.3 Changes in Administrator Membership.** The President retains unilateral authority to modify council composition as it relates to any administrator *ex-officio* members.

**3.6.4 Changes in Faculty Membership.** Council composition as it relates to FSEC-appointed faculty members may be modified upon the common consent of FSEC and the Provost/VPAA.

**3.6.5 Roster of Membership.** The Provost/VPAA shall keep a current list of membership for each Council, and shall post such list at [[UnivCouncils&Committees](#)].

(\*Promotion and Tenure Committee structure, addition of final sentence added per BOT approval April 28, 2021)

3.6.6 **Meetings.** Each University council shall be convened and shall meet at the call of its chair no less than twice per semester. Meetings shall also be called by the chair at the written request of three council members or the Provost/VPAA. A majority of a council's voting membership shall constitute a quorum. Absent members may delegate a proxy for meeting votes. Annual charge(s) to each University council may be provided by the President or the Provost/VPAA.

3.6.7 **Summary Report.** After its final meeting during the Spring semester of each year, no later than June 30, each University council shall submit a summary of its work during that academic year, and its prospective recommendations, to the Provost/VPAA.

**ACADEMIC COUNCIL**

| <b><u>Council Functions</u></b>  | <b><u>Powers</u></b>  | <b><u>Membership</u></b>  |
|--|---|---|
| <p>The Academic Council provides a forum for the exchange of ideas with respect to any aspect of the University’s mission. The Academic Council shall meet at least twice each semester during the academic year at the call of the Chair. The Academic Council shall establish by-laws for its own internal operations.</p> | <p>In addition to making recommendations to appropriate administrators or other appropriate bodies with respect to any aspect of the University’s pursuit of its mission, the Academic Council shall have the power to forward recommendations to appropriate persons or entities from all of the University’s standing committees. In addition, the Council shall have the power to take final actions consistent with the current version of the “Approval Process for Academic Programs and Personnel” [approval matrix]. The Academic Council shall also receive and review the annual or semi-annual reports and the recommendations of the standing University committees, which shall be submitted to the Council by the Committee-Chair members of the Council. The Academic Council shall also resolve jurisdictional questions that may arise among the standing University committees.</p> | <p><i>21 Voting Members</i></p> <ul style="list-style-type: none"> <li>• Provost/VPAA (<i>ex-officio Chair, votes only in case of a tie</i>)</li> <li>• Assistant/Associate Provost</li> <li>• FSEC Chair (<i>ex officio Secretary</i>)</li> <li>• Two other members of FSEC (<i>selected by FSEC</i>)</li> <li>• Deans or Directors of each academic unit (except School of Law)</li> <li>• Chairs of standing University Committees</li> </ul> <p><i>Non-Voting Members:</i></p> <ul style="list-style-type: none"> <li>• University Registrar</li> <li>• Chief Information Officer</li> <li>• Director of Institutional Research</li> <li>• Assistant Director of Academic Services</li> </ul> |



**ASSESSMENT COUNCIL**

| <b><u>Council Functions</u></b>   | <b><u>Powers</u></b>   | <b><u>Membership</u></b>   |
|---|--|--|
| <p>The Assessment Council is charged with identifying assessment issues, developing policy recommendations, facilitating assessment activities, and promoting the adoption of best practices in assessment. The Assessment Council conducts its activities in accord with the published Assessment Plan and guidelines established by the Higher Learning Commission, recognizing that the ultimate responsibility for academic assessment belongs to the faculty and the responsibility for assessment of non-academic (co-curricular) units resides with the administrators and managers.</p> | <p>There are six specific responsibilities for the Assessment Council. Each of the following responsibilities should be considered of equal importance:</p> <ul style="list-style-type: none"> <li>• Collection and dissemination of information regarding best practices for assessing student learning outcomes;</li> <li>• Development, implementation, and maintenance of the framework for university assessment systems;</li> <li>• Development, implementation, and maintenance of learning assessment processes at the institutional level;</li> <li>• Review of institutional and program level learning assessment reports;</li> <li>• Recommendation of changes and modifications in university assessment processes as indicated; and</li> <li>• Review of assessment information to ensure that assessment results are utilized in subsequent planning and budgeting activities.</li> </ul> | <p><i>12 standing Voting Members, plus additional members as needed. All may vote.</i></p> <ul style="list-style-type: none"> <li>• Provost/VPAA OR the Assistant/Associate Provost</li> <li>• Two academic deans or assistant/associate deans (<i>appointed by the Provost/VPAA</i>)</li> <li>• Director of Institutional Research</li> <li>• Coordinator for Assessment (<i>ex-officio Chair</i>)</li> <li>• Four other faculty members (<i>appointed by FSEC</i>)</li> <li>• Two staff members (<i>appointed by Staff Council</i>)</li> <li>• One student (<i>appointed by the Student Senate</i>)</li> <li>• Other University personnel (<i>as appointed by the Provost/VPAA</i>)</li> </ul> |

**DEANS' COUNCIL**

| <b><u>Council Functions</u></b>  | <b><u>Powers</u></b>   | <b><u>Membership</u></b>  |
|--|--|---|
| <p>The Deans' Council provides a forum for the exchange of ideas and the recommendation of policies related to the academic mission of the University. The Deans' Council shall meet on a frequent and regular basis as determined by the Chair; in addition, at the written request of three or more members of the Council, the Chair shall convene a meeting to discuss matters of special or extraordinary concern. The Assistant/Associate Provost shall chair the Deans' Council in the absence of the Provost/VPAA.</p> | <p>Areas of concern to the Deans' Council include, but are not limited to, academic integrity, academic budgets, academic programs, accreditation, academic record-keeping, services supporting academic programs, enrollment, faculty and student academic needs, and the bridges between and among academic, administrative, and student policies.</p> | <p>25 <i>Voting Members</i></p> <ul style="list-style-type: none"> <li>• Provost/VPAA (<i>ex-officio Chair, votes only in case of a tie</i>)</li> <li>• Assistant/Associate Provost</li> <li>• Deans or Directors of the University's academic units</li> <li>• Academic assistant and associate deans</li> <li>• Vice President for Student Affairs/Dean of Students</li> <li>• Vice President of Enrollment Management</li> <li>• FSEC Chair</li> <li>• Chief Information Officer</li> <li>• Director of Institutional Research</li> <li>• Coordinator for Assessment</li> </ul> <p><i>Non-voting, Ex-Officio Members</i></p> <ul style="list-style-type: none"> <li>• Registrar</li> <li>• Director of CETL*</li> </ul> <p style="font-size: small;">*Added Director of CETL, non-voting, per George Sims, Interim Provost; April 29, 2021</p> |

**COUNCIL ON DIVERSITY AND INCLUSION**

| <b><u>Council Functions</u></b>  | <b><u>Powers</u></b>   | <b><u>Membership</u></b>  |
|--|--|---|
| <p>The Council on Diversity and Inclusion provides a forum for representatives of a wide variety of the University’s constituencies to make recommendations to the President and/or the Provost/VPAA on the effective pursuit of the diversity component(s) of the University’s mission.</p> | <p>The Council on Diversity and Inclusion shall provide support and services to enhance diversity within our campus community. Services include, but are not limited to training programs to support academic programs, faculty, staff and students. The Council shall meet at least twice each semester; but may meet more frequently to address matters of special or extraordinary concern.</p> | <p>28 Voting Members</p> <ul style="list-style-type: none"> <li>• All University Vice Presidents (<i>VP for University-Church relations serves as ex-officio Chair</i>)</li> <li>• University General Counsel</li> <li>• FSEC Chair</li> <li>• Athletics Director</li> <li>• One faculty or staff representative from each academic unit, as appointed by the Dean or Director.</li> <li>• Student Representatives from at least three student organizations</li> <li>• Staff Council President</li> <li>• Director of Religious Life</li> <li>• Director of Student Engagement, Inclusion, and Multicultural Programs</li> <li>• Conference Superintendent of the Oklahoma Indian Missionary Conference</li> <li>• Five persons from the University community or community at large (<i>appointed by President</i>)</li> </ul> |

**GRADUATE COUNCIL**

| <b><u>Council Functions</u></b>  | <b><u>Powers</u></b>  | <b><u>Membership</u></b>   |
|--|---|--|
| <p>The Graduate Council provides a forum for discussion of issues that cut across the University's varied graduate offerings and programs.</p> <p>*Chair votes only in the event of a tie</p> <p>*Faculty representatives serve 2-year staggered terms</p> | <p>Except with respect to the School of Law, the Graduate Council will make recommendations to the Academic Council regarding the establishment, modification, and termination of any graduate program for which academic credit is awarded; the creation of new graduate courses; the deletion of inactive graduate courses; and the academic qualifications of teaching personnel and academic administrators in graduate programs.</p> | <p><i>Number of Voting Members Varies</i></p> <ul style="list-style-type: none"> <li>• Assistant/Associate Provost, <b><i>Ex Officio Chair</i></b></li> <li>• Dean or Director of each academic unit that operates a graduate program or set of programs (except School of Law)</li> <li>• One graduate faculty representative elected from each school that offers one or more graduate degree programs</li> <li>• A second graduate faculty member from each school that offers one or more graduate degree programs with more than 100 graduate students during the Spring semester preceding the beginning of the second faculty member's term of office.</li> </ul> <p><b><i>Non-voting, Ex-Officio Members</i></b></p> <ul style="list-style-type: none"> <li>• Director of Graduate Admissions</li> <li>• Director of the International Admissions</li> <li>• Registrar</li> <li>• Assistant/Associate Director of Academic Services</li> </ul> |

**LEADERSHIP COUNCIL**

| <b><u>Council Functions</u></b>   | <b><u>Powers</u></b>  | <b><u>Membership</u></b>   |
|---|---|--|
| <p>The Leadership Council meets at the call of the President, and provides a forum for the exchange of ideas regarding the operation and policies of the University</p> | <p>Leadership Council, as directed by the President, shall consider matters affecting University operation and policies of the University, and shall advise the President as to new policies needed and enhancement of existing policies.</p> | <p><i>Number of Voting Members Varies</i></p> <ul style="list-style-type: none"> <li>• University President (<i>ex-officio Chair</i>)</li> <li>• Provost/VPAA</li> <li>• Assistant/Associate Provost</li> <li>• All University Vice-Presidents</li> <li>• University General Counsel</li> <li>• Athletics Director</li> <li>• Chief of Police</li> <li>• Chief Human Resources Officer</li> <li>• Coordinator of Assessment</li> <li>• Chief Information Officer</li> <li>• Deans, Assistant/Associate Deans or Directors of each academic unit</li> <li>• FSEC Chair</li> <li>• Director of Institutional Research</li> <li>• Other members (<i>as appointed by the President</i>)</li> </ul> |

### 3.7 STANDING UNIVERSITY COMMITTEES

3.7.1 **Purposes.** Standing Committees of the University are established to recognize that input, support, and cooperation of administrators, faculty, staff, and students is essential to the effective pursuit of the institution's academic mission. Faculty Committees oversee academic matters and also provide input into University operational decisions.

3.7.2 **Jurisdiction.** Standing University committees should not be bypassed by the establishment of ad hoc committees, ad hoc task forces, or ad hoc "working groups" where the issue in question is within the jurisdiction of one or more of the standing University committees. A standing University committee may, however, exercise concurrent jurisdiction over matters assigned to ad hoc entities where the matter is also within the jurisdiction of that standing University committee.

3.7.3 **Membership Appointments.** Unless otherwise indicated:

- Academic dean or director committee-members whose positions are non-*ex-officio* shall be appointed by the Provost/VPAA.
- Faculty committee member positions shall be appointed by FSEC.
- Student committee member positions shall be appointed by the Student Senate, no later than April 15<sup>th</sup> of the year preceding the student's term of service, provided that, any appointed student committee member shall remain in good academic standing throughout his or her term. The Vice President for Student Affairs/Dean of Students shall, no later than May 1 of the year preceding the student's term of service, provide a list of student committee members to the Provost/VPAA, FSEC Chair, and the chair of each Standing Committee. Student committee members shall serve one-year terms beginning on May 1 and ending the following April 30.
- The chair of each Standing Committee shall be a faculty member appointed by FSEC, unless FSEC delegates the authority to a committee to select a chair from among the committee's membership.
- In the event a faculty member appointed by FSEC fails to fulfill the responsibilities for committee service, FSEC shall replace such faculty member with a new appointee.
- The secretary of each Standing Committee shall be selected by the membership of such committee.

3.7.4 **Chairs.** Committee chairs shall serve a one-year term from May 1 to April 30 of any calendar year. Committee chairs shall have the responsibility to schedule meetings, prepare the agenda for each meeting, generally oversee the writing of committee reports and

recommendations, and forward such documents to the Academic Council. No person may serve as chair of more than one standing University committee.

