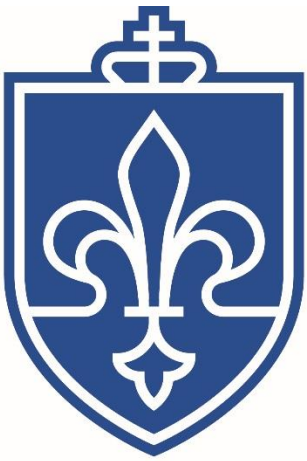
The Faculty Manual

St. Louis Campus

2017



SAINT LOUIS
UNIVERSITY™

EST. 1818

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

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

The *Faculty Manual* of Saint Louis University

The *Faculty Manual* is a foundational document setting out, in many respects, the role of the faculty in University governance. It also specifies rights, powers, privileges, and responsibilities of faculty. Insofar as it does so, it is incorporated by reference in all contracts of employment between faculty and the University. All substantive modifications to University policies and benefits referenced in this *Manual* may occur only after prior consultation with the Faculty Senate.

Equal Employment Opportunity

Saint Louis University Affirmative Action Plan

Saint Louis University prohibits discrimination on the basis of race, color, sex, religion, national origin, sexual orientation, disability, age, or veteran status as required by law. The University is committed to creating a working and learning environment that is rich in diversity. To advance this goal the University takes affirmative action to identify and recruit qualified individuals who are underrepresented in its work force for potential employment opportunities. All University personnel policies and benefit programs are administered in a manner consistent with its Catholic, Jesuit identity.

The University maintains a zero-tolerance policy against sexual harassment, harassment against persons in protected categories, and retaliation. The University's policies on equal opportunity, harassment, and retaliation are available on the Web site of the Office of Diversity and Affirmative Action. Any person may file a complaint regarding suspected violations of these policies with the Director of Diversity and Affirmative Action or other contact persons designated in these policies.

Table of Contents

I. History, Philosophy, and Mission of Saint Louis University 1
A. A Historical Perspective 1
B. The Nature and Purposes of the University 1
C. Statement of Philosophy 1
D. Mission of the University 2

II. Organization of Saint Louis University 3
A. The University Corporation 3
B. General Administration of the University 3
1. President of the University 3
2. Provost 3
3. Vice Presidents 3
4. Chief Executive Officer of the University Medical Group (UMG) 3
C. Academic Administration of the University 4
1. Colleges, Schools, and Departments 4
2. College, School, and Library Administrators 4
a. Dean 4
b. School Director 5
c. Department Chairperson 6
d. Assistant Provost for University Libraries 7
D. University Boards and Committees 7
1. University Committee on Academic Rank and Tenure 7
2. Provost's Committee on Conflict of Interest 8
3. Institutional Review Boards (IRBs) 8
4. Animal Care Committee 8
5. Other Boards and Committees 8
E. Faculty Senate 8

III. Faculty 9
A. Definition of Faculty 9
B. Appointments and Titles 9
1. Regular Appointments 9
2. Secondary and Joint Appointments 11
3. Members of Centers and Institutes 11
4. The Graduate Faculty 12
C. Part-Time Faculty 12
D. Types of Faculty 12
1. Tenure-Track and Tenured Faculty 12
2. Non-Tenure-Track Faculty 14
a. Clinical Faculty 14
b. Research Faculty 15
c. Visiting Faculty 15
d. Adjunct Faculty 15
e. Artists-in-Residence 15
3. Endowed Chairs and Named Professorships 15
4. Retired Faculty 16
5. Emeriti/ae Faculty 16

E. Advancement 16
1. Applications 16
2. Extension of the Probationary Period That Applies to the Granting of Tenure 17
3. College, School, and Library Evaluation Standards 17
4. Tenure-Track and Full-Time Non-Tenure-Track Faculty 18
5. Adjunct Faculty 18
F. General Norms for Appointment and Advancement 19
1. Instructor 19
2. Assistant Professor 19
3. Associate Professor 20
4. Professor 20
G. Responsibilities of Faculty Members 21
1. Teaching 21
2. Student Advising 22
3. Research and Scholarly Activity 22
4. Governance 23
5. University Citizenship 23
6. Extramural Activities 23
7. Physician Services 24
8. Community Service 25
9. Professional Activities 25
H. Rights, Powers, Privileges, and Immunities of Faculty Members 26
1. Academic Freedom 26
2. Privacy 27
3. Intellectual Property 27
4. Shared Governance 28
5. Faculty Organization 28
6. Procedure for Review of Faculty Senate Resolutions 29
7. Participation in the Selection and Evaluation of Administrators 29
8. Participation in Evaluations for Accreditation 30
9. Participation in Program Reviews 30
10. Political and Public-Service Activity 30
11. Legal Representation and Indemnification 31
12. Vacations and Leaves 31
a. Vacations 31
b. Medical Leaves of Absence and Termination for Medical Reasons 31
c. Leaves of Absence without Pay 32
d. Sabbatical Leaves 32
e. Developmental Leaves 33
f. Faculty Childcare Leaves 33
13. Faculty Eligibility for Graduate and Professional Degrees 33
14. Tuition Remission and Exchange Programs 33
15. Benefits of Current Faculty 34
16. Benefits of Retired and Emeriti/ae Faculty 34
I. Contract Rules 34
1. Contractual Status 34
2. Annual Review 36
3. Midpoint Review 36
4. Nonrenewal of Contracts 36
5. Grounds for Termination of Contract or Letter of Appointment 39
6. Procedures for Termination 40

7. Suspension from Duties during Consideration of Termination ……... 42
8. Sanctions Short of Termination ……... 43
9. Grievances and Appeals ……... 43
a. Professional Relations Committee ……... 43
b. Grievance Process …… 44
c. Limitations of Authority ……... 46
d. Weight Given to Professional Relations Committee Determinations …….. 46
10. Faculty Participation in Academic Reorganization ……... 47
11. Academic Reallocation ……. 47
12. Financial Exigency …… 48
13. Faculty Rights under Academic Reallocation or Financial Exigency …….. 48
14. Appeals during Academic Reallocation or Financial Exigency ……... 49

IV. Periodic Review and Amendments ……. 50

I. History, Philosophy, and Mission of Saint Louis University

A. Historical Perspective

Saint Louis University traces its history to the foundation of Saint Louis Academy on November 16, 1818, three years before Missouri became a state. Founded by the Right Reverend Louis DuBourg, Bishop of Louisiana and the Floridas (who was then residing in Saint Louis), the Academy was renamed Saint Louis College in 1820.

In 1823, Belgian Jesuits from Maryland arrived in Missouri at the urgent invitation of Bishop DuBourg and John C. Calhoun, U. S. Secretary of War. They settled at Florissant, near St. Louis, where they established an Indian school. In 1828, they assumed direction of Saint Louis College, which had been administered for the first ten years of its existence by members of the Congregation of the Mission (Vincentians). On December 28, 1832, Saint Louis College received its charter as Saint Louis University by an act of the Missouri legislature. This was the first university charter granted by any state west of the Mississippi River. The University then assumed a significant role in educational, cultural**,** and religious development not only of Saint Louis and surrounding areas but also of the vast regions of the western United States. From its earliest days, the University has welcomed persons of diverse faiths among its faculty, students**,** and staff.

B. The Nature and Purposes of the University

Saint Louis University is a private, Catholic university sponsored by the Society of Jesus. It is not church-related, in the sense that it does not receive financial support from a church body**,** and it is not under jurisdictional control of a church body. It is similar to other private universities in the U.S. in that the ultimate governing responsibility is vested in an independent Board of Trustees.

According to the Bylaws of the University:

(i) The University will be publicly identified as a Catholic university and a Jesuit university.

(ii) The University will be motivated by the moral, spiritual, and religious inspiration and values of the Judeo-Christian tradition.

(iii) The University will be guided by the spiritual and intellectual ideals of the Society of Jesus.

(iv) The University, through the fulfillment of its corporate purposes, by teaching, research, and community service, is, and will be, dedicated to the education of men and women, to the greater glory of God, and to the temporal and eternal well-being of all men and women.

C. Statement of Philosophy

As a Catholic university sponsored by the Society of Jesus and dedicated to the Society's ideal of striving for academic excellence under the inspiration of the Christian faith**,** Saint Louis University recognizes the essential importance of the principle of academic freedom to its life as a community committed to the discovery and sharing of truth. In keeping with its Christian vision of the dignity of persons as created in the image of God and as united under the Creator's loving Providence, the University seeks to establish a collegial environment in which those of diverse cultural backgrounds and religious beliefs can participate in this community in a spirit of cooperation and mutual respect.

