# Revision/Amendment History 

## 2020 Amendments

Approved by the Faculty Senate April 14, 2020
Approved by the University President and Provost
Adopted by the Board of Trustees May 1, 2020

## 2017 Amendments

Approved by the Faculty Senate November 14, 2017
Approved by the University President and Provost
Adopted by the Board of Trustees December 1, 2017

2016 Amendments
Approved by the Faculty Senate April 19 and November 22, 2016
Approved by the University President and Provost
Adopted by the Board of Trustees December 3, 2016

## 2008 Amendments

Approved by the Faculty Senate April 29, 2008
Approved by the University President and Provost
Adopted by the Board of Trustees May 3, 2008

## 2006 Revision

Approved by the Faculty Senate April 25, 2006
Approved by the Board of Trustees May 6, 2006
2. Extension of the Probationary Period That Applies to the Granting of Tenure
12. F 48
IV. Periodic Review and Amendments

The Jesuit ideal of academic excellence is based on the conception of the person as a free and responsible agent capable of making a difference for good or ill in the world. Hence, Saint Louis University directs its educational efforts to help students develop as critically reflective and socially responsible persons capable of exercising leadership in advancing the cause of human good. It pursues this goal by providing an environment in which the intellectual, emotional, imaginative, technical, social, religious, and spiritual abilities of students are nurtured and strengthened.

The University's undergraduate curriculum involves the humanities, social sciences, natural sciences, and technology in a unified effort to challenge students to understand themselves, their world, and their relation to God; to make critically informed moral judgments; and to prepare intellectually and professionally for their chosen careers. It seeks to engender critical awareness of the present as rooted in the past and as moving toward a future in which the nations of the world have become more aware of their mutual interdependence. The curriculum seeks to prepare students for the responsibilities they will bear as citizens and leaders to work for peace and justice in communities characterized by political, economic, cultural, and religious diversity. Saint Louis University is committed to providing its students with opportunities for international and intercultural educational experiences that will enhance their abilities to act responsibly in this world order.

The University's commitment to academic excellence comes to full flower in its graduate programs and professional schools, which have a twofold purpose: to advance the frontiers of knowledge and technical expertise in their disciplines and professions, and to prepare students to make their own contributions to such advances while carrying out their responsibilities in an ethical and professional manner.

In keeping with the demands of Christian charity and with the Jesuit commitment to put knowledge to the service of humanity, Saint Louis University provides its students with opportunities to serve the disadvc, 1pomanes and pro

## II. Organization of Saint Louis University

## A. The University Corporation

Saint Louis University is a benevolent corporation established by a Charter granted on December 28, 1832, by the Legislature of the State of Missouri. It operates, therefore, under the relevant laws of the State of Missouri. According to these laws, legal authority for the Corporation is vested in a self-perpetuating Board of Trustees. In th

Board upon recommendation of the Executive Committee of the UMG; the appointment is subject to the ultimate hiring authority of the President of the University.

## C. Academic Administration of the University

## 1. Colleges, Schools, and Departments

The academic body of the University consists of the faculty, the academic administrators and staff, and the students. The Provost is the chief academic officer of the University. The academic body is largely organized into Colleges and Schools, and then into Departments. A College or School is an administrative unit of the University consisting of a Dean or Director, the faculty, the administrative staff, and the students of the unit. A Department is an academic unit of the University consisting of faculty members who are engaged in instruction, research, and/or administrative work in a given subject area, a Department Chairperson or comparable administrator, and appropriate staff members. Centers and Institutes that have their own degree program or programs are considered to be comparable to Departments. Most Departments are subunits of a College or School, but some academic units have other reporting relationships designated by the Provost. These units are identified on the Web site of the Office of the Provost.

## 2. College, School, and Library Administrators

## a. Dean

The Dean of a College or freestanding School is the chief executive officer and administrator for

Policy on Conflict of Interest, available on the Web site of the Office of Research Services Administration. The Committee, which is composed of faculty from across the University, meets regularly to review conflicts disclosed pursuant to the Policy on Conflict of Interest and reports of conflicts that are referred by the Institutional Review Boards, the Office of Research Services Administration, the Technology Transfer Office, the Office of the General Counsel, or the Office of the Provost. The Committee is supported by staff who work with the Committee and the Offices of the Provost and General Counsel to ensure proper compliance.

## 3. Institutional Review Boards (IRBs)

Saint Louis University has established administrative bodies to protect the rights and welfare of human subjects recruited to participate in research activities conducted under the auspices of the University. All Saint Louis University faculty and students who conduct research involving human subjects must submit their research protocols to the appropriate Institutional Review Board for approval prior to the initiation of research.

Each IRB meets regularly and is composed of faculty affiliated with either the biomedical or behavioral/social science disciplines at Saint Louis University. It is incumbent upon academic units whose faculty and students make regular use of IRB services to provide well-qualified,
participation. The number of Board representatives from an academic unit and the number of active human research protocols which originate from that unit should be generally proportional. Aside from University members, representatives from the community also serve on each Board. The Provost, with consultation of the Chairpersons of the Boards, appoints the members. Further information about the IRBs is available on the Web site of the Office of Research Services Administration.

## 4. Animal Care Committee

The Animal Care Committee provides oversight of all institutional programs and facilities for the care and use of laboratory animals, enhances the quality of research and teaching, and ensures compliance with all relevant laws and regulations. Appointments to the Committee are made by the President of the University. A copy of the University policy governing the Animal Care Committee is available on the Web site of the Office of Research Services Administration.

## 5. Other Boards and Committees

The University establishes boards and committees, both standing and ad hoc. Ordinarily, such boards and committees include faculty representatives appointed in consultation with the Faculty Senate Executive Committee. A list of these boards and committees and their members is available on the Web site of the Office of the Provost.

