



UNIVERSITY FACULTY BY- LAWS

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With Amendments as Approved by the Board of Trustees
through May 1, 2023

LEWIS UNIVERSITY

Faculty By-Laws

TABLE OF CONTENTS

Table of Contents

Article I: Introduction	2
Article II: The University Faculty	4
Article III: Faculty Responsibilities	6
Article IV: Academic Freedom	9
Article V: Faculty Governance	10
Article VI: Faculty Appointments	25
Article VII: Faculty Status	32
Article VIII: Faculty Contracts	37
Article IX: Outside Activities	39
Article X: Faculty Benefits	40
Article XI: Faculty Evaluation	48
Article XII: Faculty Promotion	60
Article XIII: Faculty Tenure	70
Article XIV: Non-Renewal of Faculty Appointments	74
Article XV: Corrective Action Procedures and Process for Termination of University Faculty	75
Article XVI: Appeal of Tenure, Promotion, Non-Renewal, Suspension and Termination Decisions.....	87
Article XVII: Appeal of Decisions <i>Other than</i> Tenure, Promotion, Non-Renewal, Suspension and Termination	89
Article XVIII: Appeals Committee	91
Article XIX: Faculty Participation in the Selection of Academic Administrators	95
Article XX: Faculty Participation in the Performance Appraisal of Academic Administrators ..	96
Article XXI: Faculty Meetings	98
Article XXII: Amendments	99
Appendix A: Faculty Senate Standing and Advisory Committees Descriptions	100
Appendix B: University Councils	103
Appendix C: Calendar of Dates to Be Followed for Promotion and/or Tenure	107

Article I: Introduction

- Section 1** The *Lewis University Faculty Handbook* has two parts: (1) The *University Faculty By-Laws* which are common to all University Faculty as defined in these By-Laws; and (2) The By-Laws of the individual Colleges/Schools, which are applicable to the faculty of that College/School.
- Section 2** These *University Faculty By-Laws* are derived from and therefore supersede the University Faculty Charter (1998). These *University Faculty By-Laws* are common to all Lewis University full-time and half-time faculty members as defined in Section 4 of this Article. They have been written to provide common understandings and to set forth principles and policies for Lewis University Faculty.
- Section 3** All references to departments, departmental meetings, departmental Chair, departmental curriculum, and departmental matters are understood to refer to the structure implicit in the organization of the College of Aviation, Science, and Technology, the College of Business, the College of Education and Social Sciences, and the College of Nursing and Health Sciences, and the College of Humanities, Fine Arts, and Communications or any College or School which may be created and approved by the Board of Trustees of the University in the future. In addition, references to departments as stated above will refer to the structure that develops in the School of Graduate, Professional and Continuing Education. The University Faculty covered by these By-Laws consists of full-time and half-time faculty members.
- Section 4** Full-time faculty covered by these By-Laws are those persons with faculty contracts holding positions with academic rank having teaching or other academic assignments equal to twenty-four (24) or more credit hours per academic year. Half-time faculty covered by these By-Laws are those persons with faculty contracts holding positions with academic rank having teaching or other academic assignments between twelve and twenty-three (12-23) credit hours per academic year. Together, the full-time and half-time faculty described in this Section constitute the University Faculty as that term is used in these By-Laws. Half-time faculty are not eligible for tenure. Half-time faculty are eligible to apply for promotion in rank. The length of time in rank shall be credited on a pro-rata basis. Adjunct faculty are not covered by these By-Laws and are not considered part of the University Faculty for purposes of these University By-Laws.
- Section 5** Lewis University faculty are expected to become familiar with the provisions of these *University Faculty By-Laws* and to adhere to the principles and policies in the conduct of their professional responsibilities.

- Section 6** Subject to Board of Trustees approval, each College/School shall have the right to adopt supplemental By-Laws relating to areas of concern specific to that College/School, provided that they are not inconsistent with these By-Laws.
- Section 7** To the extent that there is any conflict between these By-Laws and the By-Laws of the Board of Trustees of Lewis University, the latter shall govern. To the extent there is a conflict between these By-Laws and those of an individual College/School, these By-Laws shall govern.
- Section 8** The process for amending the *University Faculty By-Laws* is found in Article XXII.

Article II: The University Faculty

- Section 1** As teachers, Lewis University faculty members encourage the free pursuit of learning in their students. They hold before their students the best scholarly standards of their discipline. They demonstrate respect for students as individuals and serve as their intellectual guides and counselors. They make every reasonable effort to foster honest academic conduct and to assure that evaluation of students reflects their true academic merit. Faculty members respect the confidential nature of the relationship between professor and student. They avoid any misuse of student work for private advantage and acknowledge openly and fairly any significant assistance from the students in the faculty member's work. Faculty members protect the student's right to free academic expression in the classroom and in the student's work.
- Section 2** Guided by a deep conviction of the worth and dignity of the advancement of knowledge, Lewis University faculty members recognize the special responsibilities placed on them. Their primary responsibility to their subject is to seek and to state the truth as they see it. To this end, they spend energy on developing and improving their scholarly competence. They accept the obligations of exercising critical self-discipline and judgment in using, extending, and transmitting knowledge. They practice intellectual honesty both within and outside the classroom.
- Section 3** As colleagues, Lewis University faculty have obligations that derive from common membership in a community of scholars: to respect and defend the free inquiry of associates; to show due respect for the opinions of others in the exchange of criticism and ideas; to acknowledge academic debts/sources and to strive to be objective in the professional judgment of colleagues; and to accept a fair share in faculty responsibilities for the governance of the University. There exists a very strong obligation for faculty to engage with each other with civility and collaboration in their common disciplinary and departmental work in service to students and the University.
- Section 4** As members of an academic institution and scholarly community, Lewis University faculty must seek, above all, to be effective teachers and scholars. They have a particular obligation to maintain currency in the content of their disciplines or areas of teachings, as well as maintain an active and open search for the best modes of teaching different student groups.

Although Lewis University faculty must observe the regulations of the University, they nevertheless maintain the right to criticize and seek revision in those regulations. When faculty consider leaving the University, they recognize the effect of this decision upon their academic program of instruction and give due notice of their intention and decision.

- Section 5** As members of society, Lewis University faculty have the rights and obligations of any citizen and measure these obligations in the light of their responsibilities to their subject, to students, to the profession, and to the University. When speaking or acting as private persons, faculty must avoid creating any impression of speaking or acting for the University. As citizens engaged in a profession that depends upon freedom for its health and integrity, faculty have a particular obligation to promote conditions of free inquiry and to further public understanding of complex and controversial issues regarding freedom and full human development.
- Section 6** Lewis University faculty have an obligation to respect, support, contribute to and advance the University Mission. This obligation involves respectful consideration of Mission-based knowledge and wisdom in the free inquiry of the discipline. Faculty are to incorporate Mission values when they can contribute significantly and appropriately to the lesson or learning goal at hand.
- Section 7** In the developing, teaching, and assessing of course materials, Lewis University faculty have an obligation to seek out the most appropriate materials for specific learners. Students have a right to assume that faculty make a good-faith effort at curricular change, instructional change, and disciplinary knowledge assessment. Standards of intellectual honesty and standards of intellectual rigor are areas of expected role modeling behavior of faculty for all learners.
- Section 8** **Faculty Senate.** The Lewis University Faculty Senate is the principle legislative and deliberative body representing the will and opinions of the Lewis University Faculty (as defined in Article I, Section 4). It is also an important body for sharing information with the faculty. The Faculty Senate shall be the primary faculty representative consulting with the administration and the President of the University¹ (See Article 5, Section 1).

¹ As used in these By-Laws and appendices the term “President” shall mean the President of the University, unless the term is modified to indicate another office.

Article III: Faculty Responsibilities

Section 1 The primary responsibilities of a faculty member are related to professional responsibilities as a classroom teacher, scholar and colleague. In addition, faculty members have responsibilities to their students, their department, their College/School, the University, the University Mission, University events, and to Faculty Governance as stated in these *University Faculty By-Laws* and in the supplemental College/School By-Laws.

Section 2 **Responsibilities as a Teacher, Scholar and Colleague:** Faculty are expected to be familiar with, abide by and implement academically-related protocols, policies, and procedures stated in the *University Faculty By-Laws* and applicable supplemental College/School By-Laws, as well as the policies and procedures issued by the University, College/School, and Department/Program. When requested by the Department Chair or Dean, faculty have an obligation to develop action plans and to execute these action plans in cooperation with their Dean and their Departmental Chair and departmental colleagues. These plans are to define a set of scholarly and teaching development activities that support instruction, assessment and service to students. This developmental activity supports a strong curriculum and a strong course delivery for students served by faculty. Faculty are expected to demonstrate collegiality with all members of the University community and a willingness to contribute in the effective functioning of the institution as a whole, as well as their respective College/School and department/program.

A. The Sale of Course Resources by Faculty Policy creates an environment of trust and respect among all members of the Lewis academic community. Reading and utilizing course materials authored by their faculty can be a great opportunity for our students to learn from experts in their disciplines. For those faculty authors assigning their own materials to their classes, they can either give students these materials at no charge, or they may seek approval to have students purchase them.

If approved, faculty are prohibited from exploiting students for private advantage by keeping the profits from these sales. If a faculty author wants to sell their course materials to the students in their classes, they must follow these procedures for approval:

- Both the department chair and the dean must approve the adoption and sale of self-authored course materials to the faculty member's students prior to the adoption of course materials.
- To be considered for approval, faculty must provide:
 - An explanation of how the materials align with student learning outcomes.
 - A description of how this resource is outstanding in the field

or fills a gap in the existing resources.

- If the book was not previously reviewed by a professional in one's discipline and/or peer reviewed, the faculty author must provide the names of three individuals and their credentials and background to be considered for a peer review of the book prior to adoption.
- If approved, students must be notified via the syllabus that the proceeds or royalties from the materials they purchase for the faculty author's class will be donated to a charity of the faculty member's choice.
- Proof of the charitable donation must be turned in to the faculty members' dean at the end of each academic year.

Section 3 **Responsibilities to Students:** Faculty have an obligation to provide instruction in both quantity and quality that meets regulatory and accreditation standards for the credits awarded; to make themselves available to meet student needs through scheduled office hours, timely on-line availability and appointments set at a mutually convenient time for student and faculty (contact information, office hours and instructions for scheduling appointments will be provided to students); provide advisement to meet students' needs; make students aware of graduation requirements; and provide timely feedback on tests, papers, and other student assignments. This is accomplished by defining reasonable times and methods of making themselves available to students. This obligation involves faculty-aiding students in recognizing their responsibilities and encouraging their exercise of those responsibilities. Faculty have an obligation to arrange for adequate supervision of students in classroom, laboratory and off campus activities officially related to instruction, including necessary safety procedures. Faculty have an obligation to provide instruction and participation to students without regard to race, religion, gender, color, sexual orientation, national origin, age, disability or other impermissible bases of discrimination and to refrain from conduct that could be reasonably be considered harassment, intimidation or bullying of students.

Section 4 **Responsibilities to the Department/Program:** Faculty are expected to attend scheduled academic department, or other academic unit meetings and cooperate with the Chair/Program Director in reviewing and updating the departmental curriculum, student learning outcomes assessment, in the scheduling of classes and instructors each term, and in all other departmental matters as stated in these *University Faculty By-Laws* or the supplemental *College/School By-Laws*. Faculty have an obligation to meet and transact departmental business at a frequency and level of thoroughness that supports student learning, recognizes the responsibilities of the University external accreditors, supports enrollment and retention development, assists advisement, and supports curricular renewal and enrichment. Collegueship requires all departmental members to participate and assist in departmental self-governance.

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- Section 5** **Responsibilities to the College/School:** Faculty are expected to attend and participate in scheduled College/School meetings and College/School events and to serve on College/School committees. In addition, faculty are expected to fulfill other College/School-related responsibilities as stated in these *University Faculty By-Laws* and/or the supplemental College/School By-Laws.
- Section 6** **Responsibilities to the University:** Faculty are expected to attend all scheduled University faculty meetings; to attend University-sponsored functions requested by the President, such as Convocations and Commencement; and to share the responsibility of serving on University-wide committees and task forces.
- Section 7** **Responsibility to the Mission:** All faculty letters of appointment and all annual faculty contracts include a requirement to respect, support, contribute to and advance the Catholic and Lasallian Mission of the University as a condition of University employment. Reappointment, promotion, and tenure decisions all require demonstrated respect and support for, contribution to, and advancement of the University’s Mission. The Mission of the University requires a commitment to service. This service is to be demonstrated at the departmental, College/School, University and professional community level. Service only at the departmental level is inadequate to meet faculty responsibility in this area.
- Section 8** **Responsibility to Participate in University and College/School Events:** As determined by the Colleges/Schools with their Deans, faculty are expected to attend significant University events such as Convocation and Commencement, as well as those related to College/School and faculty development. If these events are calendared sufficiently in advance, faculty are expected to attend and participate.
- Section 9** **Responsibility to Participate in University Faculty Governance:** Faculty have an obligation to share with their colleagues the responsibility to participate in the University governance system. Additionally, reasonable participation in faculty defined critical or important events such as core curriculum approval, graduation requirement changes, or salary systems is to be expected as the norm of faculty self-governance in their co-management role.
- Section 10** **Responsibility to Community:** Faculty, like all employees of the University, are guided by the Mission and goals of the University and are bound by the policies, practices and rules of the University and their respective College/School and department/program. All faculty are responsible to conduct all aspects of their role consistently with applicable federal, state and local laws including: those prohibiting discrimination, harassment, bullying or retaliation against students, colleagues, staff or third-parties; those relating to ownership and use of intellectual property including copyrights and patents; confidentiality of student or other information; and Principles of Responsible Conduct of Research.

Article IV: Academic Freedom

Section 1 Academic freedom is the freedom of scholars to speak, to write, and to conduct research. Freedom means that the decision concerning what to say, write, or investigate is left to the judgment of scholars insofar as they adhere to the canons of responsible scholarship; that is, not falsifying, knowingly misrepresenting, or acting in wanton disregard of the facts or evidence. As scholars and teachers, faculty should at all times endeavor to be accurate, should exercise appropriate restraint, should show respect for the opinion of others, and should make every effort to indicate that they are not speaking for the institution.

Lewis University is described in the University Mission Statement as, Catholic in tradition and character. Academic freedom is understood within that heritage and tradition.

Section 2 When scholars are free to express, test, and extend knowledge, a primary purpose of the University as an institution of higher learning is achieved.

Section 3 Faculty members are free to discuss any aspect of their subject in the classroom; however, they should be careful not to introduce into their teaching controversial matters which have no relation to their subject matter. Subject to any College/School/Department/Program requirements for a particular course, faculty members are free to select instructional material and to structure learning activities supportive of agreed upon course learning objectives as defined in the course syllabus unless otherwise guided by law.

Section 4 Faculty members are free as private citizens to write or speak on public issues. Nonetheless, as members of a learned profession and as members of an educational institution, such freedom of expression imposes special obligations. Faculty members should remember that the public may judge the teaching profession, their College/School, or the University by their utterances. Therefore, faculty members should at all times be accurate, exercise due restraint, show respect for the opinion of others, and make clear that they are not institutional spokespersons.

Article V: Faculty Governance

Overview: Faculty and administrative initiatives and concerns coming from their legitimate authority complement and enrich each other in the achievement of the University Mission. Cooperation and timely communication between the faculty and administration is essential for the well-being of Lewis University, and this cooperation must be founded upon mutual respect and confidence. The University will have greater success in carrying out the functions of a comprehensive liberal arts university when the institution embodies a genuine partnership between administration and faculty. Faculty members are expected to participate responsibly in various governance processes as a normal faculty obligation. As with all University matters, the power of review and final decision is lodged in the Board of Trustees.

- A. The Lewis University Faculty, by virtue of its expertise in academic and curricular matters, has significant responsibility and control, exercised in collaboration with the Dean(s), the Provost and the President of the University, subject to the ultimate authority of the Board of Trustees for the following areas.
 - 1. Curricula, minimum requirements for degrees, new academic programs, calendar, grading, honors and similar matters (Articles II and III);
 - 2. Policies on faculty appointments, reappointments, promotions, compensation, the granting of tenure, and dismissal (Articles VI, VII, XI, XII, XIII, XIV);
 - 3. Policies on the use and improvement of learning resources (library, computing, facilities, instructional technology, etc.) (Article II);
 - 4. Standards of admission of students (Article III);
 - 5. Policies on innovations in the teaching process (Article III);
 - 6. Policies for promoting diversity among the faculty (Article VI);
 - 7. Pursuing research and scholarly activity (Article II); and
 - 8. Preserving and defending academic freedom (Article IV).
- B. The Faculty of each College or School in collaboration with the Dean, Provost and the President of the University has primary responsibility for the curriculum, admission standards, and development of majors, course offerings, degree standards, teaching methods/standards and matters like those enumerated in Section A within their College or School.

1. Unique policies and procedures specific to an individual College or School may be delineated in that College's/School's supplemental By-Laws and may apply only to that College's/School's faculty in the matter of governance. All individual College/School By-Laws must be consistent with and/or flow from the *University Faculty By-Laws* (see Article 1, Section 7) and the By-Laws of the Board of Trustees of Lewis University.
2. Governance within Colleges:
 - (a) The primary responsibility for the administration and management of each College is delegated by the University Administration to the Dean of the College;
 - (b) In order to assure faculty participation in the decision-making process affecting the College, each College shall establish policies and procedures concerning faculty meetings, standing committees, *ad hoc* committees, and task forces, which will be explained in the individual supplemental College By-Laws; and
 - (c) Each College shall establish processes by which representation on Faculty Senate and Standing Committees is determined, insofar as all representatives will be selected by each respective College faculty.
- C. Faculty governance requires coordinated faculty representation on Faculty Senate Standing and *ad hoc* committees to provide input and oversight in faculty affairs and recommendations concerning student, staff, campus, community, and administrative affairs.
- D. Non-governance University-wide committees, councils, and task forces may be established to facilitate participation in the decision-making process on matters having University-wide implication or impact. The purview of these non-governance University-wide committees, councils and task forces (such as UPBRAC, Mission and Heritage Council, etc.) are recognized as advisory.

Section 1 **Lewis University Faculty Senate:** The Lewis University Faculty Senate is the principle legislative and deliberative body representing the will and opinions of the Lewis University faculty (as defined in Article I, Section 4). It is also an important body for sharing information with the faculty and the Deans, Provost, President of the University and other administrators. The Faculty Senate shall be the primary faculty representative consulting with the university administrators and the President of the University.

- A. The purpose of the Faculty Senate is to:
1. Initiate and recommend general policies that concern more than one College pertaining to the academic quality of the curricula, requirements for degrees, admission requirements, the addition or deletion of academic programs, teaching, grading, honors and similar academic matters.
 - (a) Each College retains responsibility over the curriculum that is the purview of the academic specialty areas of the College faculty; and
 - (b) Collaboration across Colleges is required in decisions regarding areas of curriculum that cross academic areas or are part of the general education requirements.
 2. Initiate and recommend university-wide policies on faculty appointments, reappointments, promotions, granting of tenure, compensation, sabbaticals, and dismissals to the administration.
 3. Advise on policies for the use and improvement of learning resources (library, computing, facilities, instructional technology, etc.) and innovations in teaching.
 4. Preserve and defend academic freedom, faculty rights, and faculty benefits (*see* Article IV).
 5. Promote university-wide policies and procedures that facilitate faculty research and scholarly activity.
 6. Advise on policies for promoting diversity among the faculty.
 7. Oversee the work of Standing Committees and any *ad hoc* committees formed by the Faculty Senate.
 8. Advise on such other matters as shall be referred to it for study and recommendation. The Senate will consider and respond to such referrals within 60 academic days² unless otherwise mutually agreed. If the Senate does not act within the prescribed time frame, the matter will proceed without a Senate recommendation.

The authority of the Faculty Senate shall not extend over the internal affairs of any single College except as they affect the interests of Lewis University as a whole or the interests of other units.