3.7.5 **Secretaries.** The secretary of each committee shall prepare and keep the committee minutes, ensure that minutes are distributed to committee members, the Provost/VPAA, the members of the Academic Council, and the University Archivist (at the Dulaney-Browne Library); and draft such other documents as the committee of which he or she is secretary may direct.

3.7.6 **Terms.** All non-*ex-officio*, non-student University committee members shall serve staggered three-year terms as established by FSEC beginning on May 1 and ending on April 30 three years later. Those non- *ex-officio* members of each Standing Committee who are to replace members whose three-year terms have expired shall be appointed no later than May 1 for the three-year term. Committee members whose terms have expired shall serve until successor members are appointed.

3.7.7 **Meetings.** Each University committee shall meet at the call of its chair, no less than twice per semester. Meetings shall also be called at the written request of three committee members or the Provost/VPAA. A majority of a committee's voting membership shall constitute a quorum. Absent members may delegate a proxy for meeting votes. Annual charge(s) to each University committee may be provided by the President, the Provost/VPAA, the Academic Council, and/or FSEC. On the reasonable request of any committee (acting through its chair), appropriate University administrators shall provide the data necessary to fully-informed committee deliberations.

3.7.8 **Summary Report.** After its final meeting during the Spring semester of each year, each University committee shall submit a summary of its work during that academic year, including its prospective recommendations, to the Provost/VPAA no later than May 1. A compilation of the recommendations of the standing University committees shall be prepared by the outgoing Chair of FSEC, and submitted by him or her to the President and the Provost/VPAA by June 1 of each year.

3.7.9 **Protocol Process.** Where standing University committees are empowered to develop academic protocols for various situations that may confront the University from time to time, such protocols shall not become operative until they are: (1) presented to the Academic Programs and Standards Committee for commentary; (2) approved by the Academic Council (or Graduate Council); and (3) presented in final form to the Provost/VPAA for approval and filing.

3.7.10 **Committee Structure.** Standing Committees, including specific committee authority, appointment process, membership, and responsibilities are more specifically described in the table below. Changes to Committee functions must be approved by the Board of Trustees. All University Standing Committees must retain at least 51% faculty member representation.

3.7.11 **Changes in Administrator Membership.** The President retains unilateral authority to modify committee composition as it relates to any administrator *ex-officio* members.

3.7.12 **Changes in Faculty Membership.** Committee composition as it relates to FSEC-appointed faculty members may be modified upon the common consent of FSEC and the Provost/VPAA.

3.7.13 **Roster of Membership.** The Provost/VPAA shall keep a current list of membership for each Committee, and shall post such list at [[UnivCouncils&Committees](#)].





### ADMISSIONS COMMITTEE

| <u>Committee Functions</u>   | <u>Membership</u>  |
|--|--|
| <p>To the extent allowed by the professional and/or other agencies that accredit particular academic units of the University, the Committee shall, with the approval of the Academic Council, establish all standards and processes governing admission to the University and all of its degree-granting programs; make recommendations concerning enrollment goals; and evaluate and make recommendations with respect to any aspect of the University's recruitment, admissions, and scholarship and/or financial aid programs.</p> <p>The Committee shall hear and adjudicate student appeals from the revocation of admission or conditional admission. The Committee also hears petitions for Academic Forgiveness.</p> | <p><i>10 Voting Members</i></p> <ul style="list-style-type: none"> <li>• Vice President for Enrollment Management</li> <li>• Assistant/Associate Provost</li> <li>• University Compliance Coordinator</li> <li>• One academic dean (or a director of an academic unit)</li> <li>• Six faculty members from at least 4 academic units</li> </ul> <p><b><i>Non-voting, Ex-Officio Members:</i></b></p> <ul style="list-style-type: none"> <li>• Vice President for Student Affairs/Dean of Students</li> <li>• Director of Undergraduate Admissions</li> <li>• Director of Graduate Admissions</li> <li>• Coordinator of Disability Services</li> <li>• Registrar</li> <li>• Director of Student Financial Services</li> <li>• Director of International Admissions</li> </ul> <p><b><i>Permanent Resource Members</i></b></p> <ul style="list-style-type: none"> <li>• General Counsel</li> </ul> |

### ATHLETICS COMMITTEE

| <u>Committee Functions</u>   | <u>Membership</u>   |
|--|---|
| <p>The Committee may make recommendations regarding the University's athletic programs, policies, and personnel.</p> | <p><i>10 Voting Members</i></p> <ul style="list-style-type: none"> <li>• Provost/VPAA (<i>or his or her delegate</i>)</li> <li>• One other academic dean (or a director of an academic unit)</li> <li>• The faculty representative to the NAIA</li> <li>• Five other faculty members</li> <li>• Student Success Coordinator for Arts &amp; Sciences*</li> <li>• One undergraduate student</li> </ul> <p><b><i>Non-voting, Ex-Officio Member</i></b><br/>Director of Athletics</p> |

\*Athletics Committee membership modified with addition of Student Success Coordinator for Arts & Sciences as a voting member. Approved by FSEC April 3, 2018.

**BENEFITS COMMITTEE**

| <u><b>Committee Functions</b></u>  | <u><b>Membership</b></u>  |
|--|---|
| <p>The Benefits Committee may make recommendations concerning faculty and staff fringe benefits, and may consult with the Budget Committee to make such recommendations.</p> | <p><i>12 Voting Members</i></p> <ul style="list-style-type: none"> <li>• Provost/VPAA OR Assistant/Associate Provost</li> <li>• Chief Financial Officer</li> <li>• Dean or Associate Dean of the Meinders School of Business</li> <li>• Six Faculty Members</li> <li>• Chief Human Resources Officer</li> <li>• Staff Council President</li> <li>• One other staff member</li> </ul> <p><i>Non-voting, Ex-Officio Member</i><br/>Benefits Coordinator</p> |

**BUDGET COMMITTEE**

| <b><u>Committee Functions</u></b>   | <b><u>Membership</u></b>   |
|---|--|
| <p>The Committee shall review the University’s budget and related information in sufficient detail so as to make fully informed recommendations with respect to any aspect of the University’s finances and budget.</p> <p>*Permanent Resource Members shall be invited as needed for agenda items.</p> <ul style="list-style-type: none"> <li>• Each academic unit shall be represented on the committee.</li> </ul> <p>The Committee shall have access to information and perform tasks necessary to:</p> <ol style="list-style-type: none"> <li>1.) Monitor the ongoing financial health of the University and the budget.</li> <li>2.) Recommend adequate controls to ensure committee members are capable of fulfilling their role on this committee.</li> <li>3.) Establish the process for preparing** the annual operating budget, submit the budget to the President for consideration, finalization, and ultimate approval by the Trustees</li> <li>4.) Request** and review reports, information, statistics, and related data in sufficient detail so as to make fully informed recommendations with respect to any aspect of the University’s finances and budget.</li> <li>5.) Study and recommend long-range policies for the allocation of financial resources.</li> <li>6.) Review and make recommendations on the Strategic Plan to the Strategic Planning Committee.</li> <li>8.) Provide a venue for discussing faculty or staff questions and concerns about the University and the budgeting process.</li> <li>9.) Keep FSEC informed of the actions, activities, and proposals of the Committee as required from time to time.</li> <li>10.) Consider and vote on recommendations to terminate or reduce a program as part of the Academic Program Review Process.**</li> <li>11.) Consider and vote on proposals to create new academic degree programs or majors as part of the approval process for Academic Programs.**</li> </ol> | <p><i>16 Voting Members</i></p> <ul style="list-style-type: none"> <li>• Provost/VPAA (or his or her delegate)</li> <li>• Chief Financial Officer</li> <li>• Vice President for Enrollment Management</li> <li>• Three academic deans (or directors of academic units)</li> <li>• Nine faculty members**, six of whom come from academic units not represented on the committee by an academic dean (or director of an academic unit)</li> <li>• Staff Council President (or his or her delegate)</li> </ul> <p><i>Non-voting, Ex-Officio Members</i></p> <ul style="list-style-type: none"> <li>• Director of Finance and Controller</li> </ul> <p><i>Permanent Resource Members</i></p> <ul style="list-style-type: none"> <li>• General Counsel</li> <li>• Vice President for Student Affairs/Dean of Students</li> <li>• Chief Information Officer</li> <li>• Director of Institutional Research</li> <li>• Director of Student Financial Services</li> <li>• Director of Undergraduate Admissions</li> <li>• Athletics Director</li> <li>• Vice President of Advancement</li> <li>• Director of Dulaney-Browne Library</li> <li>• Chief Human Resources Officer</li> </ul> <p>**Verbiage amended for 3. and 4., plus numbers 10. and 11. added; per BOT approval on January 29, 2020. Voting members &amp; faculty members increased by one; per George Sims, Interim Provost on January 29, 2020/cball</p> |

**GENERAL EDUCATION COMMITTEE**

| <b><u>Committee Functions</u></b>   | <b><u>Membership</u></b>   |
|---|--|
| <p>The Committee shall monitor, evaluate, and make recommendations regarding the University’s general education curriculum. The Committee shall also have the power, subject to appeal to the Academic Council, to approve or disapprove new courses as satisfying general-education requirements, or the elimination of general-education requirements with respect to particular courses.</p> <p>The full-time faculty (excluding those who hold half-time or more administrative appointments) of each academic unit shall elect the representatives from that academic unit to the General Education Committee, who may not include any person who holds a half-time or more administrative appointment, by secret ballot.</p> <p>Elections shall be held during the relevant academic unit’s April meeting for terms that become vacant for the upcoming academic year and thereafter.</p> <p>FSEC secretary shall report the names of the person(s) selected to the entire FSEC and to the full-time faculty of the academic unit in question, as soon as possible.</p> <p>FSEC shall select the chair.</p> | <p><i>15 Voting Members</i></p> <ul style="list-style-type: none"> <li>• Four faculty members elected by the faculty of the Petree College of Arts and Sciences (one of whom shall be designated the initial convenor)</li> <li>• Two faculty members from each of the academic units listed below, who are elected by the faculty of such academic unit: <ul style="list-style-type: none"> <li>○ Wanda Bass School of Music</li> <li>○ Meinders School of Business</li> </ul> </li> <li>• One faculty member from each of the academic units listed below, who is elected by the faculty of such academic unit: <ul style="list-style-type: none"> <li>○ Ann Lacy School of American Dance and Entertainment</li> <li>○ Kramer School of Nursing</li> <li>○ Wimberly School of Religion</li> <li>○ School of Theatre</li> <li>○ School of Law</li> <li>○ Dulaney-Browne Library</li> </ul> </li> <li>• One student</li> </ul> <p><b><i>Non-voting, Ex-Officio Members:</i></b></p> <ul style="list-style-type: none"> <li>• Provost/VPAA</li> <li>• Director of the Honors Program</li> <li>• Registrar</li> </ul> |

**FACULTY SCHOLARSHIP COMMITTEE**

| <u><b>Committee Functions</b></u>   | <u><b>Membership</b></u>  |
|---|---|
| The Committee shall have the responsibility for the development and general supervision of a comprehensive faculty-development program and to award general University faculty development funds. | <p><i>9 Voting Members</i></p> <ul style="list-style-type: none"> <li>• Provost/VPAA (<i>or his or her delegate</i>)</li> <li>• One academic dean (or a director of an academic unit)</li> <li>• Seven faculty members</li> </ul> |

**LEARNING TECHNOLOGY COMMITTEE**

| <u><b>Committee Functions</b></u>  | <u><b>Membership</b></u>   |
|--|--|
| The Committee shall make recommendations regarding the funding, policies, priorities, collections, and personnel of the University's library and technology services. The Committee may make recommendations for educational and informational support, including the University's libraries, technology services, and teaching support (including distance learning). | <p><i>12 Voting Members</i></p> <ul style="list-style-type: none"> <li>• Provost/VPAA (or his or her delegate)</li> <li>• Director of the Dulaney-Browne Library</li> <li>• Director of the Law Library</li> <li>• Chief Information Officer</li> <li>• One academic dean or associate dean (or director of an academic unit)</li> <li>• Six faculty members, at least one each shall come from the Petree College of Arts &amp; Sciences, Meinders School of Business and the Kramer School of Nursing</li> <li>• One student</li> </ul> <p><b><i>Non-voting, Ex-Officio Members:</i></b></p> <ul style="list-style-type: none"> <li>• Director of CETL</li> <li>• Instructional Technologist</li> <li>• Senior Coordinator for Access and Academic Support*</li> </ul> |

\*Learning Technology Committee membership modified with addition of the Senior Coordinator for Access and Academic Support as a non-voting member. Approved by FSEC April 3, 2018.