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

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 the exercise of its fiduciary duty to the Corporation, the Board of Trustees has final authority for all matters relating to the University and its governance.

Prior to 1967, all members of the Board of Trustees were members of the Society of Jesus, although the Charter did not specify any qualification for membership. In 1967, the Board of Trustees was enlarged to include non-Jesuits. Saint Louis University became the first Catholic university in the United States with a majority of lay Trustees.

The Bylaws of the Board of Trustees provide for an Executive Committee with power to act for the Board in the intervals between regular and special meetings of the Board. The Chairperson and Vice Chairperson of the Board and the President of the University are *ex officio* members of the Executive Committee. Other Executive Committee members are elected by the Board of Trustees from among its members.

B. General Administration of the University

1. President of the University

The President is the chief executive and administrative officer of the University and is responsible for the general and active management, control**,** and direction of the business operations, educational activities**,** and other affairs of the University.

2. Provost

The Provost is the chief academic officer of the University and reports directly to the President. The Deans of the University's Colleges and Schools report directly to the Provost, as do the Vice President for Student Development, the Vice President for Information Technology Services, the Vice President for Enrollment and Academic Services, the Vice Provost for the Madrid Campus, the Assistant Provost for University Libraries, the Director of Athletics, and several Associate and Assistant Provosts.

3. 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 Web site of the Office of the President.

4. Chief Executive Officer of the University Medical Group (UMG)

The Chief Executive Officer of the University Medical Group (UMG) is responsible for the conduct of all operational aspects of the UMG, subject to the policies of the UMG Governing Board. These aspects include operation of the specified facilities, employment, and supervision of personnel required for the operation of the UMG, 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 UMG operations. The Chief Executive Officer of the

UMG reports to the Chairperson of the UMG Governing Board and is selected by the Governing 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 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 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.

The Dean is responsible to the Provost for leadership, planning, and administration of the College or School so as to fulfill the mission of the unit and of the University. As chief executive officer, the Dean executes University policies and procedures in the College or School. The Dean has the authority to make administrative decisions on matters that relate solely to his/her own College or School, except in those situations specifically reserved or allocated to the jurisdiction of the Provost or of University boards, committees, or offices. 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 assuring 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 proposed by the Chairpersons or comparable administrators and by the Faculty

Assembly or equivalent group and 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.

b. School Director

Some Schools are organized within Colleges. The administrative leader of an incorporated School reports to the College Dean and is typically called a Director. The powers and responsibilities of the Director vary from School to School. The School Director is appointed by the Provost after consultation with the Dean and faculty members (see Sec. III.H.7). The procedures for evaluation of the School Director are established by the Dean, following consultation with the faculty.

c. Department Chairperson

The Department Chairperson or comparable administrator is appointed by the Provost on recommendation of the Dean of the College or School or comparable administrator, who will have consulted with all faculty members of the Department. The appointment ordinarily is a twelve- month commitment, renewable annually for a three-year term; longer terms may prevail in the medical sciences. After evaluation by the faculty members of the Department, and upon recommendation by the Dean, a Chairperson or comparable administrator may be reappointed by the Provost.

In most instances, the Department Chairperson or comparable administrator reports to the Dean of the College or School to which the Department belongs. For matters relating to the Graduate School, Chairpersons report to the Dean of the Graduate School.

The Department Chairperson or comparable administrator is the academic leader and administrative head of the Department. As such, s/he executes, within the Department, the policies and regulations of the College or School and of the University. As an academic leader, s/he consults with the faculty members of the Department as provided in Sec. III.H.4 and is responsible for establishing departmental goals, promoting excellence in teaching and research, encouraging and stimulating faculty members in professional development, providing academic advising for students, working toward obtaining appropriate resources, and establishing a climate of collegiality. As an administrative head, s/he is responsible for the professional 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 for a Department, 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 the Department to the College or School and will represent the considered position of the Dean to the faculty.

After consultation with the appropriate faculty members, the Department Chairperson or comparable administrator makes recommendations to the Dean of the College or School for initial and emeritus/a faculty appointments, promotion, tenure, leaves of absence, notices of intent not to renew appointments of untenured faculty, termination, and faculty workloads. S/he supervises instruction and the personnel of the Department, reviews each faculty member's performance annually, and discusses the evaluation with the faculty member before sending it to the Dean. In consultation with and at the direction of the Dean of the College or School, or of the Dean of the Graduate School, the Department Chairperson or comparable administrator assigns faculty members to teach courses at prescribed times and places. In meeting the responsibilities for the academic well-being of the Department, the Chairperson or comparable administrator consults with the other members of the Department and works toward a consensus on courses offered within the Department, course prerequisites, examinations and standards, Department schedules, and teaching assignments. The faculty members share with the Department Chairperson or comparable administrator responsibility for participation in registration procedures, for development of bulletin and catalog materials relating to the Department, for development of library holdings, and for advice concerning Departmental purchases. The Chairperson or comparable administrator solicits agenda items, and calls and presides at meetings of the faculty members of the Department at least once each semester.

In developing the budget of the Department, the Chairperson or comparable administrator shall consult with the faculty members as provided in Sec. III.H.4. S/he is responsible for the

expenditure of Department funds, for safekeeping Department equipment and supplies, and for maintaining an inventory of Department equipment and property.

d. Assistant Provost for University Libraries

The Assistant Provost for University 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 Assistant Provost for University Libraries are established by the Provost, following consultation with the faculty within his/her jurisdiction.

The Assistant Provost for University Libraries is responsible to the Provost for leadership, planning, and administration of the Libraries within his/her jurisdiction so as to fulfill the mission of the Libraries and of the University. S/he also serves as coordinator, working with the other University Library directors, on matters of interest to all the Libraries. The powers and responsibilities of the Assistant Provost for University Libraries are identical to those of Deans in these areas: administrative decision-making; establishing policy; ensuring faculty qualifications of the Libraries are in compliance with both professional library standards and other standards that support accreditation of other University units; appointment of search committees; recommendations of initial and emeritus/a faculty appointments, promotion, leaves of absence, notices of intent not to renew appointments of Library faculty, and termination; preparation, administration, and communication of budgets; determination of faculty workloads; annual review of faculty; promotion of professional development; recommendation of merit salary increases and other compensation within the limits of available funds; recommendation of appointments and renewal of appointments of Library administrators and other administrative personnel; appropriate and productive use of building space; and representation of these Libraries for development, public relations, and alumni activities.

D. University Boards and Committees

1. University Committee on Academic Rank and Tenure

The University Committee on Academic Rank and Tenure (UCART) considers and recommends to the Provost nominations for promotion and the awarding of tenure. It also reviews all new appointments to the faculty as provided in Sec. III.B.1, reviews the College, School, or Library evaluation standards for making such appointments as provided in Sec. III.E.3 and recommends changes to the Provost, and performs the other duties assigned to it in Sec. III. The Chairperson of the University Committee on Academic Rank and Tenure is a tenured Professor appointed by the Provost for a three-year term, renewable once, from a list of at least three names recommended by the Faculty Senate Executive Committee. The chair votes on matters before the Committee only in the case of tie votes. Re-appointment as chair is made by the Provost on the recommendation of the Faculty Senate Executive Committee, following the Provost's consultation with current UCART members. The Chair may be removed by the Provost only for good cause shown. The members of the Committee are ordinarily tenured Professors. The Committee is composed of one member of the faculty of each College or freestanding School and of the University Libraries. Each member shall be elected by the Faculty Assembly or equivalent group. Members serve three-year terms, renewable once. If a member is completing an unfilled term for some reason, that term will not count toward the member's full terms.

2. Provost's Committee on Conflict of Interest

The Provost's Committee on Conflict of Interest exercises a major role in implementing the University's *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, dedicated members to serve on these Boards, and to provide recognition for those persons' 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 Senate is a member of the President's Coordinating 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, s/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 in the individual's official appointment papers are not 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 the rank and department name (e.g., Tenure-Track Assistant Professor of Biochemistry). Faculty members with appointments as librarians in the University Libraries, in clinical instruction, in research positions, or as aviation specialists have titles reflecting their professions (e.g., Acquisitions Librarian with the rank of Non-Tenure-Track Assistant Professor; Non-Tenure-Track Assistant Clinical Professor of Law; and Aviation Specialist with the rank of Non-Tenure-Track Assistant Professor).