² As used in these By-Laws, ‘working days’ shall mean all days on which the business office of the University is open; ‘academic days’ shall mean calendar days excluding days falling during the Christmas, Fall and Spring Recess and those falling between the Spring Semester Commencement and the first day of classes in the ensuing Fall semester; ‘calendar days’ or ‘days’ shall mean calendar days.

- B. The Faculty Senate has responsibility for areas, such as but not limited to:
1. Create Standing Committees of the Faculty Senate necessary to facilitate the exercise of the Faculty's principal responsibilities in university governance;
 2. Vote on proposals brought from the Faculty Standing Committees;
 3. Establish *ad hoc* committees it deems necessary to fulfill its responsibilities;
 4. Make nominations for the selection and/or appointment of Faculty representatives to university-wide non-governance committees, councils, and task forces;
 5. Generate and receive proposals from members of the University community and refer them to appropriate committees;
 6. Report recommendations of the Faculty Senate to the appropriate Administrative bodies;
 7. Communicate to the Faculty decisions of the Provost and President of the University on the Faculty Senate recommendations;
 8. Request information on proposals or interpretation of policy in order to promote better Faculty understanding, and to present questions for clarification;
 9. Set its own agenda, conduct its own meetings, and elect its own officers;
 10. Consider faculty grievances that do not fall under the appeal or issue resolution procedures in these By-Laws and determine what appropriate action will be taken;
 11. Make proceedings or minutes of its meetings available to all members of the Faculty; and
 12. Publish at least annually an official list of Faculty and identify the members having the right to vote.
- C. Except as provided in Section I, Checks on the Faculty Senate, below, the vote of the Senators will stand as the final decision of the Faculty.
- D. Representation on the Faculty Senate should reflect the distribution of the Faculty of the University as much as possible, while providing for adequate voice from each College. The number of Senators and representational structure of the Faculty Senate may be changed by greater than 2/3rd vote of the Senate at a Faculty Senate meeting in which a quorum is present. No College may ever have 50% or more of the total number of voting Senators in the Senate.

1. Faculty within each College will elect representatives who will serve as Senators for a two-year term.
 2. If a Senator misses three meetings in a semester, the matter will be referred to their College's Faculty Affairs Committee for action.
- E. Composition of the Faculty Senate
1. The total initial number of voting Senators is twenty-five (25) (approximately 10% of the total University Faculty).
 - (a) The initial number of equal seats (meaning those assigned in equal number to each College) is eight (8). Each of the four (4) original Colleges will elect two (2) Senators.
 - (b) The initial number of proportional seats (meaning the number of total seats remaining after assignment of equal seats) is seventeen (17).
 - (i) The initial proportional seats are calculated by multiplying the percentage of University Faculty (*see* definition in Article I) within each of the 4 original Colleges times the total number of proportional seats.
 - (ii) Each College has a minimum of two (2) proportional seats.
 - (iii) Initially, no College may have more than 10 proportional seats out of the 17 proportional total (within a Senate composed of 25 Senators).
 - (c) No College may ever have 50% or more of the total voting Senators in the Senate, and the total number of senators shall be approximately 10% of the number of University Faculty.
 2. Every two years or whenever a new College is added the Faculty Senate shall recalculate the number of seats as follows:
 - (a) While keeping the total number of voting Senators as close as mathematically possible to 10% of the total University Faculty, each College shall be provided two equal seats; and the remainder of the seats shall be distributed as proportional seats, with each college having a minimum of 2 proportional seats;
 - (b) First, each College will be allocated two equal seats;
 - (c) Second, the difference between the total equal seats and 10% of the University Faculty will be allocated

proportionally by multiplying the percentage of University Faculty within each of the extant Colleges times 10% of the University Faculty, rounded for each College to the nearest whole number. Thus, by formula, the total number of Senate seats may be slightly more or slightly less than 10% of the University Faculty. No College may have fewer than of 2 proportional seats, nor more than 60% of the total proportional seats;

- (d) If the initial calculation in subsection 2(c) results in more than 60% of the total proportional seats or 50% of the total of the equal and proportional seats for any College, then that College would be reduced to fewer than 60% of the proportional seats and 50% of the total of the equal and proportional seats;
- (e) For the purposes of this section, a College is any academic unit of the University with 10 or more University Faculty that has been designated as a College by the University. The faculty of a School or other academic unit which does not meet these criteria shall vote for and be represented by the Senators from the College where their disciplines are housed.

F. Election of Faculty Senators

1. Each College will determine a method of electing its Senators.
2. Senators will serve alternating two-year terms; however, each College shall in the first elections following adoption of these By-Laws elect one-half of their senators to a one-year term and one-half to a two-year term in order to maintain staggered terms.
3. All faculty senators will be elected by April 1st and will meet in April/May to elect the officers for the upcoming academic year.
4. Ex-officio members of the Faculty Senate will include chairs or delegates from each Faculty Senate Standing Committee or a committee member representing the chair who are not otherwise elected Senators, the Deans or their designees, and the Provost or designee. Ex-officio members of the Senate shall have no right to vote on matters before the Senate, nor shall their presence or absence be counted in determining a quorum or the votes necessary to obtain a majority or supermajority as the case may be.
5. Faculty members serving in a capacity of half-time or greater in the roles of Provost, Assistant Provost, Associate Provost, Dean, Assistant Dean, or Associate Dean cannot run for a Faculty Senate seat or a seat on one of the Faculty Senate's standing committees.

If a member of any university-wide shared governance committees accepts one of these administrative leadership roles, they need to step down from their committee roles to avoid the conflict of interest.

G. Officers of the Senate

1. The Faculty Senate will elect three officers from among the elected Senators: President, Vice President, and Secretary for two-year terms.
2. The Senate President is the presiding officer of the Faculty Senate. The Senate President shall convene the Faculty Senate, communicate the agenda, and preside over its meetings. The Senate President will represent the Faculty Senate whenever such representation is called for. The Senate President is a faculty representative to the Board of Trustees Academic Affairs and Student Success Subcommittee.
3. The Senate Vice President shall assume duties of the Senate President in the absence or request of the Senate President. Should the office of the Senate President become vacant before expiration of the Senate President's term, the Senate Vice President shall serve as Senate President *pro tempore* until the time of the next regular Senate election. The Senate Vice President may serve as representative of the Faculty Senate to various University-wide Committees.
4. The Senate Secretary shall keep the record of the Faculty Senate and post draft minutes of Faculty Senate meetings within two weeks to a digital repository that is available to the faculty. Approved minutes will subsequently replace draft minutes. The Senate Secretary shall also be responsible for correspondence and for receiving and preserving reports from Senate committees. The University Administration shall provide sufficient resources to the Faculty Senate for such record keeping and communication.
5. The Parliamentarian will be appointed by the Senate President from among the Faculty Senators. The Parliamentarian will advise the Senate President on procedural issues and conduct of Senate meetings in accordance with generally accepted parliamentary procedures.
6. It is preferred, but not essential that Faculty Senate officers are tenured faculty members.
7. The Faculty Senate President should receive partial load reassignment for the time commitment necessary to ensure a well-functioning Faculty Senate.

H. Faculty Senate Procedures

1. The Faculty Senate shall establish a Procedural Handbook to delineate the operating procedures of the Senate. Such procedures shall be consistent with and not contradict this Article V.
2. The Faculty Senate will hold regularly scheduled, monthly open meetings from September through May.
3. Special Meetings may be called at any time during the academic year by the Senate President, the President of the University, the Provost or a majority of the Faculty Senate. Except in cases of emergency, as declared by the Senate President, at least three working days' notice shall be given to the Faculty and Senate of a Special Meeting.
4. Only elected Senators have a vote in the Faculty Senate. Proxy votes will be allowed by formal written request to the Senate Secretary.
5. A majority of voting members shall constitute a quorum of the Faculty Senate and must be present to vote on Faculty Senate business.
6. A simple majority at a meeting in which a quorum is present will decide the vote, unless otherwise specified in these *University Faculty By-Laws* or the Faculty Senate Procedural Handbook.
7. The officers of the Faculty Senate will create the agenda for Faculty Senate meetings.
 - (a) The agenda will be distributed to each Senator in accordance with regular delivery methods no later than four calendar days prior to the meeting.
 - (b) Any member of the Faculty Senate may place an item on the agenda by submitting a written request to the Senate President.
 - (c) The agenda for all Faculty Senate meetings shall be followed unless set aside by a two-third (2/3) majority of those Senators present.
 - (d) The Faculty Senate may adopt, amend, or fail to adopt any recommendation made by a Faculty Senate Standing Committee or Faculty Senate *ad hoc* committee. Faculty Senate Standing Committee and Faculty Senate *ad hoc* committee recommendations may be introduced and voted upon at the same Faculty Senate meeting at which they are presented provided that the matter is included in the

meeting agenda and that both the agenda and the committee minutes for Faculty Senate action are submitted to each Senator no later than four calendar days prior to the meeting date on which the committee's recommendations will be discussed and voted upon. If the Faculty Senate wishes to adopt a committee's recommendation, a motion to do so must be made and, if passed, indicate that the Faculty Senate adopts the recommendation.

- (e) Matters other than those referred to the Senate by a Faculty Senate Standing Committee or Faculty Senate *ad hoc* committee, and which represent a final action or endorsement of the Faculty Senate may not be voted on at a meeting in which the matter is initially introduced as an agenda item (other than as provided in the last sentence of this paragraph). Such matters may be voted on at the following Senate meeting, but not less than 10 calendar days after the draft minutes of the initial meeting in which the matter was introduced have been published. A new matter proposed to the Senate that is not a recommendation of a standing or *ad hoc* committee of the Faculty Senate may be acted upon at the same meeting in which it is introduced only if two-thirds (2/3's) of those Senators present at a meeting in which a quorum exists determine that time is of the essence.
- 8. Faculty Senate meetings will be open to faculty members and *ex officio* members, except when the Senate President declares a closed session. Closed sessions would be for those occasions when the Senate President deems that the confidentiality or sensitivity of issues requires a session of Senators only.
 - 9. The removal of a Faculty Senate Officer requires a vote of two-third (2/3) of the Senators conducted by secret ballot.
- I. Checks on the Faculty Senate
 - 1. The Lewis University Faculty may, by the following procedure, petition the Faculty Senate to reconsider a final action or endorsement of the Senate:
 - (a) Faculty may submit a petition to reconsider a final action or endorsement of the Senate. In order to be valid, the petition must be signed by 20% of the voting members of the Faculty. The petition must be submitted to the Senate President no later than two weeks after the distribution of draft minutes reporting the Senate action or endorsement.

- (b) The Senate President shall call a meeting of the Lewis University Faculty to reconsider a specific final action or endorsement of the Senate within ten academic days of receiving a petition to do so.
 - (c) The meeting shall consist of presentation and discussion of the issue.
 - (d) The Faculty Senate shall take the matter under advisement and then debate the matter at the next Senate meeting. If the Faculty Senate wishes to vote again on the matter, a motion to do so must be made.
 - 2. If a disagreement arises between the Senate and the governing bodies of one or more single College over the question of which body properly exercises authority on a specific issue, the President of the University shall decide by assigning the contested issue to one or another body with an explanation of the rationale.
 - 3. If the Faculty Senate, acting for the Faculty, takes an action, which a College believes violates the legitimate interests of the College, the Senators from that College may present its written petition to the Senate that its interests have been unreasonably violated, and request the Senate to reconsider its vote by secret ballot at the next Senate meeting. The petition must be submitted to the Senate President no later than two weeks after the distribution of draft minutes reporting the Senate action or endorsement, and must be signed by at least one-half of the Senators from the petitioning College. If the Senate confirms its decision at the following Senate meeting, the dissenting college shall be allowed a reasonable period of time, not to exceed two weeks, to prepare any additional written material explaining its objection. If and when the Faculty Senate action is communicated to the Deans, Provost and President of the University or the Board of Trustees, then the Senate President will simultaneously distribute the College's written petition and any supplemental material along with the annotated decision of the Senate to the Dean(s), Provost, President of the University and/or the Board of Trustees.
- J. Faculty Members Right to Address or Petition the Faculty Senate
- 1. Faculty members may address the Faculty Senate on issues that fall under the purview of the Faculty Senate. The faculty member(s) should first bring the issue to the appropriate College Committee. However, if the issue cannot be readily addressed by a College Committee, the faculty member(s) may send a written request to address or petition the University Faculty Senate President,

detailing the nature of the issue. The Senate President shall confer with the officers of the Senate and decide whether to add the item to the agenda for the next Senate meeting or refer the item to an appropriate Faculty Senate Standing Committee.

2. The Senate shall also provide at each open meeting a time in which questions or comments may be heard from those attending.

K. Board of Trustee Approval of Senate Actions

1. Faculty Senate recommendations that require action by the Board of Trustees shall be transmitted promptly to the Provost who shall advise the President of the University of the action and the Provost's recommendation. The President of the University shall promptly transmit the Senate recommendation to the Board of Trustees with their and the Provost's recommendations. The recommendations shall become effective upon approval by the Trustees. The Board of Trustees may overrule any action of the Faculty Senate.
2. If the Board of Trustees shall request further information on a recommendation from the Senate, the Senate President shall represent the Senate at the invitation of the Board of Trustees.

L. Faculty Senate Standing Committees

1. Until otherwise designated by the Faculty Senate the following will function as Standing Committees: University Academic Affairs Committee (UAAC), University Faculty Affairs Committee (UFAC), University Faculty Budget Review Committee (UFBRC), University Graduate Affairs Committee (UGAC), University Professional Status Committee (UPSC) and University Technology Advisory Committee (UTAC). The Standing Committees will investigate initiatives brought before the Senate, and when appropriate, will develop proposals for consideration and vote of the Senate (see the Appendix A for description of the Standing Committee responsibilities).
2. The chair of each standing committee will report to the Faculty Senate at each meeting. If none of the Standing Committee members are Senators, then the Senate President will appoint a senator as an *ex officio* liaison to Faculty Standing Committee meetings. These Senators will ensure communication between the Standing Committee and the Faculty Senate.
3. Each college will determine the selection process of its representatives to the Faculty Senate Standing Committees and have elections concluded by April 1st.

4. The number of members on each Standing committee may be changed by more than two-third (2/3) vote of the Faculty Senate.
5. Membership on the University Faculty Senate Standing Committees shall be as follows:
 - (a) **UAAC:** Two (2) representatives from the College of Aviation, Science, and Technology; the College of Nursing and Health Sciences; the College of Business; the College of Education and Social Sciences; the College of Humanities, Fine Arts, and Communication; one (1) representative from the School of Graduate, Professional and Continuing Education; and the Registrar, or Registrar's designee. Ex officio: the Provost or designee and the chair, or chair's designee, of UGAC. Members must be currently teaching undergraduate courses or have significant past undergraduate teaching experience. The chair, or chair's designee, of UAAC will serve on UGAC to facilitate communication and work on projects that cross programs.
 - i. The University Academic Affairs Committee (UAAC) will establish the General Education (GE) subcommittee. The purpose of the GE Subcommittee will be to implement, assess and coordinate the General Education Curriculum. The responsibilities of the committee are to work with university groups and content experts to develop criteria and learning outcomes for general education curriculum categories, to recommend general education courses to UAAC for approval, to work with Faculty Development to provide training in current developments and best practices in general education, to coordinate the assessment of the general education curriculum within the university governance structure, to work with university offices on administrative matters such as the GE webpage and to advise UAAC on academic matters related to general education such as the Illinois articulation agreement, transfer courses, advising and proficiency testing. The membership will consist of: one (1) member from College of Aviation, Science, and Technology, one (1) member from College of Education and Social Sciences, one (1) member from College of Humanities, Fine Arts, and Communication, one

(1) member from College of Nursing and Health Sciences, one (1) member from College of Business, one (1) member from School of Graduate, Professional and Continuing Education, and one (1) at-large representative, as well as one (1) current member of UAAC and the Dean of General Education who will serve as ex-officio representatives. The GE subcommittee will elect a Chair from voting members. The faculty representatives and at-large representative will be selected by UAAC from the pool of applicants for a three-year term

ii. The Writing Across the Curriculum (WAC) Subcommittee will play an advisory role for WAC professional development initiatives. Additionally, the WAC Subcommittee will be consulted by and advise UAAC about curricular and assessment policies related to writing. Specifically, the WAC Subcommittee will collaborate with university groups and units to provide WAC professional development responsive to faculty and student needs; collaborate with Faculty Development and the Faculty Center for the Advancement of Teaching and Learning to provide training in research-based practices in writing instruction and assessment; be consulted by and make recommendations to UAAC on academic matters related to student writing, such as curricular proposals, including General Education Advanced Writing courses, or assessment initiatives related to student writing; work with the Provost's Office to fund WAC professional development; and work with university offices on administrative matters such as a WAC webpage. The WAC Subcommittee will work with the University Assessment Committee, College Assessment Committees, and UAAC to coordinate assessment of advanced writing courses and other forms of writing assessment when needed.

The membership of the WAC Subcommittee will consist of one (1) member from College of Aviation, Science, and Technology, one (1) member from College of Education and Social Sciences, one (1) member from College of Humanities, Fine Arts, and Communication, one

(1) from School of Graduate, Professional and Continuing Education, one (1) member from College of Business, one (1) member from College of Nursing and Health Sciences, one (1) at large faculty member with experience teaching Community Engaged Learning courses, and one (1) member from the University Graduate Affairs Committee as well as one (1) current member from the University Academic Affairs Committee who will serve as an ex-officio representative. The directors of First-Year Writing, the Writing Center and WAC will be voting members of the committee. The WAC Director will serve as the WAC Subcommittee Chair. The faculty representatives will be selected by UAAC and the WAC Director from the pool of applicants for a three-year term.

- (b) **UFAC:** Two (2) representatives from each College, with at least one representative from each College's Faculty Affairs Committee. Ex officio: the Provost or designee; the UFAC Chair is the faculty representative to the Board of Trustees Academic Affairs and Student Success Subcommittee.
- (c) **UFBRC:** Two (2) representatives from each college, one of whom must be from the Budget Review Committee of the College. Ex officio: the Provost or delegate; the Chief Financial Officer or delegate. The Chair of UFBRC will serve as the faculty representative to the Board of Trustees Finance & Infrastructure Committee.
- (d) **UGAC:** Three (3) representatives from College of Aviation, Sciences, and Technology; three (3) representatives from the College of Education and Social Sciences; three (3) representatives from the College of Business, three (3) representatives from the College of Nursing and Health Sciences; Ex-officio: the Dean of the School of Graduate, Professional, and Continuing Education, the Provost or designee, a representative from the School for Graduate, Professional, and Continuing Education, the Registrar, a UAAC member, and a representative from the College of Humanities, Fine Arts, and Communication. Members must be teaching in graduate programs or have significant past graduate teaching experience. The committee will reassess membership every three years.

- (e) **UTAC:** Two elected representatives from each college. At least one member of UTAC must have experience in a satellite location. Ex Officio: Provost or designee from provost's office. Chief Information Officer or designee from the Office of Technology (1) representative from the business office, (1) representative from the faculty center for advancement of teaching and learning, (1) representative from the library, and (1) representative from the mission and academic services, and (1) representative from the School of Graduate, Professional & Continuing Education (SGPCE).
- (f) **UPSC:** Two (2) elected representatives from each College; one (1) elected member at large with the election conducted by UFAC. Each member of the University Professional Status Committee should be tenured and at least Associate Professor rank. Ex-officio: Provost or Provost's designee.

M. Faculty Senate Advisory Committees

- 1. University Chairs Committee: The University Chairs Committee is composed of the duly appointed department chairs and co-chairs from each college. Ex Officio: The Provost or designee and the Deans of each college or designee. The Chair of the University Chairs Committee will report to the Faculty Senate.

