

The Faculty Manual

St. Louis Campus

2021



Published for the use of present and prospective members of the faculty of Saint Louis University
by the authority of the President and Board of Trustees of Saint Louis University.

Revision/Amendment History

2021 Amendments

Approved by the Faculty Senate April 13, 2021
Approved by the University President and Provost
Adopted by the Board of Trustees September 24, 2021

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

F. General

18
18
19
19
20
20
20
20
21

	46
d. Weight Given to Professional Relations Committee Determin	46
11	47
12	47
13	48
14. Faculty Rights under Academic Realloc	48
15	49
IV. Periodic Review and Amendments	50

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 disadvantaged. Its professional schools make their services available to those in need. Its hospitals and clinics are open to all regardless of race, color, or creed, and they recognize a responsibility to make special efforts to serve the poor, especially those of the St. Louis community.

Inspired by the Christian faith and dedicated to the Jesuit tradition of excellence in research and teaching, Saint Louis University strives to contribute to the building of a world that is at once more human and more divine.

D. Mission of the University

The Mission of Saint Louis University is the pursuit of truth for the greater glory of God and for the service of humanity. The University seeks excellence in the fulfillment of its corporate purposes of teaching, research, health care and service to the community. It is dedicated to leadership in the continuing quest for understanding of God's creation and for the discovery, dissemination and integration of the values, knowledge and skills required to transform society in the spirit of the Gospels. As a Catholic, Jesuit university, this pursuit is motivated by the inspiration and values of the Judeo-Christian tradition and is guided by the spiritual and intellectual ideals of the Society of Jesus.

II. Organization of Saint Louis University

4. Vice Presidents

The Vice Presidents are officers of the University and have executive responsibilities as members of the Office of the President. Complete position descriptions are available on the website of the Office of the President.

5. Chief Executive Officer of SLUCare

The Chief Executive Officer of SLUCare is responsible for the conduct of all operational aspects of the Faculty Practice Plan, subject to the policies of the SLUCare Governing Board. These aspects include operation of the specified facilities, employment, and supervision of personnel required for the operation of the practice plan, billing and collection activities, marketing and planning, preparation of the budget, approval of all new business initiatives subject to designated signatory limits, and cost accounting for SLUCare operations. The Chief Executive Officer of SLUCare reports to the Chairperson of the SLUCare Governing Board and is selected by the Governing Board upon recommendation of the designated search committee; 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, sometimes, 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, service, clinical work, and/or administration 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 website 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 that unit. The Dean is appointed by the President after consultation with the Provost and faculty members (see Sec. III.H.7). The procedures for the evaluation of the Dean (except for the Dean of the School of Medicine) are established by the Provost, following consultation with the faculty. Moreover, because it is important for academic administrators to continue developing their skills and abilities between formal evaluations, and because decanal evaluations typically cover multiple years, Deans should themselves establish means for obtaining timely feedback regarding their performance, such as seeking informal input from Chairpersons, Directors, and other faculty.

that relate solely to his/her own College or School, except in those situations specifically reserved or allocated to the jurisdiction of the Provost, President, or Board of Trustees. In establishing academic policy within the College or School, the Dean consults with Department Chairpersons or comparable administrators and with the faculty members of the College or School, particularly the Faculty Assembly or equivalent group. The Dean is responsible for ensuring that policies, faculty qualifications, and academic programs of the College or School are in compliance with the professional standards necessary for accreditation. The Dean is also responsible for negotiating and recommending approval of clinical affiliations, practica, and internship agreements. The Dean represents the College or School for development, public relations, and alumni activities.

In consultation with the appropriate faculty members, the Dean appoints search committees and recommends initial and emeritus/a faculty appointments, promotion, tenure, leaves of absence, notices of intent not to renew appointments of untenured faculty, and termination. Faculty workloads are approved by the Dean. The Dean ensures that every faculty member, including every Chairperson or comparable administrator, is annually evaluated as provided in Sec. III.I.2. The Dean promotes the professional development of the faculty and is responsible for recommending merit salary increases and other compensation within the limits of available funds. The Dean is also responsible for recommending the appointments and renewal of appointments of Associate and Assistant Deans, Department Chairpersons or comparable administrators, and other administrative personnel of the College or School. When hiring for these positions, the Dean will consult with the affected faculty to the extent appropriate to the position.