## E. Faculty Senate

The Faculty Senate is the principal organ and voice of the faculty in matters of University-wide concern, and it is the primary means by which the faculty members of the University participate in governance of the University as a whole. The Senate consists of faculty members elected by the full-time faculty of the Colleges and Schools (except the Graduate School) and of the University Libraries, according to a system of proportional representation detailed in the bylaws of the Faculty Senate. The work of the Faculty Senate is accomplished principally through the deliberation and reports of its Committees, both standing and ad hoc. The President of the Faculty dinating Council. S/he and the Faculty Senate

Executive Committee serve as the primary liaison between the faculty as a whole and the administration.

An important responsibility of the Faculty Senate Executive Committee is to recommend to the President of the University and to the Provost faculty members to serve on University committees. Moreover, after consultation with the appropriate Vice President or comparable administrator, the Faculty Senate Executive Committee recommends a faculty member to serve on each of the standing committees of the Board of Trustees on which faculty hold membership. In the interest of shared governance, the Provost and President of the University, and the Faculty Senate, have a responsibility to consult with one another on matters of academic and institutional importance.

## III. Faculty

## A. Definition of Faculty

Employees of the University are members of the faculty if their contracts, letters of appointment, or memoranda of agreement so state and if they are among the types of faculty listed in Sec. III.D. Faculty members who hold salaried appointments, including those whose salary is fully or partly paid by University-affiliated institutions, are governed by this Manual. Voluntary faculty who serve without pay are members of the faculty of Saint Louis University and are subject to the terms of this Manual where appropriate. Voluntary faculty members have voting privileges in Colleges, Schools, Libraries, Departments, or standing or ad hoc committees at the discretion of the unit. Post-doctoral fellows are not considered to have faculty status and, therefore, are not governed by this Manual.

## B. Appointments and Titles

## 1. Regular Appointments

The Department Chairperson or comparable administrator must obtain approval from the appropriate Dean or comparable administrator and the Provost before a search can begin for a new faculty member. When such a search is likely to involve the appointment for the following academic year of a person who is presently a faculty member at another institution, it will be started as early as possible and normally be completed by May 1. The University will follow high ethical standards in recruiting faculty members from other institutions.

For full-time positions, a search committee composed primarily of faculty members ordinarily will be established to identify and interview candidates. The Equal Employment Opportunity Policy and Affirmative Action Plan of the University will be followed in searching for, interviewing, and choosing among candidates. The Faculty Manual shall be made available to current and prospective faculty members.

Full-time faculty members give their full time and attention to their duties at the University during the entire academic year (in some cases an entire calendar year, and in others a period of from nine to eleven months), unless excused by the appropriate administrator or absent on leave or regular vacation.

Relationship by family or marriage to another employee of the University constitutes neither an advantage nor a deterrent to appointment as a faculty member. University employees will not
participate in decisions relating to initial appointment, retention, promotion, salary, leave of absence, or other significant decisions when a spouse, parent, grandparent, child, sibling, in-law, or other relative living in the household is involved or when there are other actual or potential conflicts of interest.

The Provost or designee is the University official empowered to make a binding offer of employment to a faculty member. When the search committee and Department Chairperson or comparable administrator desire to make an offer to a candidate, their recommendation and a request for approval must be submitted to the appropriate Dean or comparable administrator, along with an up-to-date curriculum vitae. In most cases, the Dean or comparable administrator establishes mutually agreeable terms of employment with the prospective faculty member, makes the candidate a contingent offer, and transmits the agreed upon terms, in writing, to the Provost. If the Provost or designee accepts the proposed terms, $\mathrm{s} / \mathrm{he}$ issues the candidate a contract on behalf of the University. The University requires that all conditions of employment must be in writing. Oral commitments not reflected
binding. The type of faculty position and rank offered a new faculty member must be in accord with the descriptions in Secs. III.D and III.F. Copies of employment offers and commitments affecting the terms of employment must be sent promptly to the University Committee on Academic Rank and Tenure. Comprehensive guidelines for faculty recruitment and hiring are available on the website of the Office of the Provost.

Each faculty member will be appointed to a specific Department or comparable academic unit, subject to its prior advice and consent. The titles of record of faculty members will include

## 2. Secondary and Joint Appointments

A faculty member who possesses the skills and competencies to justify an appointment in another academic unit or program may be given either a secondary or a joint appointment, subject to the approval of the Provost or designee, upon recommendation of the Department Chairperson or comparable administrator of the primary academic unit and the appropriate Deans(s). A secondary appointment is non-tenurable, is made for a limited period of time, usually three years, and involves no sharing of salary between academic units or programs. Secondary appointments are renewable. They may also be discontinued, with written notice, by the faculty member or by the Chairperson or comparable administrator of the secondary academic unit or program, after consultation with the Chairperson or comparable administrator of the primary academic unit.

A joint appointment is made for an indefinite period of time and does involve sharing of salary between academic units, or between academic units and programs. Absent a written exception from the Provost, joint appointees follow the advancement and tenure guidelines of their primary academic unit or program. In cases of termination of a contract for cause during the contract period, the procedure that will be followed is described in Sec. III.I.6. Should a faculty member
using the procedures in Sec. III.B.1. The primary appointment will be listed first in the title for such a faculty member, but the Center or Institute will also be given (e.g., Adjunct Associate Professor of History in the Center for Interdisciplinary Studies).