Whereas the initial employment of a faculty member is by a contract signed by the faculty member and the Provost or designee, continued employment is by letter of appointment or memorandum of agreement, normally tendered by May 1, indicating the rank and salary for the following academic year. Acceptance of the appointment or memorandum of agreement is 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.

All faculty contracts, letters of appointment, and memoranda of agreement are bilateral and cannot 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.5. In cases of termination of a contract for cause during the contract period, the procedures to be followed are described in Sec. III.I.6.

Once a faculty member has been awarded tenure according to the procedures in Sec. III.E and the norms in Sec. III.F, his/her contractual status becomes permanent, as described in Sec. III.D.1.

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 be terminated, all of that person's faculty appointments would cease. The primary academic unit bears the ultimate responsibility for the faculty member's salary, unless there is a written agreement with the faculty member providing otherwise.

The titles of record for faculty members with secondary or joint appointments will include each rank and academic unit name, unless, in specific cases, the University Committee on Academic Rank and Tenure has approved and recommended a different practice. The primary appointment will be listed first in the title but both the discipline and academic unit or program of the secondary or joint appointment will also be given (e.g., Tenure-Track Associate Professor of Sociology and Non-Tenure-Track Associate Professor of Sociology in Psychiatry; Tenure-Track Professor of Internal Medicine and Non-Tenure-Track Professor of Pediatrics).

Except where noted, the following conditions apply to both secondary and joint appointments:

(i) Appointments must be made to each Department or academic unit separately, but not necessarily simultaneously, using the same procedures as for regular appointments.

(ii) The annual reviews described in Sec. III.I.2 and applications for advancement according to Sec. III.E will follow the normal procedures in each Department or academic unit, except that the Chairperson or comparable administrator of the secondary or joint academic unit or program will be consulted.

(iii) Faculty members holding secondary or joint appointments must be willing and able to participate in the activities of each unit according to the standards established by the separate units and specified in writing at the beginning of the secondary or joint appointment.

3. Members of Centers and Institutes

Centers and Institutes that have their own degree program(s) are considered to be comparable to Departments, and the policies governing their faculty members are the same as those that apply to Departments.

A full-time faculty member primarily occupied with work in a Center or Institute that does not have its own degree program must have a primary appointment in a School, Department, Center,

or Institute that does have its own degree program. The primary appointment must be awarded 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. Part-time 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 prefaces the name of the rank with “Tenure-Track” or “Tenured,” as appropriate.

Tenure is a contractual recognition of the faculty member's right to continuing employment that is subject to termination only 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.5. In cases of termination of a contract for cause during the contract period, the procedures to be followed are described in Sec. III.I.6.

The University upholds the value of having most of its faculty members as tenure-track and tenured faculty. Tenure is awarded through the norms described in Sec. III.F, and, unless specific exception is made for a senior-level appointee using the process described below, through the 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-tenure-track faculty position is not counted against the probationary period. However, teaching, research, and service during the non-tenure-track faculty position may be considered toward the promotion and/or tenure decision.

Promotion and tenure decisions will normally be made based on the candidate’s previous five years of teaching, research, and service (seven years for School of Medicine faculty), and if a faculty member has been approved to include previous faculty appointments at comparable institutions, it is their prerogative to do so. If the faculty member decides to use approved previous faculty appointments toward their application, a copy of the agreement with the signature of the appropriate Dean and the Provost should be included with the application.

A full-time faculty member who has tenure but who requests and receives the status of a part-time faculty member of the University automatically relinquishes tenure, unless there is a prior, 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.

Tenured faculty serving under the University's *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 internal purposes, the University prefaces the name of the rank with "Non-Tenure-Track."

For the purpose of promotion, previous service at institutions comparable to the University may be substituted for not more than three years of service. The amount of previous service to be substituted must, in each case, be agreed to in writing by the faculty member, the appropriate Dean or comparable administrator, and the Provost, prior to initial appointment. Unless thus agreed, previous service may not be claimed. Except as noted above, non-tenure-track faculty must have served for at least five years at the University in order to apply for promotion.

A non-tenure-track faculty member may apply to the appropriate search committee for an available tenure-track position, unless that person held a previous appointment as a tenure-track faculty member at Saint Louis University. The committee will investigate the qualifications of the faculty member and will solicit opinions from those it deems appropriate. Favorable recommendations will be handled as in Sec. III.B.1 for new appointments.

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-track post.

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-residence. Artists-in-Residence are not eligible for tenure and may not apply for advancement or 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 artist-in-residence who previously held a tenure-track appointment at Saint Louis University is not eligible to apply for another tenure-track post.

3. Endowed Chairs and Named Professorships

Endowed and named faculty appointments are reserved for members of the faculty who are deemed distinguished by virtue of their scholarly productivity and instructional excellence. Endowed chairs are often used to help recruit distinguished senior faculty, whereas named professorships are generally awarded to members of the current faculty. Guidelines for the

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 University's employ at the conclusion of a specified period of service and meet the criteria stated in the *Retired and Emeritus/a Faculty Policy* available on the Web site of the Office of the Provost. Tenured faculty who wish to continue to teach a reduced course load at a proportionately reduced salary may choose phased retirement. The *Faculty Phased- Retirement Policy* is also available on the Web site of the Office of the Provost.

5. Emeriti/ae Faculty

Upon recommendation of the department chair, the College, School, Center, or Library Rank and Tenure Committee, the appropriate Dean or comparable administrator, and the Provost, emeritus/a status may be granted to tenured or non-tenure-track faculty members with at least ten years of full-time service who resign their faculty appointment. In extraordinary circumstances, faculty members with a shorter period of service may be considered for emeritus/a status. Emeritus/a status recognizes the achievement of high distinction on the part of tenured or non-tenure-track faculty members and their ongoing relationship with the University. The *Retired and Emeritus/a Faculty Policy* available on the website of the Office of the Provost details the eligibility criteria, application process, and benefits.

E. Advancement

1. Applications

Application for advancement—whether for promotion, for tenure, or for both—is the responsibility of the faculty member. Applications for advancement should be submitted by the date specified by, and according to the procedures established by, the College, School, or Library Rank and Tenure Committee or comparable faculty committee, in compliance with the schedule of the University Committee on Academic Rank and Tenure. Early applications for tenure and/or promotion must demonstrate they have met the standards of their department's/college's guidelines.

Typically, a faculty member is expected to complete five years in rank at the University (seven years for School of Medicine faculty) in order to apply for promotion 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.

Applications for advancement with tenure must be submitted no later than the first semester of the faculty member's sixth year in a tenure-track position, or the first semester of the faculty member's eighth year if in the School of Medicine. Tenure-track assistant professors seek promotion to associate professor and tenure in the same application and decision process. Both promotion and tenure must be granted or denied together. Applications submitted after established calendar deadlines in any academic year or not in accord with written procedures normally will not be reviewed until the next academic year, and may result in the faculty member not being granted advancement. Exceptions to deadlines may only be made in rare and unusual circumstances, with the concurrence of both the appropriate Dean or

comparable administrator 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 especially peer evaluations submitted in support of a candidate's application for advancement are professionally solicited from evaluators who will objectively assess the applicant's accomplishments. Ordinarily, peer evaluators will hold a higher rank than that of the applicant.

If changes to evaluation standards occur during the last three years of the probationary period (four years in the School of Medicine), the faculty member will be held to the pertinent previous standards. Otherwise, the faculty member will be held to the new standards.

2. Extension of the Probationary Period That Applies to the Granting of Tenure

The *Policy on Extension of the Probationary Period That Applies to the Granting of Tenure* is posted on the website of the Office of the Provost. A tenure-track faculty member is eligible to apply for an extension of the tenure probationary period, whether or not a leave of absence is involved, in accordance with the provisions of this policy, for reasons including but not limited to, the birth or adoption of a child, a serious health condition of a family member requiring faculty caregiving, a serious health condition of the faculty member, or if required by law.

In the event that spouses are members of the full-time faculty, this policy covers both of them.

Tenure expectations for a faculty member who extends the probationary period under this policy are the same as the expectations for a faculty member who has not extended the probationary period.