The Dean is responsible for administering all academic aspects of the student programs within the College or School except those specifically within the jurisdiction of another College or School or of a University board, committee, or office. The Dean shall assure that academic advising is provided for all students. While the faculty, in consultation with the Dean, are responsible for establishing standards for the admission, transfer, and graduation of students, the Dean has final responsibility for implementing those standards. The Dean has the authority to dismiss students who have failed to meet the academic or professional standards of the College or School. Concern for the welfare and academic progress of students is a serious obligation of the Dean.

The Dean consults with the Department Chairpersons or comparable administrators and with faculty on all major matters of policy within the College or School. The Dean informs them of decisions that have been made. The Dean is empowered to call meetings, to appoint committees, and to obtain information from University sources pertaining to the College or School and its students. Department Chairpersons or comparable administrators, faculty members, and other personnel of the College or School transmit through the Dean any proposals or recommendations forwarded to the Provost or to University committees, boards, or offices. The Dean represents the considered position of the members of the College or School to the University and to the community, and s/he represents the views of the Board of Trustees, the President of the University, and the Provost to the members of the College or School. The Dean mediates relationships among students, faculty, staff, and administrators.

The Dean is responsible for the preparation and administration of the budgets of the Departments of the College or School. In formulating the budget for a College or School, the Dean consults with the Chairpersons and the appropriate committees of the Faculty Assembly or equivalent group. After consultation with the Department Chairpersons or comparable administrators as provided in Sec. III.H.4, the Dean prepares the budget of the College or School for submission to the Provost. When the Dean receives the approved budgets, they are conveyed to the Department Chairpersons or comparable administrators for administration. The Dean supervises the

expenditure of approved funds and has the authority to reallocate the approved funds, in consultation with the Department Chairpersons or comparable administrators of the affected Departments, from and to the various Departments in the best interests of the College or School. In cooperation with the Department Chairpersons or comparable administrators, the Dean is responsible for the appropriate and productive use of building space assigned by the Provost.

The Dean of Libraries is appointed by the President of the University after consultation with the Provost and faculty members (see Sec. III.H.7.) and is responsible to the Provost for the overall administration of every library operated by the University except those of the School of Law and the Madrid campus. The procedures for the evaluation of the Dean of Libraries are identical to those for other deans. The powers and responsibilities of the Dean of Libraries are identical to

excellence of the Department and has the obligation to consult with the faculty and staff on all major matters of policy within the Department, and to inform them of decisions that have been made. In developing the budget, the Chairperson or comparable administrator takes into account the financial needs and recommendations established in Department meetings. The Department Chairperson or comparable administrator will represent the considered position of the members of

Senate, have a responsibility to consult with one another on matters of academic and institutional importance.

E. University Committee on Academic Rank and Tenure

deemed to include an agreement by both the faculty member and the University to comply with the terms embodied in that document and this *Faculty Manual*, as amended from time to time according to Sec. IV. Should a faculty member not sign his/her annual letter of appointment, the terms of that letter will apply.

~~589 Faculty contracts, letters of appointment and award of appointment are not to be terminated during the term of the agreement except by resignation as described in Sec. III.I.1, retirement, medical reasons as described in Sec. III.H.12.b, death, mutual agreement, or for one of the causes for termination listed in Sec. III.I.6~~

review and promotion process described in Sec. III.E. Tenure is normally associated with the ranks of Tenured Associate Professor and Tenured Professor. However, when the initial appointment is to one of these ranks, tenure is ordinarily withheld for at least two years, unless specific exception to this guideline is granted by the Provost. In those rare cases where a senior appointee is hired with tenure, the Provost will ensure that appropriate faculty review has been obtained prior to authorizing the appointment, and will transmit this information to the University Committee on Academic Rank and Tenure.