## 4. The Graduate Faculty

The graduate faculty, as an academic body, consists of all those faculty members of the various Colleges, Schools, and other academic units who have been individually approved for the graduate faculty. Qualifications for appointment to the graduate faculty are established by the respective academic units. The Provost is notified of individuals appointed to the graduate faculty. Applicants approved by the academic units are appointed for five years to the graduate faculty for teaching, advising, and examining graduate students and for directing theses and dissertations. Such appointments may be renewed using the same procedure as for initial appointments.

## C. Part-Time Faculty

Faculty whose appointments involve less than $80 \%$ of a full load or who have an $80-100 \%$ assignment for less than an entire academic or calendar year are considered to be part-time. Parttime faculty receive fewer benefits than do full-time faculty.

## D. Types of Faculty

## 1. Tenure-Track and Tenured Faculty

The four ranks of tenure-track and tenured faculty are, in ascending order, Instructor, Assistant Professor, Associate Professor, and Professor; however, for internal purposes, the University
year will be considered to begin their probationary period for purposes of tenure at the beginning of the following academic year. The University does not recognize de facto tenure. A tenuretrack faculty member who is not awarded tenure by the end of their probationary period will be given a one-year terminal contract, at the conclusion of which the faculty member's appointment ends.

Subject to the qualifications noted below, the University will make a final decision to award tenure to a faculty member by the end of their probationary period. In exceptional cases, the Provost or designee may grant written approval to count an academic year as less than one year of service for purposes of the probationary period. Such situations include, but are not limited to, leaves of absence and administrative assignments. Where required by law, the probationary period may also be adjusted. Additionally, where an adjustment of the probationary period is available pursuant to University policy or where special adjustment is requested in writing by the candidate, written approval for the individual case must be obtained well in advance of the end of the probationary period (e.g., at the time of an administrative appointment or at the granting of a
explicit agreement in writing among the faculty member, the appropriate Dean or comparable administrator, and the Provost that tenure is retained. Part-time status due to medical reasons is covered by Sec. III.H.12.b.

Faculty Phased-Retirement Policy, available on the Web site of the Office of the Provost, retain the rights and privileges of full-time tenured status during the phased-retirement period.

## 2. Non-Tenure-Track Faculty

Non-tenure-track faculty members are individuals who are not eligible for tenure, although some have renewable appointments. Non-tenure-track faculty members function on a full-time basis in clinical service or supervision, in research positions supported either by University sources or by grants or contracts from organizations outside the University, as aviation specialists, in research, clinical, or teaching positions whose long-term existence is not assured, or under other conditions that make the attainment of tenure according to the norms in Sec. III.F a practical impossibility. Professional Librarians ordinarily are non-tenure-track faculty members, but the Law Librarians, if so recommended by the Law School faculty, may be appointed to the Law faculty with academic rank and tenure eligibility. The four ranks of Non-Tenure-Track faculty are, in ascending order, Instructor, Assistant Professor, Associate Professor, and Professor; however, for

## b. Research Faculty

Research faculty are individuals who hold full-time positions the focus of which is to conduct research. Some research faculty hold renewable appointments. The four ranks of research faculty are, in ascending order, Research Associate, Assistant Research Professor, Associate Research Professor, and Research Professor. Although not eligible for tenure at the University, research faculty may apply for advancement, be transferred to another type of faculty position, or apply for an open position according to the procedures in Sec. III.B.1, with the exception that a person who previously held a tenure-
selection and review of these chairs and professorships, as well as the responsibilities of and privileges accruing to the holders of these appointments, are available on the Web site of the Office of the Provost.

## 4. Retired Faculty

In order to retire from the University with full benefits, a faculty member must leave the
and the Provost. Such exceptions, if approved, must be filed with the application for advancement.

Colleges, Schools, and Libraries should utilize procedures which ensure that the student and
interpretations are made available on the Web site of the College, School, or Library, and they will be used to gauge the merit of applications for advancement. University evaluators must utilize these standards, relative weightings, and interpretations until they are changed.

Evaluations by the College, School, or Library Rank and Tenure Committee, or comparable faculty committee, are based on documents prepared by the applicant and presented with the application, along with recommendations submitted by the Department Chairperson or comparable administrator, by colleagues, and by students, and other information presented to the committee. Evaluators may solicit additional information necessary to make an informed decision.

## 4. Tenure-Track and Full-Time Non-Tenure-Track Faculty

For applications for advancement by tenure-track faculty, full-time non-tenure-track faculty, and tenured associate professors, the Dean or comparable administrator will provide the applicant a written summary of recommendations by, as applicable, the department, the department chair, the College, School, or Library Rank and Tenure Committee or comparable faculty committee, and the Dean, prior to the submission of the dossier to the University Committee on Academic Rank and Tenure, the deadline for which is December 1. To preserve the confidential nature of the advancement process, and to ensure complete and consistent communication, information about the proceedings and recommendations is not to be shared by any person involved in the process other than the Dean or comparable administrator. It is the faculty continue or withdraw their application from further consideration. Absent a written request from the faculty member to the Dean or comparable administrator to withdraw his/her application, the Dean or comparable administrator will forward the dossier to the University Committee on Academic Rank and Tenure, along with all supporting materials, including his/her own separate recommendation.

The University Committee on Academic Rank and Tenure evaluates applications for advancement and tenure using the norms in Sec. III.F and the standards, relative weightings, and interpretations described in Sec. III.E.3. The evaluation is based primarily on the documents presented to the Committee. However, the Committee may solicit additional information that it deems necessary to make an informed decision. If the generation of income, including through grants and sponsored programs, is to be a condition for the awarding of tenure or promotion, that condition must be explicitly stated in a facu
an existing practice or policy of which the faculty member has received prior notice, or explicitly specified as a Department, School, or College criterion. The Committee will normally complete its consideration of applications for advancement and tenure by March 15.