**STRATEGIC PLANNING COMMITTEE**

| <b><u>Committee Functions</u></b>   | <b><u>Membership</u></b>  |
|---|---|
| <p><b>Strategic Planning Committee</b><br/>                     The Committee shall provide recommendations regarding mission-centered strategic priorities and initiatives of the University.<br/>                     Upon request from the Budget Committee, the Strategic Planning Committee may examine any new proposed program to ensure that adding the program is consistent with the University’s mission and strategic plan.</p> | <p><i>19 Voting Members</i></p> <ul style="list-style-type: none"> <li>• Provost/VPAA (<i>ex-officio Chair</i>)</li> <li>• Vice President for Enrollment Services</li> <li>• Chief Financial Officer</li> <li>• Vice President for Student Affairs/Dean of Students</li> <li>• Vice President for University Advancement and External Relations (<i>or his or her delegate</i>)</li> <li>• President of the Student Senate</li> <li>• Chair of the Trustees’ Strategic Planning Committee</li> <li>• Dean of the Petree College of Arts and Sciences</li> <li>• Two academic deans, as appointed by the Provost/VPAA</li> <li>• 8 faculty members, 5 appointed by FSEC and 3 appointed by the Provost/VPAA, in consultation with the President</li> <li>• Staff Council President</li> </ul> <p><i>Permanent Resource Members</i></p> <ul style="list-style-type: none"> <li>• Chief Information Officer</li> <li>• Faculty Budget Committee Chair</li> <li>• Chief Human Resources Officer</li> <li>• General Counsel</li> <li>• Director of Institutional Research</li> <li>• Coordinator for Assessment</li> </ul> |

**STUDENT PROBATION AND PETITIONS COMMITTEE**

| <b><u>Committee Functions</u></b>  | <b><u>Membership</u></b>  |
|--|---|
| <p>The Committee shall hear and adjudicate all appeals of suspensions and/or dismissals of undergraduate and graduate students other than law students, and shall determine whether such students should be reinstated (in the case of suspensions) or readmitted (in the case of dismissals). The Committee shall also hear and adjudicate appeals of final course grades by both undergraduate and graduate students other than law students that have not been resolved at the decanal level. The Committee shall have the authority to divide itself into two hearing panels (one for undergraduate students and one for non-law graduate students) for such purposes as it sees fit. The decision of the Committee or its appropriate panel shall be final. Appeals by law students of grades, suspensions, dismissals, and petition denials are resolved exclusively through the internal procedures of the School of Law.</p> | <p><i>11 Voting Members</i></p> <ul style="list-style-type: none"> <li>• Assistant/ Associate Provost (ex-officio Chair)</li> <li>• Vice President for Student Affairs/Dean of Students (or his or her delegate)</li> <li>• Deans or Associate Deans of the Petree College of Arts and Sciences and Meinders School of Business</li> <li>• Seven faculty members</li> </ul> <p><i>Non-voting, Ex-officio Members:</i></p> <ul style="list-style-type: none"> <li>• University Registrar</li> <li>• Assistant Director of Academic Services</li> </ul> |

**STUDENT RETENTION COMMITTEE**

| <b><u>Committee Functions</u></b>  | <b><u>Membership</u></b>   |
|--|--|
| <p>The Committee's primary mission shall be to develop, monitor, and generally supervise, to the maximum extent consistent with the maintenance of high academic standards, the University's comprehensive student-retention program. Toward that end, the Committee may also make more specific recommendations regarding parking, campus safety, or any other aspect of campus life; the use or expansion of campus facilities; and any other non-academic, non-disciplinary matter related to student retention. The University administration shall timely notify the Committee of any contemplated administrative student-retention initiatives, parking initiatives, major security initiatives, and/or any pending campus facility-expansion or facility-reallocation initiatives, and shall seek the timely recommendations of the Committee regarding such initiatives.</p> | <p><i>13 Voting Members</i></p> <ul style="list-style-type: none"> <li>• Provost/VPAA (or his or her delegate)</li> <li>• Vice President of Enrollment Management (or his or her delegate)</li> <li>• Vice President of Student Affairs/ Dean of Students (or his/her delegate)</li> <li>• Seven Faculty Members</li> <li>• Editor of <i>The Campus</i> Newspaper</li> <li>• Two other students</li> </ul> <p><i>Non-voting, Ex-Officio Members:</i></p> <ul style="list-style-type: none"> <li>• Director of Housing</li> <li>• Director of First-year experience</li> <li>• Athletics Compliance Officer</li> <li>• Director of Operations</li> <li>• Food Service Operator</li> </ul> |



## 4. SHARED GOVERNANCE

### 4.1. FACULTY CONSENT – ACADEMIC MATTERS

While the Trustees have plenary power over the operation of the institution, faculty experience is broad and varied, and should be utilized in matters materially affecting academic issues. Some matters affect the academic quality of the educational program so materially that policies and practices relating to them should not be established, modified, or implemented without advance consultation with and consent of the appropriate faculties and/or faculty committees. These matters and the form of faculty consent and consultation required with regard to them are as follows:

4.1.1 **Student Admissions and Academic Retention.** Except for the School of Law, all student admission and academic-retention standards and processes shall be established by the Admissions Committee with the approval of the Academic Council. The Student Retention Committee may make recommendations for consideration by the Admissions Committee.

4.1.2 **Academic Courses and Degree Programs.** As is mandated by the Higher Learning Commission and separate program accreditors, establishment or modification of all academic courses and degree programs (and all non-honorary degree requirements) requires the approval of the faculty of the relevant academic unit.

4.1.3 **Hiring of Full-Time Faculty.** Except in the case of the School of Law (where faculty appointments are approved by the President upon the positive recommendations of both the dean and faculty), the decision to hire all full-time faculty members shall rest with the Provost/VPAA on the positive recommendations of both the Dean and faculty or elected faculty committee of the prospective faculty appointee's academic unit.

### 4.2 FACULTY CONSULTATION – ADMINISTRATIVE MATTERS

The following matters affect the University's academic mission. Advance, formal consultation through University or Trustee committees and/or the faculty of the affected academic units is required, except as otherwise specified below.

4.2.1 **Awarding of Honorary Degrees.** Honorary degrees shall be awarded after the prospective honoree is nominated to, considered by, and confirmed by a majority vote of the Trustees' Academic Affairs Committee. Faculty may nominate a candidate for consideration for an honorary degree by submitting a nomination to the Provost/VPAA.

4.2.2 **Budget Development and Approval.** The Budget Committee shall establish a budgeting process, and shall recommend an annual University budget for submission to the President, who shall consider and finalize the University budget, according to the budgeting priorities set forth by the University's Strategic Plan and the Trustees. The President shall present the finalized University budget for approval by the Trustees.

4.2.3 **Intercollegiate Athletics.** University decisions regarding intercollegiate athletics shall be made by the President or his or her delegate following consultation with FSEC, the Athletics Committee, the Academic Council and the Budget Committee.

4.2.4 **Termination or Reorganization of Existing Academic Programs.** The decision to terminate or reorganize an existing academic program may be made by the Provost/VPAA following advance consultation with the affected deans, faculty, the Academic Programs and Standards Committee, and the Academic Council or Graduate Council. The Provost/VPAA shall be responsible for engaging all academic programs in the Program Review process described in Section 8 of this *Handbook*, and may make a recommendation for termination or reorganization of an existing academic program based on such Program Review. The decision to terminate or reorganize an existing academic program is final upon approval by the President and the Trustees.

4.2.5 **Adjunct Faculty.** The Dean or director of each academic unit shall hire adjunct faculty according to University and academic-unit policies and procedures, and shall make an effort to consult with program-related faculty prior to such hiring.

4.2.6 **Search for and Selection of the President.** The search for and selection of a President shall involve a search committee constituted by the Trustees. Such search committee shall include a suitable number, but at least five full-time faculty members, each from a separate academic unit, to be appointed by FSEC.

4.2.7 **Search for and Selection of the Provost/VPAA.** The decision to hire the Provost/VPAA shall rest with the President, who shall receive recommendations from a search committee. The committee shall be composed of five full-time faculty members appointed by FSEC, two academic deans appointed by the President, one student appointed by the President, and one administrator appointed by the President. The search committee shall submit its list of acceptable candidates (with rankings) to the President. The President may select from among any of the candidates recommended by the search committee, or may decline to accept the recommendations of the search committee. The President's selection of a candidate is final.

4.2.8 **Search for and Selection of Academic Deans\*\*.** Except in the School of Law (where the President appoints the Dean according to a protocol developed by the Trustees, in consultation with the Provost/VPAA), the decision to hire academic Deans\*\* shall rest with the President\* who shall receive recommendations from a search committee selected pursuant to a protocol proposed by FSEC and approved by the Provost/VPAA in consultation with the President. The President\* may select from among any of the candidates recommended by the search committee, or may decline to accept the recommendations of the search committee. The President's\* selection of a candidate recommended by the search committee is final.

(\*Changed from Provost/VPAA to President AND \*\*Deletion of Directors of Academic Units per BOT Approval April 29, 2020)

**4.2.9 Search for and Selection of Directors of Academic Units.** Except in the School of Law (where the President appoints the Dean according to a protocol developed by the Trustees, in consultation with the Provost/VPAA), the decision to hire directors of academic units shall rest with the Provost/VPAA, who shall receive recommendations from a search committee selected pursuant to a protocol proposed by FSEC and approved by the Provost/VPAA in consultation with the President. The Provost/VPAA may select from among any of the candidates recommended by the search committee, or may decline to accept the recommendations of the search committee. The Provost/VPAA's selection of a candidate recommended by the search committee is final upon the consent of the President.

(4.2.9 Added per BOT Approval April 29, 2020)

### **4.3 AMENDMENTS TO THE FACULTY HANDBOOK**

The Trustees shall have the authority to amend this *Handbook* on the recommendation of the President, after advance consultation with FSEC.

**4.3.1 Proposed Amendments.** The Trustees, the Trustees' Academic Affairs Committee, the President or his or her delegate, the Provost/VPAA, and/or FSEC may propose amendments to the *Handbook*.

**4.3.2 Notice Requirement.** The initiator of any proposed amendment to the *Handbook* must, at least thirty days prior to any vote on such proposed amendments by the Trustees, send a copy of the proposed changes to

- the President
- the Provost/VPAA
- the Chair of the Trustees' Academic Affairs Committee
- the Chair of FSEC

**4.3.2.1 Emergency Amendments.** The Trustees may, in the event of an emergency, declare a shorter time frame for amending this *Handbook*. An emergency may be declared by a majority vote of the Executive Committee of the Trustees. FSEC shall be given advance notice of any emergency vote.

**4.3.3 Effective Date.** Amendments to this Handbook are effective upon approval by the Trustees, unless the Trustees specify another effective date.

**4.3.4 Handbook Supersedes Other Policy.** The provisions of this *Handbook* shall override and be superior to all personnel and other policies adopted by the University outside of the amendment process described in this section, unless the law requires otherwise.

4.3.5 **Five-Year Review.** The Provost/VPAA and FSEC shall review this *Handbook* at least every five years, and shall present any proposed changes to the President and the Chair of the Trustees' Academic Affairs Committee.

#### 4.4 APPENDIX DOCUMENTS

4.4.1 **Additional Criteria – Appendices.** Each academic unit shall, in consultation with the Dean or director of the academic unit, establish supplemental criteria, standards and procedures for hiring, promotion, and tenure specific to the academic unit (“*Appendix Document*”) that shall govern academic matters not governed by this *Handbook*.

4.4.2 **Effective Date.** An *Appendix Document* becomes effective upon the approval of the Provost/VPAA, President, and the Trustees.

4.4.3 **Probationary Faculty Evaluation Criteria.** Each *Appendix Document* shall clearly provide the criteria and procedures for evaluating probationary faculty members of the academic unit.

4.4.4 **Tenured Faculty Evaluation Criteria.** Each *Appendix Document* shall clearly provide the criteria and procedures for evaluating tenured faculty members of the academic unit.

4.4.5 **Faculty Evaluation Criteria.** Each *Appendix Document* shall include criteria for self-evaluation, student evaluation, and peer evaluation of faculty members of the academic unit.

4.4.6 **Evaluation Best Practices.** Evaluation criteria shall conform to generally accepted principles and best practices of professional evaluation in quality institutions of higher education.

4.4.7 **Peer Consultations.** Each *Appendix Document* shall provide for consultation between a reviewed faculty member and his or her peers and the Dean or director of the academic unit to affirm strengths and suggest methods for correcting weaknesses.