A faculty member who is hired on a tenure-track appointment is considered to be in a probationary period subject to the rights contained in the *Faculty Manual*. The probationary period expires at the end of the completion of the sixth year of service with the exception that the probationary period ends at the completion of the eighth year of service for faculty members in the School of Medicine. A faculty member who begins service during the course of an academic 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 tenure-track 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 leave of absence) from the Dean or comparable administrator and the Provost. An extension of the probationary period may also be obtained in accord with the *Policy on Extension of the Probationary Period That Applies to the Granting of Tenure* (see Sec. III.E.2). The Provost will forward a copy of the written approval to extend the probationary period to the Dean or comparable administrator and the University Committee on Academic Rank and Tenure.

It is the responsibility of the faculty member to apply for tenure prior to or during the final year of the probationary period in accordance with administrative procedures and guidelines consistent with the provisions of Sec. III.E. A faculty member has the right to seek and rely upon a written statement from the Provost indicating the year of the final decision.

A faculty member who applies early for promotion to associate professor with tenure and is unsuccessful may reapply in subsequent years during their probationary period.

For tenure-track faculty appointments, previous faculty appointment(s) at institutions comparable to the University may be substituted for not more than three years of service. The request to consider previous faculty appointment(s) at institutions comparable to the University must be made in writing by the faculty member, and agreed to in writing by the appropriate Dean and the Provost, prior to the initial appointment. An agreement to consider previous faculty appointment(s) does not require the faculty member to use this time toward tenure and/or promotion, and the faculty member can still use the probationary time-frame before submitting their promotion and tenure application.

Time served in a non-

In addition to the general classifications described in the first paragraph of this section, the University recognizes five specialized categories of non-tenure-track faculty:

a. Clinical Faculty

There are two types of clinical faculty. Full-time clinical faculty supervise or teach students in clinical settings, field-based courses, and/or practica. Part-time clinical faculty interact with medical students in the treatment of patients or supervise students during their clinical practica. Some clinical faculty hold renewable appointments. The four ranks of clinical faculty are, in ascending order, Clinical Instructor, Assistant Clinical Professor, Associate Clinical Professor, and Clinical Professor. Although not eligible for tenure at the University, clinical 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-track appointment at Saint Louis University is not eligible to apply for another tenure-track post.

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-track appointment at Saint Louis University is not eligible to apply for another tenure-track post.

c. Visiting Faculty

Visiting faculty members are individuals who, while holding equivalent faculty rank at another university, are temporarily serving as faculty members of the University. Normally such appointments are for one year or less. The four ranks of visiting faculty are, in ascending order, Visiting Instructor, Visiting Assistant Professor, Visiting Associate Professor, and Visiting Professor. The titles Visiting Scholar and Visiting Scientist are equivalent to the title Visiting Instructor. Visiting faculty members are not eligible for tenure at the University and may not apply for advancement or transfer to another type of faculty position. They may, however, apply for an open position according to the procedures in Sec. III.B.1.

d. Adjunct Faculty

Adjunct faculty members are individuals who teach, do research, or supervise practica in an academic area of the University, usually on a part-time and irregular basis. A full-time member of the University may be appointed as an adjunct faculty member in another Department, School, or College only with the prior approval of the Department Chairperson or comparable administrator of the primary Department and of the appropriate Dean and the Provost. An adjunct appointment is a temporary, as needed appointment, as distinguished from a secondary appointment, which entails an ongoing relationship. The four ranks of adjunct faculty are, in ascending order, Adjunct Instructor, Adjunct Assistant Professor, Adjunct Associate Professor, and Adjunct Professor. Adjunct faculty members are not eligible for tenure at the University and may not be transferred to another type of faculty position. They may, however, apply for an open position according to the procedures in Sec. III.B.1, with the exception that any adjunct who previously held a tenure-track appointment at Saint Louis University is not eligible to apply for another tenure-

e. Artists-in-Residence

Artists-in-Residence are individuals who have attained notable public recognition for achievement in one of the performing or fine arts and are therefore qualified as full-time or part-time faculty members. Appointment as an artist-in-residence is for a period up to one academic year, but may be renewed by mutual agreement among the Department Chairperson or comparable administrator, the appropriate Dean, and the artist-in-

d. Self-

opportunities for informal discussions, and should encourage students to consult them about academic matters.