The recommendations of the University Committee on Academic Rank and Tenure are forwarded to the Provost, along with all supporting materials. The final decisions rest with the Provost, who normally completes the consideration of applications for advancement and tenure by May 1. W
his/her rationale with the Committee prior to making a final decision. When the decision is
request to the Provost for an explanation of the decision. In responding to the request, the Provost shall, within 30 days of receipt of the applican recommendations made at prior levels and a rationale for his/her decision. The applicant may appeal an adverse decision in writing to the President of the University, within two weeks of the date of the Provost

## 5. Adjunct Faculty

Each College or School establishes procedures for applications for advancement by adjunct faculty members. The recommendations of the College or School are forwarded by the appropriate Dean to the Provost along with all supporting materials, including his/her own, separate recommendations. The final decisions rest with the Provost, who notifies the University Committee on Academic Rank and Tenure of the decisions.

## F. General Norms for Appointment and Advancement

All of the norms below apply to tenure-track faculty members. For other faculty members, appropriate modifications of these norms may be adopted by the Dean or comparable administrator and the College, School, or Library Faculty Assembly or equivalent group and approved by the Provost following review by the University Committee on Academic Rank and Tenure.

An exception to the length of service requirements specified in these norms constitutes an early application which must meet the requirements in Sec. III.E.1.

In reviewing the norms for tenure and promotion, applicants should recognize that the items that ion

Faculty members are also expected to demonstrate the qualities of collegiality, such as the ability to work cooperatively and professionally with others, in all aspects of academic life.

Promotion and tenure decisions are not based on quotas within Divisions, Departments, Schools, Colleges, or Libraries.

## 1. Instructor

Appointment to the rank of Instructor presupposes the following qualifications:
a. Possession of adequate training and preparation for teaching or research, as appropriate, and as evidenced by degrees earned and by educational and/or professional experience.
b. Respect for the educational philosophy of the University.
c. Possession of those qualities of character and personality expected of a faculty member engaged in teaching, student advising, research and scholarly activity, and University and community service.
d. Potential to meet the norms for the rank of Assistant Professor.

## 2. Assistant Professor

Appointment to the rank of Assistant Professor presupposes the qualifications for the rank of Instructor and the following qualifications in addition:
a. Possession of the doctorate, or of the terminal degree ordinarily required for teaching and research in the faculty member's discipline. An exception may be made to this requirement, in rare and unusual circumstances, if all the following are demonstrated: the practical impossibility for the faculty member in question to obtain the doctorate or terminal degree; exceptional value in the educational
program of the University; and a record of distinguished and recognized service in one of the professions.
b. Evidence of ability to teach effectively on a university level.
c. Evidence of ability to advise students effectively in academic matters.
d. Evidence of ability to engage in productive research and scholarly activity.
e. Evidence of ability to serve the University and community.
f. Where such practices are customary in a discipline, certification by the appropriate credentialing board of sufficient skill and knowledge to practice a particular specialty.

## 3. Associate Professor

Appointment or promotion to the rank of Associate Professor and the granting of tenure presupposes the qualifications for promotion to the rank of Assistant Professor and the following qualifications in addition:
a. A faculty member is expected to complete five years at the rank of Assistant Professor in order to apply for promotion to Associate Professor and/or tenure. Exceptions to this norm include authorized credit for previous faculty appointment(s) at comparable institutions, Provost-approved promotion and tenure guidelines of individual units, and early applications for promotion and/or tenure.
b. Evidence of continuing and increasing teaching effectiveness on a university level. Consideration will be given to such subsidiary evidence as direction of student research activities, guidance of clinical students, assessments of instructional achievement, and significant participation in teaching development activities.
c. Evidence of continuing and increasing effectiveness in providing academic advising to students. Consideration will be given to such subsidiary evidence as formal advising assignments, letters from previous students, assessments of advising achievement, and significant participation in advising and co-curricular activities of the University.
d. Self-reported and extramurally provided evidence of continuing and increasing achievement in scholarship and research, particularly scholarly publication and other academically recognized creative achievements. Consideration will be given to such subsidiary evidence as direction of, or significant participation in, research projects, acquisition of external funding for research, participation in the scholarly activities of professional societies, and professional consultative service.
e. Evidence of continuing and increasing service to the University and community. Consideration will be given to such subsidiary evidence as participation in and leadership of committees within the College, School, or Library, the University, professional societies, or communitya474.88 163.64 Tm[( )] TETBbrary, t ,

## 4. Professor

Appointment or promotion to the rank of Professor presupposes the qualifications for the rank of Associate Professor and the following qualifications in addition:
a. A faculty member is expected to complete five years at the rank of Associate Professor in order to apply for promotion to Professor. Exceptions to this norm include authorized credit for previous faculty appointment(s) at comparable institutions, Provost-approved promotion and tenure guidelines of individual units, and early applications for promotion.
b. Evidence of such outstanding abilities in teaching, advising of students, and service to the University and the community as to merit general recognition throughout the University, particularly among its faculty and students, as an effective educator, advisor, and faculty member.
c. Evidence of such outstanding achievements in scholarship and research, particularly scholarly publication and other academically recognized, creative achievements, as to garner meritorious attention among recognized scholars. Consideration will be given to such subsidiary evidence as direction of, or significant participation in, research projects, acquisition of external funding for research, acquisition of patents, participation in the scholarly activities of learned societies, and professional consultative service.

## G. Responsibilities of Faculty Members

Teaching assignments, advising duties, and basic research and service expectations for full-time Chairperson or comparable administrator in accordance with College or School norms and subject to review by the appropriate Dean.