Section 2 Faculty Representation at University Board of Trustees Committee Meetings

- A. With the concurrence of the Board of Trustees and upon such terms as are provided for in the By-Laws of the Board of Trustees, there shall be faculty representation appointed to each of the following Board of Trustees Committees: two faculty members to the Academic Affairs & Student Success Committee; one faculty member to the Advancement Committee; one faculty member to the Finance & Infrastructure Committee; and one faculty member to the Mission & Diversity Committee. Every year, the Faculty Senate President shall provide nominations for a slate of representatives to the President of the University. The representatives are then appointed by the Board President, with the concurrence of the Board, for a one-year term of service. Faculty representatives to Board of Trustees Committees are non-voting members of the Board committees.
- B. Faculty representatives to Board of Trustees Committees shall report to the Faculty Senate following each meeting of the Board of Trustees Committee.

Article VI: Faculty Appointments

- Section 1** This article of these *University Faculty By-Laws* applies to University Faculty hiring and emeritus status for retiring University Faculty. Specific policies and procedures indicated in supplemental individual College/School By-Laws shall also apply to the extent not inconsistent with these *University Faculty By-Laws*.
- Section 2** Faculty appointments are made by the President on the recommendation of the Provost and the Dean of the College/School.
- Section 3** No faculty appointments shall be made unless the procedures for the addition of a new position or the filling of a vacated position stipulated by the University in *Personnel Search Procedures* and its statement regarding Mission-based hiring have been followed. Further, all aspects of the search process detailed in the *Personnel Search Procedures*, administered by the Office of Human Resources, shall be followed. All searches and selection processes shall comply with applicable legal Higher Learning Commission standards in effect at the time of the appointment.
- Section 4** All faculty appointments have as the locus of their appointment the applicable College/School and Department/academic unit, which is stated in their initial appointment letter or subsequent annual renewal. Dual appointments to different academic units may be granted to a faculty member. In such a case, the Provost, in consultation with the faculty member and the applicable Department Chair(s) and College/School Dean(s), will select one College/School/department as the faculty member's primary academic unit for the purpose of governance, evaluation, promotion, and separation. If a primary appointment ends for any reason, then the secondary appointment shall end as well, unless otherwise specified in writing by the President.
- Section 5** All terms and conditions of a faculty appointment shall be stated in the initial letter of appointment and reflected in the first annual contract. No term or condition of a faculty member's subsequent annual contract shall be changed without at least forty-five (45) working days' notice, and prior discussion between the faculty member, Department Chair/Program Director, Dean and Provost regarding the change and clear definition of how the change will be supported by the University. All changes to the letter of appointment need to be approved by the President.
- Section 6** A department/academic unit shall present in writing, with appropriate supporting data, to the Dean of the College/School, a request for the addition of a new position in the department or to fill a vacancy in a currently approved position. Enrollment and academic consideration must be addressed as part of the supporting data. This request shall set forth but not be limited to: the academic requirements of the position; area(s) of expertise; the proposed rank; tenure considerations; salary; whether administrative duties are a part of the position;

location(s) of academic duties; and/or if release time is required for the position. Each College/School shall establish procedures and processes regarding the identification, review, and recommendation for faculty positions.

Section 7 There shall be careful regard for the University Mission Statement and hiring guidelines as well as legal and Higher Learning Commission requirements for each position. Methods of search and evaluation shall be used which will seek to develop a broad and diverse applicant pool and to discover the most qualified person for the position. These methods will further assure compliance with pertinent state and federal laws as well as any Board-approved guidelines.

Section 8 The University shall advertise internally, as well as in appropriate external publications, for applicants for the position. The department shall inform appropriate schools, professional associations, and other potential resources that may assist in filling the position. A time of no less than thirty- (30) calendar days shall be set for the receipt of responses. Should the vacancy occur as a semester is about to begin or time restrictions preclude the following of normal procedures, Temporary appointment shall be suggested by the Department Chair/academic unit head to the Dean of the College/School. If the Dean concurs, a Temporary appointment shall be made; but it is understood that during the Temporary appointment, normal procedures will be initiated to fill the position. The Temporary person appointed may be a candidate for the approved position.

Section 9 The Dean shall submit a list of the candidates recommended through the process described in the College/School By-Laws, as well as a description of their strengths and weaknesses to the Provost together with the college's order of preference or preferred selection. The Provost may either concur in the selection, recommend another positively recommended candidate or require that further interviewing or search procedures take place.

Upon concurrence of the Dean and the Provost, the Dean shall confer with the Department Chair/academic unit head in the College/School to establish the proposed rank and salary in accordance with the Financial Schedule of the College/School and consistent with the approved Personnel Action Form (PAF) for the specific position and the University budget. The Dean of the applicable College/School will review and forward the Request for Appointment Letter (RAL) for approval by the Provost. The Provost will then forward the RAL to the President for final approval. The President provides the official letter of appointment.

Section 10 Since years in rank are calculated on the basis of full academic years, faculty members who join the faculty after November 1 will have their year in rank calculated starting with the succeeding full academic year

Section 11 The Department Chair is the academic leader and manager of the Department faculty. They lead in developing the Department's long-term planning and vision, promoting the mission, and providing leadership in the primary areas of faculty teaching, research, and service; enrollment and recruiting; and program development and assessment. In addition, they are in charge of managing the day-to-day operation of the Department, and report directly to the Dean of the College. In terms of the organizational structure of the University, the Department Chair is an essential liaison between the Dean and the faculty.

The Department Chair's management and leadership responsibilities may include but are not limited to:

Leadership

- In collaboration with its members, the chair articulates and carries out the vision of the Department
- Provides mentoring, support and encouragement to faculty
- Collaborates with other Departments
- Serves as the key link in communications between the Department faculty and the Dean
- Represents the Department in College and University matters
- Coordinates recruitment and marketing efforts
- Advocates for programs, students and faculty
- Coordinates community partnerships

Management:

- Coordinates the preparation of class schedules and advising
- Hires adjuncts and participates in the hiring of full and half-time faculty
- Creates, assesses, manages, and updates curriculum with the Department faculty
- Coordinates curriculum updates in the catalog and on the website
- Coordinates assessment of Student Learning Outcomes (SLOs), and subsequent action planning
- Manages the evaluation of faculty performance
- Manages the budget of the Department
- Holds Department meetings
- Submits annual reports for the Department
- Responds to student concerns and issues

Section 12 The Program Director is the academic leader of an academic program. The Program Director is in charge of managing the day-to-day operation of the program as well as the long-term planning and vision of the program in collaboration and partnership with the Department Chair.

The Program Director's management and leadership responsibilities may include but are not limited to:

Leadership

- Designs and revises program curriculum with the faculty
- Recruits and trains adjunct faculty
- Represents the program in College and University matters
- Participates in promotion, recruitment, and marketing efforts
- Coordinates community partnerships

Management

- Coordinates advising of students in the program
- Coordinates assessment of program Student Learning Outcomes (SLOs), and subsequent action planning
- Participates in instructional evaluation of faculty teaching in the program
- Serves as an advocate for students and a liaison to centralized services supporting students
- Coordinates budgetary issues for the program
- Ensures the academic course catalog is kept current with updates to program curriculum and/or policies
- Creates the course schedule for the program, including course rotations and faculty assignments
- Responds to student concerns and issues

Section 13 The University may appoint artists, writers, scholars and other distinguished individuals to the special faculty status of Artist/Writer/Scholar-in-Residence. Such appointments are awarded for a specific period of time and may be full-time or half-time/part-time depending upon the needs of the University. Artist/Writer/Scholar-in-Residence appointment holders are considered Temporary Faculty under Article VII, and are not eligible for promotion in rank, tenure or sabbatical leave.

Section 14 The University may appoint a temporary replacement for a faculty member who is on sabbatical, on leave or to otherwise meet the short-term curricular needs of the College/School. Replacements are awarded contracts on either a full-time or half-time status for a specific period to time. Replacements are considered Temporary Faculty under Article VII, and are not eligible for promotion in rank, tenure or sabbatical leave.

Section 15 The University may appoint as visiting faculty individuals who hold a full-time position at another institution of higher education and who become affiliated with Lewis University while on leave from that institution. Visiting faculty shall be classified as Temporary Faculty under Article VII and shall be assigned the rank held at their home institution. Visiting faculty are not eligible for sabbatical leave, promotion in rank or tenure.

Section 16 Faculty Emeritus Status

A. Retired faculty members may be given the honorific title of Professor Emeritus. Professors Emeriti remain members of the University community; their names are retained in the University catalog; they are invited to University functions; and they may continue to use University facilities for study and research to the extent that the facilities are available.

The honorific distinction of Professor Emeritus cannot be self-initiated, but shall be initiated by the individual's Dean or Department Chair upon notification of the planned retirement of a faculty member who has at least ten (10) years of service to the University. All faculty members eligible for consideration will be reviewed by the UPSC upon receipt of the Dean's/Chair's recommendations to the Provost for consideration, and finally to the President who will make the final decision.

B. Emeritus status should be based on, but not limited to, these criteria:

1. A minimum of 10 years of full-time service to the University;
2. Exceptional teaching/academic achievement;
3. Exceptional scholarship (publications and presentations);
4. A record of consistent service to the discipline, department, college, university, the university Mission and community; and
5. Testimonials are to come from such sources as administrators, colleagues, students, community members, or other external stakeholders.

- C. Emeritus status will provide these Rights and Privileges:
1. Library privileges;
 2. E-mail/Internet privileges;
 3. Invitations/inclusion in university-wide events;
 4. Faculty rates through campus (Bookstore, Recreation Center, Theatre, Athletic Events, Cafeteria, Parking);
 5. Mailbox, if requested; and
 6. Use of the title in scholarly or professional activity.

Section 17 Visiting Research Scholar

- A. Visiting Research Scholars are individuals who possess a terminal degree in their field or have desired experience or expertise in a particular field and whose primary purpose for residence at Lewis University or affiliation with Lewis University from a remote location is to conduct research in association with or at the invitation of a Lewis faculty member. The title of Visiting Research Scholar may be given to:
- Scholars, including faculty and researchers, who are on leave or sabbatical from their home institutions or who are collaborating with Lewis faculty on projects from their home institutions;
 - Members of research laboratories or institutions;
 - Practicing professionals in the private sector;
 - Practicing creative artists;
 - Practicing educators at any level; and
 - Other persons who will contribute to the intellectual life of the University.
- B. A Visiting Research Scholar's application must be recommended by a Lewis faculty member and must be approved by the Dean of the College with which the visiting scholar will be associated and the Provost's Office. An interested scholar may contact the Chair of or a faculty member in a Department to inquire about the possibility of an appointment. The length of term for a visiting researcher scholar is at least one month, and appointments may be granted for up to one year at a time, renewable annually. If the Visiting Research Scholar is PI on or contracted under a multi-year grant, the scholar may provisionally be granted this title for longer than a year with the approval of the appropriate Dean and the Provost's Office with an annual review demonstrating contributions and progress per the grant timeline and any institutional agreements. Visiting Research Scholars are not Lewis employees and are not entitled to any compensation, participation in governance, or other benefits (e.g. health

insurance) from the University. They may be funded by external or personal sources such as grants, corporate or foundational support, or support from a home institution. With the approval of the Dean of the College with which the visiting scholar is associated and the Provost's Office, the scholar may draw a stipend or partial salary from an existing University grant or other soft money source or may apply for external funding through the University to support the position.

- C. Visiting Research Scholar status will provide these Rights and Privileges:
- Library privileges;
 - E-mail/Internet privileges;
 - Invitation/inclusion in university-wide events
 - Faculty rates through campus (Bookstore, Recreation Center, Theatre, Athletic Events, Cafeteria, Parking);
 - A Lewis ID;
 - Inclusion on the affiliated Department's website;
 - Access to Lewis IRB and Research Office resources;
 - Access to laboratory, classroom, practice room, or other space and to instrumentation or equipment as approved by the Department, Dean, and Provost;
 - Ability to audit classes without a fee, subject to instructor approval and sufficient space in the classroom;
- D. Requirements and responsibilities of being a Visiting Research Scholar are:
- Conducting oneself in accordance with the *University Faculty Bylaws* and Lewis University Mission;
 - Indicating affiliation with Lewis University on papers and presentations related to work done as a Visiting Research Scholar and on grants or other funding obtained to support work as a Visiting Research Scholar;
 - Contributing to the intellectual life of the University by giving a colloquium, by guest lecturing in a class, or in some other approved way at least once during each Visiting Scholar term (i.e. at least once annually).

Article VII: Faculty Status

Section 1 Faculty covered by these By-Laws are those employees holding full-time or half-time faculty appointments as defined in Article I, Section 4 of these *University Faculty By-Laws*.

Section 2 In addition to this article of the *University Faculty By-Laws*, any specific policies and procedures indicated in the supplemental College/School By-Laws, which do not conflict with the *University Faculty By-Laws* or the By-Laws of the Board of Trustees, shall apply in the matter of faculty status.

Section 3 Faculty are classified in one of the following categories:

A. **Tenured Faculty** are individuals who have been granted tenure by the Board of Trustees pursuant to the policies and procedures in effect at the time of the grant of Tenure. Like all faculty, Tenured Faculty continue to be obliged to meet the responsibilities identified in these By-Laws and their respective College/School By-Laws. Tenured Faculty are issued annual academic year contracts, with the expectation that they shall be renewed on an annual basis unless or until the faculty member resigns or retires or the employment is terminated pursuant to the provisions of Article XV of these By-Laws. Pursuant to Article XI of these By-Laws, Tenured Faculty shall receive a comprehensive performance evaluation from the Dean no less than once every five years following the most recent tenure, promotion or post-tenure review that resulted in the granting of tenure, promotion or approval of post-tenure performance.

B. **Tenure Track Faculty** appointments are granted to full-time faculty members in anticipation of consideration for tenure in accordance with the tenure policies set forth in Article XIII. Half-time faculty are not eligible for tenure track appointments. A Tenure Track Faculty member's initial letter of appointment will state the anticipated academic year by which the faculty member must apply for tenure consideration.

Tenure Track Faculty are issued annual, academic year contracts, with an expectation of renewal in the absence of timely notice to the contrary, as defined in Article VIII, Section 2 of these By-Laws. In the event of a decision not to renew a tenure track appointment, the faculty member will be notified as stated in, Article VIII, Section 2 of these By-Laws, unless otherwise stated in the annual academic year contract.

Pursuant to Article XI of these By-Laws, Tenure Track Faculty shall participate in a formal evaluation during the mid-point of the period from the faculty member's initial appointment and the anticipated year of application for tenure.

At the start of the sixth contract year, or as otherwise stated in the initial letter of appointment and/or subsequent annual contracts, a Tenure Track Faculty member must apply for tenure consideration, unless an extension for tenure application has been requested by the faculty member in a timely manner prior to the start of the sixth (6th) contract year and recommended by the appropriate College-level committee and the Dean of the applicable College/School, and then forwarded to and approved by the Provost and President.

- C. **The Professor of Practice (PoP)** advances the mission of the university through excellence in teaching and a distinguished record of professional practice. Appointees teach courses that are aligned with their professional expertise, mentor students in engaged learning experiences specific to their discipline, and engage in university and professional service. They may advise students, collaborate with other faculty on relevant projects, or complete other duties as specified. The Professor of Practice is expected to maintain engagement in their discipline in a manner that augments excellence in teaching and service.

Determination for appointment to Professor of Practice shall take into account the nature of the duties and responsibilities of the emphasis placed on each of the following four criteria:

1. Professional competence and activity: For appointments, departments must identify the candidate's leadership in, and major contributions to, the field in question as well as document what credentials from practice they will bring to bear in teaching. At the time of evaluation, the department must demonstrate the appointee's expertise in professional practice and/or leadership in the field.
2. Teaching excellence: Professors of Practice must demonstrate the ability to design and teach undergraduate and/or graduate courses based on their expertise and qualifications.
3. Currency in the field: Professors of Practice will have extensive practical experience that contributes to student learning. Appointees are expected to stay active in their field through professional development, scholarship of teaching and learning, licensure, published works or presentations, or by a variety of other means.
4. Service contributions: Appointees, to the degree

practicable, should bring their career experience to bear in university service. Such service activities should be related to the faculty member's professional expertise and achievements. These faculty are encouraged to participate in faculty governance.

Instructor, Assistant, Associate, and Professors of Practice are university faculty issued annual contracts, with the expectation of renewal in the absence of notice as provided for in Article VIII, Section 3 of these By-laws. Renewal in all instances is possible, based upon institutional need, but is not automatic or required. The Dean of the applicable College will confer with the Department Chair/academic unit head, and will make a recommendation to the Provost who will determine whether renewal is desirable, and may recommend renewal of the contract to the President. In the event of a decision not to renew an appointment, the PoP will be notified as stated in Article VIII, Section 3 of these By-Laws, unless otherwise stated in the annual, academic year contract.

PoP faculty enjoy the same faculty benefits, rights, and responsibilities as Tenure Track Faculty with the exception of tenure. The percentage of appointment must be clearly documented at the time of hire and must be at a minimum of 50%, but most commonly the expectation of full time (24 credit hours/year). To be promoted, they may not be less than half-time.

- D. **Non-Tenure Track Faculty** are University Faculty issued annual, academic year contracts, with the expectation of renewal in the absence of notice as provided for in Article VIII, Section 3 of these By-Laws. Renewal is possible, based upon institutional need, but it is not automatic or required. The Provost, after conferring with the faculty member, the Dean of the applicable College/School and the Department Chair/academic unit head, will determine whether renewal is desirable, and may recommend renewal of the contract to the President. In the event of a decision not to renew an appointment, the Non-Tenure Track faculty member will be notified as stated in Article VIII, Section 3 of these By-Laws, unless otherwise stated in the annual, academic year contract.

The University reserves the right to reconsider any Non-Tenure Track appointment as the conditions that initiated the appointment change and may reclassify a Non-Tenure Track appointment that resulted from a search committee process as a Tenure Track appointment at any time by following the procedure described in Section E of this Article.

Non-Tenure Track faculty enjoy the same faculty benefits, rights, and

responsibilities as Tenure Track Faculty with the exception of tenure and promotion to full professor. Additionally, Tenured and Tenure Track faculty have precedence over Non-Tenure Track faculty for a first sabbatical leave.

- E. **Temporary Faculty** are issued contracts for a specific time period on either a full- or half-time basis. These appointments are typically made for Artists/Writers/Scholars in Residence, Visiting Faculty and Replacement Faculty as described in Article VI, Sections 12-14.

No Temporary Faculty appointments will be made without consultation with the affected department. Each appointment will designate a concluding date for the appointment, not to exceed five (5) consecutive annual contracts.

The University reserves the right to reconsider any Temporary Faculty appointment and may reclassify a Temporary appointment that resulted from a search committee process to a Tenure Track or Non-Tenure Track appointment at any time by following the procedure described in Section E of this Article. The University may extend a Temporary Faculty member's appointment beyond five (5) years, by reclassifying as Non-Tenure Track or Tenure Track.

Temporary Faculty enjoy the same faculty benefits, rights, and responsibilities afforded all faculty at the same rank with the following exceptions. First, those faculty cannot take sabbatical or be eligible for promotion and tenure. Additionally, they are restricted from serving on University Standing Committees, Faculty Senate, and College Standing Committees, and they cannot vote in College Elections, at Faculty Meetings, and in Department/Division Chair elections.

F. **Reclassification.**

1. The request for reclassification from Non-Tenure Track to Tenure Track or to (or from) Professor of Practice is a two-part process: a) petition to reclassify the position within the college, with approval of the Department head, Dean, and appropriate College Committee; and b) application by the faculty member(s) who wish to fill that position to the University Professional Status Committee and Provost. Should a faculty member feel that their position should be reclassified, they may meet with their Dean/Department Chair to explore the possibility of having the position reclassified.

- a) **Reclassification of the Position:**

- i. Deadlines for application will be announced by the University Professional Status Committee.