Faculty members may assist students by discussing personal problems. However, when such problems exceed the capabilities of the faculty member, the student should be referred to the professional counseling services offered by the University.

3. Research and Scholarly Activity

Each faculty member shares with the entire University the responsibility for discovering, exploring, and communicating new knowledge. Research and scholarly activity are also essential for reinforcing and vitalizing teaching.

No experiment that violates a fundamental human right can ever be justified on the grounds that it contributes to truth. Therefore, no such research or scholarly activity may be conducted. Any research investigation that involves human subjects must receive prior approval from one of the

subjects must receive prior approval of the Animal Care Committee.

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 commonly accepted within the academic community for proposing, conducting, or reporting research. However, honest error or honest, good-faith differences in interpretations or evaluations of data are acceptable. However, h

5. University Citizenship

In their capacity as citizens of the University, faculty members are expected to participate in the functional and ceremonial life of the institution. This includes, but is not limited to, service on academic and non-academic University advisory and disciplinary boards and attendance at commencement events. 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.

6. Extramural Activities

All 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. Therefore, no full-

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 members can and should present to students accepted as well as newly discovered facts and laws, new developments or new applications of old knowledge, and accepted as well as new hypotheses and theories that may be advanced in explanation of facts and laws.

Because the central freedom of an individual in the University lies within the framework of human activity and human life, it is subject also to limitations and norms:

- (i) Teaching, student advising, research and scholarly activity, and service to the University and community must be carried on within the framework of legal norms, clearly-established written policies and procedures of the University, and the ethical requirements of the respective disciplines and professions, and with appropriate respect for Christian scripture and Judeo-Christian tradition.
- (ii) While faculty members are expected to challenge students to reexamine their beliefs and opinions, they are also expected to respect the rights of students. Faculty members must not use their positions to force upon students their own personal views and partisan loyalties.
- (iii) All persons joining the faculty of the University are expected to understand and respect the fact that they are coming into an institu3(a)9(r)-3(cand r)5(e0 g0 G[() TJETQ EMC /P ÅMCID 16BDC nETQ)

Department Chairperson or comparable administrator takes into account the financial needs and recommendations established in Department meetings.

5. Faculty Organization

There are three major avenues for faculty participation in governance of the University. At the University level, the faculty acts primarily through the Faculty Senate, which is empowered by the faculty to represent it or act for it on any matter. The Faculty Senate organizes an assembly of all faculty members at least once a year. The constitution and bylaws of the Faculty Senate are available on the website of the Faculty Senate.

Also at the University level, faculty members participate in governance by serving on University committees, boards, and councils, whether advisory, judicial, or administrative. In particular, faculty members serve on those committees dealing with such fundamental areas as curriculum, subject matter and methods of instruction, academic affairs, research, and faculty status. The recommendation of faculty members to serve on University committees and committees of the Board of Trustees is normally made by the Faculty Senate Executive Committee, although members of the University Committee on Academic Rank and Tenure are elected by the appropriate Faculty Assemblies or equivalent groups.

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

When vacancies occur in the positions of other key administrators whose work substantially affects the academic and fiscal condition of the University (e.g., Treasurer), the counsel of the Faculty Senate Executive Committee will be solicited. Ordinarily, these positions are filled through a national search. In those cases where such vacancies occur and it is necessary to appoint an interim officeholder, a search committee typically is appointed and a national search process initiated at or near the same time that the interim appointment is made.

9. Participation in Program Reviews

A program review is an evaluation of a program, a Department, or a College, School, or Library that is initiated by the appropriate Chairperson, Dean or comparable administrator, or the Provost. Ordinarily, the purpose of a review is program improvement. Program reviews require the cooperative effort of the faculty and the administration. In particular, before a program review begins, notification of the purposes of the review is given to faculty members in the affected Departments and to the appropriate College, School, or Library Faculty Assembly or equivalent group.