## 1. Teaching

or School in which the course is offered. It is the responsibility of the faculty member to determine when course requirements have been met and what grades will be assigned to individual students, within the grading policies of the College or School.

In the classroom and in student advising, faculty members should encourage free discussion, inquiry, and expression. They must allow students to take reasoned exception to the data or views they present and to reserve judgment about matters of opinion, although they must hold students responsible for learning the content of the courses in which the students are enrolled and they must evaluate student performance on academic grounds. Faculty members must not make

High standards of personal conduct are demanded in order to meet the mission of the University. Each faculty member must avoid fraud and other misconduct in research, including fabrication or other falsification of data, plagiarism, and deliberate and knowing failure to comply with federal, state, or University rules and regulations governing the conduct of research, and other practices that seriously deviate from those that are commdevgin theaicae mi comuon f
must therefore be approved in advance and in writing by the appropriate Dean or comparable administrator and the Provost.

Full-time faculty members may, and indeed are encouraged to, engage in extramural research, consulting, and scholarly and clinical activity, as long as this activity is proper to their academic and University positions and is of benefit to them, their students, the community, and the
and expectations. As long as such extramural activities do not, on the average, exceed a total of approximately one day a week during the academic year, the faculty member may accept and retain financial remuneration for them. To avoid a conflict of commitment, faculty members

Medical expert witness testimony and other legal work that does not arise out of treatment or examination of a patient in an established physician-patient relationship are not considered physician services (and fees accrue to the physician) unless they fall within a written exception determined by the Dean of the School of Medicine to be necessary and appropriate to carry out the mission of a specific Department and the School. Such exceptions ordinarily shall be made upon application to the Dean of the School of Medicine by the Chairperson of the Department in question and after consultation with affected faculty in the Department; written notice of such exceptions shall be distributed to affected faculty upon approval by the D decisions recognizing any such exceptions are not grievable under Sec. III.I. 9 of this Manual.

Medical expert witness testimony and associated legal work must neither interfere with a faculty by the Chairperson or the School nor impede the mission of the University. Faculty engaging in medical witness testimony that does not involve physician services shall not testify in cases against the University or any of its employees. In extraordinary cases, the Dean of the School of Medicine may determine that an individual faculty member has abused the privilege granted under this section and may revoke that faculty and/or associated legal work. Any such decision may be made only after affording reasonable notice to the faculty member and also affording the faculty member reasonable opportunity to respond, after consultation with the Chairperson of the relevant Department. The affected faculty member may grieve such decision under Section III.I. 9 of this Manual, but the Professional Relations Committee may find in favor
an abuse of his/her discretion. Were such a determination made by the Committee, it would not result in the awarding of compensatory pay. The Committee must explain its decision in writing.

Royalties from books, films, or other media productions, and consultations not involving patient services, such as serving on NIH or other funding agency review panels or other consulting activities, are not considered physician services.

Because advanced notice and management of time and commitment are essential to minimize disruption and undue interf -time faculty must notify their Chairpersons prior to engaging in medical expert witness testimony, associated legal work, or other extramural professional activities outside the scope of Universitycovered physician services.

There will be no provision of physician services that are compensated directly to the faculty member, except where the faculty member is employed by an affiliated health care organization that pays directly instead of by
professional compensation is to be approved by and reported to the Department Chairperson or comparable administrator and to the Dean of the School of Medicine.

## 8. Community Service

The University mission encompasses service to the community around it. Faculty members are therefore encouraged to participate in community projects and organizations, helping to carry out the programs of community service that are appropriate to the mission of the University and the professional identity of the faculty member.

## 9. Professional Activities

When speaking or writing simply as citizens, faculty members are free from institutional censorship, but their special positions as, simultaneously, citizens, members of disciplines or professions, and officers of instruction of the University impose special obligations. As persons
of learning and as University officers, faculty members should remember that the public may judge their disciplines or professions, or the University itself, by their conduct. Hence, they should always attempt to be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should particularly make it clear, whenever circumstances might indicate otherwise, that they are not representing the University.

No faculty member, in any opinion or certification that is to be used for commercial advertising or promotion of any product, service, or business organization, may use the official title of the University or any of its parts, or refer to his/her professional connection with the University, without recommendation of the appropriate Dean or comparable administrator and the expressed approval of the Provost.

Faculty members soliciting gifts on behalf of the University must follow the University policy that is available from the Office of University Development. All grants and contracts awarded to faculty members must be processed through a University research office, and those with grant and/or contract funding must follow the guidelines of the Office of Sponsored Programs when reporting grant and contract fund expenditures. The Faculty Handbook for the Preparation and Submission of Proposals for Extramural Support is available on the Web site of the Office of Research Services Administration.

## H. Rights, Powers, Privileges, and Immunities of Faculty Members

## 1. Academic Freedom

Essential to the purpose of a university is the free and unhampered pursuit and communication of knowledge and truth. All members of the University, especially students and faculty members, have not only the right but also the duty to participate in this task of freely seeking after and sharing truth. Every student and every faculty member, therefore, has the freedoms of thought, of discussion, and of action that are required by the common pursuit of truth. Teachers are encouraged to utilize their individual pedagogical strengths and are free to adapt their methods to the conditions under which they work, to the nature of the subject matter with which they are dealing, and to the talents, character, and maturity of their students.

The search for knowledge is an effort to achieve truth. For this reason, all scholars are welcomed within the University, without the imposition of any personal religious requirement. In a Catholic university the different ways that have been developed for searching for knowledge are recognized in their diversity. The path of scientific experimentation and discovery, the path of philosophical analysis, the path of experience and humanistic insight, and the path of Christian scripture and Judeo-Christian tradition are all taken together as yielding to men and women a knowledge of themselves and of the world.