- ii. A Department Chair will provide a letter of request for position reclassification to the Dean and supporting documentation for the reclassification of the position to the Dean and the College Professional Status or Faculty Affairs Committee before the spring semester. The Dean will forward a recommendation to the College Committee.
 - iii. Once the Department Chair's request and Dean's recommendation have been received by the appropriate College committee, further information may be solicited to support the request in terms of the criteria listed above.
 - iv. After the request for reclassification of the position has been received, the appropriate College committee will meet to review the request and other relevant documentation. The Committee's recommendation, with reasons, will be forwarded to the Dean, the Provost, and the UPSC.
- b) Reclassifying Faculty Status for the Position:
- i. The Provost confirms which positions are eligible for reclassification.
 - ii. Faculty in the College will be notified that the position is recommended for reclassification.
 - iii. The faculty member(s) interested in reclassification to the recommended position will submit a letter to the University Professional Status Committee by the deadline set by UPSC. This letter will address the faculty member's qualifications for the position and potential for success if reclassified.
 - iv. Department Chair will also provide a letter to UPSC regarding their consideration of the faculty member(s) for reclassification to the position. This letter will include a recommendation as to the proportion of time served in a Non-Tenure Track or Temporary appointment which should be credited for purposes such as promotion in rank, tenure consideration (if applicable) and/or sabbatical.
2. If the Committee recommends favorably for reclassification, it shall forward its recommendation together with supporting rationale to the Provost.
 3. The Provost shall consider the recommendation and if in favor of the reclassification shall forward the recommendation and rationale to the President.
 4. The President shall review the matter and if they concur, shall issue a new appointment letter reflecting the revised status.

Article VIII: Faculty Contracts

- Section 1** Faculty contracts are issued for an academic year. The contract is paid in equal bi-weekly installments.
- Section 2** As a general matter, Tenure Track Faculty members' contracts will be renewed unless they receive a written notification of non-reappointment by the following deadlines; however, a contract for one year does not create an expectation or a guarantee of renewal in any succeeding year:
- A. No later than March 1 of the first full academic year of service to the University.
 - B. No later than December 15 of the second full academic year of service to the University.
 - C. No less than twelve (12) months before the expiration of an appointment (as indicated on the annual faculty contract) after two or more full academic years of service to the University.
- Section 3** As a general matter, Professor of Practice Faculty members' contracts will be renewed unless they receive a written notification of non-reappointment by the following deadlines; however, a contract for one year does not create an expectation or a guarantee of renewal in any succeeding years:
- A. No later than March 1 of the first full academic year of service to the University
 - B. No later than December 15 of the second full academic year of service to the University
 - C. No less than twelve (12) months before the expiration of an appointment (as indicated on the annual faculty contract) after two full academic years of service to the University.
 - D. No less than thirty-six (36) months before the expiration of an appointment (as indicated on the annual faculty contract) after four or more full academic years of service to the University
- Section 4** As a general matter, Non-Tenure Track Faculty members' contracts will be renewed unless they receive a written notification of non-reappointment by the following deadlines; however, a contract for one year does not create an expectation or a guarantee of renewal in any succeeding year:
- A. No later than March 1 of each of the first three full academic years of service to the University.
 - B. No later than December 15 of the fourth full academic year of service to the University.
 - C. No less than 12 months before the expiration of an appointment

(as indicated on the annual faculty contract) after five or more full academic years of service to the University.

Neither Section 2 nor 3 shall be applicable to Temporary Faculty appointments, which shall automatically terminate without additional notice or action from the University on their ending date and do not renew without affirmative action by the University.

Section 5 As a general matter, Tenured Faculty members' contracts will be renewed annually until they resign, retire, or are terminated in accordance with the provisions and procedures as provided in these By-Laws.

Section 6 The University shall make all reasonable efforts to issue contracts for the upcoming academic year to faculty members during the second full calendar week in May of the then current academic year. Offered contracts must be signed and returned, or objected to in writing within fifteen (15) working days after being received by the faculty member. If contracts are not signed and returned, or objected to in this time period, the offered contract will be considered accepted.

Article IX: Outside Activities

- Section 1** While it is recognized that teaching and other faculty responsibilities at Lewis University constitute a faculty member's full-time and principal commitment, faculty are permitted to become involved in activities, including part-time wage-earning activities, outside the University. Such outside activities are an opportunity for faculty members to extend their knowledge and understanding, keep current, and increase the breadth of experience they bring to the classroom, thus enhancing their effectiveness as teachers.
- Section 2** Faculty members' outside activities and/or employment must not hinder or diminish their ability to carry out their responsibilities in the College/School and University, whether in teaching or other faculty duties. Engagement in full-time employment with another organization is inherently inconsistent with a full-time faculty member's responsibilities to Lewis.
- Section 3** Teaching at other colleges and universities, at any time, including the summer session, is permitted only when approved in writing by the Provost on the recommendation of the Dean. Approval is not automatic. In such cases, the faculty member's annual contract must reflect the agreement to permit teaching at another institution for the period specified in the faculty member's contract.
- Section 4** Faculty must provide written notification of their participation in outside income earning activities, including teaching, to the Dean and the Provost before the beginning of each academic year or in advance of undertaking an activity that commences during the academic year. The Provost may require the faculty member to limit any outside activities to the extent they compromise the faculty member's performance of responsibilities to Lewis. Faculty shall not use Lewis University resources, including facilities, offices, equipment, and personnel, for outside earning activities without written permission of the Provost and the Chief Business Officer of the University.

Article X: Faculty Benefits

- Section 1** Faculty members shall be eligible for the categories of benefits generally made available to employees of the University upon the same terms and conditions as are applicable to University employees generally. These benefits include, but are not limited to, as of the time of the adoption of these By-Laws: tuition waiver, health insurance, and retirement. Nothing in these By-Laws is intended to restrict the University's ability to modify, alter or amend the benefits made generally available to its employees.
- Section 2** Subject to the approval of the Board of Trustees, faculty members will be provided legal representation and indemnification pertaining to legal actions arising out of a faculty member's good faith and proper performance of duties within the scope of a faculty member's responsibilities to the University for the benefit of the University. While the Board has discretion over the approval of such representation or indemnification, it is understood that the Board will not unreasonably withhold its approval. If the Board should ultimately determine that a faculty member who was provided representation and/or indemnity was not acting in good faith or with a reasonable and good faith belief that their actions were in the scope of their duties and for the benefit of the University, then the Board may seek restitution from the faculty member of any costs of representation or indemnity provided to the date of such determination. In cases where representation and indemnity are provided, the Board will have the right to select or approve legal counsel and to determine whether matters shall be settled or further litigated. In exercising its discretion, the Board of Trustees may rely on advice and recommendations from the President.
- Section 3** Professional association membership. Faculty members are entitled to a professional association membership at the expense of the College/School at the rate of reimbursement established for that year by the budget of the individual College/School. Membership must be related to the discipline of the faculty member seeking reimbursement or to professional education associations or other appropriate educational organizations relating to the duties of the faculty member.
- Section 4** Attendance at professional meetings. Attending meetings, conventions, seminars, and workshops of professional associations or organizations are one of the means by which faculty keep current in their disciplines. To encourage such faculty growth and development, the University provides defined financial assistance in meeting the costs involved as budgeted for each academic year.

- A. Each College/School will support attendance at meetings, conventions, seminars and/or workshops associated with a faculty member's academic discipline, for the purpose of presentation of papers, professional committee responsibilities, or simple attendance. Such financial support must be by application to and with the approval of the Dean's Office. The rate of compensation is established annually by the budget of the University.
- B. If further financial assistance is needed, the faculty member may apply to other available sources in the University, such as the University Faculty Development Committee.
- C. If attendance at such meeting, convention, seminar or workshop is at the specific request of the individual College/School to maintain the curriculum, program accreditation, and/or the department, the College/School will pay appropriate expenses. The Dean making this request will, if necessary and if requested, assist the faculty member in making arrangements to insure the integrity of scheduled courses.
- D. The following conditions also apply:
 - 1. Approval must be obtained as early as possible if financial assistance from individual College/School funds is expected.
 - 2. If classes are to be missed, appropriate substitutions or other arrangements must be made by the faculty member to ensure the integrity of scheduled courses.
 - 3. The individual College/School is not liable for expenses that are in excess of the above-stated conditions and/or are incurred prior to approval of the request by the Dean's Office. Also, any expenses deemed inappropriate by the Dean's Office or the Faculty Development Committee are considered personal expenses for the faculty member.
 - 4. Documentation of expenses will be submitted according to the regulations of the Business Office. All appropriate documentation must be provided to assure full reimbursement.

Section 5 Reimbursement for Travel

- A. Off-Campus Teaching. Faculty will be reimbursed for travel connected with teaching off-campus at the IRS travel rate in effect at the beginning of that semester.

- B. Other Travel. For other travel on University business, reimbursement requires the prior consent of each Dean's Office. The amount of reimbursement is based on the actual costs or proportion agreed to at the time consent for travel is granted. If further financial assistance is needed, the faculty member may apply to other available resources in the University.
- C. Reimbursement for travel must be reported on forms from the Office of Human Resources.

Section 6 Support for Faculty Research. The following forms of assistance for research are available to faculty as budgeted for each academic year:

- A. **Research and Scholarly Initiatives.** Under the auspices of the Office of the Provost, competitive awards may be provided annually to Lewis University full-time faculty. The purpose of this University funding is to promote the quality of teaching and learning through faculty engagement in high quality research, scholarship and creative endeavors.
 - 1. Options for awards/grants are available through University Centers (Colonel Stephen J. Lyla Doherty Center for Aviation and Health Research, Lowell Stahl Center for Entrepreneurship and Research, etc.) and/or programs (Faculty Scholar Award Program, Caterpillar Scholar Award, etc.).
 - 2. The determination of awards/grants is made through a process, w h i c h includes a faculty panel of peer-reviewers representing the Colleges/Schools under specific rules and guidelines announced for each Center or award program. Recommendations are forwarded to the Provost.
 - 3. Award/grant funding is also subject to the policies of the individual center or program and may include, but is not limited to: (a) direct expenses for supplies and equipment; (b) faculty stipends; (c) salary/stipends and/or tuition benefits to support undergraduate student works or graduate student research assistants; (d) coverage for faculty release time for identified teaching assignments; and (e) support for presentation of study/project results at professional conferences.
 - 4. Recipients shall submit individual reports on their research or scholarly activity supported by a grant or award to their Dean and the Provost as well as make the report available to the interested faculty of the University.

Section 7 **Release Time for Administrative Duties.** A faculty member may be granted a reduction in teaching load to perform administrative duties beyond those normally associated with a faculty role. Any reduction must be approved by both the Dean and the Provost, and be reflected on the annual contract to be effective.

Section 8 **Leaves.** Details and conditions of all leaves shall be in writing and signed by the faculty member and the Dean of the College/School.

- A. **Sabbaticals.** The purpose of the sabbatical leave program is to free full-time faculty from their normal duties to pursue activities, which will improve their teaching, to conduct focused scholarship, to lead a Mission oriented project, or to enhance their ability to carry out their responsibilities as faculty members. It also provides an opportunity to reflect on their teaching, scholarship, and/or commitment to the Mission so that they may return to the classroom and their academic roles with renewed vigor, perspective, and insight.
1. Sabbatical leave is not automatic. A sabbatical leave is granted by the President, upon the recommendation of the Dean, with the concurrence of the Provost, after applications have been reviewed and ranked by the University Professional Status Committee, the Dean, and the Provost. Criteria to be used in ranking and approving College sabbatical requests shall include:
 - Rank and seniority of the applicants;
 - The stated purpose of leave;
 - The potential for leave to enhance teaching and student learning;
 - The potential benefits of sabbatical leave to the faculty members, students, the Department, College and University; and
 - If two or more applicants of comparable merit are submitted for the same semester, preference shall be given to a faculty member applying for their first sabbatical.
 2. The application must fully describe the planned activity for the leave period in accordance with the University Professional Status Committee sabbatical application guidelines.
 3. The University Professional Status Committee shall issue the call for applications for sabbatical leave, state the deadlines, and state the conditions of consideration.

4. Absent unusual circumstances or financial pressures, no fewer than five (5) College sabbaticals will be offered annually to qualified applicants. One (1) sabbatical shall be offered each academic year to each College: the College of Aviation, Sciences and Technology, the College of Education and the Social Sciences, the College of Humanities, Fine Arts and Communications, the College of Nursing and Health Sciences, and the College of Business. In addition, at least one (1) competitive University sabbatical will be available and a limited number of additional competitive University sabbaticals may be available based on the fiscal needs and resources of the University at the discretion of the Provost and President. Any unused College sabbaticals will be added to the available University sabbaticals. University sabbaticals shall be awarded based on merit. No sabbatical will be granted without the strong recommendation of the University Professional Status Committee and the College Dean and the concurrence of the Provost. The number and distribution of sabbaticals, and whether a minimum number will be established for the School of Graduate, Professional and Continuing Education or any newly created College/School, will be reviewed periodically as enrollment, numbers of faculty, and college structure
5. To be eligible for a first sabbatical leave, an applicant must have been a faculty member for at least seven (7) years. Applicants may apply during their 7th year.
6. To be eligible for subsequent sabbaticals, at least seven (7) annual contracts must have elapsed since a faculty member's previous sabbatical. Applicants may apply during the academic year of their 7th contract after the conclusion of the previous sabbatical. A subsequent sabbatical will not be granted in any academic year in any College/School if there are other qualified applicants in that College/School who applied for and have not been granted a first sabbatical.
7. The award is one-half of a faculty member's salary for the academic year or full salary of the faculty member's salary for one semester.
8. A faculty member on sabbatical leave at the University may not accept a teaching or administrative position at Lewis University or any other institution.
9. While on sabbatical leave, a faculty member generally does not serve on Lewis University committees/task forces or other such groups involving significant institution-based organizational

commitments of time and energy.

10. Faculty members, upon return from a sabbatical leave, shall resume their previous faculty responsibilities unless the faculty member's appointment has been terminated in accordance with these By-Laws. With 60 days of returning from sabbatical leave, a faculty member must submit a written report to the Dean and Provost that describes the work accomplished and benefits realized from the sabbatical.
11. The sabbatical year will be computed as a year of service in regard to teaching experience, rank, tenure, and salary considerations.
12. Faculty on sabbatical leave shall retain all faculty rights, privileges, and benefits as defined in these *University Faculty By-Laws*.
13. Recipients of sabbatical leaves are expected to return to their positions for one year after the sabbatical leave or to repay the amount of money paid to them during the leave. If a faculty member is incapable of fulfilling this pledge for health or other extraordinary reasons beyond their control, then the University will reduce or eliminate the obligation for that faculty member.

B. **Administrative Leave of Absence.** Faculty assuming an administrative position at the University, with the recommendation of the Provost and approval of the President, may be granted a leave of absence from their faculty position. All conditions and details of the administrative leave shall be stated in the letter of appointment for the leave.

1. Faculty members returning from an administrative leave of absence shall be reinstated at their previous rank and at the salary for that rank for the academic year in which they return to their faculty position.
2. Unless otherwise specified in writing, each year of the administrative leave of absence will be counted as a year of service in regards to rank, tenure, and salary considerations.
3. Tenured faculty who are granted a leave of absence to assume an administrative position will retain tenure.
4. Upon returning to the faculty, tenure-track faculty who have been on administrative leave, may have up to three (3) years additional time before applying for tenure upon the recommendation of the Dean with the approval of the Provost.

5. The duration and other conditions of an administrative leave of absence shall be stated in writing in the letter granting the administrative leave and may be amended by mutual agreement of the President and the faculty member on administrative leave. Upon termination of an administrative appointment, the faculty member shall be provided adequate notice to prepare for an effective return to the classroom.

C. **Academic Leave of Absence.** The University recognizes the need to provide every possible opportunity for faculty to develop their research and complete their terminal degrees. To assist these faculty during this critical period of their careers, faculty, after three (3) years of service, may apply for an academic leave of absence.

1. Academic leaves of absence shall be without salary compensation. Continuation of non-salary benefits shall be subject to the terms of the particular benefit plan.
2. Academic leaves of absence shall be for one (1) academic year with the option of a maximum of a one (1) academic year renewal and shall be granted upon the recommendation of the Dean with the concurrence of the Provost.
3. Unless otherwise specified in writing, periods of academic leave of absence will not be counted as a year of service in regard to rank, tenure, sabbatical and salary considerations.
4. Application and decision deadlines should be set by the Provost so as to permit necessary schedule planning for the academic year in which the academic leave of absence is to be granted. Application must occur no later than the end of the first week of the preceding Spring Semester if the leave is to be during the following Fall Semester, or no later than the end of the first week of the preceding Fall Semester if the leave is to be during the following Spring Semester.
5. Faculty members on academic leave shall retain all faculty rights, privileges, and benefits as defined in the *University Faculty By-Laws*.
6. Returning faculty shall be reinstated at their previous rank and at the salary for that rank for the academic year in which they return to the faculty unless the appointment has previously been terminated pursuant to these By-Laws.
7. Recipients of an academic leave of absence are expected to return to their positions for a period of at least one year or to repay the value of any benefits received during the leave. If faculty

members are incapable of fulfilling this pledge for health or other extraordinary reasons beyond their control, then the University will reduce or eliminate obligation for that faculty member.

Section 9 Any additions, deletions, or changes to benefits enumerated in this Article and available to University Faculty shall be governed by the principles enunciated in these *University Faculty By-Laws*.

Article XI: Faculty Evaluation

- Section 1** In addition to this article of the *University Faculty By-Laws*, principles enunciated and any specific policies and procedures indicated in the individual supplemental College/School By-Laws shall apply in the matter of faculty evaluation to the extent they do not conflict with these By-Laws.
- Section 2** The evaluation of professional activities in a University is essential to the maintenance of academic and professional standards of excellence. The purposes of faculty evaluation are to encourage the improvement and development of professional performance and to provide a basis for personnel recommendations and actions.
- Section 3** Faculty evaluation shall focus primarily, but not exclusively, on a faculty member's: (1) teaching/academic effectiveness; (2) relationships with students; (3) relationships with colleagues; (4) discharge of instructional and other responsibilities; (5) research and scholarly activity; (6) service to one's College/School, the University community and/or profession; and (7) demonstrated respect, support for, contribution to and advancement of the University's Mission. Expanded descriptions and examples of observable behaviors and traits that should inform evaluation in each of these seven areas are stated in Section 5 of this Article.
- Section 4** **Procedures and Methods Common to All Colleges.**
- A. In the spring semester prior to the year in which a faculty member will be evaluated, the Dean of the College shall provide a date by which all faculty members due for evaluation in that academic year should provide to the Dean a self-evaluation addressing the areas listed in Section 3, and containing such supporting materials (for example, course evaluations, peer evaluations, copies of or references to scholarly articles) as requested by the Dean or as designated by the College/School By-Laws.
- B. The faculty member's self-evaluation shall be reviewed by the faculty member's Dean or the Dean's designee and the faculty member's Department Chair/Program Director. The Dean/designee and Department Chair/Program Director each shall make at least one classroom observation of the faculty member in the year in which the evaluation is being performed, and shall give the faculty member notice of the semester in which the observation shall occur. In addition, the Dean/Designee and the Department Chair/Program Director may consider any additional information relevant to the faculty member's performance, and should make a good faith effort to observe faculty members' performance in all of their faculty responsibilities and in diverse academic settings.