Faculty members from the Department, School, College, or Library under review bear a substantial responsibility in the program review. An *ad hoc* committee of these faculty members prepares a self-study, using relevant standards for the evaluation. Following this internal

12. Vacations and Leaves

a. Vacations

Normally, each full-time faculty member with an academic year of twelve calendar months is entitled to one month (22 working days) of vacation with pay during that academic year, taken at times approved by the appropriate Dean or comparable administrator. Faculty members with an academic year that is shorter than a calendar year, and those who sever connections with the University prior to the expiration of their contract, are not entitled to a vacation with pay.

f. Faculty Childcare Leaves

Full-time faculty who serve as primary caregivers in cases of childbirth or adoption may apply for leave under the *Faculty Childcare Leave Policy*, which addresses the period of leave, salary, benefits, and expectations of leave recipients. This policy is available on the website of the Office of the Provost. Tenure-track faculty should also consult Sec. III.E.2.

13. Faculty Eligibility for Graduate and Professional Degrees

Faculty members of the University seeking graduate and/or professional degrees from the University must avoid the conflicts of interest that can arise from their simultaneous dual roles as faculty members and students. Applicants to advanced degree programs must submit letters from their Departmental Chairpersons and unit Deans or comparable administrators that support their being allowed to pursue such a degree at the University. Applicants must establish to the satisfaction of the graduate or professional school Dean that the pursuit of an advanced degree will not interfere with their regular faculty responsibilities and that no conflict of interest does occur or will occur. If such an application is denied, the faculty applicant may appeal the decision to the Provost, whose decision is final and not subject to further appeal.

14. Tuition Remission and Exchange Programs

All full-time faculty members are eligible to register for courses at the University without tuition charge provided that they satisfy the requirements and pay the fees specified in the policy available on the website of the University Benefits Office.

eligibility requirements, upon request. The benefits of current faculty will not be changed without prior consultation with the Faculty Senate.

University contributions to benefits continue during leaves of absence with half-salary or more. Faculty members anticipating unpaid leaves of absence or leaves of absence at less than half-salary should contact the University Benefits Office concerning possible continuation of benefits.

Notice of nonrenewal, or of intention not to recommend renewal, should be given in writing in accordance with the following standards:

- a. Not later than March 1 of the first academic year of service, if the appointment expires at the end of that year; or, if a one-year appointment terminates during an academic year, at least three months in advance of its termination.
- b. Not later than December 15 of the second academic year of service, if the appointment expires at the end of that year; or, if an initial two-year appointment terminates during an academic year, at least six months in advance of its termination.

opening section of this *Manual*, was not in violation of academic freedom as described in Sec. III.H.1, and was made after seeking the advice and counsel of other faculty members, as appropriate. If, following these administrative reviews, the faculty member still believes that s/he has been improperly discriminated against or that his/her academic freedom has been violated, the faculty member may file a written complaint.

When an untenured faculty member on the tenure track or a non-tenure-track faculty member alleges that nonrenewal of his/her contract is discriminator 612 7n.re

member who is challenging his/her nonrenewal and the Provost. In setting the date, at least fifteen (15) working days will be allowed for the faculty member to prepare his/her challenge.

The proceedings of the *ad hoc* Judicial Committee are private, and public statements about the nonrenewal by the faculty member, the administration, or the *ad hoc* Judicial Committee should be avoided.

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.

and argued by the faculty member and the Provost, respectively, or by legal counsel or other

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 *ad hoc* Judicial Committee is empowered

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.

6. 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.

Not less than five (5) working days before the date set for the hearing, the faculty member is

After all evidence has been received, the *ad hoc* Judicial Committee should reach its decision in private conference, on the sole basis of the evidence presented at the hearing. The University administration has the burden of convincing the Committee that adequate cause exists for termination.

misconduct policy or harassment policy, t n of proof shall be met if the evidence presented produces a firm belief or conviction in the minds of a majority of the allegations. In cases brought, in whole or in part, for a violation of the Univ

that the University has met its burden of proof, the Committee shall then determine whether termination, as sought by the University, is an appropriate sanction. The Committee may recommend that the faculty member be terminated or it may recommend a lesser sanction.