Applications will be submitted to the Provost via the applicant's Chair/Director and/or Dean, who will provide a recommendation concerning approval or denial of the application to the Provost with supporting rationale. The Provost will make a decision on the application and communicate approval or denial of the application in writing to the faculty member and, if approved, specify the termination date of the probationary period. If the Provost denies the request, the applicant may ask the grounds for the denial and may appeal the Provost's decision to the President of the University, whose decision is final and not subject to further appeal.

3. College, School, and Library Evaluation Standards

The College, School, or Library Rank and Tenure Committee, or comparable faculty committee, will evaluate applications for advancement and tenure using the norms in Sec. III.F. However, the appropriate Dean or comparable administrator and the College, School, or Library Faculty Assembly or equivalent group establish more specific standards; relative weightings to be applied to teaching, student advising, research and scholarly activities, and University and community service; and interpretations of the norms for the specific circumstances of that College, School, or Library, or for a Department within that College, School, or Library. The University Committee on Academic Rank and Tenure reviews new or revised standards, relative weightings, and interpretations to ascertain that they are consistent with this *Manual*, and makes recommendations to the Provost. When approved by the Provost, these standards, relative weightings, 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 and full-time non-tenure-track faculty members, the recommendation of the College, School, or Library Rank and Tenure Committee, or comparable faculty committee, is communicated by the committee to the applicant, who may request an explanation and/or written reasons for a negative recommendation. If the faculty member decides to continue the application, the recommendation of the committee is forwarded to the appropriate Dean or comparable administrator, who forwards it to the University Committee on Academic Rank and Tenure, along with all supporting materials, including his/her own separate recommendation. For members of the graduate faculty, a separate recommendation by the Graduate Dean is also forwarded to the Committee.

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 faculty member's appointment papers, established through 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. When the Provost does not concur with the Committee's recommendation, s/he will discuss his/her rationale with the Committee prior to making a final decision. When the decision is adverse, the applicant may request an explanation or written reasons from the Provost. In responding to the request, the Provost may disclose all determinations made during the decision-making process. The applicant may appeal an adverse decision to the President of the University, whose decision is final and not subject to further appeal.

The applicant may withdraw the application for advancement or tenure at any stage of the process.

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 follow are not simply lists of qualifications to be "checked off"; rather, tenure and promotion decisions involve professional judgments about the overall merit of an individual's achievements. 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 or promotion 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 community organizations of significance, along with assessments of service accomplishments.

f. Evidence of recognition by colleagues in the same discipline, both inside and outside the University, that the candidate possesses the appropriate skill and knowledge of the field as defined in the individual College's, School's, or Library's evaluation standards.

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 faculty members are established by the faculty member's Department Chairperson or comparable administrator in accordance with College or School norms and subject to review by the appropriate Dean.

1. Teaching

An individual's instructional responsibilities may vary from Department to Department and may change over time, depending on departmental need and the individual's research and service assignments and achievements. Teaching expectations for other types of faculty are established at the time of each appointment. Specific teaching assignments and class times for all faculty are set by the Department Chairperson or comparable administrator, subject to review by the appropriate Dean.

An essential responsibility of a faculty member with a teaching assignment is to conduct scheduled classes to the best of his/her ability. Absences for foreseen reasons, such as attendance at a national meeting, must be approved in advance by the Department Chairperson or comparable administrator, or the appropriate Dean or comparable administrator. When a faculty member cannot conduct a class for unforeseen reasons, such as illness, accident, or other emergencies, s/he must inform the Department Chairperson or comparable administrator, or the appropriate Dean or comparable administrator, as promptly as possible. In such cases, the faculty member must make appropriate arrangements for providing students with the content and experiences of the missed classes.

It is the duty of each faculty member to know and follow the academic regulations of the University and the academic regulations and procedures established by his/her Department and College or School, and available in writing from the Chairperson and appropriate Dean. In addition, each faculty member is expected to know and follow the grading system of the College 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 prejudiced or capricious academic evaluations of students, and it is the responsibility of the Department Chairperson or comparable administrator, and of the appropriate Dean, to uphold this standard.

Faculty members may provide assessment of the ability and character of an individual student, normally with the student's knowledge and consent. It is a violation of professional ethics to disclose information about a student's views, beliefs, or political associations without prior consent. Faculty members will follow the applicable University policies, and state and federal laws (e.g., the *Family Educational Rights and Privacy Act of 1974* [FERPA] as amended), regarding confidentiality of student records.

Failure to comply with the deadlines for submitting grades may seriously inconvenience students and substantially add to the workload of University staff members. Therefore, only very serious reasons and the permission of the Department Chairperson or comparable administrator excuse a faculty member from the obligation to submit grades by the designated deadlines.

Because of the occasional but important need to recheck student performance, faculty members must retain records of student grades for at least three years and sets of final examination papers, and other critical graded assignments, for at least six months after the end of a course.

2. Student Advising

The University regards teaching as incomplete if it is limited to the classroom, lecture hall, or laboratory. All faculty members are expected to advise students about academic matters, as the occasion arises either by formal assignment to advising duties or as a necessary supplement to classroom contact. Faculty members should provide ample scheduled office hours**,** as well as 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 University’s Institutional Review Boards, and any research investigation that involves animal 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 do not constitute misconduct. In furtherance of these principles, the University has adopted a *Research Integrity Policy*, which is available on the Web site of the Office of Research Services Administration.

Each member of the University community also has an obligation to act in the best interest of the University and must not let outside activities or outside financial interests and relationships interfere with his/her obligation to avoid or effectively manage potential, apparent, and actual conflicts of interests in funded research. Additionally, all labor charged to federally sponsored programs must be reasonable and reflect actual work performed. Any changes in actual effort must be reported when it differs significantly from the individual's planned effort. In furtherance of these principles, the University has adopted its *Policy on Conflict of Interest* and *Effort-Reporting Policy*, both of which are available on the Web site of the Office of Research Services Administration.

Finally, faculty engaged in research and scholarly activity are advised to consult the Intellectual Property section of this *Manual* (Sec. III.H.3) as well as the other policies that appear on the Web site of Office of Research Services Administration.

4. Governance

The University recognizes the value of faculty participation in the shared governance of the University, as described in Sec. III.H.4. Therefore, faculty members are expected to serve on the appropriate committees of their Department, their College, School, or Library, the Faculty Senate, and the University. They are expected to participate in academic planning and formulation of University policies and, to a limited extent, administration of the University. In particular, it is the responsibility of the faculty, in consultation with the Dean, to establish standards for the admission, transfer, and graduation of students.

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-time faculty member may be employed in any occupation that may interfere with the thorough, efficient, and earnest performance of his/her University responsibilities. Specifically, the teaching of any course, beyond those assigned by the appropriate officials of the University, is likely to be incompatible with full-time employment and 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

University. Such activities must not interfere with the faculty member's University obligations 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 engaging in such extramural activities must notify the Department Chairperson or equivalent administrator, who will transmit the information to the appropriate Dean or comparable administrator for review to ensure compliance with the limitations stated above and as provided in the University policies on conflict of interest.

This provision concerning extramural activities does not apply to faculty who are members of the University Medical Group. Physician services are the subject of a separate rule set forth in Sec. III.G.7.

Unless specifically required by statute, governmental guidelines, or the University policy on conflict of interest, when a faculty member has an academic year that is shorter than a calendar year, no restrictions are placed on his/her extramural activities during the time not covered by contract or letter of appointment. If the extramural activities of a full-time faculty member are in danger of exceeding a total of approximately one day a week during the academic year, specific prior approval of the appropriate Dean is required. This approval will be granted only for very compelling reasons, in which case any additional financial remuneration beyond that allowed for normal extramural activities will accrue to the University or, if professional or legal regulations prohibit this, returned to the extramural sponsor. Physician services are the subject of a separate rule set forth in Sec. III.G.**7**.

Whenever extramural activities involve a written agreement under which faculty members assume a continuing obligation, this written agreement, after approval by the Department Chairperson or comparable administrator and by the appropriate Dean or comparable administrator, must be submitted to the Provost and the Office of Sponsored Programs for administrative review and approval. Whenever extramural activities involve the use of University facilities or equipment, such as laboratories or computers, the Provost must approve this use and may require reimbursement to the University in appropriate situations. The *Policy on Private Use of Saint Louis University Research Facilities* is available on the Web site of the Office of Research Services Administration.