- C. The Dean/Designee and the Department Chair/Program Director shall each prepare a written evaluation, which shall discuss both past levels of achievement and areas of opportunity for further development; these should be objective and thorough. The evaluations shall be presented to and discussed with the faculty member by the Dean/Designee and Department Chair/Program Director. The evaluation shall be signed by the Dean/Designee and the faculty member after such discussion has occurred. The faculty member's signature does not necessarily indicate agreement to the substance of the evaluation, but only an acknowledgement that the content of the evaluation has been shared with the faculty member.
- D. In those instances where the evaluation identifies areas of a faculty member's teaching and/or professional performance that fail to meet acceptable standards, the evaluation should identify steps that will be taken to remedy the identified issues and provide for periodic feedback and follow up by the Department Chair and the Dean on the faculty member's progress toward achieving acceptable standards.
- E. **Frequency of Evaluations.** Frequency of faculty evaluations is determined by the faculty member's status and years in that status.
1. Tenure Track faculty shall be evaluated once per academic year throughout the period from the hiring to the time of the actual or anticipated application for tenure ("the Probationary Period").
 2. Temporary faculty shall be evaluated once per academic year.
 3. Non-Tenure Track faculty shall be evaluated once per academic year during their first six years of service, and at least once every third academic year thereafter.
 4. Professors of Practice shall be evaluated once per academic year during their first six years of service. They will have a 3rd year evaluation that will be conducted by the Dean of the respective college in consultation with the Department Chair. The review may include college committee designed(s). After their 6 years of evaluations, they will be evaluated at least once every third academic year thereafter.
 5. Tenured Faculty shall be evaluated at least once every five academic years following their being granted tenure.
- F. **Mid-Point Tenure Progress Evaluation.** The evaluation received by a Tenure Track Faculty member at the mid-point of their Probationary Period shall be a comprehensive evaluation. The evaluation should

include the following content:

1. A self-evaluation addressing the criteria listed in Section 3.
2. The Dean/designee and the Department Chair/Program Director shall make at least one course observation of the faculty member in the year of the evaluation (See Section 4.B.)
3. The Dean/Designee and the Department Chair/Program Director shall each prepare a written evaluation, and the evaluations shall be presented to and discussed with the faculty member (See Section 4.C.).
4. At least one written peer review based on the evaluation criteria will be solicited by the faculty member and should include specific discussion of the faculty member's progress toward tenure in light of the University and College/School criteria for recommending tenure to the Board of Trustees.
5. Faculty should submit their Annual Reports from the previous 3 years, an updated curriculum vitae, and their self-evaluation to their dean/Designee and the Department Chair/Program Director.

The evaluation should identify areas in which additional or corrective action is needed to improve the faculty member's likelihood of receiving a favorable tenure recommendation. Each College/School shall delineate a process for the mid-point tenure evaluation that is consistent with this Article XI as well as Article VIII of these University Faculty By-Laws. A successful tenure and/or progress evaluation and/or completion of any recommendations made in the tenure and/or progress evaluation does not guarantee or imply that tenure will be recommended or awarded.

G. Professor of Practice Third Year Evaluation. Professors of Practice shall be evaluated once per academic year during their first six years of service. Their third-year evaluation will be a comprehensive review. The review should include the following content:

1. A self-evaluation addressing the criteria listed in Section 3.
2. The Dean/designee and the Department Chair/Program Director each shall make at least one course observation of the faculty member in the year of the evaluation (See Section 4.B).
3. The Dean/Designee and the Department Chair/Program Director each shall prepare a written evaluation, and the evaluations shall be presented to and discussed with the faculty member (See Section 4.C).
4. At least one written peer review based on the evaluation criteria will be solicited by the faculty member, and specific discussion of the faculty member's progress toward promotion should be conducted in light of the University and College/School criteria.

5. Faculty should submit their Annual Reports from the previous 3 years, an updated curriculum vitae, and their self-evaluation to their Dean/Designee and the Department Chair/ Program Director.

The evaluation should identify areas in which additional or corrective action is needed to improve the faculty member's likelihood of receiving promotion. Each College/School shall delineate a process for the 3rd year evaluation that is consistent with this Article XI as well as Article VIII of these University Faculty By-Laws. A successful 3rd year evaluation and/or completion of any recommendations made in the 3rd year evaluation does not guarantee or imply that promotion will be recommended or awarded.

- H. **Filing and access.** All faculty self-assessments, annual faculty reports, and other written records of academic evaluation shall become a part of the faculty member's personnel file in the Dean's Office. Under the direction of the Dean, pursuant to confidentiality laws, these documents can be used by appropriate academic administrators and committees in their recommendations for personnel actions. A faculty member has a right to review, in the presence of the Dean or the Dean's designate, the documents in their personnel file pursuant to the Illinois Personnel Records Review Act.
- I. **College/School Procedures.** The specific implementation of these procedures in a particular college, including any evaluation instrument(s), shall be developed by the Dean of each College/School and the appropriate college-level committee with the concurrence of the Provost. The criteria for and methods of performance evaluation may be augmented in the individual supplemental College/School By-Laws and communicated by the Dean and appropriate College/School committees for each faculty performance evaluation review. Each College/School must provide written faculty evaluations for faculty that meet the minimum frequency and other requirements set forth in this Article and its respective College/School By-Laws.

Section 5 University-Wide Evaluation Criteria: This section sets forth a fuller description of the evaluation criteria that are used to evaluate the performance of faculty members for formal evaluations, including promotion and tenure. It is recognized, however, that within the broad definitions of these areas, the activities in which faculty members engage in the pursuit of fulfilling their professional assignments can vary from one College/School and department to another.

Accordingly, supplemental College/School By-Laws also include criteria for each faculty performance evaluation that elaborate on the general university-wide evaluation criteria set forth in this Article and are consistent with the Mission of the College/School and the professional responsibilities carried out by its faculty members.

- A. **“Teaching/Academic” Effectiveness:** The paramount responsibility of each faculty member is to be an effective teacher and educator. Effectiveness as a teacher and educator includes, but is not restricted to, these observable qualities in the faculty member as is reasonable and appropriate for the discipline or program area of the faculty member:
1. Clearly and enthusiastically communicating special knowledge and expertise based on an understanding of curricular objectives and the student’s needs and abilities;
 2. Ability to draw different aspects of the subject together in a meaningful, coherent way;
 3. Innovative and creative approaches to communicating disciplinary knowledge;
 4. Instructional methods that demonstrate an understanding of how students learn and utilize evidence based practice documented in refereed research journals, books and professional conferences;
 5. Clarity and precision in the presentation and analysis of complex and/or technical subject matter in the classroom;
 6. Versatility of teaching strategies for solving problems, transmitting facts, developing concepts, and instilling principles;
 7. Inclusion of current research, information, practical experience, and examples in lecture, learning activities and discussion;
 8. Familiarity with and ability to incorporate current discipline developments and requirements into course content;
 9. Communication of clear academic and professional standards and expectations;
 10. Testing and evaluation methods appropriate to both the subject matter and the academic level of the course;
 11. Ability to model for students the standards of performance and professionalism expected of them;
 12. Ability to assess student learning outcomes of the course programs and university and to use assessment results to improve student learning;

13. Ability to develop course syllabi, readings lists, and assignments which are helpful to students and colleagues and participate productively in instructional planning and organization; and
14. Creating experiential learning experiences for students, such as service learning and travel study courses.

Teaching/Academic Effectiveness is established by multiple sources of evidence including: self-evaluations; evaluations by the Department Chair/Program Director and Dean; peer evaluations; student evaluations; observation of teaching by peers, the Department Chair/Program Director and Dean as designated by supplemental College/School By-Laws; teaching awards and honors.

B. Relationship With Students: Relationships with students includes, but is not restricted to:

1. Having an open and respectful attitude toward students;
2. Being responsive to student questions and concerns;
3. Tolerating student viewpoints that are different from those of the faculty member;
4. Evaluating promptly, objectively and honestly student work and performance;
5. Demonstrating a genuine interest in the affective growth of students;
6. Encouraging students to pursue further and/or independent study;
7. Demonstrating a genuine interest in the intellectual growth of students;
8. Handling student academic and/or disciplinary problems in a professional and equitable manner;
9. Aiding and supporting student reflection and consideration of ethical dimensions of the topic(s) being considered;
10. Aiding and supporting students to pursue academic advisement opportunities; and
11. Evidence of punctuality and effective use of class time.

Effective relationships with students is established by multiple sources of evidence including: self-evaluations; evaluations by the Department Chair/Program Director and Dean; peer evaluations; student evaluations; and observation of teaching by peers, the Department Chair/Program

Director and Dean as designated by supplemental College/School By-Laws.

- C. **Relationships With Colleagues:** Relationships with colleagues includes, but is not restricted to:
1. Effective interactions with the Department Chair/Program Director and other members of the department;
 2. Effective interactions with the Dean and other College/School or University administrators;
 3. Earning the professional respect of colleagues; and
 4. Establishing and maintaining good professional relations with College/School and University faculty and staff.

Effective relationships with colleagues is established by multiple sources of evidence including: self-evaluations; evaluations by the Department Chair/Program Director and Dean; and peer evaluations.

- D. **Instructional and Other Faculty/Academic Responsibilities:** Faculty/academic responsibilities include, but are not limited to, the conscientious fulfillment of instructional responsibilities such as
1. The timely reading, grading, and return of papers and examinations;
 2. Establishing appropriate office hours or otherwise making themselves available outside of classroom hours to meet students' needs;
 3. The judicious use of instructional technology;
 4. Appropriate use of student presentations;
 5. Providing instructional time and quality that fulfills all regulatory and accreditation requirements for the credit hours earned in a course or learning activity;
 6. Keeping appointments with students;
 7. Revising course syllabi to reflect changes in topic sequence, examination dates, reading, etc.; and
 8. The timely and successful fulfillment of all faculty responsibilities including, but not limited to adherence to University, College/School, and department instructional policies, procedures and guidelines.

Effective performance of faculty responsibilities is established by multiple sources of evidence including: self-evaluations; evaluations by the

Department Chair/Program Director and Dean; peer evaluations; student evaluations; and observation of classroom teaching by peers, the Department Chair/Program Director and Dean as designated by supplemental College/School By-Laws.

- E. **Research and Scholarly Activity:** Scholarly Activity/Research Involvement in one's field promotes the exploration of ideas, acquisition of expertise, and research that enriches teaching and contributes to the advancement of learning for students and faculty. Scholarly activity is defined as the development and dissemination of unique intellectual and creative contributions to the advancement of knowledge in an academic field of study through the scholarship of discovery and application. While the Colleges/Schools accentuate diverse activities germane to their areas of expertise, commonly recognized examples of excellence in scholarship/research and/or involvement in one's field outside of the University that are consistent amongst all the disciplines include, but are not limited to:
1. Dissemination of scholarly work through academic presentations at professional meetings, publications, exhibitions, and creative reviewed, or if not peer-reviewed are respected within one's discipline, by the University or beyond academia;
 2. Development and submission of grant proposals outside the University;
 3. Interdisciplinary study for pedagogical and scholarly purposes;
 4. Leadership roles in professional organizations related to individual's discipline;
 5. Pedagogical and scholarly achievements recognized by external and internal grants and awards;
 6. External service as a professional consultant or advisor in fields related to one's discipline;
 7. Service as a judge or referee of artistic or scholarly works;
 8. The development of new inventions, products, processes, computer software, or significant education media, regardless of whether patents or copyrights are applied for/awarded;
 9. Serving as a principal investigator of externally-funded research;
 10. Creation of peer-reviewed, research-oriented websites or publications; and
 11. Award of grants, patents, prizes, or commendations.

Effective scholarship is evaluated based on quality and may be assessed by evidence generated by, but not necessarily limited to the following: self-report of scholarly activities; evaluations by Department Chair/Program Director and Dean; evaluations or statements of professional peers; publication listings; citations of research in other works; patents; and receipt of awards and honors.

F. **Service:** Service is fundamental to the University Mission and includes service to the University, to one's College/School and department and to the profession. As a faculty member advances through the ranks, the expected level of their commitment to service increases.

1. *Service to the University:* Examples of service to the University include, but are not restricted to:
 - (a) Serving on University committees;
 - (b) Chairing University committees;
 - (c) Serving as an officer to University committees;
 - (d) Serving as faculty advisor to student clubs and organizations;
 - (e) Writing accreditation reports;
 - (f) Development and submission of grant proposals on behalf of the University (not research);
 - (g) Participation in student recruitment, fundraising, and marketing activities;
 - (h) Mentoring colleagues in research, service and/or teaching;
 - (i) Organizing University events such as student symposia, drama productions, concerts, showcases, competitions, conferences, guest speakers, etc.; and
 - (j) Contributing to Catholic and Lasallian initiatives.
2. *Service to the College/School and Department:* Examples of service to the College/School and department include, but are not restricted to:
 - (a) Serving on College/School committees;
 - (b) Chairing College/School committees;
 - (c) Serving as an officer to College/School committees;
 - (d) Organizing College/School events such as student symposia, drama productions, concerts, showcases, competitions, conferences, etc.;

- (e) Participating in College/School events such as judging student work, presenting at symposia, poetry, readings, playing concerts, directing plays, etc.;
 - (f) Providing experiential learning opportunities for students out of the classroom, including service learning and community service that fosters the University Mission with the community and globally;
 - (g) Serving as a Program Director, Department Chair, or Dean;
 - (h) Assessing a colleague as part of the peer review process;
 - (i) Acting as representative of the University to the larger community
 - (j) Manifesting a strong record of departmental/institutional participation in training;
 - (k) Engaging in leadership or active participation in development of research programs;
 - (l) Mentoring and coaching faculty colleagues;
 - (m) Serving as a team leader on assigned projects; and
 - (n) Participating with service learning, mission trips, travel study.
3. *Service to the Profession:* Examples of service to the profession include, but are not restricted to:
- (a) Participation on editorial boards, associate editorships, or editorships of recognized and respected scholarly publications;
 - (b) Serving as chair or an active leadership member of a professional committee;
 - (c) Service as an officer of a recognized professional organization;
 - (d) Registration and active participation in a nationally or internationally recognized professional society;
 - (e) Service on an advisory committee board, or study section for relevant professional and education organizations;
 - (f) Consulting in areas of professional expertise;
 - (g) Leadership roles in major disciplinary meetings;
 - (h) Participation as an evaluator in an institutional or academic program accreditation review;

- (i) Participation as a member of doctoral dissertation committee;
- (j) Organizing and/or teaching workshops, short courses, or conferences in areas of professional expertise;
- (k) Promoting students in their pursuit of fellowships, scholarships, graduate study, competitions and service learning or volunteer opportunities;
- (l) Promoting and mentoring students in scholarly activity and research projects; and
- (m) Serving as an evaluator, officer, or consultant for an accrediting body

Effective service may be assessed by evidence generated by, but not necessarily limited to the following: self-report of service activities; evaluations by Department Chair/Program Director and Dean; and service related awards and honors.

G. Support of the Mission of the University: All faculty are required to support

University. Examples of demonstrated support, contribution to, and respect for the University's Mission include, but are not limited to:

1. Integrating the Mission of the University into the faculty member's educational philosophy and using means to interpret these to students (e.g., developing a service learning course, etc.);
2. Teaching and advising activities that illustrate qualities of respect for and support of the University's Mission;
3. Participation in and/or contributions to activities such as conferences and workshops on Lasallian and Catholic intellectual traditions and educational philosophies;
4. Contributions to student ministry activities on campus;
5. Participation in activities inside the University such as colloquia, public lectures, reading and study groups, which foster the intellectual community, institutional identity, and interschool/interdisciplinary collaboration;
6. Participation in the national and international Lasallian network;
7. Helping to train and mentor new faculty;
8. Helping students to develop and implement career plans and to identify career opportunities and options;

9. Activities related specifically to the University Mission and institutional service;
10. Non-scholarly service to the larger intellectual, professional, and/or Lasallian community; and
11. Service to the larger local, national and global community in keeping with the University's Lasallian traditions and concern for social justice.

In a case where the faculty member has made a distinctive and significant contribution to the University's Mission, this contribution shall be acknowledged regardless into which category it falls (e.g., teaching, scholarly activities, service).

Article XII: Faculty Promotion

- Section 1** Academic rank exists to recognize academic qualifications, professional growth and academic effectiveness in those who undertake the essential work of the University and the College/School. Rank, therefore, is granted to faculty members according to their level of academic qualification, achievement, and advancement as educators and professionals in their academic disciplines.
- Promotion in rank is not an automatic advancement; rather, it results from effort, growth, and merit on the part of individual faculty member and from the desire of the College/School and the University to reward a faculty member's qualifications for and demonstrated excellence in teaching and the performance of other faculty roles and responsibilities as defined in these By-Laws, particularly Articles III, XI and this Article XII, and as augmented by supplemental College/School By-Laws.
- Section 2** The attainment of the minimum eligibility standards described in these By-Laws, while making a faculty member eligible for consideration for promotion to the next rank, does not constitute an automatic claim for promotion. In all applications for promotion, each of the minimum eligibility standards described in the By-Laws must be met. In addition to this article of these *University Faculty By-Laws*, principles enunciated in and any specific policies and procedures indicated in the relevant supplemental College/School By-Laws shall apply in the matter of promotion to the extent they are not inconsistent with these *University Faculty By-Laws*.
- Section 3** Promotion recommendations shall be considered according to the aforementioned standards and criteria and be reviewed for fairness, completeness, and consistency by all those involved in the promotion evaluation process. An application for promotion must first be evaluated by the department and then submitted to the Dean of the applicable College/School. The Dean will make an evaluation and recommendation and forward it to the University Professional Status Committee as well as the applicant. The University Professional Status Committee will make an independent evaluation and recommendation and forward it, along with the Dean's recommendation to the Provost, as well as the applicant. The Provost will make an independent evaluation and recommendation which together with the earlier recommendations will be presented to the President. Unless withdrawn by the applicant, the application for promotion will be passed along to each succeeding level in the process regardless of whether a particular recommendation is favorable or unfavorable. If the Provost recommends against promotion, the applicant shall be given notice of the unfavorable recommendation and an opportunity to either withdraw the application or appeal the Provost's action to the President under Article XVI before the President's decision.
- Section 4** Tenured, Tenure Track, and Non-Tenure track faculty members are eligible to apply for promotion in rank if they meet the criteria and requirements stated in the *University Faculty By-Laws* and/or the individual College/School By-Laws. Non-

Tenure Track and half-time faculty are eligible to apply for promotion up to and including the rank of Associate Professor. For promotion in rank of half-time faculty, the time in position and service eligibility requirements shall be credited *pro rata*.

Section 5 The minimum eligibility standards and additional criteria for promotion to each rank are stated in Section 6 below, and may be augmented by supplemental College/School By-Laws to take into account matters specific to that College/School. Of the standards and criteria, teaching/academic effectiveness is the most important, because a faculty member cannot be promoted in rank without documented evidence of having met this criterion. However, a lack in academic qualifications or in the discharge of faculty responsibilities or in other promotion criteria as defined in these By-Laws is adequate grounds to deny promotion apart from teaching excellence. Where a degree is relied upon to satisfy the academic qualifications eligibility standard, it must have been granted by a regionally accredited institution and be in the field or discipline which the faculty member teaches. If the degree is in a field other than that taught, a minimum of 18 graduate credit hours in the field to be taught is required.

Section 6 When considering whether or not to recommend a faculty member for promotion in rank, all individuals and groups in the promotion process shall be governed by the following minimum eligibility requirements and additional criteria.

- A. **Instructor:** The rank of Instructor is ordinarily assigned to new faculty members who meet the following minimum standards but not the minimum standards for a higher rank.
1. Academic Qualifications: Master's degree and/or other qualifications as defined in any relevant supplemental College/School By-Laws.
 2. Teaching/Academic Effectiveness: Qualities that indicate potential and promise as an effective educator.
- B. **Assistant Professor:** Faculty members are eligible for consideration for promotion to the rank of Assistant Professor if they meet the following minimum eligibility standards.
1. Length of Time in Rank as Instructor: A Tenure Track faculty member must apply for a promotion to the rank of Assistant Professor after a minimum of three (3) complete years and a maximum of four (4) complete years in rank as an Instructor, or as otherwise specified in the initial letter of appointment. A Tenure Track faculty member not promoted after applying shall be separated from the University after the completion of one (1) additional one-year contract; or, if the option is made available, the Tenure Track faculty member may continue on a year-to-year basis as a Non-Tenure Track faculty member.

A Non-Tenure Track faculty member may apply for a promotion to the rank of Assistant Professor after a minimum of three (3) complete years in rank as an Instructor or as otherwise specified in the initial letter of appointment.

2. **Academic Qualifications:** Master's degree plus additional graduate credits as defined in the individual College/School By-Laws and other qualifications as defined in any relevant supplemental College/School By-Laws.