In their teaching, research, and other academic activities, faculty members should be guided by the search for knowledge and truth, not by benefactors, public opinion, partisan political activity, or any interest group. It is the right of every faculty member of the University to be protected by the University as a whole from all inappropriate pressure and harassment.

Faculty members should also be involved in the search for knowledge and truth while fulfilling their course assignments. The specific material covered in a course is not to be determined for them by the opinion of administrators, trustees, fellow faculty members, or students, as long as it is appropriate to the course objectives, descriptions, and/or syllabi adopted by the Department, School, or College and as long as it adequately prepares students for subsequent courses. Faculty
property (not including copyright) in consequence of the performance of his/her University obligations is governed by the Patent and Intellectual Property Policy, available on the Web site of the Office of Research Services Administration.

## 4. Shared Governance

At the College, School, or Library level, a Faculty Assembly or equivalent group is the means by which faculty members discuss matters of interest in their College, School, or Library, initiate proposals, or communicate their views and recommendations to the Faculty Senate, to the administration of their College, School, or Library, or to the administration of the University, as appropriate. The specific organization and regulations for each Faculty Assembly or equivalent group are determined by th procedures are available from the Faculty Assembly officers.
obtaining timely feedback regarding their performance, such as seeking informal input from Chairpersons, Directors, and other faculty.

## 8. Participation in Evaluations for Accreditation

Accreditation is a joint enterprise between the University and the various accrediting commissions of regional or professional associations to evaluate a program, a Department, a School or College, or the entire University on a regular basis. Evaluations conducted as part of accreditation review require the cooperative effort of the faculty and the administration and, to a limited extent, the Board of Trustees.

## 10. Political and Public-Service Activity

Many kinds of political and public-service activity by a faculty member represent service to the community that is consistent with the mission of the University, and with the responsibilities of faculty members according to Sec. III.G. Included among these are holding part-time office in a political party, seeking election to an office under circumstances that do not require extensive campaigning, and serving by appointment or election in a part-time political office. Faculty members have the right, therefore, to participate in such activities, but must provide notice of
d. Sabbatical Leaves

The purpose of sabbatical leaves is professional development and renewal. Full-time
no later than three months before the end of the appointment for a faculty member who has served fewer than two years, no later than six months before the end of the appointment for a faculty member who has served more than two years but fewer than four years, and no later than twelve months before the end of the appointment for a faculty member who has served four years or more.

Tenure-track faculty and non-tenure-track faculty members on continuing appointments who do not intend to accept an appointment for the next academic year should give notice in writing at the earliest possible opportunity, but not later than thirty (30) days after receiving notification of the terms of appointment for the following year. Faculty members may request a waiver of this requirement of notice in case of hardship or in a situation where they would otherwise be denied substantial professional advancement or other opportunity.

## 2. Annual Review

Every full-time faculty member is evaluated annually by the Department Chairperson or comparable administrator, and it is the responsibility of the appropriate Dean or comparable administrator to ensure that such evaluations are timely and consistent with the mission of the University and the provisions of this Manual. All evaluations of faculty members are conducted openly with the faculty member's full knowledge. All material collected is held in confidence in a manner determined by the College, School, Library, or comparable academic unit.

The criteria for the evaluations must be based on the norms for advancement in Sec. III.F, as applicable, the responsibilities of faculty specified in Sec. III.G, and the requirements of the respective College, School, Library, or comparable academic unit, as provided for in Secs. III.F and III.G. The instruments and standards are determined by the appropriate Dean or comparable administrator in consultation with the faculty of the academic unit.

Because the primary purpose of the annual review is to provide information that allows the faculty member to improve his/her teaching, student advising, research and scholarly activity, and University and community service, the evaluation should be candid, providing the person evaluated the opportunity to better understand his/her strengths as well as areas of relative weakness. Candor is especially important when assessing the performance of pre-tenure faculty, who look to their Chairpersons for guidance as they work to earn tenure. The annual review may also be used to establish the salary to be offered the faculty member in a subsequent contract and to provide information for an advancement decision, although the process used for advancement decisions should be separate from the process used for the annual review. A faculty member is allowed reasonable access to his/her own records and is allowed to add additional material.

## 3. Midpoint Review

Pre-tenure faculty will be reviewed near the midpoint of the probationary period. The purpose of
progress toward achieving tenure, using established standards. While this evaluation is initiated at the Departmental or School level, it also includes the unit Dean and, where applicable, the School Director. Peer committees can also be involved, at the discretion of the College or School. A positive midpoint review does not guarantee a positive tenure review.

## 4. Nonrenewal of Contracts

The decision to renew the contracts of adjunct faculty, visiting faculty, and artists-in-residence rests with the Department Chairperson or comparable administrator, and Dean or comparable administrator. Such decisions are final and not subject to appeal.

An untenured faculty member on the tenure track or a non-tenure-track faculty member who has been informed that his/her contract will not be renewed, and who wishes to contest the decision,
rendering a decision. In those cases where the decision is not unanimous, a dissenting opinion can
academic freedom has been violated, and shall report its findings to the President of the University, with copies going to the affected faculty member and the Provost. The Committee will also provide the faculty member and/or the Provost with a copy of the record of the hearing,
and the transcript of the hearing as private communications, not intended for public dissemination.

The President may put the decision of the ad hoc Judicial Committee into effect immediately or may decide to review the case. If the President elects to review the case, his review should be based on the record of the hearing, the report of the ad hoc Judicial Committee, and written arguments by the principals involved. The President shall defer to the decision of the Committee unless he finds that the decision is arbitrary, capricious, or constitutes an abuse of the Committee's discretion.