4.4.8 **Promotion and Tenure Committee.** Each *Appendix Document* shall require, as a precondition to the promotion and/or tenure of any candidate, the approval of a promotion and tenure committee comprised exclusively of tenured faculty members from the academic unit. In the event there are too few tenured faculty members in the academic unit for an adequate evaluation of the tenure of any candidate, tenured faculty members from another academic unit may serve on the committee to evaluate the tenure of the candidate. In the event there are too few tenured faculty members in the academic unit for an adequate evaluation of the promotion of a candidate, full-time professors from the academic unit may serve on the committee to evaluate the candidate, provided they have no more than 25% administrative load\*. (\*Added final sentence and removed “promotion and/or” from the second sentence; per BOT approval April 29, 2021)

4.4.9 **Ad Hoc Committee Consideration.** Each *Appendix Document* shall include a priority process for Ad Hoc committee consideration, as set forth in Section 8 of this *Handbook*.

4.4.10 **Sabbatical Protocol.** Each *Appendix Document* shall include a protocol for granting sabbatical leave to faculty members. Such protocol shall require approval of the Dean of the academic unit and the Provost/VPAA before sabbatical leave is granted. Such protocol shall also outline the expectations and the timeline for completion of sabbatical expectations.

4.4.11 **Amendments.** Unless otherwise specified in the unit's *Appendix Document*, an *Appendix Document* may be amended by a majority of the tenured faculty members of the academic unit, upon approval by the Provost/VPAA, the President, and the Trustees.

4.4.12 **Supremacy of the Handbook.** An *Appendix Document* shall not be inconsistent with this *Handbook*. In the event of a conflict between an *Appendix Document* and this *Handbook*, the *Handbook* shall control.

4.4.13 **Applicability of Appendix Document.** Unless otherwise specified by the Academic Unit's *Appendix Document*, the *Appendix Document* in effect at the time of the hiring of a faculty member applies for the duration of such faculty member's employment with the University.

## 5. ACADEMIC STATUS, INITIAL APPOINTMENTS, ACADEMIC RANK, AND LETTERS OF CONTRACT AND APPOINTMENT

### 5.1 ACADEMIC STATUS AND RANK DEFINED

The Academic Status of a full-time faculty member governs the employment relationship between the faculty member and the University. The Academic Rank of a full-time faculty member, including rank qualifications, initial rank and promotion in rank, is independent of the Academic Status of a faculty member. Academic Status, not Academic Rank, determines the faculty member's legal relationship with the University.

5.1.1 **Full-Time Faculty.** All full-time faculty members at the University, as defined by the respective academic unit, (including those who also hold an administrative title) shall have one of the following three types of academic status:

5.1.1.1 **Tenured Faculty Status.** Tenured status is held by full-time faculty members who have been appointed with tenured status, or who have successfully completed the Probationary period and been granted tenure as set forth in the *Handbook* and the *Appendix Document* of the academic unit.

5.1.1.2 **Probationary (Tenure Track) Faculty Status.** Probationary status is held by full-time faculty members who have been formally appointed to such status, and who are eligible for eventual elevation to tenured status if all relevant requirements are met.

5.1.1.3 **Non-Tenure-Track Faculty Status.** Non-tenure-track status is held by full-time faculty members who do not have tenured status or probationary status. Non-tenure-track status faculty members shall hold one of the following types of employment positions:

5.1.1.3.1 **Multi-year Contract Position.** In accordance with the *Appendix Document* of the relevant academic unit, a multi-year contract may be offered to a non-tenure-track faculty member. In no event shall any multi-year contract exceed a term of five years.

5.1.1.3.2 **One-year Contract Position.** In accordance with the *Appendix Document* of the relevant academic unit, a one-year contract may be offered to a non-tenure-track faculty member.

5.1.1.3.3 **Multi Year Appointment for Law School Non-Research Professors.** In Accordance with the Appendix Document of the law school, a multi-year appointment may be offered to a non-research faculty member. In no event shall any multi-year appointment term exceed a term of five years. During each year of the multi-year appointment, the non-research faculty member shall receive an annual letter of contract in accordance with Section 5.4 of this *Handbook*.

(5.1.1.3.3 added per BOT approval April 29, 2020)

5.1.2 **Part-Time Faculty.** With the exception of half-time faculty in the Kramer School of Nursing as defined in the unit's *Appendix Document*, part-time faculty members have "adjunct" faculty status, irrespective of such adjunct faculty member's teaching load.

5.1.3 **Emeritus Status.** Former full-time faculty members or administrators who have been designated by the Trustees as "emeritus" status hold such status as an honorary title and do not enjoy full-time faculty academic status or any expectation of compensation for being so designated.

5.1.4 **Non-Employees.** While the University may permit non-employees to engage in certain teaching and/or research, non-employees are not entitled to any protections or benefits given to faculty members under this *Handbook*. However, such non-employees are subject to University policies and authority.

5.1.5 **Voting.** Only Tenured and Probationary faculty members may vote on matters affecting faculty tenure\*. Faculty members holding full-time Non-Tenure status may vote on

other matters as permitted by the *Appendix Document* of the relevant academic unit. (\*Removed “promotion or” per BOT approval April 29, 2021)

## **5.2 INITIAL APPOINTMENT**

**5.2.1 Faculty Hiring.** Except in the School of Law, the decision to hire full-time faculty is made by the Provost/VPAA upon the positive recommendations of the academic unit’s Dean (or director) and faculty or elected faculty committee of the academic unit. The Provost/VPAA must receive consent from the CFO prior to approving any probationary or tenured faculty hiring.

**5.2.1.1 Non-Unanimous Hiring Decisions.** In the event the Provost/VPAA decides to hire a full-time faculty member who has failed to receive the positive recommendations of the academic unit Dean and faculty or elected faculty committee of the academic unit, the Provost/VPAA shall notify the Trustees’ Academic Affairs Committee of the disagreement, and shall provide copies of the dissenting recommendation(s).

**5.2.2 Law School Faculty Hiring.** In the School of Law, the decision to hire full-time faculty is made by the President in consultation with the Provost/VPAA upon the positive recommendations of the dean of the law school and the faculty or elected faculty committee of the law school.

**5.2.3 National Searches.** Unless an exception is approved and granted by the Provost/VPAA and Chair of the Academic Affairs Committee of the Trustees, national searches shall be conducted for all tenure-track appointments.

**5.2.4 Concurrent Administrative Titles.** A person holding full-time faculty status may concurrently hold an administrative title awarded by the University or by the academic unit. Awarding, continuing, or discontinuing an administrative title is within the discretion of the appointing University official.

## **5.3 INITIAL ACADEMIC RANK**

The initial Academic Rank of a full-time faculty member shall be established in accordance with this section.

**5.3.1 Equivalency.** For any initial academic rank described below, a faculty member seeking equivalent credit to satisfy the requirements for the relevant rank shall provide written statements and other evidence of the equivalent experience. The dean or director of the academic unit and the Provost/VPAA shall assess whether the equivalency credit is approved.

**5.3.2 Initial Appointment as Professor.** To be appointed as a Professor in an initial appointment, a faculty member must:

- Hold a terminal degree or equivalent education in the relevant academic area; and
  - Have held the rank of Associate Professor or Professor at another university for a minimum of five years
  - or
  - Have teaching and/or professional experience equivalent to at least eight years of full-time university teaching.

5.3.3 **Initial Appointment as Associate Professor.** To be appointed as an Associate Professor in an initial appointment, a faculty member must:

- Hold a terminal degree or equivalent education in the relevant academic area; and
  - Have held the rank of Assistant Professor, Associate Professor or Professor at another university for a minimum of three years
  - or
  - Have teaching and/or professional experience equivalent to at least three years of full-time university teaching.

5.3.4 **Initial Appointment as Assistant Professor.** To be appointed as an Assistant Professor in an initial appointment, a faculty member must:

- Hold a terminal degree in the relevant academic area;
- Have earned a minimum of eighteen credit hours of graduate work beyond a master’s degree in the relevant academic area;
- or
- Have equivalent education in the relevant academic area.

5.3.5 **Initial Appointment as Instructor.** To be appointed as an Instructor in an initial appointment, a faculty member must hold a master’s degree in the relevant academic area or a bachelor’s degree and teaching and/or professional experience equivalent to a master’s degree.

5.3.6 **Initial Appointment as Artist in Residence.** The “Artist-in-Residence” academic rank may be offered to an artist with substantial professional experience and/or stature who may (or may not) have the usual academic credentials for the standard faculty ranks of Professor, Associate Professor, Assistant Professor, or Instructor. Persons appointed to the “Artist-in-Residence” academic rank may hold only non-tenure-track academic status.

5.3.7 **Clinical Faculty.** To be appointed as Clinical Faculty in an initial appointment, a faculty member must have a bachelor’s degree in the relevant academic area and any required professional licenses for the practice area (or, in the School of Law, a Juris Doctor and a license to practice law in any state in the United States), and must also have demonstrated practical



experience and expertise in the relevant profession. The *Appendix Document* of the relevant academic unit shall set forth specific criteria, standards and procedures for any clinical faculty in that academic unit.

**5.3.8 Legal Research and Writing Professor.** To be appointed as a Legal Research and Writing Professor in the School of Law in an initial appointment, a faculty member must have a Juris Doctor degree, and must meet the criteria, standards and procedures set forth in the law school's *Appendix Document*.

**5.3.9 Visiting Titles.** The adjective “visiting” may precede any of the above-enumerated titles.

#### **5.3.10 Terminal Degree Defined**

A “terminal degree” is defined as the Ph.D. degree. The exceptions are:

- Art (except art history): Ph.D. or M.F.A.
- Business: Ph.D. or D.B.A.
- Dance and Entertainment: M.F.A., M.B.A.
- Education: Ph.D. or Ed.D.
- English: Ph.D. or, in Creative Writing, M.F.A.\*\*
- Law: J.D., L.L.M.\*, and S.J.D.\*
- Law Library: J.D., L.L.M.\*, and S.J.D.\*, and one of the library degrees listed below
- Library (except law library): M.L.S. or M.L.I.S. or M.S.L.S. from an A.L.A. accredited institution
- Math Education: Ph.D. or Ed.D.
- Music Composition: Ph.D. or D.M.A.
- Music Education: Ph.D. or Ed.D.
- Music Performance: Ph.D., D.M.A. or D.M.
- Nursing: M.S.N. and one of the following: Ph.D., D.N.Sc., N.D., D.N.S., J.D., D.N.P. or a Doctorate in a related field.
- Physical Therapy: Core Faculty-Ph.D., Sc.D., D.Sc., Ed.D., D.P.T.;  
Associated Faculty-Ph.D., Sc.D., D.Sc., Ed.D., D.P.T., Pharm D.\*\*
- Physician\*\* Assistant Program: Principal P.A. Faculty-Master in P.A.;  
Non-Principal Faculty- Ph.D, M.D., D.O., Ed.D, Pharm D. or D. Sci.
- Psychology: Ph.D. or Psy.D.\*\*
- Religion: PhD, S.M.D. for courses in sacred music, E.D. and either a M. Div. or M.R.E. for faculty hired primarily to teach religious education, T.H.D. and European degrees will be evaluated on an individual basis. [The criteria involve recognition as a terminal academic degree rather than as a professional degree.]
- Theatre: Design and Production: M.F.A., Performance: M.F.A., Theatre History/Criticism: Ph.D. or M.F.A.\*

(\*Added terminal degrees L.L.M. & S.J.D for Law & Law Library.; and M.F.A. for Theatre History-BOT approved April 28, 2021)

(\*\*Added terminal degrees for English, Psychology, & all Physical Therapy degrees; Corrected term Physician-BOT approved Oct. 27, 2021)

## 5.4 LETTERS OF CONTRACT AND APPOINTMENT

5.4.1 **Date.** Each year, each full-time faculty member shall receive a Letter of Contract by August 1 of the academic year of service covered by such letter.

5.4.2 **Contents.** The Letter of Contract shall include the appointee's academic status, academic rank, administrative title (if any), term of contract, and compensation.

5.4.3 **Relation to *Handbook*.** The Letter of Contract shall include a reference and link to the *Handbook*, along with a statement that the *Handbook* may be amended, from time to time, and that the *Handbook* that is in effect during the term of the Contract governs the relationship between the faculty member and the University.

5.4.4 **Relation to *Appendices*.** The Letter of Contract shall include a reference to the *Appendix Document* that was in effect at the time of the hiring of the faculty member.

5.4.5 **Additional Contents.** The Letter of Contract may include additional information about the appointee's abbreviations in time-in-rank requirements for promotion, probationary credit towards tenure, and any equivalency agreements.

5.4.6 **Effective Date.** The Letter of Contract becomes effective as to the University's contractual obligations upon the receipt of the letter by the appointee.

5.4.7 **Declining Letter of Contract.** Should an appointee leave the University, such appointee shall notify the Provost/VPAA by June 30 of the academic year immediately preceding the academic year of service covered by such letter.