The Committee may proceed to its decision promptly, without having the record of the hearing transcribed, or it may await a transcript if its decision would be aided thereby. A majority of the *ad hoc* Judicial Committee is required to render a decision, and that decision must be in writing. In those cases where the decision is not unanimous, a dissenting opinion can be filed. The

University President's letter and some lesser sanction is the appropriate sanction, along with the reasons for its findings. The Committee should submit copies of its opinion (and any dissenting opinion) to the President and to the faculty member, and, at his/her request, should provide each with a copy of the record of the hearing. All parties are obligated to treat both the transcript of the hearing and ed for public dissemination.

The President may put the decision of the *ad hoc* Judicial Committee into effect immediately. However, the President or the faculty member may, within ten (10) working days of the *ad hoc* review by the Executive Committee of the Board of Trustees. If the Executive Committee of the Board, at its discretion, decides to conduct a review, that 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. In reviewing a decision of the *ad hoc* Judicial Committee, the Executive Committee of the Board shall defer to the *ad hoc* Judicial *ad hoc* Judicial

8. Suspension from Duties during Consideration of Termination

A faculty member who is believed to have committed acts which would justify termination may be immediately suspended from any or all of his/her assigned duties only when the President of the University judges that serious, immediate harm would come otherwise to the faculty member, to students, to other individuals, or to the University. Notice of such suspension, together with a specific statement of the causes for the action and the supporting evidence for this judgment, should be promptly provided to the faculty member. Base salary and benefits will continue to be provided to the faculty member pending the conclusion of termination procedures, subject to possible review as provided below.

At any time after the formation of an *ad hoc* Judicial Committee, the President of the University

- 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.7 and III.I.9 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.
- 4) The members of the Committee should be trained to consider grievances through workshops given by the University's legal counsel and a representative of the AAUP.
- 5) Grievances are considered by grievance subcommittees consisting of a minimum of two members of the Faculty Senate Professional Relations Committee and one member of the faculty chosen by the Professional Relations Committee Co-Chairpersons on the basis of knowledge of the general issues involved in the grievance. The subcommittees are chaired by a member of the Faculty Senate Professional Relations Committee who will be responsible for ensuring that the subcommittee's procedures are in accord with established policies.
- 6) The Professional Relations Committee is co-chaired by two faculty representatives appointed by the Faculty Senate Executive Committee. One co-chair is appointed from the College of Arts and Sciences, the Richard A. Chaifetz School of Business, the School of Education, the School of Law, the University Libraries, Parks College of Engineering, Aviation and Technology, or the School for Professional Studies. The second co-chair is appointed from the Doisy College of Health Sciences, the School of Medicine, the Trudy Busch Valentine School of Nursing, the College for Public Health and Social Justice, or the Center for Advanced Dental Education. The Co-Chairpersons will be appointed for staggered three-year terms. The Co-Chairpersons may be chosen from the Committee or from the faculty at large. The Co-Chairpersons have the authority to screen grievances, to assign a case to mediation initially, and to assign subcommittees to hear grievances they find to be of substance. They may serve as members of the subcommittees where appropriate.
- 7) The Co-Chairpersons of the Professional Relations Committee also have the authority to dismiss a grievance, in whole or in part, when they determine that a reasonable opportunity had been afforded to the grievant to assert the grievance and that the Professional Relations Committee had previously made a final determination concerning the same, or a substantially similar, claim.

b. Grievance Process

- 1) Prior to submitting a formal grievance to the Faculty Senate Professional Relations

obtain a satisfactory resolution of the complaint within the unit of the individual against whom the complaint is being made. Such an attempt at

Committee's determination only in exceptional circumstances, and for reasons communicated to the Committee. The Provost normally implements the recommendations of the Committee within thirty (30) calendar days after the receipt of the Committee's written recommendations. If the Provost does not accept the recommendations of the Committee, s/he normally communicates this decision to the grievant and the Committee within thirty (30) calendar days following the receipt of the Committee's written recommendations. Upon receipt of such communication, the Committee has thirty (30) calendar days to respond to the Provost's decision. The Provost normally takes final action on the grievance within thirty (30) calendar days after receipt of the Committee's response. The