In addition to the minimum eligibility criteria, the following promotion criteria shall be considered:

1. **Teaching/academic Effectiveness:** Evidence of successful professional growth and continued promise as an effective educator as described in Article XI, Section 5 of these By-Laws and as may be augmented by the supplemental College/School By-Laws.
2. **Relationships with Students:** A record of positive and appropriate relationships with students viewed in light of the criteria stated in Article XI, Section 5, as may be augmented by the supplemental College/School By-Laws.
3. **Relationship with Colleagues:** Evidence that the faculty member has and continues to develop positive relationships with colleagues as described in Article XI, Section 5 and works well with faculty colleagues, administrators and other members of the Lewis Community.
4. **Instructional and Other Faculty Duties:** A well-developed record of consistently fulfilling the Instructional and Other Faculty Duties described in Article XI, Section 5 as augmented by any relevant supplemental College/School By-Laws.
5. **Research and Scholarly Activities:** Evidence of disciplinary scholarship activity that is gaining external recognition as described in Article XI, Section 5 and any relevant supplemental College/School By-Laws.
6. **Service:** Evidence of a developing record of service, as described in Art. XI, Section 5, particularly at the departmental or College/School level, as well as external service to the profession.
7. **Mission:** Evidence of a growing understanding and commitment to the Mission of the University and progress in incorporating Mission values in the faculty member's professional activities.

- C. **Associate Professor:** Faculty members are eligible for consideration for promotion to the rank of Associate Professor if they meet the following

minimum eligibility standards:

1. Length of Time in Rank as Assistant Professor: A Non-Tenure Track or Tenure Track faculty member may apply for a promotion to the rank of Associate Professor during their sixth (6th) or later complete year in rank as an Assistant Professor, or as otherwise specified in the initial letter of appointment. The promotion shall be effective at the beginning of the academic year immediately following the year in which the successful application was made.
2. Academic Qualifications: Earned appropriate terminal degree and/or a Master's degree plus additional graduate credits or graduate degree and other qualifications as defined in any relevant supplemental College/School By-Laws.

In addition, the following promotion criteria shall be considered:

1. Teaching/Academic Effectiveness: Evidence of an outstanding record of academic and teaching effectiveness in view of the criteria stated in Art. XI, Section 5 since the faculty member's last promotion.
2. Relationships with Students: A record of exemplary relationships with students viewed in light of the criteria stated in Article XI, Section 5, as may be augmented by any relevant supplemental College/School By-Laws.
3. Relationships with Colleagues: A clear record that the faculty member's relationships with colleagues, administrators and other members of the Lewis Community are maintained with an outstanding degree of professionalism and evidence well-established mutual respect.
4. Instructional and other Faculty Responsibilities: Full development and consistent application of the skills required for instructional responsibilities and outstanding discharge of all other faculty responsibilities as described in Article III and Article XI, Section 5 of the *University Faculty By-Laws*, as augmented by any relevant supplemental College/School By-Laws.
5. Research and Scholarly Activity: Evidence of recognized scholarly activity leading to contributions to the faculty member's field since the faculty member's last promotion.
6. Service: A documented record of outstanding service to the department/college/university, the discipline or profession since the faculty member's most recent past promotion.
7. Mission Values: A record of outstanding support for, contribution to and respect of the University's Mission.

D. **Professor:** Tenured and Tenure Track Faculty members are eligible for consideration for promotion to the rank of Professor if they meet the following minimum eligibility standards.

1. **Length of Time in Rank as Associate Professor:** An Associate Professor may apply for promotion to the rank of Professor during their fourth (4th) or later complete year of service in rank as an Associate Professor, or as otherwise specified in the initial letter of employment. Only Tenured or Tenure Track faculty may apply for promotion to Professor. The promotion shall become effective at the beginning of the academic year immediately following the year in which the successful application was made.
2. **Academic Qualifications:** Earned doctorate or other terminal degree acceptable to the University and/or other qualifications as defined in any relevant supplemental College/School By-Laws.

In addition to the minimum eligibility standards, the following criteria shall be considered:

3. **Teaching/Academic Effectiveness:** Evidence of an exceptional record of academic and teaching effectiveness, pedagogical innovation and leadership within the College/School and University in the area of teaching.
4. **Relationships with Students:** An established record of exceptional relationships with students including significant mentoring and other positive effects on the quality of the experience of students.
5. **Relationships with Colleagues:** Clear evidence of an exceptional record of maintaining collegial and professional relationships with colleagues, administrators and all members of the Lewis University community.
6. **Instructional and other Faculty Duties:** Mastery and consistent application of the skills required for instructional responsibilities and exceptional discharge of all other faculty responsibilities as described in Article III and Article XI, Section 5 of the *University Faculty By-Laws*, as augmented by any relevant supplemental College/School By-Laws.
7. **Research and Scholarly Activity:** Clear evidence of a sustained and distinguished record of scholarly accomplishment nationally or internationally and recognition by peers in the faculty member's field of specialization.
8. **Service:** A documented record of exceptional service to the department, College/School and University particularly at the institution-wide level.

9. **Mission Values:** Demonstration of an exceptional record of supporting, contributing to and advancing the University's Mission.

E. **Instructor of Practice:** Instructors of Practice are non-tenure-track faculty on term contracts. Contracts for Instructors of Practice may be written annually and are renewable. These appointments are typically 1.0 FTE but must be at least 0.5 FTE. Advancement to Assistant Professor of Practice follows the University-Wide Evaluation Criteria described in Article XI, Section 5, A-D, F-G. Unlike Tenure Track Faculty, the scholarly activity of these faculty is concentrated on maintaining appropriate licensures, investigating, and implementing innovative pedagogical approaches to teaching and having leadership roles in professional organizations.

Academic Qualifications: Master's degree and/or other qualifications as defined in any relevant supplemental College/School By-Laws.

F. **Assistant Professor of Practice:** Assistant Professors of Practice are non-tenure-track faculty on term contracts. Contracts for Assistant Professors of Practice may be written annually and are renewable. These appointments are normally 1.0 FTE but must be at least 0.5 FTE. Advancement to Associate Professor of Practice follows the University-Wide Evaluation Criteria described in Article XI, Section 5, A-D, and F-G. Unlike Tenure Track Faculty, the scholarly activity of these faculty is concentrated on maintaining appropriate licensures, investigating, and implementing innovative pedagogical approaches to teaching and having leadership roles in professional organizations or professional or community-based activities. Therefore, specific criteria for their contribution to the field, college and university is determined upon hire and explicitly defined in the contract.

Academic Qualifications: Master's degree and and/or qualifications as defined in any relevant supplemental College By-laws/School By-Laws.

Teaching/Academic effectiveness: Qualities that indicate potential and promise as an effective educator.

G. **Associate Professor of Practice:** Associate Professors of Practice are non-tenure track faculty on term contracts. These appointments are normally 1.0 FTE but must be at least 0.5 FTE. Advancement to Professor of Practice follows the University-Wide Evaluation Criteria described in Article XI, Section 5, A-D, and F-G. Unlike Tenure Track faculty, the scholarly activity of these faculty is concentrated on maintaining appropriate licensures, investigating, and implementing innovative pedagogical approaches to teaching and leadership roles in

professional organizations or professional or community-based activities. Their specific contractual expectations for contribution to the field, college and university upon hire is evaluated. They are eligible for promotion to Associate PoP if they meet the following minimum eligibility standards:

1. Length of time as Assistant Professor of Practice: A faculty member may apply for promotion to Associate PoP during her/his sixth (6th) year or later complete year as an Assistant Professor of Practice, or as otherwise specified in the initial letter of appointment. The promotion shall be effective at the beginning of the academic year immediately following the year in which the successful application was made.
2. In addition to the minimum eligibility criteria, the promotion criteria as stated in Article XI, Section 5, A-D, F-G of these by-law shall be considered.
3. Academic Qualifications: Master's degree and/or other qualifications as defined in any relevant supplemental College By-laws/School By-Laws.

In addition, the following promotion criteria shall be considered:

1. Teaching/Academic Effectiveness: Evidence of an outstanding record of academic and teaching effectiveness in view of the criteria stated in Art. XI, Section 5.
2. Relationships with Students: A record of exemplary relationships with students viewed in light of the criteria stated in Article XI, Section 5, as may be augmented by any relevant supplemental College/School By-Laws.
3. Relationships with Colleagues: A clear record that the faculty member's relationships with colleagues, administrators and other members of the Lewis Community are maintained with an outstanding degree of professionalism and evidence well established mutual respect.
4. Instructional and other Faculty Responsibilities: Full development and consistent application of the skills required for instructional responsibilities and outstanding discharge of all other faculty responsibilities as described in Article III and Article XI, Section 5 of the University Faculty By-Laws, as augmented by any relevant supplemental College/School By-Laws.
5. Service: A documented record of outstanding service to the department, College, and University, the discipline or profession.
6. Mission Values: A record of outstanding support for, contribution to and

respect of the University's Mission.

- H. **Professor of Practice:** Professors of Practice are non-tenure-track faculty on term contracts. These appointments are normally 1.0 FTE but must be at least 0.5 FTE. Unlike Tenure Track faculty, the scholarly activity of these faculty is concentrated on maintaining appropriate licensures, investigating, and implementing innovative pedagogical approaches to teaching and leadership roles in regional or national professional organizations or professional or community-based activities. Their specific contractual expectations for contribution to the field, college and university upon hire is evaluated. They are eligible for promotion to Professor of Practice if they meet the following minimum eligibility standards:

1. Length of time as Associate Professor of Practice: A faculty member may apply for promotion to Professor of Practice during their fourth (4th) year or later complete year as an Associate Professor of Practice, or as otherwise specified in the initial letter of appointment. The promotion shall be effective at the beginning of the academic year immediately following the year in which the successful application was made.

2. In addition to the minimum eligibility criteria, the promotion criteria as stated in Article XI, Section 5, A-D, F-G of these by-laws shall be considered.

3. Academic Qualifications: Doctoral or Master's degree and/or other specified qualifications as defined in any relevant supplemental College By-laws/School By-Laws.

In addition, the following promotion criteria shall be considered:

4. Teaching/Academic Effectiveness: Evidence of an exceptional record of academic and teaching effectiveness, pedagogical innovation and leadership within the College and University in the area of teaching as stated in Article XI, Section 5 since the last promotion.

5. Relationships with Students: An established record of exceptional relationships with students including significant mentoring and other positive effects on the quality of the experience of students.

6. Relationships with Colleagues: Clear evidence of an exceptional record of maintaining collegial and professional relationships with colleagues, administrators and other members of the Lewis Community.

7. Instructional and other Faculty Duties: Mastery and consistent application of the skills required for instructional responsibilities and exceptional discharge of all other faculty responsibilities as described in

Article III and Article XI, Section 5 of the University Faculty By-Laws, as augmented by any relevant supplemental College By-Laws.

8. Service: A documented record of exceptional service to the department, College and University, particularly at the institution-wide level since the last promotion.

9. Mission Values: Demonstration of an exceptional record of supporting, contributing to and advancing the University's Mission.

Section 7 In submitting their application for promotion in rank, applicants must present their case in a manner establishing the validity and significance of materials supporting a positive recommendation. Materials should include only relevant materials since the last promotion. These materials shall include minimally the following: all student evaluation summaries and commentaries of each class taught in that time period, peer evaluations including faculty or professional staff not from the applicant's primary teaching unit, self-evaluation of one's teaching, service and research/scholarly activity and an evaluation from the Department Chair or Program Director of the academic program. The basic presentation within a promotion application must be organized to cover each area of the promotion criteria and include a summary of the applicant's case for promotion.

Section 8 Promotion applications are permitted only if the requisite cumulative time and educational attainment for rank eligibility have been completed by the established due date of application. Additionally, cumulative accomplishment at a higher level of achievement for each rank must be achieved. Application evidence must support a firm demonstration of commitment to work jointly with other faculty, administrators, and members of the University staff for the growth and welfare of the University, student learning and commitment to the University's Mission.

Section 9 Maintaining the same level of achievement as formed the basis of a previous promotion in rank does not create a sufficient basis for an additional promotion. No one can expect to be promoted on the same basis and merits that justified a previous promotion.

Section 10 A faculty member who, has applied for a promotion and failed to obtain a favorable recommendation from the Provost, may withdraw the application or may appeal the Provost's recommendation to the President as provided for in Article XVI.

Section 11 Faculty members hired prior to the adoption of these By-Laws by the Board of Trustees may choose to proceed under the Time in Rank requirement in effect at the time of their hire or under these University By-Laws. This provision shall remain in effect for the nine years after adoption and then shall cease to be effective.

Non-tenure track faculty hired prior to May 19, 2016 and who were eligible for potential promotion to full professor under their college by-laws shall retain such eligibility. This provision shall apply to applications for promotion made prior to the ninth anniversary of the effective date of the University By-Laws (May 19, 2025) and then shall cease to be effective.

Article XIII: Faculty Tenure

Section 1 In addition to this article of these *University Faculty By-Laws*, principles enunciated and the specific policies and procedures indicated in any relevant supplemental College/School By-Laws shall apply in the matter of tenure to the extent they are not inconsistent with the *University Faculty By-Laws*.

Section 2 Tenure is the decision on the part of the University to enter into a long-term professional relationship with a faculty member. Only Tenure Track Faculty are eligible to apply for tenure consideration.

Tenure can only be acquired by specific affirmative action of the Board of Trustees acting in conformity with its By-Laws, as they exist at the time of the Board of Trustees vote. Prior to a vote of the Board of Trustees, all procedures for tenure consideration provided in this Article, as well as any appeal of an adverse tenure recommendation by the Provost to the President, must be completed before the tenure application can be presented to the Board of Trustees. There is no *de facto* tenure at Lewis University. Tenure is not automatically granted and is not incidental to any other appointment or rank. No officer or agent of the University, other than the Board of Trustees acting as the Board of Trustees has the authority to grant tenure.

Tenure in the College of Aviation, Sciences and Technology, the College of Education and the Social Sciences, the College of Humanities, Fine Arts and Communications, College of Nursing and Health Sciences, and the College of Business is specific to the particular department, division, or other academic unit in which tenure is granted by specific Board of Trustees action.

Tenure is granted with the intent that the Tenured faculty member's contract will be renewed annually until the faculty member resigns or retires or the tenured appointment is terminated for one or more of the reasons specified in Article XV. Tenure notification shall be by letter from the President.

Tenure applications and recommendations shall be considered according to the standards stated below and should be reviewed for fairness, completeness, and consistency by all those involved in the recommendation process.

The tenure decision is based on the conviction that a faculty member has been making a valuable and valued contribution as an educator in the College/School and University and will continue to make a valuable and valued contribution to the College/School and the University.

Section 3

The purpose of tenure in the academic community is to promote the overall objective of preserving and enhancing the University's excellence as an educational institution — a place offering an environment, services, and facilities conducive to the development of the human intellect and character. The institution of tenure contributes to this objective by giving a measure of security to faculty members, freeing them to teach, to inquire, and to achieve.

Tenure implies a mutual commitment of the University and the faculty member. While academic freedom and security are the most recognizable features of that commitment to most faculty members, the acceptance of tenure by a faculty member is a strong life-long commitment to the University's Mission and its educational goals and objectives. It further implies a strong commitment and willingness to work jointly with faculty, students, administrators, and members of the University staff for the growth and welfare of the University and student learning. Consequently, acceptance of tenure is a commitment by a faculty member to continue to devote their energies and professional talents toward continued professional development and continued high levels of achievement and productivity as a member of the Lewis University academic community; including a commitment to advance the faculty member's pursuit of excellence in teaching and education, in research/scholarly inquiry and in service.

The attainment of the tenure standards described here, while making a faculty member eligible for tenure consideration, does not constitute an automatic claim for tenure.

The tenure criteria used to assess a faculty member's tenure application, in each of the each of the Colleges, as well as in any College or School that may be created after the adoption of these By-Laws, must include the following four criteria ranked in order of importance, in addition to any additional or augmented requirements or criteria defined in any relevant supplemental College/School By-Laws. However, no faculty member can be recommended for tenure (which requires a mutual life-long commitment on the part of the University and the faculty member) when the faculty member does not demonstrate attainment of the level of performance required in each area as stated herein, as well as any additional or heightened level of performance that may be defined in any relevant supplemental College/School By-Laws.

- A. Demonstrated excellence in teaching and other academic contributions to student learning, intellectual development, University Mission support, and overall educational attainment.
- B. Mastery of subject matter, as evidenced by appropriate earned degrees, advanced study, licenses, certificates, awards, honors, publications, research, scholarly activity, and/or professional presentations.

- C. A record of service to the faculty member's Department, College/School, and profession, the University and the Community, as well as participation in other aspects of the life of the University.
- D. Consistent and significant evidence of successful fulfillment and exceptional achievement in all areas of faculty responsibility defined in Article III, Faculty Responsibilities, and Article XI, Section 5, Faculty Evaluation Criteria of these *University Faculty By-Laws*. The fulfillment of each area of responsibility does not require an equal attainment. It does require a pattern of evidence supporting both the exhibited ability and practiced commitment to fulfill those responsibilities throughout a lifetime of teaching and other service to the University.

Section 4 Tenure-Track Faculty shall make application for tenure during their sixth (6th) continuous year at the University, or as otherwise stated in the initial letter of appointment, unless an extension for tenure application has been requested by the faculty member and granted by the University as provided for in Section 7 of this Article. For such extensions the specific details, conditions, and time frame shall be stated in writing in the faculty member's annual contract or in an addendum thereto.

Section 5 The application for tenure shall be first evaluated by the department and then filed with the Dean's office of the applicable College/School on or before the date in Appendix A of the University Faculty By-laws. The Dean will make an evaluation and recommendation and forward it to the University Professional Status Committee, as well as the applicant. The University Professional Status Committee will make an independent evaluation and recommendation and forward it, along with the Dean's recommendation to the Provost, as well as the applicant. The Provost, who shall likewise review the application and prior recommendations and make a recommendation, favorable or unfavorable to the President. The applicant will be notified if the Provost makes an unfavorable recommendation to the President, and will be notified of their rights to appeal that adverse recommendation pursuant to Article XVI.

Section 6 Faculty members who do not make application for tenure within the time permitted by Section 5 or faculty members who are not tenured as a result of their application for tenure, shall be separated from the University after the completion of one (1) additional one-year contract.

Application for an extension of the tenure deadline can be made only under unique situations and/or extraordinary circumstances beyond the control of the candidate for tenure. Such extraordinary circumstances may include a debilitating health problem of a time-limited nature, closure of doctoral degree program in which the applicant is a candidate, acceptance of an administrative appointment at Lewis University with a leave of absence or similar

circumstances having a negative impact on the quality of a tenure application. A request by a faculty member for an extension, of one or more years, must be received by the University Professional Status Committee and the College/School Dean at least six months prior to the required date of tenure application. The University Professional Status Committee reviews the request for an extension, makes a recommendation for or against the extension, approves or modifies the requested time, and sends the request with their recommendation on to the Dean. The Dean reviews the extension request, makes an independent evaluation of the request, and sends both recommendations to the Provost. The Provost reviews the extension request, makes an independent evaluation of the request, and sends all the recommendations to the President. The President will either deny or accept the extension recommendation, and the President's decision shall be final and binding.

Section 7 Tenure recommendations should be considered according to the aforementioned standards and reviewed for fairness, completeness, and consistency by all those involved in the recommendation process.

Section 8 In extraordinary cases, the Board of Trustees may grant tenure upon initial appointment to a faculty member, provided the individual clearly meets all University criteria for tenure, and has received the affirmative recommendation of the President, the Provost, the appropriate College/School Dean, and the University Professional Status Committee. This process is normally initiated by the Dean as part of the hiring process.

Section 9 **Stopping the Clock on Review for Tenure.** Any faculty member, regardless of gender, on tenure track who becomes the parent of a child by birth or adoption will be granted a one-year extension of the current term appointment for each pregnancy or adoption. A faculty member may elect to opt out of the term extension granted for childbirth or adoption.

The faculty member should notify the appropriate Department Chair and Dean of the birth or adoption within six months of the arrival of the child. The Dean should notify the Provost's Office immediately afterward so that proper records for the promotion case are maintained, whether the extension is taken or not.

A faculty member on tenure track may request an extension for other reasons, such as to care for a sick or disabled immediate family member or to attend to his or her personal illness or disability. Requests to "stop the clock" should be made in writing, addressed to the appropriate Department Chair and Dean as soon as the circumstances justifying the request are known. All such requests will be granted at the discretion of the appropriate Dean with the approval of the Provost.