5.4.8 **Adjunct Faculty.** Each adjunct faculty member shall receive a Letter of Appointment from the Dean (or director) of the academic unit pursuant to procedures developed by the Provost/VPAA for each term of teaching.

## 6. PERFORMANCE OF FACULTY DUTIES

### 6.1 CONFLICT OF COMMITMENT

A full-time faculty member's major responsibility is to the University. Any other employment and professional and/or service commitments are considered to be secondary. Secondary employment by full-time faculty members is subject to administrative review and must be approved in advance, annually, by the Provost/VPAA after he or she receives a recommendation from the Dean or director of the faculty member's academic unit.

6.1.2 **Outside Employment Not Allowed in Certain Circumstances.** In the event outside employment by a full-time faculty member impairs the faculty member's fulfillment of the obligations to the University, constitutes a financial burden on the University, or

creates an actual or perceived conflict of interest with respect to the mission, policies, standards or interests of the University, such outside employment shall not be approved by the Provost/VPAA.

6.1.3 **Individual Capacity.** Full-time employees engaged in outside employment shall act as individuals, not as agents of the University.

## **6.2 CONFLICT OF INTEREST**

A full-time faculty member must notify the Dean or director of his or her academic unit, in writing, of any employment, investment, fiduciary, or other similar relationship that the faculty member, or his or her parent, child, spouse, or sibling has with non-University entities if such relationship would reasonably be viewed as potentially impairing the faculty member's ability to exercise independent judgement with regard to the responsibilities assigned to him or her by the University.

## **6.3 SCHOLARSHIP AND PUBLICATION**

Every person holding tenured or probationary faculty status shall, in addition to having a duty to remain academically current in his or her field or discipline, have the further obligation to engage in appropriate scholarship, research, and/or creative work that expands the boundaries of his or her field or discipline. The types and/or quality of scholarship, research, creative work and/or publication that will satisfy this requirement are described in the *Appendix Document* of each academic unit.

## **6.4 SCHOLARSHIP DISCLAIMER**

Except for scholarship published in an academic journal or other scholarly publication (where it is understood that the writing is the author's opinion or where the practice of the publication is otherwise) any written publication authored by any faculty member that espouses the opinion of the faculty member shall include the following statement: "*The views expressed in this piece are those of the author, and should not be attributed to Oklahoma City University.*"

## **6.5 ADDITIONAL FACULTY CONTRIBUTIONS**

The University has a broad and diverse faculty, each of whom contribute to fulfilling the academic mission of the institution. In addition to the requirements of teaching, service, and scholarship, a full-time faculty member should contribute those of his or her talents that serve to strengthen the University. Because the talents of the faculty are varied, the list below highlights some areas of frequent faculty contribution. The list is not exhaustive, and faculty members are encouraged to be creative in aligning their talents with contributions for the University.

- Recruitment activities

- Student academic counseling, advising and mentoring
- Support of student organizations and government
- Participation in functions of the campus community
- Engagement in civic and academic functions
- Engagement in activities that promote diversity and inclusion within the campus community.

## **6.6 FACULTY STANDARDS OF CONDUCT**

Oklahoma City University strives to create an environment in which students pursue academic excellence through a rigorous curriculum that focuses on students' intellectual, moral, and spiritual development that will prepare them to become effective leaders in service to their communities.

Faculty should be accessible to students through any forms of communication appropriate to the faculty member's pedagogy. Faculty members should ensure students are offered a consistent learning experience through committed scheduling of courses and other activities.

Faculty members should work earnestly to embody our mission, demonstrating mutual respect, dignity, tolerance, support for diversity, and promotion of academic freedom when engaging in the campus community. Faculty should adhere to principles of honesty, efficiency, economic awareness, and personal responsibility.

## **6.7 MANDATORY REPORTING – ABUSE OR NEGLECT OF MINORS**

Each faculty member has the affirmative duty to report any instances in which the faculty member has cause to believe that a minor has suffered abuse or neglect. Reports shall be made either to law enforcement or to the Oklahoma Department of Human Services.

## **6.8 MANDATORY REPORTING – TITLE IX VIOLATIONS**

Each faculty member has the affirmative duty to report any instances in which the faculty member has cause to believe that gender-based harassment and/or discrimination has occurred, including sexual misconduct, sexual violence, or sexual assault to the University Title IX Compliance Coordinator.

## **6.9 FAILURE TO COMPLY WITH MANDATORY REPORTING**

Failure of a faculty member to comply with the Mandatory Reporting requirements is grounds for termination.

## **7. RENEWAL, PROMOTION AND TENURE**

### **7.1 ACADEMIC FREEDOM AND TENURE – 1940 STATEMENT**

On October 26, 1966 the Executive Committee of the Trustees officially approved the 1940 Statement of Principles of Academic Freedom and Tenure agreed upon by representatives of the American Association of University Professors and the Association of American Colleges. The text of that statement is as follows:

The purpose of this statement is to promote public understanding and support of academic freedom and tenure and agreement upon procedures to assure them in colleges and universities. Institutions of higher education are conducted for the common good and not to further the interest of either the individual teacher or the institution as a whole. The common good depends upon the free search for truth and its free exposition.

Academic freedom is essential to these purposes and applies to both teaching and research. Freedom in research is fundamental to the advancement of the truth. Academic freedom in its teaching aspect is fundamental for the protection of the rights of the teacher in teaching and of the student in learning. It carries with it duties correlative with rights.

Tenure is a means to certain ends, specifically: (1) freedom of teaching and research and of extramural activities, and (2) a sufficient degree of economic security to make the profession attractive to men and women of ability. Freedom and economic security, hence, tenure are indispensable to the success of an institution in fulfilling its obligation to its students and to society.

### **7.2 ACADEMIC FREEDOM AND TENURE – SUPPLEMENTAL UNIVERSITY POLICY**

The following supplemental University policy with respect to academic freedom is intended to be consistent with the 1940 Statement of Principles reproduced above:

Academic freedom is based upon the concept that the absence of restraint creates the optimum climate for an effective and responsible contribution to scholarship and community. The college or university faculty member is a citizen, a member of a learned profession, and a representative of an educational institution. When speaking or writing as a citizen, the faculty member should be free from institutional censorship or discipline, but a faculty member's special position in the community imposes special obligations. As a person of learning

and a professional, a faculty member should remember that the public may judge the profession and the institution by the faculty member's utterances. Hence, the faculty member should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that he or she is not an institutional spokesperson.

### **7.3 GENERAL PROMOTION AND TENURE POLICY**

**7.3.1 Authority.** Although final decisions regarding promotion and tenure are the responsibility of the Trustees, the judgment of the faculty is fundamental to general educational policy, including faculty judgments regarding appointments, renewals, decisions not to renew, promotions, the granting of tenure, and the termination of appointments.

**7.3.2 Faculty Representatives.** The Faculty Senate, acting through FSEC, is the appropriate body to represent the faculty in matters relating to policy, criteria, and/or procedures affecting faculty. One of the responsibilities of FSEC is the continuous monitoring of the procedures followed and the standards applied to faculty-status and faculty-promotion decisions. The Faculty Senate Promotion and Tenure Committee is the body empowered by FSEC to monitor procedures and standards relating to faculty status and faculty promotion.

**7.3.3 Personnel Needs.** Personnel needs of each department and the financial health of the University are priorities in making tenure decisions. Personnel needs are determined by the mission of the University and by student enrollment.

### **7.4 RENEWAL, PROMOTION AND TENURE OF PROBATIONARY FACULTY MEMBERS AND TENURED FACULTY MEMBERS – CRITERIA**

The following constitute the minimum criteria to be met by probationary and tenured-status faculty members being considered for renewal (in the case of probationary faculty members), promotion, and/or tenure at the University. More specific guidelines regarding this criteria, not inconsistent with this *Handbook*, are established by the *Appendix Documents* of each academic unit.

**7.4.1 Teaching Effectiveness.** Effective teaching is best defined in the context of each particular situation. In general, however, an effective teacher has a thorough and demonstrable knowledge of his or her field and recent developments therein, and is able to communicate that knowledge systematically, coherently, efficiently, and with a positive impact on his or her students' learning. Such a teacher is actively concerned with the intellectual development of students, encourages their questions, welcomes diversity in his or her students, welcomes diversity of opinion from them, is considerate and fair in all dealings with them, and seeks to

increase their capacity to think for themselves. The effective teacher welcomes and profits from constructive criticism.

**7.4.2 Scholarship and Professional Growth.** An assessment of scholarship and professional growth invokes a complex judgement, particularly by peers, based on concrete experience and evidence. Indications of scholarship and professional growth include: (1) adequate progress toward the fulfillment of any uncompleted or expected degrees, or other academic conditions of the initial appointment; (2) imagination, analytical skill, breadth of interests and competencies, perceptiveness, and clarity, as shown in daily work and experienced by students and colleagues; and (3) intellectual vitality and sharpness, as reflected in continuing study, research, and creative work, and the communication of results of such professional activity beyond the campus. Satisfactory scholarship and professional growth will generally necessitate the presentation of the faculty member's work for peer evaluation beyond the University's own campus environment.

**7.4.3 Service to the University and Professional Communities.** Valued contributions to the University may take many forms, including: (1) constructive participation in the University's governance, including faculty meetings, councils, and committees; (2) helpful and generally supportive relations with colleagues, so as to enhance the results achieved in department and other academic programs; (3) participation in various programs of college life outside the classroom, such as art, drama, music, recreation, athletics, lectures, convocations, religious and social gatherings, and campus beautification; and (4) service to the faculty member's professional community.

## **7.5 PROMOTION REQUIREMENTS**

Except as provided by the *Appendix Document* of the School of Law, the following eligibility requirements shall apply to all applications for promotion.

**7.5.1 Equivalency in Promotion.** For any initial promotion to an academic rank described below, a faculty member seeking equivalent credit to satisfy the requirements for the relevant rank shall provide written statements and other evidence of the equivalent experience. A majority of the faculty members of the academic unit who hold at least the rank being considered in the promotion decision must approve the equivalency credit. Such approval of equivalency is subject to approval by the Dean or director of the academic unit and the Provost/VPAA. All documentation demonstrating equivalency must be filed in the candidate's faculty portfolio.

**7.5.2 Promotion Granted.** Promotion will ordinarily be granted only to applicants who have received positive recommendations from both the academic unit's Dean or director and its promotion and tenure committee with respect to the three criteria of teaching effectiveness,

scholarship and professional growth, and service to the University and professional communities, as well as any supplemental criteria established by the *Appendix Document* of the applicant's academic unit.

**7.5.3 Promotion from Instructor to Assistant Professor.** The candidate shall have a terminal degree in the appropriate academic area or have earned a minimum of eighteen credit hours of graduate work beyond the master's degree in the appropriate academic area (or have qualifications equivalent to same). The candidate must also have held the rank of Instructor at Oklahoma City University for a minimum of three years before any such promotion takes effect, or have other significant professional experience judged equivalent to at least three years of full-time teaching at Oklahoma City University.

**7.5.4 Promotion to Associate Professor.** The candidate must hold a terminal degree in the appropriate academic area or have qualifications equivalent to such a degree. The candidate must also have held the rank of Assistant Professor at Oklahoma City University for a minimum of three years before any such promotion takes effect, or have other significant teaching or professional experience judged equivalent to at least three years of full-time teaching at Oklahoma City University.

**7.5.5 Promotion to Professor.** The candidate must hold a terminal degree in the appropriate academic area or have qualifications equivalent to such a degree. The candidate must have held the rank of Associate Professor at Oklahoma City University for at least five years, and have at least eight years of full-time university-level teaching before any such promotion takes effect.

## **7.6 TENURE REQUIREMENTS**

Except as provided by the *Appendix Document* of the School of Law, the following eligibility requirements shall apply to all applications for tenure.

**7.6.1 Equivalency in Tenure.** A faculty member seeking equivalent credit to satisfy the requirements for tenure shall provide written statements and other evidence of the equivalent experience. A majority of the tenured faculty members of the academic unit must approve the equivalency credit. Such approval of equivalency is subject to approval by the Dean or director of the academic unit and the Provost/VPAA. All documentation demonstrating equivalency must be filed in the candidate's faculty portfolio.

"Equivalency" credit for up to three years of such service may be awarded. The three-year-equivalency limitation established by the preceding sentence shall not, however, apply to any applicant seeking to be appointed with immediate tenure to the deanship or directorship of any academic unit, to the position of Provost/VPAA, or to the position of President.