7. Physician Services

All physician services provided by full-time faculty in clinical departments of the School of Medicine are to be billed on behalf of the faculty member and the income assigned to the appropriate clinical income fund. Physician services are services provided to a patient for which a fee ordinarily would be expected. Clinical administrative services and other services for which the School of Medicine has contracted, such as those provided as a medical director of a hospital department, are considered physician services. Medical expert witness testimony and associated legal work that arises out of treatment or examination of a patient in an established physician-patient relationship are considered physician services.

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 Dean. The Dean's 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 member's duties and responsibilities assigned 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 member's privilege to perform expert witness testimony 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 of the faculty member only if it determines that the Dean's decision was arbitrary, capricious, or 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 interference with a physician's University responsibilities, all full-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 University-covered 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 contract with the University, in which case that individual's total 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 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 institution in which Christian scripture and Judeo-Christian tradition are recognized as sources of knowledge as valid as natural human experience or reason, and where theology is recognized as a discipline. This expectation, of course, does not prevent them from stating and explaining their own personal views.

2. Privacy

In recognition of the dignity of its faculty, the University acknowledges that each member of the faculty has a reasonable expectation of privacy regarding the contents of his/her office, laboratory, or other workspace, and regarding his/her records, files, and communications, including those made or kept in electronic form by the use of University technology systems. The University's interests, however, override a faculty member's expectation of privacy when it is necessary for the University or the faculty member to comply with or meet legal or contractual obligations, or professional credentialing, licensure, and accreditation requirements, and whenever there is reasonable suspicion that violations of federal, state, or local laws or serious violations of University policies have occurred or will occur. The University's Information Technology Services *Appropriate Use Policy* (available on the Web site of Information Technology Services) and other policies respecting the content of a faculty member's office, laboratory, or other workspace, may not be substantially changed without prior consultation with the Faculty Senate.

Of course, there is no reasonable expectation of privacy where a faculty member has waived his/her interest in privacy.

3. Intellectual Property

Faculty are the copyright owners of all the works they create or prepare in the course of their employment except where a faculty member and the University agree in writing that the copyright to a work (or works) created by the faculty member is owned by the University, or where provided otherwise by University policy or in a written policy implemented by a College, School, Library, or Department after consultation with affected faculty. Additionally, where a faculty member is for any reason unable to perform his/her current or prospective University obligations, for a period of one year the University is privileged to make use, at no cost to the University, of that faculty member's materials which are necessary to the performance of those obligations. Any interest that a faculty member may have in a patent or other kind of intellectual 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

The variety and complexity of the tasks performed by the University produce an inescapable interdependence among the Board of Trustees, the President, other members of the administration, faculty members, students, and the University staff. This interdependence calls for adequate communication among these groups, for full opportunity for appropriate joint planning and effort in a variety of forms, and for shared governance of the University. Shared governance means that important areas of action will involve, at one time or another, the initiating capacity and decision-making participation of each of the institutional components. Differences in the weight of each voice, from one point to the next, will be determined by reference to the relative responsibility of each component for the particular matter at hand.

The faculty, acting through the faculty organizations described in Sec. III.H.5, have primary responsibility for setting the academic requirements for the degrees offered by the University; determining the contents of University courses and the methods of instruction to be used; setting standards for admission of students to the University; recommending the specific individuals who will be granted earned degrees; and recommending faculty appointments, promotions, and tenure according to the norms and procedures of Secs. III.B-F.

The faculty also have a major role in establishing or modifying general policies that affect the academic mission of the University. On these matters, the views of faculty members will be solicited through the Faculty Senate or the appropriate Faculty Assemblies or equivalent groups before action is taken. To this end, the Provost and the Faculty Senate Executive Committee meet on a regular basis.

The University recognizes the value of participation by faculty members in developing budgets. For this reason, the Faculty Senate has representatives that participate in the University's budgeting process. In formulating the budget for a College, School, or Library, the Dean or comparable administrator consults with the Chairpersons and the appropriate committees of the Faculty Assembly or equivalent group. Similarly, in developing the budget for a Department, the 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 Web site 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 determined by that body's own custom, constitution, and bylaws. Copies of written procedures are available from the Faculty Assembly officers.

At the Department level, Department meetings offer an important forum for faculty discussion and participation. Here faculty members have the responsibility to develop the aims of the Department, to devise means by which the aims will be accomplished by the Chairperson or comparable administrator and by the entire Department, to address the concerns of the Department members, and to oversee the results of their efforts and the execution of their decisions.

6. Procedure for Review of Faculty Senate Resolutions

In areas of University-wide concern where the Faculty Senate exercises its role as an advisory body, resolutions passed by vote of the Senate will be communicated to the appropriate University administrator by the Faculty Senate Executive Committee within ten (10) calendar days of approval. Under normal circumstances, that administrator will convey directly to the Faculty Senate Executive Committee, within thirty (30) calendar days, his/her decision regarding implementation of the resolution. When the decision is negative, the administrator will convey his/her reasons to the Faculty Senate Executive Committee.

7. Participation in the Selection and Evaluation of Administrators

A search committee is established to help the Board of Trustees or the appropriate administrator locate and interview suitable candidates for senior-level administrative positions (e.g., President, Provost, Vice Presidents, Deans, School Directors, Assistant Provost for University Libraries, CEO of the UMG). 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.

Faculty members form the majority of search committees for the position of Dean or comparable administrator. For other administrative positions, the number of faculty members on the search committee will reflect the extent of faculty involvement with the position. When the position has University-wide responsibilities, faculty members of this committee will be recommended by the Faculty Senate Executive Committee. For other positions, the appropriate Faculty Assembly or equivalent group will make the recommendation. The person chosen for an administrative position will be selected from among those found by the search committee to be qualified for the position.

Faculty members participate in the formal, ongoing evaluation of academic administrators. These evaluations help administrators to enhance their performance and are a significant factor in the decision to retain or terminate an administrator. The procedures for the evaluation of a Dean or comparable administrator 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 or comparable administrators should themselves establish means for 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.

The accrediting commission ordinarily establishes the contents, standards, and procedures for its evaluation. Generally, the primary responsibility for an evaluation rests with an *ad hoc* committee whose members include faculty members nominated by the Faculty Senate Executive Committee for University-wide evaluations, or nominated by the appropriate Faculty Assemblies or equivalent groups for more specific evaluations.

Prior to its submission to the accrediting commission, a completed evaluation is made available for review and comment to all faculty members and administrators participating in the program(s) being evaluated. During a visit to the University by an accrediting commission, and if not prohibited by the rules of the accrediting commission, faculty members are given an opportunity to meet with the evaluators to discuss questions of concern, in a manner determined by the accrediting commission or by the program evaluators.

All faculty members and administrators participating in the program(s) evaluated are informed of the results and recommendations resulting from the evaluation, and are provided access to the full report in a timely manner.

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 procedure, evaluators external to the unit—whether faculty members or others from within or outside the University—may participate in the program review.

Prior to a review's submission to the appropriate Chairperson, Dean or comparable administrator, or the Provost, a meaningful summary of the evaluation is made available to all faculty members, Department Chairpersons, and administrators affected by the evaluation. The program faculty, in turn, are afforded the opportunity to supplement or otherwise respond to the evaluation, and provisions are made for reflecting significant differences of opinion.

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 their participation to their Department Chairperson or comparable administrator so that s/he can ensure that these political and public-service activities do not interfere with the faculty member's ability to perform his/her University responsibilities.

Other kinds of political and public service activity are so extensive that they require the faculty member to seek a leave of absence for a limited period of time. Included among these are substantial campaigning for elective office, serving in a legislative body, or serving a limited term in a full-time political, military, judicial, or other public service position. When such activities will clearly add to the teaching effectiveness, research productivity, or professional status of the faculty member, or when they are required by law or evident public welfare, leaves of absence without pay will be granted as provided in Sec. III.H.12.

11. Legal Representation and Indemnification

The University shall indemnify faculty members who are parties, or are threatened to be made parties, to any legal action, suit**,** or proceeding by reason of the fact that they are employees or agents of the University against expenses (including attorneys' fees), judgments, fines**,** and amounts paid in settlement actually and reasonably incurred by them, if they acted in good faith and in a manner they reasonably believed to be in, or not opposed to, the best interests of the University, and, with respect to any criminal action or proceeding, had no reasonable cause to believe their conduct was unlawful, all as more specifically set forth in Article VIII of the Bylaws of Saint Louis University, as amended or revised from time to time.