## 5. Grounds for Termination of Contract or Letter of Appointment

Contracts and letters of appointment between the University and faculty members cannot be terminated during their effective period except by mutual consent or for the following reasons:
a.
qualifications, such as false claims of academic degrees or of previous academic or professional experience.
b. Irresponsibility in discharging University obligations, incompetence in meeting the faculty responsibilities described in Sec. III.G, or inability to meet the faculty responsibilities due to medical reasons as provided for in Sec. III.H.12.b.
c. Serious violation of clearly-established written policies and procedures of the University such as those governing sexual harassment and research fraud.
d. Use of the classroom or of University-sponsored activities to deride or attack the Catholic faith. Here, the terms deride and attack are to be construed strictly; they do not include the scholarly and relevant criticism of such things as Catholic organizations, Catholic leaders, Catholic activities, and particular theological opinions and traditions. Moreover, faculty members have the right to express and explain their own beliefs, even though these may disagree with Catholic doctrine.
e. An action that is seriously contrary to clearly-established principles of professional ethics (e.g., those of the American Association of University Professors [AAUP] and the Hippocratic Oath) or of Christian scripture and Judeo-Christian tradition.
f. Conviction or imposition of legal sanction for a crime that would greatly affect the faculty member's discharge of University responsibilities or would greatly interfere with the mission of the University.
g. Financial exigency or academic reallocation as described in Secs. III.I.11-12.
h. In the case of faculty with major clinical responsibilities and assignments, failure to maintain licensure and/or appropriate hospital credentials necessary to carry out assigned duties.
i. Documented serious and persistent substandard performance which fails to meet contractual obligations as outlined in this Faculty Manual and of which the faculty member has been given reasonable notice.

## 6. Procedures for Termination

When reason arises to question the fitness of a tenured faculty member, an untenured faculty member on the tenure-track, or a non-tenure-track faculty member whose contract or letter of appointment has not expired, for any of the reasons in Sec. III.I. 5 except financial exigency or academic reallocation, the Department Chairperson or comparable administrator and the appropriate Dean or comparable administrator should ordinarily discuss the matter with the faculty member in a private conference. The matter may be resolved by mutual consent at this point, or the faculty member may request mediation from the Professional Relations Committee of the Faculty Senate according to the procedures in Sec. IIII.I.9. If no resolution is reached, the President of the University shall inform the faculty member and the Faculty Senate President in member, stating the grounds for the proposed dismissal with particularity sufficient to put the faculty member on notice of all charges and indicating that dismissal will occur on a particular date unless the faculty member requests a hearing to contest the dismissal. Such a request must be made in writing to the President within ten (10) working days of receipt of the communication, with a copy being given to the Faculty Senate President. At any time, the University administration may amend the grounds for dismissal provided the faculty member is allowed at least fifteen (15) working days to prepare and file an answer to the new charge.

Within five (5) working days of such a request, an ad hoc Judicial Committee shall be constituted under the supervision of the Faculty Senate President. The ad hoc Judicial Committee will be composed of three (3) voting members selected from a standing panel of ten (10) well-qualified, tenured faculty jointly selected by the Provost and the Faculty Senate President for staggered five-year terms. Panelists will receive appropriate training through workshops given by the
that they will be prepared to serve as committee members when called upon. The chairperson of the ad hoc Judicial Committee will be chosen by the Faculty Senate President and may not be from the College, School, or Library in which the faculty member whose dismissal is sought resides. The role of the chairperson is to direct and supervise the hearing process, participate in the deliberations of the Committee, and ensure, insofar as possible, that following the hearing, the Committee delivers a thoughtful, clearly articulated decision within ten (10) working days. The remaining two members of the Committee will be chosen by lot from the panel by the Faculty Senate President in the presence of both the President of the University or his designee and the faculty member whose dismissal is sought or his/her designee. The faculty member has one peremptory challenge (which may be applied to the selection of any of the three panel members), as does the President of the University. Any panelist selected must recuse him/herself if that individual believes s/he cannot impartially fulfill his/her duties as a committee member.

Within ten (10) working days of its formation, the ad hoc Judicial Committee will establish a specific time and place for the hearing and will communicate that information to the faculty member whose dismissal is sought and the Provost. In setting the date, the Committee will allow the faculty member at least fifteen (15) working days to prepare a defense. The University administration and the faculty member will exchange the names of witnesses and copies of documents that will be used in the case. If called upon to do so, both the administration and the faculty member will cooperate with the ad hoc Judicial Committee in securing witnesses and documents.

At his/her request only, the faculty member may be temporarily relieved of University duties in order to prepare a defense. Full salary and benefit payments will continue during such relief from duties. Additionally, the University administration may suspend the faculty member from his/her duties under Sec. III.I.7.

Not less than five (5) working days before the date set for the hearing, the faculty member is
addressed to the Committee, with a copy given to the President.
The proceedings of the $a d$ hoc Judicial Committee are private, and public statements about the dismissal by the faculty member, the University administration, or the ad hoc Judicial Committee should be avoided. Additionally, neither the faculty member nor the University administration may retaliate against any witness in any way; evidence of any such retaliation may be introduced and considered by the Committee.

Both the faculty member and the Provost are entitled to be present throughout the hearing, and each is entitled to the assistance of legal counsel or other representative during the proceedings.
presented and argued by the Provost and the faculty member, respectively, or by legal counsel or
proceedings, however, is a limited one. In the event that counsel intrudes into the proceedings to such a degree that they are hindered in any manner, the Committee is empowered to take such steps as are necessary to ensure the expeditious and unencumbered progress of the hearing. The Committee will determine the order of presentation for the hearing, may secure the presentation of evidence important to the case, and has the primary responsibility to question witnesses, the faculty member, and the Provost.