Article XIV: Non-Renewal of Faculty Appointments

- Section 1** In addition to this article of these *University Faculty By-Laws*, principles enunciated and any specific policies and procedures indicated in the supplemental College/School By-Laws shall apply in the matter of non-renewal of faculty appointments to the extent that the latter are consistent with these *University Faculty By-Laws*.
- Section 2** Non-renewal is the non-issuance of a subsequent annual academic year contract to: (1) Tenure-Track, or (2) Non-Tenure Track faculty as defined in Article VII of these *University Faculty By-Laws*. Non-renewal does not include the ending of a Temporary Faculty member's appointment at the expiration of the period for which the appointment was made. Such appointments end by their own terms and do not renew absent affirmative act of the University.
- Section 3** Non-renewal is inapplicable to Tenured faculty members. Tenure is granted by the Board of Trustees with the intent that the faculty member's contract will be renewed annually until the faculty member retires or resigns or the tenured appointment is terminated for adequate cause, programmatic changes, or financial exigency.
- Section 4** Policies and procedures for the non-renewal of a faculty member's appointment are determined by the faculty member's status, as described in Article VII of these *University Faculty By-Laws*.
- Section 5** The criteria used in a College/School to determine non-renewal of full time and half-time faculty appointments shall be stated in its supplemental College/School By-Laws, which may permit non-renewal for any non-arbitrary, non-discriminatory reason; provided that the faculty member has been given adequate notice as specified in Article VIII, Sections 2 and 3.
- Section 6** The deadline for notification of non-renewal of a faculty appointment shall be as specified in Article VIII, Sections 2 and 3.
- Section 7** A full time or half-time faculty member, who has completed at least one (1) full academic year of service and whose appointment has not been renewed, may appeal the decision in accordance with the provisions set forth in Articles XVI and XVII of these *University Faculty By-Laws*. A decision not to enter into a new contract after or in anticipation of the expiration of a Temporary faculty member's stated period of appointment shall not be appealable.

**Article XV: Corrective Action Procedures and Process for
Termination of University Faculty**

Section 1 In addition to this article of these *University Faculty By-Laws*, principles enunciated, and any specific policies and procedures indicated in any relevant supplemental College/School By-Laws shall apply in the matter of corrective action procedures and termination of University Faculty to the extent they are consistent with these *University Faculty By-Laws*.

Section 2 The intent of progressive corrective action is to notify a faculty member that misconduct or failure to perform to expectations must be corrected, and that continued misconduct or poor performance may lead to termination. This process gives a faculty member the opportunity to correct their behavior before termination is necessary. Serious offenses may result in immediate suspension or termination.

The level of corrective action imposed in any particular case will be determined by the Chair/Dean based on their view of the relevant circumstances which may include, but are not limited to: the seriousness and nature of the conduct or problem, the likelihood that a particular form of progressive corrective action will correct the problem, the faculty member's length of service, the faculty member's past corrective action and performance record and the degree of harm or potential harm to the University or other community members caused by the conduct. Based on the above, the University may start the corrective action process at any level, including termination, and may skip or repeat steps in the corrective action process:

1. Verbal warning or discussion;
2. Written warning/improvement plan;
3. Suspension; and/or
4. Termination of employment.

In cases where corrective action other than termination is imposed, the faculty member and Chair/Dean should both approach a corrective action in the spirit that corrective action is designed to be corrective rather than punitive.

The levels of corrective action and related procedures are described as follows:

1. Verbal Warning or Discussion-- It is hoped that most minor problems can be addressed through informal verbal discussions between Chair/Dean and faculty member. Chairs/Deans should keep a record of verbal discussions or warnings issued in order to track performance and help determine whether problems called to a faculty member's attention are being addressed adequately.

2. **Written Warnings/Improvement Plans**—Written warnings to the faculty member will be issued either when prior verbal warnings/discussions have not resolved a problem or when the circumstances otherwise lead the University to conclude that a written warning is appropriate. The written warning should be presented to the faculty member by the Chair/Dean and discussed with the faculty member so that future expectations are made clear. The faculty member should sign the written warning or improvement plan as an acknowledgment that it has been received and discussed. Faculty member signature does not mean that the faculty member necessarily agrees with the warning. Faculty members may provide additional information for their file. If a faculty member refuses to sign the warning, then the Chair/Dean or a member of the Office of Human Resources should sign the warning indicating the faculty member's refusal to sign. A copy of the warning will then be placed in the faculty member's personnel file in Human Resources. A faculty member has the right to appeal this warning to the Dean/Provost according to the procedures delineated in Article XVII: Appeal of Decisions *Other Than* Tenure, Promotion, Non-Renewal, Suspension, and Termination.

3. **Suspension**- Suspension without pay may be used if a faculty member has received verbal or written warnings or if the circumstances of a faculty member's conduct are deemed to warrant this level of discipline. Suspension without pay may also occur in circumstances where the University deems it appropriate for the faculty member not to report to work while a matter is being investigated. Faculty member may be informed of a suspension without pay either in writing by the faculty member's Chair/Dean, but in either case a written record of the suspension is to be placed in the faculty member's personnel file. Failure of a faculty member to correct infractions or performance problems upon return from a suspension will normally lead to termination. A faculty member has the right to appeal a suspension according to the procedures delineated in Article XVI: Appeal of Tenure, Promotion, Non-Renewal, Suspension, and Termination Decisions

4. **Termination of Employment**—Termination of employment at the University may result when a faculty member fails to correct behaviors faculty member has received prior warnings/suspensions or when the circumstances of a faculty member's infraction or failure to perform as expected are determined by the University to warrant termination without prior warning. The process for the termination of faculty is delineated in this Article, Section 4. Notices of termination should be in writing with a copy placed in the faculty member's personnel file. A faculty member has the right to appeal a termination decision according to the procedures delineated in Article XVI: Appeal of Tenure, Promotion, Non-Renewal, Suspension, and Termination Decisions

Section 3

The University may terminate a tenured appointment, or another appointment during its specified term, for adequate cause, programmatic changes, or financial exigency as described in this Article. This Article and the procedures described herein do not apply to the non-renewal of faculty appointments, which is

discussed in Article XIV.

Section 4 Termination Due to Adequate Cause

- A. A faculty appointment may be terminated for adequate cause related, directly and substantially, to the faculty member's fitness to perform the duties required of faculty members and discussed throughout these By-Laws. Adequate cause is understood to be any act or omission or series of same by the faculty member that materially affects their suitability to remain a part of the University community, such as, but not limited to the following:
1. Failure to perform faculty responsibilities as delineated in these By-Laws, the faculty member's supplemental College/School By-Laws and/or in the annual faculty contract including continued unsatisfactory performance after the nature of the unsatisfactory performance has been identified and good faith efforts at remediation attempted;
 2. Conduct which is likely to bring all or any part of the University, or its members, into disrepute; or which is grossly unprofessional or disruptive; or which is in contradiction to the Mission of the University;
 3. Personal and professional conduct which evidences a lack of respect, support, and/or contribution to the Mission of the University;
 4. Deliberate and grave violation of the rights of students, staff or colleagues, such as harassment or discrimination based upon, but not limited to: sex, race, national origin, religion, age, ancestry, sexual orientation, disability status or other status or characteristic prohibited by law, bullying or misuse of faculty authority to obtain personal gain or benefit from a student, colleague or staff member;
 5. Plagiarism, false representation of research, scholarship or credentials or serious breach of professional ethics/standards;
 6. Medical and/or psychological conditions which render the individual unable to perform essential functions of the appointment and for which a reasonable accommodation enabling such performance is not available after consultation with appropriate health care professionals and Human Resources; and
 7. Where applicable, loss of necessary licensure.

- B. When a person or persons have reasons to believe that a faculty member's employment should be investigated for adequate cause for termination, the following process should be utilized:
1. The person(s) initiating attention to this matter should record the reasons that provide a basis for this action in a signed document to be submitted to the respective College Dean. Any person with knowledge of circumstances suggesting a finding of adequate cause may initiate attention to the matter, even if they have not been personally adversely affected by the behavior.
 2. The Dean, in consultation with Human Resources and the college Faculty Affairs Committee, as defined by the individual college bylaws, shall determine the scope of any factual investigation necessary to inform a decision regarding potential termination, determine the person(s) who will be charged with conducting the investigation and set a schedule for completion of the investigation, normally no more than thirty- (30) working days.
 - (a) According to federal law, in cases involving allegations of sexual harassment as defined in the University's Sexual Harassment Policy; the question of responsibility for sexual harassment shall be determined by the investigation and hearing process provided therein. Any final decision resulting from that process shall be transmitted to the Dean and the college Faculty Affairs Committee to determine the sanctions appropriate for any violation found by the Hearing Officer(s) to exist; whether violations of any other faculty duty or expectation warranting sanction has occurred and whether any further investigation is necessary to determine if violations of policies or expectations other than the Sexual Harassment policy have occurred. Neither the Dean nor college Faculty Affairs Committee shall have authority to overrule or change the final determination of whether a violation of the policy occurred, and shall limit their inquiry to the questions of appropriate consequences for any violations found to exist, and the question of whether the same conduct violates policies or expectations other than the Sexual Harassment Policy, and if so, the appropriate consequences for such violations. In cases involving allegations of conduct that could be a threat to the safety of one or more members of the University community, the threat assessment team should also be informed.

- (b) In cases where an investigation has already been concluded or is on-going by another unit within the University (for example an investigation/or hearing under the Sexual Harassment Policy, or the Campus Police Department are investigating alleged criminal conduct), the Dean acting in concert with the college Faculty Affairs Committee may rely, if they so elect, upon the other unit's investigation in lieu of initiating a separate investigation or to limit any additional investigation to supplemental matters.
 - (c) Investigations shall be carried out with due regard for the privacy of all persons involved, whether as witnesses, alleged victims or as the subject of the investigation. The person(s) assigned to conduct the investigation shall maintain the confidentiality of the investigation to the extent required or consistent with legal requirements and concerns for the safety of the community.
 - (d) The investigation may as necessary include: (i) interviews with the person(s) who initiated the matter, witnesses to any events relevant to the determination and the faculty member who is the subject of the investigation; (ii) review of relevant documents and records; and (iii) access to external resources to assist in the investigation.
3. Upon completion of the investigation the Investigator shall issue a written report to the Dean and the college Faculty Affairs committee stating the fact found during the investigation, a summary of all of the information gathered regardless of whether it supports or contradicts the findings ultimately made, and a recommendation for action. The Dean and College Faculty Affairs committee shall promptly indicate whether the report is sufficient or direct the investigator to further report on specific areas of follow up. If any follow up is requested, the Investigator shall promptly complete any additional investigation and supplement its report.
4. Once the investigation report and any required supplement is delivered to the Dean and the college Faculty Affairs Committee, they shall review the report and decide on the appropriate steps to be taken in light of the facts found and evidence gathered. If the Dean and college Faculty Affairs Committee are in agreement, they shall prepare a joint recommendation to the Provost. If the Dean and college Faculty Affairs Committee disagree, then each shall file a separate recommendation with the Provost, in the case of the college Faculty Affairs Committee noting any minority and majority opinions. In their recommendation(s) the Dean and the

college Faculty Affairs Committee may recommend discharge, or in cases where cause for concern but not termination is found, recommend alternative remedial or corrective action measures other than discharge.

- C. A copy of the final recommendation(s) of the Dean and college Faculty Affairs Committee shall be given to the faculty member at the same time it is sent to the Provost. The faculty member shall have the right to review the investigative report and any supporting evidence under such conditions as may directed by the Dean for the protection of privacy and confidentiality. The faculty member may submit additional information, evidence or clarifications to the Provost within thirty- (30) working days of the receipt of the recommendation for termination of the faculty member.
- D. The Provost shall consider the materials submitted and consult with the Dean and college Faculty Affairs Committee that made the initial recommendation. The Provost may conduct any further investigation deemed necessary including interviews with the faculty member who is the subject of the recommendation and/or witnesses.
- E. The Provost shall submit a report and recommendation for further action to the President. A copy of the Provost's recommendation shall be simultaneously given to the faculty member. The Provost's report and recommendation is the event that triggers the faculty member's right of appeal under Articles XVI and XVII. (In cases alleging sexual assault or misconduct by a faculty member, or as may otherwise be required by law or the University's participation agreement under Titles IV and IX, when the alleged victim of sexual misconduct is the initiator of the termination process, that person shall be given access to the Provost's recommendation and an opportunity to appeal the recommendation to the President.)
- F. Upon receiving a recommendation from the Provost, together with any report of an appeal committee, the Dean or the Faculty Affairs Committee, the President, shall decide whether termination is warranted and may consider lesser sanctions when the evidence does not support adequate cause for dismissal, or when extenuating circumstances make termination undesirable. Lesser sanctions can include, but are not limited to a requirement for an apology (public or private), oral reprimand, a written reprimand, restitution, loss of benefits for a stated period (e.g., salary increases, delayed promotion), demotion, and/or suspension without pay for a stated period of time.

- G. Should the President elect to impose a temporary suspension rather than outright dismissal, such suspension may not last longer than one (1) year, but may entail the total or partial discontinuance of all salaries and benefits, the suspension of all promotion and salary increments, and temporary suspension or withdrawal of all faculty privileges. The University Faculty Affairs Committee shall serve in an advisory capacity to the President on such matters. It is understood that when cause for outright dismissal exists, the ultimate decision as to whether to impose a lesser penalty is vested exclusively with the President. In all cases, the principles of due process apply.
- H. A faculty member shall be given written notice of termination for adequate cause in a timely manner, prior to the effective date of such termination.

Section 5 Termination Due to Programmatic Changes

- A. A faculty appointment may be terminated as a result of a decision to curtail or eliminate an academic program, division, or department in a College based on a judgment by the University administration and the Board of Trustees. This should occur only when the Mission of the University will not be harmed by this action. It is understood that enrollment declines, which are cyclical or temporary sometimes, occur. Short-term cyclical enrollment declines shall not be used as the basis for terminating faculty appointments. Therefore, the decision to curtail or eliminate a program, division, or department of a College/School, at the graduate or undergraduate level, should be based primarily on educational considerations which involve, but are not to be limited to a significant and continued lack of enrollment. Other factors that must be considered include, but are not limited to: (1) the number of majors/students in the department/program; (2) the number of students enrolled in department courses; (3) service courses to other departments; (4) the relationship to the general education curriculum; (5) the relationship to the University Mission; (6) University dedication to the Liberal Arts tradition; and (7) external environmental factors affecting enrollment.
- B. It is the responsibility of the Dean of the College/School and/or the Department Chairs to monitor enrollment trends of departments actively and annually, as well as to monitor class size, number of faculty, teaching loads, curriculum, frequency of offerings, and all the other factors involved in the viability of the department.

- C. If the President, the Provost or the Dean of the College/School in consultation with the Department Chair believes that an academic program, division, or department of the College/School should be reassessed, curtailed, or eliminated due to trends in enrollment and/or program quality, the reasons for the belief shall be put in writing with appropriate supporting data and sent to the department for consideration and determination of a time-specific action plan to remedy the enrollment and/or program quality problem. The department shall present the action plan within a reasonable time following its receipt of the request for reassessment. Should the problem continue after the agreed upon action plan has been implemented, then the Dean, the Department Chair, and members of the department shall confer to address the continuing enrollment and/or program quality problem.
- D. If the above procedure does not resolve the problem, or if the Department fails to present an agreeable, time-specific action plan within a reasonable time, then the appropriate committee of the College/School is to be requested in writing by the Dean to convene an *ad hoc* Committee consisting of one member of the above-mentioned College/School committee who shall chair the *ad hoc* Committee, the Chair of the department/program at risk, the College/School Dean, the Vice President for Enrollment Management or designee, the Dean of Admissions, the Chair of the College/School Educational Policies Committee or Academic Affairs Committee, and the Chair of the Budget Review Committee of the College/School, to address the problem.
1. Within five (5) working days of the receipt of this written request, the *ad hoc* Committee shall be convened by the chair of the *ad hoc* Committee.
 2. The purpose of this *ad hoc* Committee is to consider the issue of possible programmatic reduction and to make recommendations concerning actions that may be taken to rectify the situation.
 3. The college Faculty Affairs Committee shall be provided with the data that has led the University, the Dean of the College/School, and the Chair to request the formation of the *ad hoc* committee. The Committee may also request other pertinent available data and/or research.
 4. The *ad hoc* Committee shall consider all aspects of the question in preparation of making appropriate recommendations. The work of the *ad hoc* committee shall be completed with all due speed, but no later than thirty- (30) working days after the first meeting of the *ad*

hoc committee. The *ad hoc* committee report and recommendations shall be forwarded to the Provost and copies distributed to the full faculty of the College/School.

- E. The University shall give due consideration to the report and recommendation of the *ad hoc* Committee. When the University has made a determination as to the action it will take, based on the report and recommendations of the *ad hoc* Committee, that decision shall be communicated in writing to the chair of the *ad hoc* Committee referred to above.
- F. Terminations of faculty appointments due to programmatic changes will normally proceed first among Temporary faculty, then Non-Tenure Track faculty, then Professor of Practice, and/or Tenure-Track faculty and then Tenured faculty. In cases where individual faculty members have the same faculty status and areas of academic expertise, the faculty member with the least seniority shall normally be terminated first if teaching excellence and student learning factors do not provide a strong pattern of evidence justifying a deviation from that order. Any termination can be considered for appeal on a case-by-case basis.
- G. The University shall make every reasonable effort to relocate full-time faculty members due to a curtailment or elimination of a program, division, or department of the College/School to vacant positions within the University for which they are qualified.
- H. In cases of termination of appointment under the provisions of this Article, the position of a full time or half time faculty member will not be filled by a full-time replacement for three (3) years, nor will adjunct faculty fill the full-time load of the terminated faculty member unless the terminated faculty member has declined an offer for reinstatement. Should reinstatement be accepted, the faculty member shall so inform the University within thirty- (30) working days, or the offered reinstatement will be considered to have been declined. Reinstatement shall be at the same rank and status with no loss of seniority as at the time of termination but adjusted to the current Financial Schedule of the College/School.
- I. It shall be the responsibility of the terminated faculty member to inform the Office of Human Resources of a current mailing address. If contact cannot be made via registered or certified mail within three (3) weeks of attempted University notice, then the University will be free to proceed with hiring decisions as if the faculty member had declined reinstatement.
- J. A faculty member who, in accordance with the provisions of this Article, has been recommended for termination by the Provost, and who desires to appeal the Provost's recommendation, shall have the right to appeal such

decision to the President in accordance with the provisions of Article XVI of these By-Laws.

- K. Seniority shall be defined by the date of the implementation of the decision.
- L. Notice of termination shall be: (1) no less than twelve (12) months before the end of the academic year for a faculty member who has served seven (7) years or longer; (2) no less than six (6) months for a faculty member who has served two (2) years or longer; and (3) no less than three (3) months for a faculty member who has served for less than two (2) years.