**7.6.2 Tenure Granted.** Tenure will be granted only to applicants who have met, are meeting, and are expected to continue to meet the three criteria of teaching effectiveness, scholarship and professional growth and service to the University and professional communities, as well as any supplemental criteria established by the *Appendix Document* of the applicant's academic unit. Ordinarily this will be reflected by concurring independent judgments of the academic unit's Dean or director and the academic unit's promotion and tenure committee. Where the recommendations of the Dean or director and the promotion and tenure committee are incongruent, however, the disagreement will be resolved by the President, who, upon the advice of the Provost/VPAA, will make the final recommendation on the matter to the Trustees.

**7.6.3 Tenure Consideration.** An applicant for tenure may be considered for tenure no sooner than his or her fifth year of probationary-status teaching at Oklahoma City University, taking into account any equivalency credit awarded to the applicant.

A person holding a probationary academic appointment who is not awarded tenure at the end of his or her seventh year of service in such a position at Oklahoma City University is automatically terminated after his or her eighth year of service, unless tenure was denied due to financial constraints as set forth in Section 7.9.1. Except as provided in the *Appendix Document* of the School of Law (where a more abbreviated timeline controls), the maximum number of years that a faculty member holding a probationary academic appointment may serve at Oklahoma City University without receiving tenure is seven, (unless an approved University leave exception applies), with any eighth-year appointment being a terminal-status appointment for persons who have not been awarded tenure by that time.

## **7.7 TIMELINES FOR PROMOTION AND TENURE**

**7.7.1 Faculty Eligibility List.** By the beginning of each academic year, the Provost/VPAA shall prepare a list of those faculty members who have served the minimum time required in the appropriate rank(s) and/or status to be eligible for promotion and/or tenure. This list shall include each individual's current academic rank and status. The appropriate list shall be forwarded to the Dean or director of each academic unit and the Chair of the Faculty Senate Promotion and Tenure Committee.

**7.7.2 Recommendations.** The Dean or director of each academic unit shall forward copies of his or her promotion and/or tenure recommendations, and copies of the promotion and/or tenure recommendations of the academic unit's promotion and tenure committee (along with supporting documentation) to the Provost/VPAA pursuant to a schedule to be established by the Provost/VPAA.

**7.7.3 Faculty Senate Comments.** The Faculty Senate Promotion and Tenure Committee shall forward to the Provost/ VPAA, and the appropriate Dean or director, its comments relating to the promotion and/or tenure of the candidates for that academic year pursuant to a schedule to be established by the Provost/VPAA. Those comments shall relate solely to matters of eligibility and compliance with University regulations and procedures.

**7.7.4 Provost/VPAA and President Recommendations.** After reviewing the decanal and the academic unit's promotion and tenure committee's recommendations relating to promotion and/or tenure, and the comments of the Faculty Senate Promotion and Tenure Committee on eligibility and procedural compliance, the Provost/VPAA shall make his or her recommendations to the President, who shall then submit his or her recommendations to the Trustees. At the time the President submits those recommendations, he or she shall provide to the Trustees and the Faculty Senate Promotion and Tenure Committee an additional written rationale for recommending any applicant that he or she recommends to the Trustees for promotion and/or tenure who has not received a favorable promotion and/or tenure recommendation from the promotion and tenure committee of the applicant's academic unit. The President shall also provide a similar written rationale to the Trustees and the Faculty Senate Promotion and Tenure Committee for recommending against the promotion and/or tenure of any applicant who has received a favorable promotion and/or tenure recommendation from the promotion and tenure committee of the applicant's academic unit.

**7.7.5 Final Authority.** Grants of promotion and/or tenure are made only by the Trustees. Tenure decisions of the Trustees are finalized during the April meeting of the Trustees.

## **7.8 VOLUNTARY WITHDRAWAL FROM CONSIDERATION FOR PROMOTION OR TENURE**

Any eligible faculty member who does not wish to be considered for promotion or tenure may cause the withdrawal of his or her name from consideration at any stage of the above procedure by so communicating in writing to the Provost/VPAA. Except as provided in the *Appendix Document* of the School of Law (where a more abbreviated timeline controls), a faculty member holding a probationary academic appointment who withdraws his or her name from consideration for tenure in the seventh year of his or her service to the University in such a position is deemed to have resigned his or her appointment effective with the end of his or her eighth year of such service, and will receive a terminal-status academic-appointment contract for that eighth year.

## **7.9 EVALUATION PROCEDURES – PROBATIONARY FACULTY MEMBERS**

**7.9.1 Evaluation for Renewal.** All probationary faculty members will be subjected to an annual renewal evaluation pursuant to the procedures described below and a timeline established by the Provost/VPAA. In addition to evaluating the reviewed probationary faculty member's performance during the academic year in which the review takes place, the review shall also consider the cumulative performance of the reviewee since the date of his or her initial appointment as a probationary faculty member.

The Dean or director of the appropriate academic unit shall forward his or her recommendation(s) regarding the renewal of the probationary faculty members in that academic unit, along with the recommendation of the faculty body empowered to make renewal recommendations by the academic unit's *Appendix Document*, to the Provost/VPAA no later than December 1 for those in their second or later year of such service, and no later than February 15 for those in their first year of such service.

Probationary-status faculty members have no contractual right to renewal, and have no contractual right to be non-renewed solely "for cause".

Probationary faculty members may be denied tenure if financial constraints dictate that tenure should not be granted. A probationary faculty member who is not granted tenure solely on the basis of financial constraints may be offered a contract or may be offered suspended probationary status for a term, to be approved by the Trustees. During any such suspended probationary status, the faculty member's tenure clock shall also be suspended.

Barring financial constraints, probationary faculty members will ordinarily be renewed for the following academic year if, pursuant to the procedures established in this *Handbook* and the *Appendix Document* of the faculty member's academic unit, the faculty member is making satisfactory progress toward achieving tenured status.

**7.9.2 Evaluation for Promotion.** In any academic year in which an eligible probationary faculty member seeks promotion or tenure, there shall be a promotion evaluation conducted for that faculty member, which for that academic year will incorporate the renewal evaluation.

## **7.10 EVALUATION PROCEDURES – TENURED FACULTY MEMBERS**

### **7.10.1 Post-Tenure Review.**

**7.10.1.1 Sexennial Review.** Tenured faculty members shall be subjected to a sexennial post-tenure review.

7.10.1.2 **Out-of-Sequence Review.** The Provost/VPAA may require that an additional (supplemental) review of a tenured faculty member be conducted no more than once during each of that tenured faculty member's six-year cycles. Other persons may also call for a supplemental review of a tenured faculty member if such a right is created by the *Appendix Document* of the tenured faculty member's academic unit.

7.10.1.3 **Review Outcomes – Satisfactory Review.** A tenured faculty member receiving a satisfactory post-tenure review shall have his or her appointment reaffirmed in like status as he or she enjoyed before the review.

7.10.1.4 **Review Outcomes – Unsatisfactory Review.** In the case of an unsatisfactory sexennial or out-of-sequence review a tenured faculty member shall have an opportunity to correct perceived deficiencies, and shall undergo a second periodic evaluation during the immediately-following academic year. At or near the beginning of the Fall semester, the appropriate departmental chair and/or the Dean or director of the faculty member's academic unit shall consult with the faculty member for the purpose of identifying the nature and scope of the perceived deficiencies and appropriate remedial strategies and resources for correcting the deficiencies.

Within a reasonable time after conclusion of this consultation, the department chair and/or Dean or director of the academic unit shall provide the faculty member with a written statement that specifies, with reasonable particularity, both the deficiencies and any necessary remedial measures. A copy of the statement shall be sent to the Provost/VPAA and (if the statement was prepared by the department chair) to the Dean or director of the faculty member's academic unit. If the second such evaluation is unsatisfactory, the faculty member may be subjected to the termination proceedings outlined in this Handbook.

7.10.2 **Promotion.** A tenured faculty member eligible for promotion may apply for promotion at any time during his or her eligibility consistent with a timeline established by the Provost/VPAA. Should a tenured faculty member apply for promotion during an academic year in which no post-tenure review of that faculty member is to be conducted, then the promotion review will incorporate the post-tenure review, and irrespective of whether the promotion is awarded (and assuming that the result of the post-tenure review is satisfactory), the sexennial post-tenure-review cycle will then begin again as of the date of the combined promotion and post-tenure review.

7.10.3 **Abbreviated Reviews.** A tenured faculty member's department chair (or, in academic units with no department chairs, a faculty member's Dean or the director of that academic unit) shall conduct an abbreviated annual review of each tenured faculty member's job

performance. Abbreviated annual reviews of department chairs who hold tenured academic status shall be conducted by the academic unit's Dean or director. The format for such review shall be determined by the faculty and Dean or director of the academic unit with the assent of the Provost/VPAA.

## **7.11 NON-TENURE-TRACK FACULTY MEMBERS**

### **7.11.1 Elevation in Status.**

**7.11.1.1 Elevation to Longer Contract Term.** Elevations in status from one-year-contract non-tenure-track status to multi-year-contract non-tenure-track status are wholly discretionary elevations, although such elevations are limited by the guidelines established by this *Handbook* and any corresponding guidelines established by the *Appendix Document* of the appointee's academic unit.

**7.11.1.2 Elevation from Contract Term to Multi Year Appointment for Law School Non-Research Professors.** In Accordance with the Appendix Document of the law school, elevations in status from a one-year or multi-year contract term to a multi-year appointment may be offered to a non-research faculty member.

(7.11.1.2 Added per BOT Approval April 29, 2020)

**7.11.1.3 Elevation to Probationary Appointment.** Non-tenure-track faculty members may obtain probationary status only by being the successful candidate in a new hiring process, which will ordinarily necessitate a national search.

**7.11.2 Promotion in Rank.** The promotion in rank of full-time faculty members holding non-tenure-track academic status is governed by this *Handbook* and the *Appendix Document* of the faculty member's academic unit.

### **7.11.3 Evaluation Procedures.**

**7.11.3.1 One-Year Contract Appointments.** Faculty members holding one-year-contract non-tenure-track status shall be subjected to review if so determined by the Dean or director of his or her academic unit.

**7.11.3.2 Multi-Year Contract Appointments.** Faculty members holding multi-year-contract non-tenure-track status will be subjected to annual reviews according to procedures promulgated in the *Appendix Document* of the relevant academic unit.

**7.11.3.3 Law School Non-Research Professor Multi-Year Appointments.** Faculty members holding multi-year non-research appointments in the school of law will be subjected to reviews according to procedures promulgated in the Appendix Document of the law school.

(7.11.3.3 Added per BOT Approval April 29, 2020)

7.11.3.4 **Continued Employment Not Guaranteed.** Except for non-research faculty in the School of Law\*. Irrespective of the results of any evaluation of any faculty member who holds a non-tenure-track contractual appointment, there is no contractual obligation for the University to offer continued employment beyond the expiration of the contract term.

\*(Verbiage changed per BOT Approval April 29, 2020)

## 7.12 ADJUNCT FACULTY MEMBERS

7.12.1 **Elevation in Status.** No “promotion” is available from adjunct academic status to any other academic status. A person holding adjunct status may apply for a full-time faculty position, but such application will be deemed a new application for employment and is subject to all search requirements appurtenant to the status in which full-time employment is sought. Faculty members holding adjunct academic status have no contractual expectation of continued employment beyond the expiration of the specified contract term.

7.12.2 **Promotion in Rank.** Although persons holding adjunct academic status may also have an academic rank, the award of such rank is within the discretion of the Dean or director of the relevant academic unit upon the approval of the Provost/VPAA, and is not fungible with other academic ranks.

7.12.3 **Evaluation Procedures.** Faculty members holding adjunct status may be subjected to performance reviews according to procedures promulgated in the *Appendix Document* of the relevant academic unit.

## 7.13 REPORTS

The written result of the renewal, promotion, and/or tenure evaluations of any faculty member reviewed under these procedures, and supporting documentation attached thereto (electronic submission is acceptable), shall be forwarded by the Dean or director of the faculty member’s academic unit to the Provost/VPAA pursuant to the timelines established in this *Handbook*.

## 8. NON-RENEWAL, TERMINATION, OR SUSPENSION OF FACULTY APPOINTMENTS

### 8.1 NON-RENEWAL

8.1.1 **Tenured Faculty Members.** Tenured faculty members are not subject to non-renewal by the University, and may only be terminated for institutional cause or individual cause, as set forth below in this Section.

**8.1.2 Probationary Faculty Members.** Probationary-status faculty members have no contractual right to renewal, and have no contractual right to be non-renewed solely “for cause.” Written notice that a probationary-status faculty member is not to be renewed will be provided to the faculty member in advance of the expiration date of the appointment, not later than March 1 of his or her first academic year of service if the appointment expires at the end of that academic year; or not later than December 15 of subsequent years of probationary service if the appointment expires at the end of that academic year.