11. Faculty Participation in Academic Reorganization

For the purposes of this section, academic reorganization is defined as the structural realignment of degree programs, Departments, Schools, Colleges, or Libraries based upon educational considerations, rather than on financial exigency, which does not result in the termination of full-time faculty. This reorganization typically involves the consolidation, and sometimes an expansion, of academic units. Academic reorganization reflects a judgment that the educational mission of the University will be enhanced by the reorganization. Academic reorganization may be initiated by the academic unit(s) affected or by the Provost. Consultation with affected faculty will precede any reorganization, and will be appropriate to the reorganization proposed. This consultation may, for example, be limited to a School or College or Library, or may extend across two or more Schools/Colleges/Libraries. In keeping with the principles of collegiality and shared

proposed reallocation. The Board of Trustees ultimately determines the need for academic reallocation. The Faculty Senate Executive Committee, the Dean or comparable administrator, and the Faculty Assembly or equivalent group of the affected faculty unit have the right to present alternatives directly to the Board of Trustees or its designated committee.

For the purposes of this section, the discontinuance of a program which does not result in the termination of a full-time faculty member does not constitute academic reallocation, nor does the discontinuance of a recently approved program which, after a predetermined period of time, fails to meet enrollment or fiscal goals established at the tim

-time faculty member.

13. Financial Exigency

Unlike academic reorganization or academic reallocation, financial exigency is a condition in which the University's existence, or that of a College, School, Department, or Library, is in serious jeopardy for financial reasons. A current operating deficit or mere financial pressure which does not threaten survival does not constitute financial exigency. Termination of an appointment with continuous tenure, or of a probationary or non-tenure-track appointment before the end of the specified term, may occur under extraordinary circumstances because of a demonstrably *bona fide* financial exigency. Before determining the existence of financial exigency, the President of the University shall consult with the Faculty Senate Executive Committee and in the case of financial exigency of a College, School, Department, or Library, the Dean or comparable administrator and all the faculty members of the affected unit giving the reasons for a declaration of financial exigency and the evidence supporting it. The Faculty Senate Executive Committee, the Dean or comparable administrator, and the Faculty Assembly or equivalent group of the affected faculty unit have the right to present alternatives directly to the Board of Trustees or its designated committee. The Board of Trustees shall ultimately determine the existence of financial exigency.

14. Faculty Rights under Academic Reallocation or Financial Exigency

Following a declaration of financial exigency under Sec. III.I.13 or a decision to carry out academic reallocation under Sec. III.I.12 that will result in the termination of full-time faculty members, a committee, if recommended by the Faculty Senate Executive Committee, will be established to use the criteria given below to identify academic areas and faculty positions for reduction or discontinuance and to make recommendations to the President of the University within thirty (30) days of the establishment of the committee. This committee includes appropriate administrators, representatives of the Faculty Senate, the Dean or comparable administrator, and representatives of the Faculty Assembly or equivalent group of the Colleges, Schools, Departments, or Libraries affected. The committee makes every effort to consult with all faculty members who might be affected, including untenured faculty members.

The recommendations of the committee must meet the following criteria:

- (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

- (iii) provision of at least a year of notice, or a year's salary, when there is no realistic choice other than to terminate the services of a tenured faculty member.
- (iv) completion of a term of appointment of an untenured or non-tenure-track faculty member, with a minimum of four m
- (v) not making new faculty appointments in academic areas that have been reduced or discontinued within two years of the termination of faculty positions, except in extraordinary circumstances where an essential part of the academic program could not otherwise be carried out.
- (vi) before making new faculty appointments in academic areas that have been reduced or discontinued, within three years following the termination of faculty positions, offering contracts at the same rank and tenure status to released faculty members with the same or similar skills and abilities, and providing them a reasonable time in which to accept or decline the of

Upon comp