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.

b. Medical Leaves of Absence and Termination for Medical Reasons

Faculty members are entitled to receive medical leaves of absence when they are unable to perform their assigned duties for medical reasons, although the University requires proof of disability before granting a medical leave of absence. Faculty members on medical leaves of absence receive full pay as long as the condition continues, for a period not to exceed six calendar months. If the condition extends beyond six months, the faculty member may request a special leave of absence, consisting of partial or complete relief from duties, with corresponding reduction or cessation of salary, for one full semester. Alternatively, if the condition extends beyond six months, the faculty member may qualify for long-term disability insurance benefits, terms of which are available from the University Benefits Office.

If there are repeated leaves of absence for medical reasons, or if a faculty member does not qualify for long-term disability insurance benefits and is unable to perform his/her assigned duties for medical reasons extending beyond the additional semester of the special leave of absence, the contractual agreement between the University and the faculty member may be terminated by the University, with the possibility of renegotiation by mutual agreement at a later date. The University's decision to terminate for medical reasons will be based upon clear and convincing

medical evidence that the faculty member cannot continue to fulfill the terms and conditions of the appointment and that a reasonable accommodation of the disability cannot be made. The decision to terminate will be reached only after the faculty member concerned, or someone representing the faculty member, has been informed of the basis of the proposed action and has been afforded an opportunity to present the faculty member's position and respond to the evidence. If the faculty member or representative so requests, the evidence will be examined by the Professional Relations Committee of the Faculty Senate, which then makes a recommendation to the President before a final decision is made.

The President of the University makes the final decision to terminate for medical reasons and notifies the faculty member in writing promptly of that decision. A faculty member whose appointment has been terminated is entitled to receive full salary for four months if in the first year of employment, six months if in the second year, and twelve months otherwise, less any salary paid during the previous twelve months under a medical leave of absence.

In cases in which a medical leave of absence has not been requested, the University reserves the right to terminate or place a faculty member on medical leave of absence if, in the judgment of the President of the University, based upon clear and convincing medical evidence, the faculty member cannot continue to fulfill the terms and conditions of the appointment for medical reasons and a reasonable accommodation of the disability cannot be made. In such a case, the procedures, standards, and compensation described in the preceding paragraphs apply.

For a tenure-track faculty member, a medical leave of absence normally will not be counted as a year or part of a year of service toward eligibility for tenure according to Sec. III.D.1. The Provost will specify in writing whether the medical leave of absence will or will not be counted as a year or part of a year of service. A copy of this specification is forwarded to the University Committee on Academic Rank and Tenure by the Provost.

c. Leaves of Absence without Pay

Leaves of absence without pay for up to one calendar year at a time may be granted to a full-time faculty member whenever such leaves will clearly add to the teaching effectiveness, research productivity, or professional status of the faculty member. They may also be granted for political activity or public service according to Sec. III.H.10, or for family matters demanding the attention of the faculty member. Requests are forwarded to the appropriate Dean or comparable administrator, who then forwards his/her recommendation to the Provost for a final decision.

For a tenure-track faculty member, a leave of absence without pay normally is counted as a year or part of a year of service toward eligibility for tenure according to Sec. III.D.1, except that a leave of absence for family matters ordinarily is not counted as a year or part of a year of service (see Sec. III.E.2). Upon recommendation of the Department Chairperson or comparable administrator and the appropriate Dean, and the Graduate Dean if necessary, the Provost will specify in writing whether the leave of absence without pay will or will not be counted as a year or part of a year of service. A copy of this specification is forwarded to the University Committee on Academic Rank and Tenure by the Provost.

d. Sabbatical Leaves

The purpose of sabbatical leaves is professional development and renewal. Full-time tenured faculty members may apply for sabbatical leaves of one semester at full salary or one academic year at half-salary. Twelve semesters of full-time service since hiring or since completion of the previous sabbatical leave are required for eligibility. Eligibility does not entitle a faculty member

to sabbatical leave. Sabbatical Leave Proposal Guidelines are available on the website of the Office of the Provost.

e. Developmental Leaves

Full-time untenured and non-tenure-track faculty members may be offered a paid developmental leave according to written guidelines and procedures established in advance by the appropriate Dean or comparable administrator and Faculty Assembly or equivalent group of a College, School, or Library with the approval of the Provost. Faculty members are encouraged to apply for fellowships and personal development grants to help offset the cost of such leaves.

The recipient of a developmental leave must submit a report of his/her activities within one semester after return to the appropriate College, School, or Library Faculty Assembly, or equivalent group; to his/her Department Chairperson or comparable administrator; and to the Dean or comparable administrator. This report serves as a record of benefits derived from the program. Failure to file such a report in a timely manner is grounds for denial of subsequent applications for a developmental leave by the recipient.

A faculty member who receives a developmental leave must agree to return to the University after completion of the leave, and to remain in service until the completion of one academic year. Failure to do so makes the faculty member liable for reimbursing the University for the salary and benefits paid while s/he was on leave.

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 Web site 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 Web site of the University Benefits Office.

Tuition remission for courses taken at the University, and leading to a first undergraduate degree, is available to the spouses and children of faculty members who have served continuously and full-time for three years. Applicants must meet the requirements and pay the fees specified on the Web site of the University Benefits Office before tuition remission will be granted.

The Faculty Children Exchange Program (FACHEX) was established by the Association of Jesuit Colleges and Universities in 1971. It permits children of full-time employees who are eligible for tuition remission at the University to apply to receive tuition remission at another participating Jesuit institution. However, limitations agreed upon by all of the participating institutions mean that placement through FACHEX cannot be guaranteed to all eligible applicants. Information about the FACHEX program is available on the Web site of the University Benefits Office.

Saint Louis University also participates in the Tuition Exchange Program. It permits children of full-time employees and emeriti/ae faculty who are eligible for dependent tuition remission at the University to apply for certification for Tuition Exchange Program awards at any of the participating colleges and universities in the United States. Because the Tuition Exchange Program requires each institution to maintain a balance between dependents from the home institution and students coming from other institutions, a limited number of Tuition Exchange Program certifications are approved per academic year. Information about the Tuition Exchange Program is available on the Web site of the University Benefits Office.

15. Benefits of Current Faculty

Faculty benefits, including health insurance, tuition remission, dependent care, life insurance, dental plans, retirement plans, long-term disability insurance, long-term care insurance, and accidental death and dismemberment insurance, are administered through the University Benefits Office. A complete description of all faculty benefits appears on the University Benefits Office Web site, and this office provides additional information regarding faculty benefits, including 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.

16. Benefits of Retired and Emeriti/ae Faculty

Upon retirement, faculty receive written correspondence from the University Benefits Office outlining the applicable benefits available for continuation. The benefits are identified in the *Retired and Emeritus/a Faculty Policy*, which is available on the Web site of the Office of the Provost. The benefits of retired and emeriti/ae faculty will not be changed without prior consultation with the Faculty Senate.

I. Contract Rules

1. Contractual Status

The *Faculty Manual* is incorporated by reference in all contracts of employment between faculty and the University. All substantive modifications to University policies and benefits referenced in this *Manual* may occur only after prior consultation with the Faculty Senate.

Tenure involves a contractual recognition by the University of a faculty member's right to continuing employment. After earning tenure, faculty members will receive a new contract reflecting the change in their tenure status. In subsequent years, tenured faculty members will receive an annual notice of their salary. Contracts between the University and tenured faculty members are permanent in the sense that they may be terminated by the University only for situations involving medical or other extended leaves, and then only as provided for in Sec.

III.H.12.b or pursuant to academic reallocation or financial exigency under Secs. III.I.11-12, or for cause, and then only on the grounds given in Sec. III.I.5, and only according to the procedures given in Sec. III.I.6 or III.I.13-14.

The initial contracts between the University and untenured faculty members on the tenure track are normally for a one-year period, automatically renewable annually, unless a notice of nonrenewal is provided. Each year, untenured faculty members on the tenure track will receive an annual notice of their salary. Initial contracts expire at the end of the academic year in which the tenure decision is made.