**8.1.3 Non-Tenure-Track Faculty Members.** Except for non-research faculty in the School of Law,\* non-tenure-track-status academic appointments carry no contractual expectation of employment beyond the faculty member’s contract term. Written notice that a non-tenure-track faculty member is not to be renewed will be provided to the faculty member in advance of the expiration date of the contract term\*. A faculty member holding non-tenure track academic status may be offered a contract for a subsequent term at the pleasure of the University.

\*(Verbiage changed per BOT Approval April 29, 2020)

**8.1.4 Adjunct Faculty Members.** A faculty member holding adjunct academic status may be offered a contract for a subsequent semester at the pleasure of the University. However, adjunct-status academic appointments carry no contractual expectation of employment beyond the faculty member’s contract term.

## 8.2 TERMINATION – GENERALLY

**8.2.1 Tenured Faculty Members.** Tenured-status faculty members may only be terminated for institutional cause or individual cause, as set forth below in this Section.

**8.2.2 Probationary Faculty Members.** Probationary-status faculty members may be terminated for institutional cause or for individual cause, as set forth below in this Section, or without cause, as stated in Section 8.1.2.

**8.2.3 Non-Tenure-Track Faculty Members.** Non-tenure-track-status faculty members may be terminated for institutional cause or for individual cause, as set forth below in this Section, or without cause, as stated in Section 8.1.3.

**8.2.4 Adjunct Faculty Members.** A faculty member holding adjunct academic status may be terminated for institutional cause or for individual cause, as set forth below in this Section, or without cause, as stated in Section 8.1.4.

**8.2.5 Termination Proceedings.** The proceedings for termination of faculty members is set forth below in this Section.

### **8.3 TERMINATION – INSTITUTIONAL CAUSE**

The University may terminate faculty positions for Institutional Cause. In no case shall a faculty member's exercise of the right to academic freedom be a ground for termination for institutional cause. Additionally, nothing in this section shall impede the ability of the Trustees to uphold their fiduciary duty owed to the institution, which shall be determined in good faith, upon the advice of fiduciary legal counsel.

Institutional Cause includes, but is not limited to, the causes set forth below.

**8.3.1 Financial Exigency of the University.** Faculty positions may be terminated due to extraordinary circumstances involving financial exigency of the University as determined in good faith by the Trustees. The Trustees shall consult with FSEC and the Budget Committee prior to declaring financial exigency. The Trustees shall have the final absolute discretion in determining that financial exigency exists and shall not be subject to review in an individual or any other proceeding as to the declaration of financial exigency.

**8.3.2 Educational Considerations- Terminations After Program Review.** Faculty positions may be terminated when, in good faith, the Trustees determine, for educational considerations, that the bona fide formal discontinuance or reduction of an academic program will enhance the educational mission of the of the University. Some examples of "educational reasons" include programs that have generated insufficient revenues to continue existing levels of faculty employment, have low program quality, use programmatic grade inflation and non-rigorous standards to attract students, lose accreditation when such accreditation is relevant, or systematically fail to maintain normal academic expectations, as evidenced by program-wide cheating, plagiarism, violations of the University's non-discrimination policy, lack of faculty availability to students, fraudulent research, or similar failures.

Faculty positions may be terminated for educational considerations only after the academic unit or department has undergone a Program Review, the process for which is set forth below in Section 8.4. The Trustees shall review all documentation and data collected through the program's periodic Program Review, including any responses submitted by FSEC, prior to making a decision to terminate faculty positions under this section. The Trustees shall have the final absolute discretion in making such a decision and shall not be subject to review in an individual or any other proceeding as to the decision.

### **8.4 PROGRAM REVIEW \*\***

**8.4.1 Periodic Review.** The Provost shall call for a Program Review for each academic program on a periodic basis, but no less frequently than every three years. The Trustees may



call for an expedited Program Review for an academic program at any time. The Program Review process is described below.

**8.4.1.1 Program Review Panel Members.** The Provost/VPAA, the Assistant/Associate Provost, the Vice President for Enrollment Management, and the Chief Financial Officer shall serve as the Program Review Panel. Two (2) full-time faculty members shall attend all meetings of the Program Review Panel as observers. The faculty members shall be appointed annually by the Faculty Senate Executive Committee from the faculty of academic programs not scheduled for review that year.

**8.4.1.2 Information and Data Considered.** The Program Review Panel shall review program-specific information and data as requested by the Provost. Each academic program under review shall prepare a report that includes the requested information and submit it in advance to the Program Review Panel. The Dean of the academic unit under review shall meet with the Program Review Panel to discuss the report and respond to questions. At the Dean's discretion, Associate Deans, Assistant Deans, and/or faculty members who prepared the report may assist the Dean in the meeting with the Review Panel.

**8.4.1.3 Program Review Recommendations.** The Program Review Panel is responsible for making recommendations regarding the programs under review and for reporting its recommendations to the Board of Trustees.

Any panel recommendations to terminate or reduce a program will be forwarded to the Dean of the academic unit, who shall notify the faculty of such recommendations. Recommendations to terminate or reduce a program will also be forwarded to FSEC, which shall have at least 30 days to respond to the recommendations prior to other University action.

**8.4.1.3(a) Recommendations to continue or enhance programs.** The Review Panel shall forward recommendations to continue or enhance academic programs to the program's faculty, the Dean, and the Provost who shall be responsible for acting on the recommendations.

**8.4.1.3(b) Recommendations to terminate or reduce a program.** The Provost shall be responsible for initiating curriculum proposals, as appropriate, in response to Review Panel recommendations to terminate or reduce a program. The curriculum proposals shall include any response from the Faculty Senate Executive Committee and shall be forwarded to the Academic Program and Standards Committee, the Academic Council (or Graduate council), and the President for consideration and approval. The Provost shall also forward the

curriculum proposals to the Budget Committee for its consideration in the budget planning process.

8.4.1.3(c) **Recommendations to reduce faculty positions.** The Provost shall be responsible for forwarding recommendations to reduce faculty positions that do not include changes to an academic program curriculum to the President and the Board of Trustees for consideration and approval following FSEC's 30-day response period.

\*\* (8.4 Program Review including 8.4.1, 8.4.1.1, 8.4.1.2, 8.4.1.3, verbiage changed and 8.4.1.3a, b, c added per BOT Approval April 29, 2020)

8.4.1.4 **Program Review Recommendations Approval.** Program Review decisions that recommend the termination of tenured faculty must be approved by the Trustees before termination proceedings, as set forth below in this Section, are pursued.

## 8.5 PROCEDURES FOR TERMINATION FOR INSTITUTIONAL CAUSE

If the Trustees approve faculty terminations for Institutional Cause as set forth above in this Section, the following procedures govern how terminations are to take place.

8.5.1 **Termination of an Entire Academic Unit.** Where an entire academic unit is to be terminated requiring the termination of all its faculty, the Provost/VPAA shall inform the academic unit's Dean or director and faculty of the decision of the Trustees and its effective date as soon as possible.

### 8.5.2 Termination of Faculty Members Not Resulting from Termination of an Entire Academic Unit.

8.5.2.1 **Faculty Meeting.** Upon being notified by the Provost/VPAA of a need for faculty reduction for institutional cause, the affected Dean or director shall schedule a meeting of all full-time faculty as soon as such a meeting can be practicably convened, and shall communicate to the faculty at such meeting the scope of the decision of the Trustees and the needed extent of faculty reductions.

8.5.2.2 **Ad hoc Termination Committee.** The faculty shall then designate an ad hoc committee to assist the Dean in making a recommendation of the faculty to be terminated. The Dean or director shall establish at this meeting a reasonable deadline for the submission of the recommendations of the ad hoc committee.

8.5.2.3 **Meeting.** The ad hoc committee shall meet as soon as practicable, select a Chair, and determine the criteria and priorities to be considered in recommending the specific faculty members to be terminated.

**8.5.2.4 Priority Process.** Each *Appendix Document* shall include a priority process for Ad Hoc committee consideration when termination of faculty within the academic unit is necessitated due to a declaration of financial exigency or a decision of institutional cause. Such priority process shall adhere to the AAUP guideline that tenured faculty should not be terminated prior to non-tenured faculty except in extraordinary circumstances. Such priority process shall take into account the specific needs of the academic unit including any constraints, including the capability of faculty members to provide instruction in specialized aspects of the academic unit's programs.

**8.5.2.5 Governing Purpose.** Recommendations shall be made in such a way as to maintain the highest level of instruction and services possible given the necessary faculty terminations.

**8.5.2.6 Voting.** The ad hoc committee shall determine, by majority vote secret ballot, which faculty members will be recommended for termination to achieve the level of faculty reduction that has been determined necessary by the Trustees.

**8.5.2.7 Reporting Recommendations.** Ad hoc committee recommendations shall be submitted to the dean or director, who shall forward such recommendations to the Provost/VPAA. The dean or director shall communicate either concurrence or dissent, along with any reasoning for such concurrence or dissent.

**8.5.2.8 Final Approval.** The Provost/VPAA shall make a determination of the faculty members to be terminated, taking into account all ad hoc committee recommendations and dean/director input. Such determination is final upon approval by the President.

**8.5.3 Other Employment within the University.** If a probationary or tenured faculty member is terminated from his or her position within an academic unit, the University shall make every effort to place such faculty member in another open position within the University, if any exists, if the faculty member meets the hiring qualifications for the open position.

#### **8.5.4 Notice and Severance Pay for Termination for Institutional Cause.**

**8.5.4.1 Tenured Faculty Members.** Tenured Faculty Members shall receive written notice of termination for the following academic year no later than August 15<sup>th</sup> of the preceding academic year. If notified after such date, such faculty member shall receive severance pay equal to the salary provided in his or her contract for the current academic year.

**8.5.4.2 Probationary Faculty Members.** Probationary-status faculty members in the first year of probationary service shall receive written notice of termination for the

following academic year no later than March 1<sup>st</sup>. If notified after such date, such faculty member shall receive severance pay equal to one-third of the salary provided in his or her contract for the current academic year.

Probationary-status faculty members in the second or subsequent year of probationary service shall receive written notice of termination for the following academic year no later than December 15<sup>th</sup>. If notified after such date, such faculty member shall receive severance pay equal to one-half of the salary provided in his or her contract for the current academic year.

## **8.6 TERMINATION OR SUSPENSION WITHOUT PAY FOR INDIVIDUAL CAUSE**

Faculty members may be terminated or suspended without pay for individual cause, regardless and independent of any contractual or employment relationship with the University.

**8.6.1 Grounds.** The grounds for termination or suspension without pay for individual cause include the following:

8.6.1.1 Health conditions that prohibit a faculty member, even with reasonable accommodation, from being able to perform the essential functions of his or her position.

8.6.1.1.1 In cases where the health condition of a faculty member is invoked as a ground for termination or suspension of a faculty appointment, the University may, where the examination is job-related and consistent with the business necessity of the University, require the appointee to submit to a medical or psychiatric examination by a physician designated by the administration at the expense of the University. Other medical or psychiatric information may be voluntarily submitted by the faculty member. Termination or suspension on the “health condition” ground will be based both on observed performance and signed medical statements.

8.6.1.2 In the case of a tenured faculty member, failure to receive a satisfactory evaluation in a sexennial review or out-of-sequence review, if the subsequent review the following academic year is also unsatisfactory.

8.6.1.3 Conduct involving moral turpitude.

8.6.1.4 Academic dishonesty or plagiarism.

8.6.1.5 Willful neglect of duties.

8.6.1.6 Conduct that demonstrably goes beyond conscientious disagreement over policy and becomes substantially disruptive of the instructional programs of the University or any of its academic units.

8.6.1.7 Gross personal misconduct that destroys the faculty member's ability to fulfill his or her institutional responsibilities.

8.6.1.8 Material and substantial misrepresentation in the faculty member's application of employment and accompanying materials.

8.6.1.9 Unwillingness to accept reasonable assignments.

8.6.1.10 Failure to comply with mandatory reporting requirements as specified in Section 6.7.

**8.6.2 Academic Freedom.** In no case shall a faculty member's exercise of the right to academic freedom be a ground for termination or suspension without pay for individual cause.

## **8.7 PROCEDURES FOR TERMINATION OR SUSPENSION WITHOUT PAY FOR INDIVIDUAL CAUSE**

**8.7.1 Initiation of Procedures.** Procedures to terminate or suspend a faculty member without pay may be recommended to the Provost/VPAA by the dean or director of the academic unit. The Provost/VPAA or the President may also initiate such procedure.

**8.7.2 Informal Procedures Initiation of Formal Termination or Suspension Action.** Upon initiation of termination or suspension without pay procedures, the Provost/VPAA shall discuss the recommendation for termination or suspension without pay with the affected faculty member. Such discussions will result in one of the following further actions.