In cases in which the alleged cause for dismissal is Secs. III.I.5.d or III.I.5.e, the ad hoc Judicial Committee shall have the authority to determine, in consultation with experts in Catholic moral theology and canon law or other appropriate disciplines, whether the alleged actions "deride or attack the Catholic faith" or are "seriously contrary to clearly-established principles of professional ethics . . . or Christian scripture and Judeo-Christian tradition." Thus, the Committee shall be empowered not only to determine the fact of commission but also the seriousness of the offense. If the faculty member admits the fact of commission but states that $\mathrm{s} / \mathrm{he}$ acted in good faith, without any reasonable suspicion that the action was covered by Secs. IIII.I.5.d or III.I.5.e, and if the Committee determines that this statement is true, the faculty member's contract or tenure shall not be terminated except on subsequent repetition of the act in question.

The purpose of the proceedings is to provide the affected faculty member with a vehicle to be judged by peers. Therefore, the proceedings of the ad hoc Judicial Committee are informal; the rules of court proceedings and formal rules of evidence are not applicable. The principals and witnesses are, however, required both to be truthful in their presentations and representations and also to respond candidly to questions from the Committee. The Provost will be given every
given to the faculty member to defend him/herself. If any facts are in dispute, the testimony of witnesses and other evidence concerning the matter will be received. The faculty member normally will have the opportunity to confront all adverse witnesses. Where unusual and urgent reasons move the Committee to withhold this opportunity (e.g., a threat of retaliation), or where the witness cannot appear, the reasons for this and the identity and statements of the witness will be disclosed to the faculty member. Committee members, as well as the faculty member and the Provost, or their representatives, will have the right to question witnesses who testify orally at the
hearing, within reasonable limits to be established by the chairperson of the ad hoc Judicial Committee. A record of all proceedings will be kept. Failure to complete the hearing prior to the expiration of the

At any time after the formation of an $a d h o c$ Judicial Committee, the President of the University may ask the Professional Relations Committee to review the progress of the dismissal proceedings. Upon referral by the President, the Professional Relations Committee shall determine whether the suspended faculty member has failed to act in good faith to facilitate the timely conduct of the proceedings. The Committee shall submit its findings in writing to the President, the President of the Faculty Senate, and the suspended faculty member. If the Committee determines by a preponderance of evidence that the suspended faculty member has not acted in g

## 9. Grievances and Appeals

## a. Professional Relations Committee

1) The Faculty Senate Professional Relations Committee is charged with adjudicating grievances and screening appeals of non-renewals, and impositions of serious sanctions short of termination.
2) 

harassment, or retaliation, appeals from the administrative process established in University policy are directed to the Professional Relations Committee. If the sanction is termination, or a serious sanction short of termination, the procedures set forth in Secs. III.I. 6 and III.I. 8 shall be followed.
3) The Committee normally consists of a faculty member from each of the Colleges and freestanding Schools, and the Libraries of the University, having representation on the Faculty Senate.

## b. Grievance Process

1) Prior to submitting a formal grievance to the Faculty Senate Professional Relations Committee, a faculty member must first seek to resolve the issues in dispute through other appropriate administrative channels.
a) If the action(s) disputed were taken by another faculty member in the same or another Division, Department, College, School, or Library, or by an administrative official in the same or another Division, Department, College, School, or Library, the complaining faculty member must first attempt to obtain a satisfactory resolution of the complaint within the unit of the individual against whom the complaint is being made. Such an attempt at internal resolution should then proceed through whatever regular chain of
2) authority exists in that unit (e.g., to the Diviatio[r45atever regular chain of
faculty member appears before the Committee, s/he may be accompanied by an advisor. Such an advisor, however, will not be permitted to participate actively in Committee proceedings.
3) 

Committee deems is appropriate.
Decisions by the Dean ołSchoolygititel eva nceWu*ee
appointments with tenurs- are typically invested in meeting new educational needs. Academic reallocation may be initiated by an academic unit- the President of the University, or the Provost. In those cases in which reallocation is not initiated by an academic unit- and in keeping with the principles of collegiality and shared governancs- the President of the University or the Provostbefore formally proposing academic reallocation, shall consult with the Faculty Senate Executive Committee and with t90 684./s/in ye
(i) continued employment of tenured faculty members whose responsibilities continue to be fulfilled after the reallocation by untenured faculty (even if in significantly different form in another unit of the University). The University must make a good faith effort to continue to employ a tenured faculty member who has skills and abilities that satisfy the requirements of other positions within the University.
(ii) retention of tenured faculty members in preference to untenured and non-tenure-track faculty members except in extraordinary circumstances where an essential part of the academic program could not otherwise be carried out.
(iii) provision of at least a year of notice, or a year's salary, when there is no realistic choice

The ad hoc committee will hold a hearing to consider the following issues:
(i) whether a state of financial exigency or the need for academic reallocation was declared by the Board of Trustees in accordance with the provisions above.
(ii) whether the criteria used to identify faculty members to be terminated were properly applied.
(iii) violation of provisions of Secs. III.I.13.v or III.I.13.vi.

Upon completion of the hearing, the ad hoc committee conveys its conclusions and
decision is final and not subject to appeal.

## IV. Periodic Review and Amendments

This Manual is subject to review and amendment on an ongoing basis. Amendments may be proposed by individual faculty, faculty assemblies or equivalent units, the Faculty Senate or any of its standing committees or task forces, the Provost, or the President of the University. The amendment process is detailed on the Faculty Senate website and is characterized by transparency, consultation, and consensus. This Manual and all subsequent amendments require approval by the Faculty Senate, the Provo