The University may terminate the contract of an untenured faculty member on the tenure track during the term of the contract only for situations involving medical or other extended leaves, and then only as provided for in Sec. III.H.12.b or pursuant to academic reallocation or financial exigency under Secs. III.I.11-12, or for cause, and then only on the grounds given in Sec. III.I.5, and only according to the procedures given in Sec. III.I.6 or III.I.13-14. The University may decline to renew the contract of an untenured faculty member on the tenure track, subject to the specifications in Sec. III.I.4, as long as adequate notice of nonrenewal has been provided. Reasons for nonrenewal of a tenure-track faculty member include that person's failure to fully meet all performance expectations, including the expectation of making steady progress toward the awarding of tenure, and a diminution in the need for a particular position, typically due to weak enrollments or a change in programmatic emphasis.

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.

c. At least twelve months before the expiration of an appointment after two or more years at the institution.

Contracts between the University and non-tenure-track faculty members are normally for a period of one academic year. The University may terminate the contract of such faculty members during the term of the contract only for situations involving medical or other extended leaves, and then only as provided for in Sec. III.H.12.b or pursuant to academic reallocation or financial exigency under Secs. III.I.11-12, or for cause, and then only on the grounds given in Sec. III.I.5, and only according to the procedures given in Sec. III.I.6 or III.I.13-14. The University may decline to renew the contract of such a faculty member, subject to the specifications in Sec. III.I.4, as long as adequate notice of nonrenewal has been provided. Official notice of nonrenewal for continuing, full-time non-tenure-track faculty must be given in writing by the Provost or designee 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 this review, which is separate from the annual review, is to candidly assess the individual’s 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, should first discuss the decision with the Department Chairperson or comparable administrator and then with the appropriate Dean or comparable administrator. Upon request of the faculty member, the Provost will review the decision to determine that it was not illegally discriminatory

or otherwise in violation of the University's commitment to nondiscrimination as described in the 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 discriminatory as described in the paragraph above, s/he should first follow the process set forth in the paragraph above. The faculty member may then file a written complaint with the University's Director of Diversity and Affirmative Action. Decisions reached through the review process initiated through this office are final and not subject to appeal.

When an untenured faculty member on the tenure track or a non-tenure-track faculty member alleges that nonrenewal of his/her contract is in violation of academic freedom as described in Sec. III.H.1, s/he should first follow the process set forth in the second paragraph of this section. The faculty member may then file a written complaint with the Professional Relations Committee of the Faculty Senate, with a copy being given to the appropriate Dean or comparable administrator and the Provost. An individual who fails to file such a complaint within thirty (30) calendar days of receiving his/her letter of non-renewal forfeits the right to appeal.

When a timely appeal is filed, the Professional Relations Committee reviews the case, interviews the principals involved, determines, normally within fifteen (15) working days, whether reasonable grounds exist for believing that the nonrenewal may be in violation of academic freedom, thus warranting the establishment of an *ad hoc* Judicial Committee to consider the matter, and notifies the President of the University, the Provost, the faculty member, and the President of the Faculty Senate in writing of the results of its review. If required, an *ad hoc* Judicial Committee shall be constituted within five (5) working days 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 University's legal counsel and a representative of the AAUP subsequent to their appointment so that they will be prepared to serve as committee members when called upon. This training will be conducted every five years. In the interim, the University's legal counsel, together with a representative appointed by the Faculty Senate Executive Committee, will provide pertinent training on an as-needed basis. 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 whenever possible. 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 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. The faculty member's challenge and the administration's defense of the nonrenewal are presented and argued by the faculty member and the Provost, respectively, or by legal counsel or other representative of the faculty member's or of the Provost's choice. The role of counsel in these 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 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.

The purpose of the proceedings is to provide the affected faculty member with an opportunity to have his/her academic freedom claim assessed 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 all witnesses are, however, required both to be truthful in their presentations and representations and also to respond candidly to questions from the Committee. An opportunity will be given to the faculty member, designee, counsel, or other representative to make an oral presentation, and a similar opportunity will be given to the Provost, designee, counsel, or other representative. The faculty member has the burden of convincing the Committee that his/her nonrenewal would constitute a violation of academic freedom. 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 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 *ad hoc* Judicial Committee. A record of all proceedings will be kept. Failure to complete the hearing prior to the expiration of the faculty member's appointment shall neither preclude nor delay the non-renewal.

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 decision not to renew the faculty member's appointment shall be upheld unless the Committee is convinced that it would constitute a violation of academic freedom. 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 in rendering a decision. In those cases where the decision is not unanimous, a dissenting opinion can be filed. The Committee shall make explicit findings as to whether the faculty member's 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, upon his/her request. All parties are obligated to treat both the Committee's written opinion(s) 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. Material misrepresentation of fact relevant to the faculty member's academic 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. III.I.9. If no resolution is reached, the President of the University shall inform the faculty member and the Faculty Senate President in writing of the University administration's intent to dismiss the faculty 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 University's legal counsel and a representative of the AAUP subsequent to their appointment so 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 obligated to answer the statements in the University President's letter in a written communication addressed to the Committee, with a copy given to the President.

The proceedings of the *ad 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. The University administration's case for dismissal and/or the faculty member's defense may be presented and argued by the Provost and the faculty member, respectively, or by legal counsel or other representative of the faculty member's or the Provost's choice. The role of counsel in these 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 s/he acted in good faith, without any reasonable suspicion that the action was covered by Secs. III.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 reasonable opportunity to present the University administration's case; a like opportunity will be 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 faculty member's appointment shall neither preclude nor delay the faculty member's dismissal.

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. In cases brought for any reason other than violation of the University's sexual misconduct policy or harassment policy, the University's burden of proof shall be met if the evidence presented produces a firm belief or conviction in the minds of a majority of the Committee's members as to the truth of the University's allegations. In cases brought, in whole or in part, for a violation of the University's sexual misconduct policy or harassment policy, the University's burden of proof shall be met if a preponderance of the evidence demonstrates the truth of the University's allegations. If a majority of the members of the Committee concludes 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 Committee's opinion should set out explicit findings with respect to each of the charges in the University President's letter and the Committee's recommendation as to whether termination or 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 the Committee's written opinion(s) as private communications, not intended 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* Judicial Committee's decision, request 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 Committee's decision unless the Board's Executive Committee finds that the *ad hoc* Judicial Committee's decision is arbitrary, capricious, or constitutes an abuse of discretion.

7. 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 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 good faith, the President may withhold the faculty member's full salary pending conclusion of the proceedings. In the event that the faculty member is not terminated, s/he shall be reimbursed the salary that had been withheld. If the Committee finds that a bad-faith violation has not occurred, it shall establish an expeditious timeline by which the proceedings are to be brought to an orderly conclusion.

8. Sanctions Short of Termination

a. For serious sanctions short of termination: If the administration believes that a faculty member has engaged in serious misconduct that is sufficient to justify imposition of a severe sanction, such as suspension from service for a stated period, with or without pay, the administration will notify the faculty member of the basis of the proposed sanction and provide the faculty member with the opportunity to persuade the administration not to impose the sanction. If the administration proceeds to impose the sanction, the faculty member may petition the Professional Relations Committee for possible referral to an *ad hoc* Judicial Committee. If the Professional Relations Committee determines that the faculty member has raised a substantial doubt as to whether the sanction is warranted, it shall refer the appeal to an *ad hoc* Judicial Committee for review under the procedures and standards set forth in Sec. III.I.6 above, and the imposition of the sanction shall be suspended pending completion of the review, except in those cases where a suspension of sanction would constitute a breach of legal obligation. Serious misconduct in the performance of any University obligation of a faculty member (e.g., conduct that creates a substantial risk of serious physical injury to a student, patient, or staff member or conduct that constitutes a major violation of the University's *Policy on Harassment*) may warrant the imposition of a serious sanction short of termination. The administrative official who imposes a serious sanction short of termination will specify the sanction in writing and will indicate the time period during which the sanction is in effect.

b. For minor sanctions short of termination: If the administration believes that the conduct of a faculty member justifies imposition of a minor sanction, such as a reprimand, it will notify the faculty member of the basis of the proposed sanction and provide the faculty member with an opportunity to persuade the administration that the proposed sanction should not be imposed.

   A faculty member who believes that a minor sanction has been incorrectly imposed under this paragraph, or that a minor sanction has been unjustly imposed, may petition the Professional Relations Committee for such review and such recommendation for actions as may be appropriate. The imposition of a sanction shall be suspended pending completion of the review of the Professional Relations Committee.

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) In matters concerning violation of the University's policies on equal opportunity, 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.