- Withdrawal by the Provost/VPAA of any action to terminate or suspend the faculty member without pay.
- Resolution of the matter by mutual agreement between the faculty member and the University.
- The initiation of formal action to terminate or suspend the faculty member without pay, with written notice to the faculty member, which shall include a description of the action.

**8.7.3 Interim Suspension.** The faculty member may be suspended with pay pending final decision on termination or longer-term suspension of his or her appointment at the discretion of the Provost/VPAA, with notice to FSEC and all parties concerned.

**8.7.4 Right to FSEC Review.** Tenured faculty shall have the right to FSEC review of any termination or suspension without pay decision, unless the suspension or termination was determined through a Title IX proceeding as set forth in Section 9 of this *Handbook*. Probationary faculty or non-tenure-track faculty who are subject to a termination or suspension without pay proceeding during an ongoing contract term have the right to FSEC review of the termination or suspension without pay decision.

**8.7.5 Process for FSEC Review of Termination or Suspension Without Pay for Individual Cause.**

**8.7.5.1 Initiation of Challenge.** Within twenty-one calendar days of the notice of the termination or suspension without pay, the faculty member shall provide notice of request for FSEC review, including a written statement, and any supporting evidence in support of the faculty member's challenge of the termination or suspension without pay decision. Such notice shall be delivered to the Chair of FSEC and to the Provost/VPAA. FSEC may, in its discretion, join challenges that are similar in nature, or that arise from similar sets of circumstance.

**8.7.5.2 Initial Provost/VPAA Review.** Within ten days of receipt of a written challenge, the Provost/VPAA shall consider the challenge, and shall notify FSEC whether the termination or suspension without pay proceeding shall be dismissed or pursued.

**8.7.5.3 Initial Actions by FSEC.** FSEC shall, within 20 days of receipt of a written challenge, set a hearing date. FSEC may designate an advisor from the University community to aid FSEC in review of the challenge. FSEC will communicate only to the parties concerned, in writing, any decision or action taken that affects the parties.

**8.7.5.4 Designation and Duties of Hearing Officer; Notice.** FSEC shall, within 30 days of receipt of a written challenge, designate one of its members as a hearing officer. FSEC shall give the parties notice of the designation of the hearing officer.

**8.7.5.5 Waiver of Hearing.** A party to the hearing may waive the right to a hearing at any time.

**8.7.5.6 Composition of Hearing Panel.** FSEC members shall serve as the hearing panel. In the event an FSEC member has a conflict, he or she shall either recuse himself or herself or be excused from service on the panel by a majority vote of the other members of FSEC. In that event, FSEC shall appoint another faculty member from the same academic unit as the dismissed FSEC member to serve on the panel.

**8.7.5.7 Challenge Procedures.** The following standards and procedures shall be followed for hearing challenges under this Section. FSEC may mandate additional procedures that are consistent with this *Handbook*.

**8.7.5.7.1 Pre-Hearing Procedures.**

- The burden of proof for overturning a termination or suspension without pay decision is on the affected faculty member, who must prove by a preponderance of the evidence that the decision should be revisited.
- A faculty member subject to a termination or suspension without pay decision shall, at least fifteen days before any hearing, receive from the Provost/VPAA a detailed written statement and any supporting evidence supporting the decision, as well as a list of individuals the Provost/VPAA plans to ask to provide information at the hearing.
- The faculty member shall, at least fifteen days before any hearing, provide to the Provost/VPAA a written statement and any supporting evidence supporting the challenge, as well as a list of individuals the faculty member plans to ask to provide information at the hearing.
- FSEC may convene a pre-hearing meeting between the administration and the faculty member to narrow the issues for hearing, agree on stipulated facts, provide an opportunity to exchange evidence, or for any other pre-hearing activity.

**8.7.5.7.2 Hearing Procedures.**

- Hearings shall be closed, and the proceedings shall be confidential.
- Parties and legal counsel/advisors have the right to be present in person throughout the hearing process at all times except during FSEC deliberations.
- FSEC has the right to have its legal counsel/advisor, as well as any other personnel deemed necessary for the hearing process, present at all proceedings.
- A record of the proceedings, either stenographic or audio, shall be made. A copy of such record may be requested by any party upon payment of reasonable cost for reproduction.
- Parties shall have the right to question all persons who provide information at the hearing.

- When a person is providing information at the hearing, a party may request that non-FSEC hearing panel members and non-parties be removed from the hearing room.
- A faculty member challenging a termination or suspension without pay decision shall not be subject to retaliation for bringing forth such challenge.

**8.7.5.8 FSEC Hearing Findings and Outcomes.** Within one week of the hearing, FSEC shall issue its findings of fact and recommendations, and shall provide notice of such findings and recommendations to the Provost/VPAA and the affected faculty member. FSEC may recommend that the termination or suspension without pay decision be affirmed, reversed, or modified.

**8.7.5.9 Provost Recommendation.** Within one week of receipt of FSEC's findings and recommendations, the Provost shall convey to the President his or her written recommendation, along with the findings and recommendations report from FSEC.

**8.7.6 Final Action.** The President's action as to the termination or suspension without pay is final.

**8.7.7 Severance Pay.** A faculty member who is terminated for individual cause may be entitled to severance pay as determined by the Provost/VPAA, in consultation with Human Resources and the President.

## **8.8 RESIGNATIONS**

A faculty member wishing to resign his or her appointment is requested to submit a written resignation to the dean or director of his or her academic unit and the Provost/VPAA by June 30 so as to facilitate the employment of the highest-quality replacement possible.

## **8.9 LEAVES OF ABSENCE**

The Provost/VPAA may condition the grant of a leave of absence to a faculty member on that person's agreement to provide written notice of intent to return or leave by a specified date. A faculty member on leave who fails to do so where such a condition has been imposed is deemed to have resigned his or her faculty appointment. Other leaves of absence covered by University employee policy, including Family Medical Leave Act leave, and maternity/paternity leave operate independently of other faculty leaves of absence, and may provide additional time for probationary faculty members to complete tenure requirements.



## **9. SPECIAL PROCEDURES AND PANELS**

### **9.1 ACADEMIC FREEDOM**

While professorial conduct in the teaching environment is not automatically immunized by virtue of its having occurred *in* the teaching environment, in no instance shall an exercise of academic freedom be grounds for any adverse action against a faculty member under this Section.

### **9.2 ALLEGED VIOLATIONS OF THE UNIVERSITY'S POLICY AGAINST SEX DISCRIMINATION, SEXUAL HARASSMENT, SEXUAL VIOLENCE, AND RETALIATION**

The University's policy and procedures for handling alleged violations shall be applicable so long as the policy and procedures afford the accused faculty member the protections listed below.

9.2.1 A Title IX Investigator conducting a preliminary inquiry into an allegation of violation of the policy must have received specialized training in investigating such allegations.

9.2.2 An accused faculty member has the right to a formal hearing for resolution of the allegation, and shall receive at least five days' notice before any hearing is to occur.

9.2.3 An accused faculty member has the right to written notification of all violation allegations, as well as all evidence that will be used to render a determination.

9.2.4 The formal hearing process for an alleged violation shall provide for hearing panel review of all allegations, statements and evidence of the alleged violation.

9.2.5 An accused faculty member has the right to call relevant witnesses, to ask questions of the witnesses (or recommend questions to be asked of the witness by the hearing panel), to present all relevant evidence and to present relevant arguments.

9.2.6 A formal hearing panel shall include a majority of full-time faculty members who have received training on Title IX investigation and compliance.

9.2.7 The accused faculty member shall have the right to suggest questions to be asked of the reporting party.

9.2.8 The accused faculty member shall be given a list of witnesses whose information will be used to render a determination.

9.2.9 The accused faculty member has the right to regular updates throughout the investigation.

9.2.10 The accused faculty member has the right to have an advisor of his or her choice present for all proceedings.

9.2.11 The accused faculty member has the right to appeal the decision of the hearing panel. Any appellate panel shall include at least one full-time faculty member.

9.2.12 Sanctions for violations of the policy may include reprimand, suspension, suspension without pay, or termination. Violation determinations and sanctions are not subject to further review under any process set forth in this *Handbook*.

### 9.3 FACULTY GRIEVANCES

A full-time faculty member may file a grievance for any matter except the following:

- Termination or suspension without pay for individual cause
- An adverse decision of violation of the University's Policy Concerning Actions That Constitute Discrimination, Harassment, Sexual Violence and/or Retaliation
- An administrative matter (including administrative appointments) unrelated to the faculty member's teaching and/or research functions.
- Course assignments

9.3.1 **FSEC Review.** FSEC shall have the right to decide whether or not the facts merit further investigation and/or detailed consideration of the petition, and if so, whether the investigation and/or detailed consideration will be conducted through relatively informal or more formal procedures.

9.3.1.1 **Initiating a Grievance.** A grievance must be submitted in writing to the FSEC chair within 90 calendar days from when the grievant knew, or could have been reasonably expected to know, of the action or event giving rise to the grievance. Grievances should provide a detailed explanation of the grievance and the requested remedy or action to be taken by FSEC. The FSEC Chair will present the grievance to FSEC. FSEC will determine if the grievance is reviewable by FSEC. The faculty member submitting the grievance will be promptly notified of FSEC's decision whether or not the grievance will be reviewed. If the grievance is reviewable, the faculty member will be provided information about the process, their rights, and available remedies. *(Section added per BOT approval January 29, 2020)*

**9.3.1.2 Parties.** The parties to a grievance are the faculty member(s) initiating the grievance and the decision-maker(s) responsible for the contested decision or action. *(Section added per BOT approval January 29, 2020)*

**9.3.1.3 Reviewing a Grievance.** If FSEC determines it should review a grievance, a Faculty Grievance Panel will be convened. The faculty grievance panel should be comprised of members who do not present a conflict of interest or stake in the outcome of the review. The Faculty Grievance Panel will determine whether informal or formal procedures will be followed. An informal review may lead to the determination that a formal review is necessary. *(Section added per BOT approval January 29, 2020)*

**9.3.1.3(a) Informal Review Procedures.** Informal procedure investigations will be non-adversarial in nature and focused on fact-finding, with FSEC (or a smaller number of Committee members if the FSEC so chooses) sitting as the Faculty Grievance Panel. The Faculty Grievance Panel will determine the timeline for review, request information from the parties, and prepare a report of their findings. The Faculty Grievance panel may at this stage propose a final recommendation to be voted on by FSEC or recommend a formal review occur. *(Section revised per BOT approval January 29, 2020)*

**9.3.1.3(b) Formal Review Procedures.** FSEC may elect to proceed under more formal procedures, in which the grievant and any other party (including the University) may be represented by an advisor. The grievant and/or any other party (including the University) shall also be permitted to have the proceedings recorded. Other rules for the conduct of the more formal grievance procedure hearings not inconsistent with this paragraph may be established by FSEC and/or its otherwise-constituted Faculty-Grievance Panel. *(Section title revised per BOT approval January 29, 2020)*

**9.3.2 Findings and Recommendations.** FSEC may seek to bring about a settlement of the issue that is satisfactory to the parties. If in the judgment of FSEC or the Faculty Grievance Panel such a settlement is not possible or is not appropriate, the Panel will report its findings and recommendations to the petitioner, appropriate administrators and/or deans, and any appropriate faculty or other body. FSEC has very limited power in grievances relating to faculty employment. FSEC only has the authority to choose to support or not support grievances related to employment matters. *(Section revised per BOT approval January 29, 2020)*

**9.3.3 Confidentiality.** Grievances submitted to FSEC will remain confidential to the extent possible. Contents of the grievance, information from the investigation and/or hearings and FSEC's findings and recommendations will only be shared with the parties of the complaint. *(Section added per BOT approval January 29, 2020)*

## **10. DEAN'S EVALUATIONS**

### **10.1 FREQUENCY AND FORMAT**

Academic Deans (and directors of programs who report directly to the Provost/VPAA) shall be evaluated once per academic year, in accordance with a format developed by the Provost/VPAA, in consultation with the President.

### **10.2 PARTICIPATION BY FACULTY**

All faculty of the academic unit, including tenured, probationary, non-tenure-track, and adjunct faculty shall have the ability to provide feedback on the Dean's performance through the evaluation process.

### **10.3 ANONYMOUS PARTICIPATION**

The evaluation process shall include an option for faculty members to submit anonymous feedback.

### **10.4 EVALUATION CRITERIA**

Faculty members shall have the ability to provide meaningful feedback in all of the following areas, as well as other areas as set forth in the evaluation protocol developed by the Provost/VPAA:

- Leadership
- Planning
- Administration and Management, including Dean's management of Assistant and Associate Deans
- Academic Affairs
- Outreach
- Development, Advancement and Fundraising
- Personnel Development
- Assessment
- Management of Budget