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 John Cook School of Business, the School of Education, the School of Law, the University Libraries, Parks College of Engineering, Aviation and Technology, the School for Professional Studies, or the Center for Sustainability. The second co-chair is appointed from the Doisy College of Health Sciences, the School of Medicine, the School of Nursing, the College for Public Health and Social Justice, the Center for Advanced Dental Education, the Gnaegi Center for Healthcare Ethics, or the Center for Outcomes Research (SLUCOR). 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 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 authority exists in that unit (e.g., to the Division Director and then to the Departmental Chairperson, if appropriate) and ultimately to the Dean or comparable administrator of the unit.

b) If the action(s) complained of were taken by an administrative official not under the authority of such a Dean or comparable administrator, the complaining faculty member must attempt to obtain a satisfactory resolution of the dispute by presenting the complaint to the appropriate administrative officer who supervises the individual whose actions are disputed.

All such efforts at internal resolution of complaints should be initiated no later than three (3) months after the date of the occurrence of the action(s) in dispute. The complaint must be in writing. Division Directors, Departmental Chairpersons, and Deans or comparable administrators noted in (1) (a) above, and other appropriate administrative officials, as noted in (1) (b) above, who receive such written complaints should make a determination on the merits of the complaint and communicate this in writing no later than thirty (30) calendar days after receipt of the complaint.

2) If the decision by the unit Dean or other appropriate administrative official is unsatisfactory to the complaining faculty member, the faculty member may then submit a grievance, in writing, to the Co-Chairpersons of the Faculty Senate Professional Relations Committee. Such a grievance must set forth with reasonable particularity the action(s) being grieved and the remedy being sought. Such a submission should occur no later than thirty (30) calendar days after receiving notice of the Dean's or administrative official's decision, as noted above.

3) A faculty member who believes that s/he has cause for grievance in situations of nonrenewal of contract, a serious sanction, or termination has no recourse under this *Manual* other than to follow the procedures in Secs. III.I.4, III.I.6, and III.I.8, respectively.

4) Mediation may be utilized where appropriate. Mediators are drawn from a pool of faculty or others knowledgeable about higher education who have been trained for this purpose, and who are not currently members of the Professional Relations Committee. Both parties in the grievance must be consulted before mediation is recommended.

5) Unless otherwise provided by these regulations, the Professional Relations Committee process will be informal in nature and determined by the Committee members. When a 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.

6) The Committee submits its findings and recommendations to the Provost as well as to all parties involved in the grievance.

7) The University administration must not retaliate against a faculty member for instituting a grievance.

c. Limitations of Authority

1) Other than in cases of infringement of academic freedom or illegal discrimination, salaries are not grievable unless there has been an absolute reduction in the contracted base salary. If there is a unit-based review by a committee, a majority of whom are faculty, or if a clearly-established written agreement governing base salary modifications exists within a unit (e.g., the University Medical Group), the Professional Relations Committee will defer to the final decision of that process unless the Professional Relations Committee finds that the decision is arbitrary and capricious or an abuse of discretion.

2) The Professional Relations Committee has no authority to review or set aside decisions designated in this *Manual* as final and not subject to appeal.

   The Professional Relations Committee has no authority to review or set aside decisions made pursuant to Secs. III.I.10-14, respecting academic reorganization, academic reallocation, and financial exigency.

   The Professional Relations Committee has no authority to review or set aside Institutional Review Board decisions.

   The Professional Relations Committee has no authority to set aside the factual findings and determinations made by the Provost's Committee on Conflict of Interest in making a recommendation to the Provost. However, sanctions imposed upon a faculty member for failure to adhere to decisions that proceed from a conflict of interest review are grievable.

   Actions of professional credentialing, licensing, or certification organizations, including the University Medical Group, are not grievable. Further, the findings of fact of these organizations are final for purposes of any subsequent grievance.

   The Professional Relations Committee has no authority to set aside the factual findings and determination of research misconduct by an investigation committee functioning in accordance with the current research integrity policy (available from the Web site of the Office of Research Services Administration). While the findings themselves are not grievable, the appropriateness of the final sanction imposed or the adequacy of the means of restoration of the respondent's reputation, consistent with those identified in the policy, is grievable. In any case where the termination of a faculty member is being sought, the *ad hoc* Judicial Committee conducts a *de novo* proceeding but receives as evidence the final reports of the investigation committee and the deciding official and gives its factual findings whatever weight the *ad hoc* Judicial Committee deems is appropriate.

   Decisions by the Dean of the School of Medicine regarding medical expert witness testimony and related legal work are subject to the grievance rules set forth in Sec. III.G.7.

d. Weight Given to Professional Relations Committee Determinations

Upon completion of its consideration of the grievance or appeal, the Committee submits its findings and proposed remedies to the Provost for review and implementation. On these matters the power of review and final decision by the Provost may be exercised adversely to the

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 Provost's decision is final and is not subject to appeal.

10. 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 governance, it is the obligation of the College/School Dean(s) or comparable administrator(s), or of the Provost, respectively, to inform the Faculty Senate Executive Committee of proposed reorganizations near the commencement of the consultation process with the unit faculty, and to offer reasons for the proposed reorganization. While the primary role of the Faculty Senate Executive Committee is to oversee the adequacy of the consultative process, the Executive Committee, in consultation with the affected faculty units, may also offer alternatives to the proposed reorganization. Should the reorganization involve a change in leadership, directly affected faculty will be afforded the opportunity to participate in the selection of their new leader.

11. Academic Reallocation

For the purposes of this section, academic reallocation is defined as the discontinuance of a program, Department, School, College, or Library based upon considerations other than 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 the need for academic reallocation. Typically, academic reallocation proceeds from serious, documented concerns about a program's academic quality, relationship to the mission of the University, or changes in enrollment that are not cyclical or temporary in nature. Funds saved through this means, including salaries resulting from the nonrenewal of those on probationary and non-tenure-track appointments and, in some cases, the termination of appointments with tenure, 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 governance, the President of the University or the Provost, before formally proposing academic reallocation, shall consult with the Faculty Senate Executive Committee—and with the Dean or comparable administrator and all the faculty members of the affected College, School, Library, Department, or program—giving the reasons for the proposed reallocation and the evidence supporting it. While the primary role of the Faculty Senate Executive Committee is to oversee the adequacy of the consultative process, the Executive Committee, in consultation with the affected faculty units, may also offer alternatives to the

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 time of the program's approval, even if the program's discontinuance results in the nonrenewal of a full-time faculty member.

12. 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.

13. Faculty Rights under Academic Reallocation or Financial Exigency

Following a declaration of financial exigency under Sec. III.I.12 or a decision to carry out academic reallocation under Sec. III.I.11 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 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 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 months' salary or four months' notice.

(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 offer before a replacement faculty member is sought.

(vii) in circumstances which require a choice between two or more tenured faculty, primary consideration will be given to the overall good of the University. The criteria for retention should include teaching effectiveness, Departmental curricular needs, length of service, scholarly productivity, and diversity.

The President of the University must provide each full-time faculty member affected by financial exigency or academic reallocation with a written statement of the basis for the initial decision, the criteria by which individual faculty members were chosen for termination, the general information and data on which the President relied, the effective date of termination, and notification of the right to a review of the decision using the procedures of Sec. III.I.14, even after separation from the University.

14. Appeals during Academic Reallocation or Financial Exigency

A faculty member who believes that his/her rights have been violated during academic reallocation or financial exigency according to Secs. III.I.11-13 must first discuss the situation with the Department Chairperson or comparable administrator, then with the appropriate Dean or comparable administrator, and, if not satisfied, with the Provost.

If a faculty member has appealed through administrative channels and still alleges that his/her rights have been violated, s/he has the right to appeal to an *ad hoc* committee composed of four (4) faculty members selected by the Faculty Senate Executive Committee and three (3) people selected by the Provost. The request for review must be filed in writing with the Provost within thirty (30) days of the notice of termination, or in case of violations of Sec. III.I.13.v or III.I.13.vi within thirty (30) days of the new appointment.

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 recommendations to the President of the University and the faculty member. The President's 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 Provost, and the President of the University and adoption by the Board of Trustees to become effective.

The Joint Faculty Senate-Provost Committee on the *Faculty Manual* is authorized to make minor changes that do not alter the substance or meaning of the text and that, as appropriate, reflect current usage. Such changes take effect when made and will be followed by timely documentation on the *Faculty Manual* website.