Section 6 Termination Due to Financial Exigency

- A. A state of financial exigency may exist which affects all aspects of the life of the University and the Colleges/Schools. This condition relates to the viability of the University and the Colleges/Schools to continue in existence. Financial exigency is understood to be an imminent financial crisis threatening the very existence of the University. Although there is no universally accepted definition of financial exigency, there are recognizable conditions or factors which singly, or in combination, can lead to the determination by the University administration and the Board of Trustees that financial exigency does indeed exist. The condition of financial exigency does not lend itself to a simple formulaic approach; rather, it is a judgment based upon a set of data, as they exist at a given time.
- B. If the President of the University or the Board of Trustees believes that the financial condition of the University is such that a state of financial exigency may exist, the President or the Board acting through the President shall so inform the University Faculty Senate, and shall state the reasons and present the data as to the existence of the state of financial exigency.
- C. As soon as possible after informing the Faculty Senate, the President of the University shall convene a Committee with University-wide representation. This Committee should have more faculty representation than non-faculty representation.
 - 1. This Committee shall be provided with the data available to the President of the University, which has led to the conclusion that a state of financial exigency may exist. The Committee may also request other available pertinent data including the services of auditors.
 - 2. The Committee shall consider such matters and make recommendations concerning: (1) whether a bona fide financial crisis exists; (2) whether the danger is such that immediate action

- needs to be taken; (3) whether the financial crisis threatens the financial viability of the University; and (4) what steps less drastic than faculty reduction, curtailing and/or eliminating departments, can be taken to remedy the situation.
3. The work of the Committee must be completed with all due speed according to an agreed upon schedule arrived at by the Committee and the President of the University.
 4. The Committee shall then submit its report to the University Faculty Senate, which shall forward its recommendation to the faculty for their consideration and vote. A simple majority vote of the faculty shall decide support or lack of support for the issue.
 5. After due consideration of the committee report and the results of the faculty vote the Faculty Senate may adopt the Committee report or prepare a separate written report stating its conclusions and recommendations with supporting data. This report shall be submitted to the President of the University.
 6. The Board of Trustees shall be kept informed of the formation of the Committee and may set reasonable timetables and deadlines by which the Committee's Report and any separate report of the Faculty Senate shall be presented to the President of the University.
- D. After receiving the report(s) of the Committee and Faculty Senate, the President of the University shall advise the Board of Trustees regarding the financial status of the University and shall forward the report(s) of the Committee and Faculty Senate to the Board of Trustees along with the report and recommendations of the Office of the President of the University.
- E. The Board of Trustees shall have the sole authority to declare that a condition of financial exigency exists.
- F. In dealing with a condition of financial exigency, the University must consider a wide range of cost-reducing alternatives to address the financial crisis. While it may be necessary to reduce the number of faculty, such action will take place within the context of other reasonable and prudent reductions and cutbacks throughout the University.
- G. Simultaneously, it is understood that while reductions may be made in some areas of the University, increases could be made in other areas where it seems necessary for financial or programmatic reasons. Faculty reduction, therefore, should occur only after it is determined that other cost reduction methods or cutbacks cannot in themselves alleviate the

condition or that such cost reductions or cutbacks would not be in the best interests of the University.

- H. Cost reductions, cutbacks, and other financial actions deemed necessary to meet the financial exigency shall be made in consultation with the Senate.
- I. If the plan to relieve the financial exigency involves curtailing or eliminating an academic area of the University, terminations of faculty appointments due to the reduction in or elimination of an academic area will normally proceed first among Temporary faculty, then Non-Tenure Track faculty, then Professor of Practice faculty and/or Tenure Track faculty, and then Tenured faculty working in the curtailed area(s). In cases where individual faculty members have the same faculty status and areas of academic expertise, the faculty member with the least seniority shall normally be terminated first if teaching excellence and student learning factors do not provide a strong pattern of evidence justifying a deviation from that order. The Dean of the College/School in which the affected area resides shall consult with the College/School Faculty Affairs Committee to determine the order of layoff/terminations of faculty and to make a recommendation to the Provost. The Provost shall review the recommendation and make a recommendation to the President. Any faculty member recommended for termination by the Provost may file an appeal to the President pursuant to Article XVI.

The President of the University in consultation with the University Faculty Senate shall monitor the state of financial exigency and regularly report to the Board of Trustees. The President of the University or the Faculty Senate may make a recommendation to the Board of Trustees that the condition of financial exigency has ceased to exist. The Board of Trustees, acting upon such a recommendation or upon its own motion, shall have the sole authority to declare the condition of financial exigency to be over.

Article XVI: Appeal of Tenure, Promotion, Non-Renewal, Suspension and Termination Decisions

Section 1 Appeal of Decisions Concerning Tenure, Promotion, Non-Renewal, Suspension and Termination decisions shall be made in the following manner.

Section 2 A faculty member must receive written notice of a decision for non-renewal or suspension and adverse recommendations by the Provost regarding termination, promotion or tenure. A faculty member may appeal to the President, the following: suspension or non-renewal decisions made after the second or later full year of service, and adverse recommendations by the Provost regarding termination, and tenure and promotion applications.

Section 3 The process for pursuing such an appeal shall be as follows:

- A. The faculty member must file a written notice of appeal to the Office of the President within five (5) working days of receiving notice of the decision for non-renewal or suspension or the adverse recommendation by the Provost regarding termination, promotion or tenure. The appeal must be sent to the Office of the President so that it is received within the five working days.
- B. Within ten (10) working days after filing the notice of appeal, the Faculty Member shall submit to the President, and in denial of tenure or promotion matters to the Chair of the University Faculty Affairs Committee, a written appeal statement which shall state the facts and issues involved in the case; shall cite any By-Laws which the faculty member believes to have been violated; shall provide a full and complete statement of all reasons which the faculty member believes warrant a reversal of the decision or recommendation; and shall explicitly state any other relief requested by the faculty member.
- C. With regard to matters pertaining to non-renewal, suspension, and termination, the President may make a determination concerning the appeal themselves, delegate the decision to the Provost if the Provost is not the officer who made the disputed decision, or refer it to an Appeals Panel (described in Article XVIII). The President shall notify the faculty member and the Appeals Committee of the manner in which they have decided to process the appeal.

In the event the President elects to determine the appeal or delegate determination to the Provost, the President or Provost, as the case may be, may meet with or solicit information from the faculty member, the Dean or other officer who made the disputed decision, or any other person having relevant information. These meetings or conversations may take place on an informal basis and not all parties need be present or invited.

- D. With regard to matters pertaining to tenure and promotion, the President shall refer the faculty member's appeal to the Appeal Committee for review by an Appeal Panel. The Appeals Panel, whether acting in a matter pertaining to tenure and promotion or non-renewal, suspension or termination, shall conduct its review and prepare its report in the manner set forth in Article XVIII. The Appeals Panel's report shall be advisory only.
- E. Upon receipt of the Appeals Panel's recommendation, the President, or the Provost in matters delegated to them, shall make a final decision or recommendation as the case may be.
- F. In matters of termination and non-renewal, the decision of the President or Provost shall be final. In matters of tenure and promotion, the faculty member may request that their application for promotion or tenure be presented to the Board of Trustees, notwithstanding an adverse Presidential recommendation. Such a request must be made in writing to the President within five (5) working days of the faculty member's receipt of a copy of the President's adverse recommendation following any appeal that may have occurred. In such cases, the President's recommendation shall be forwarded to the Board together with any report(s) prepared by the Appeals Panel. All appeals must be exhausted before a matter is presented to the Board of Trustees.

**Article XVII: Appeal of Decisions *Other than Tenure, Promotion,
Non-Renewal, Suspension and Termination***

Section 1 This article of the *University Faculty By-Laws*, as augmented by specific policies and procedures indicated in the Human Resources Manual and/or the individual College/School By-Laws shall apply in the matter of due process and/or appeal.

Due process is the procedure that a faculty member follows in order to resolve disputes, disagreements, and conflicts which may occur. Due process incorporates the principles of justice, equity, and fairness, consistent with the University Mission.

Section 2 Faculty also have a right of appeal to the Dean of the College/School and the Provost with regard to issues or decisions which adversely affect the faculty member other than those pertaining to tenure, promotion, non-renewal, suspension and termination. (Appeals regarding tenure, promotion, non-reappointment, suspension and termination decisions are governed by Article XVI.)

Section 3 In addition, to formal avenues of appeal, faculty members are encouraged to seek informal resolution of disputes either through direct discussion with the relevant parties or through the Office of Human Resources.

Section 4 Whether or not informal resolution is pursued, a faculty member who has a dispute with an administrative decision(s) governed by this Article, may appeal the decision(s) in the following manner.

- A. The faculty member must file a written statement of the appeal with the Dean of their College/School within a reasonable time following the decision, but not more than thirty- (30) working days after receiving notice of the decision or becoming aware of the facts upon which the appeal is based. The written statement shall set forth the facts and issues involved in the appeal, identify the provision of the By-Laws violated or implicated by the decision, and explicitly and clearly state the resolution proposed by the faculty member.
- B. The Dean shall consider the written appeal and provide a written response to the faculty member within thirty- (30) working days of receiving the written appeal statement. The Dean should provide an explanation for her/his decision. Should the Dean fail to provide any response within thirty- (30) working days, and the faculty member does not agree to extend the time for the Dean's response, then the faculty member may proceed directly with an appeal to the Provost without awaiting a response from the Dean.
- C. If the faculty member is unsatisfied with the response provided by the Dean, the faculty member may appeal that decision to the Provost.

- D. An appeal to the Provost must be made not more than ten (10) working days after receiving the Dean's response to the initial appeal or after the time period for response from the Dean (including any agreed to extension(s)) has elapsed, whichever first occurs. The appeal to the Provost should state the facts and issues that identify specifically any sections of the By-Laws, which have been violated and state explicitly and clearly the resolution proposed by the faculty member. A copy of the initial appeal to the Dean may in many circumstances suffice for this purpose. In addition, a copy of the Dean's response should be included in the appeal to the Provost.
- E. The Provost shall consider the matter and provide a response to the Dean and the faculty member within thirty- (30) working days of receiving the appeal. The Provost may, but need not, conduct joint or separate meetings with persons having information relevant to the disposition of the matter, or obtain information from such persons informally, before issuing a decision on the matter. The Provost's decision upon the matter shall be final.
- F. Should the Provost in their sole discretion, deem it advisable, she/he may refer the grievance to the Appeal Committee for review by an Appeal Panel constituted under Article XVIII. The Appeal Panel will consider the issue raised by the appeal and advise the Provost in its disposition. The Appeal Panel's report shall be advisory only.

Article XVIII: Appeals Committee

Section 1 The University Faculty Affairs Committee (UFAC), in consultation with each college's Faculty Affairs Committee and Dean, with the assistance of the academic Deans, will recruit and establish a University-wide Appeals Committee of at least fifteen (15) faculty to serve staggered, three-year terms with five (5) new members selected annually. Each college may determine its method of selecting or confirming its own representatives. Membership on the Committee may be extended for one additional three-year term by mutual agreement of the faculty members involved, each college's Faculty Affairs Committee and Dean, and UFAC.

Members of the Appeals Committee should reflect the distribution of the tenured, full-time faculty of the University as much as possible, therefore the Appeals Committee shall be composed of tenured faculty and have at a minimum the following representatives: three (3) members each from the College of Nursing and Health Sciences, the College of Education and Social Sciences, the College of Business, the College of Humanities, Fine Arts and Communication, the College of Aviation, Science, and Technology and the School of Graduate, Professional Continuing Education

A. From the Appeals Committee membership, two (2) random Appeal Panels of five (5) members each will be selected by UFAC, by May 1st, each year for the following academic year. Each Panel must have membership from each of the Colleges, and may but need not, include a representative from the School of Graduate, Professional and Continuing Education, if applicable. When the first appeal of a year is presented to UFAC, it shall select at random one of the two Panels, and shall alternate Panels in the event of further appeals during the same year. The committee members not assigned to one of the two Panels shall be alternates. If Panel members are unable to serve due to conflict of interest or because of absence from the faculty role due to sabbatical or administrative leave, the panel member excluded will be replaced by an appropriate College faculty member from the alternates or from the other selected Panel, so that college representation is preserved.

Additionally, the Appellant and the University each shall have the right to request that any Appeal Panel member recuse her/himself for cause such as conflict of interest, and may refuse one member of the assigned Appeal Panel peremptorily. Any Panel member so recused or excused shall then be replaced by a member from the other Appeal Panel or the alternates.

B. The Appeal Panel's decision shall be reached by simple majority vote of the Panel, and written opinions by both the majority and minority will be documented in its final recommendation to the President or the Provost as applicable. The Appeal Panel members serving on a given appeal may not serve as witnesses, nor give testimony in those appeal proceedings.

Section 2 Notices of referral of a matter to the Appeals Committee shall be given to the Chair of the University Faculty Affairs Committee (UFAC), who will coordinate assignments of the Appeal Panel, replacement of recused/excused Panel members and convene a first meeting of the Appeal Panel that will hear the appeal.

Section 3 At its first meeting, the Appeal Panel will establish its procedures, which shall be in accord with the standards of due process outlined below:

- A. At its first meeting, the Appeal Panel shall elect a Chair, establish its agenda, and set a time and place to receive both the written appeal from the aggrieved faculty member and the written statement from the University in response to the appeal. The Chair of the Appeal Panel shall arrange for timely transmission of each party's statement to the other.
- B. The Chair of the Appeal Panel will convene and lead all sessions of the Appeals Panel.
- C. For all promotion and tenure appeals, documentation regarding independent reviews and recommendations as required by these *University Faculty By-Laws*, and any supplemental College By-Laws, and the faculty member's application itself, shall be made available to the Appeal Panel.
- D. The Appeal Panel, after consultation with the parties (the aggrieved faculty member and the University representative), shall set a date(s) for the appeal proceeding.
- E. At least two (2) full working days prior to the formal proceedings, both parties shall submit to the Appeal Panel, and to the other party, a list of the witnesses whom they wish to appear before the Appeal Panel and, for each witness, shall summarize the information the witness will provide. The Appeal Panel shall seriously consider all names submitted as potential witnesses by either party. However, the Appeal Panel makes the final determination on who shall be called as witnesses by their established relevance to the specific case at hand. The panel may call witnesses who have not been identified by either party.
- F. Both the University designee and the aggrieved faculty member may consult legal counsel, but legal counsel shall not be present on campus during the appeal proceedings nor in any hearing, except as may otherwise be required by law.
- G. The Appeal Panel shall assist in securing the attendance of witnesses at the proceedings.
- H. Both parties have the right to make an opening statement, subject to rules established by the Appeal Panel.
- I. Testimony shall be oral and/or written, and the author of written testimony shall be identified. Witnesses submitting written testimony must respond

to written questions from the appeal panel. Where unusual or urgent circumstances prevent the questioning at the proceedings of a witness who made a written statement, the written statement shall nevertheless become part of the proceedings. Written testimony will be provided to the University, as well as the appealing faculty member. No written testimony will be accepted later than three (3) working days before the proceeding.

- J. Witnesses shall be questioned only by the panel members. If either party believes certain questions should be asked, they may suggest a question or line of questioning to the panel who shall decide whether it will be pursued.
- K. All oral testimony shall be electronically recorded. Written statements shall be noted orally and appended as a written record to the electronic record.
- L. Both the aggrieved faculty member, or designee, and the University designee, shall have the right to review all materials identified in Sections I and K at the University in a space designated by Human Resources.
- M. Members of UFAC, the Appeal Committee, the Appeal Panel, the aggrieved faculty member, the University Representative and any witnesses who are proposed or who offer statements are expected to maintain the confidentiality of the process to the extent permissible by law. This obligation shall not be interpreted to impede the ability of either party to the appeal to investigate, identify witnesses or evidence or seek advice and counsel from appropriate sources. Other than such simple announcements as may be required, such as covering the time of the hearing and similar matters, there are to be no public statements about the case by any parties involved during and after a closed meeting.
- N. All time limits contained in this appeal process may be extended only by written agreement between the Provost and the Chair of the Appeal Panel upon the request of the aggrieved faculty member or the administration.
- O. The order of procedure shall be:
 - 1. Opening Statement by the University designee;
 - 2. Opening Statement by the Appellant (the aggrieved faculty member);
 - 3. Witnesses called by the Appeal Panel; questioned by the Appeal Panel; if necessary, recalled by the Appeal Panel; and, if necessary, re-questioned by the Appeal Panel;
 - 4. Closing remarks by both the University designee and Appellant (aggrieved faculty member) in such order as the panel directs.

- P. The Appeal Panel shall reach its decision in closed conference(s) on the basis of the hearing, admitted documents, and statements provided by the parties.
- Q. The Appeal Panel has the right to clarify issues in its final recommendation to the President or Provost as applicable.

Section 4 The Appeal Panel must proceed to a decision promptly. It shall make explicit findings to the precise issue or issues submitted in the original letter of appeal. The Appeal Panel will present its recommendation to the President or Provost as applicable as promptly as due process and fairness will allow, but no later than twenty (20) working days after the Appeal Panel is convened. Both parties to the appeal, as well as the College/School Dean, shall be notified of the Appeal Panel's determination and recommendation in writing. With the approval of the aggrieved faculty member, a copy of the recommendation shall be submitted to the Chair of the Faculty Affairs Committee of the appropriate College/School. A notice of conclusion of the appeal shall be sent to the Chair of the University Faculty Affairs Committee (UFAC) by the Chairperson of the Appeal Panel.

Section 5 The President or Provost shall communicate in writing their decision regarding the matter on which the Appeal Panel was convened to the aggrieved faculty member and the University designee within fifteen (15) working days of receiving the findings and recommendation(s) of the Appeal Panel.

Section 6 In cases of promotion and tenure, the faculty member may ask that the Appeal Panel report(s) be included with the President's recommendation and other materials forwarded to the Board of Trustees. The Board, or its appropriate subcommittee, shall then consider the decision per its own normal procedures.

**Article XIX: Faculty Participation in the Selection
of Academic Administrators**

- Section 1** The role of the faculty in the selection of academic administrators, including the President of the University, Provost, Academic Deans, and other academic administrators reporting to the Provost or the Dean, rests largely on the principle that interdependence, communication, and joint actions enhance the institution's ability to function effectively and to solve educational problems. A corollary of this principle is that faculty will have a significant role in the selection of academic administrators. In all searches except the selection of the President, the policies and procedures defined in the "Personnel Search Procedures Manual" are to be followed.
- Section 2** The search for a new President and the significant role of the faculty in this search shall be as determined by the Board of Trustees. The Board of Trustees, who are legally empowered to appoint a President, normally would be expected to appoint a person from among the list of those candidates submitted by the presidential search committee.
- Section 3** The search for a new Provost shall be initiated by the President or their designee in consultation with UFAC. Though the Personnel Policies and Procedures Manual are to be followed, UFAC should play a leadership role, with UFAC representatives on the search committee as well as faculty representatives from each of the four Colleges and the School, chosen by the faculty of each respective College/School. The person chosen to serve as Provost normally would be expected to be selected from among the list of those candidates submitted by the search committee. The President, after fully weighing the views of the search committee, will make the final choice.
- Section 4** The search for a new Academic Dean and the primary role of the College/School faculty in the search shall be as indicated in any relevant supplemental College/School By-Laws. The President, after fully weighing the views of the search committee, as well as the recommendation of the Provost, will make the final choice.
- Section 5** The search for academic administrators reporting to the Dean of the College/School and the primary role of College/School faculty in the selection process shall be as indicated in the individual College/School By-Laws. The Dean shall submit their recommendation concerning the appointment of such College/School administrators to the Provost, who forwards the Dean's recommendation and their recommendation to the President, who makes final choice of the appointment.
- Section 6** The search for all other University-wide academic administrators shall be defined by the Provost in consultation with UFAC. The Provost submits a recommendation to the President, who makes the final choice of appointment.

Article XX: Faculty Participation in the Performance Appraisal of Academic Administrators

- Section 1** The performance appraisal of academic administrators is an essential component of maintaining and enhancing the ability of the administrators to effectively lead the University in understanding and implementing the principles of Mission effectiveness.
- Section 2** The role of the faculty, among others, in the performance appraisal of academic administrators, including the Provost, Academic Deans, academic administrators reporting to the Provost or the Deans, and Department Chairs, rests largely on the principle of the necessity for continuous improvement.
- Section 3** A performance appraisal of academic administrators shall take place at regular intervals. The purpose of the performance appraisal is the maintenance and improvement of the performance of the administrator during the term of office. All faculty appraisals of academic administrators' performance should be based on institutionalized policies and procedures, as well as, the established position description.
- A. Faculty input into the performance appraisal of the President of the University shall be at the discretion of the Board of Trustees and in such form as they direct.
- B. The faculty performance appraisal of the Provost normally shall be completed no later than the end of the third (3rd) year of appointment, and every third (3rd) year thereafter, observing the University's policies and procedures for the performance appraisal of academic administrators. Initial feedback shall be sought from faculty before the official performance appraisal is conducted in the third (3rd) year.
- The President of the University, in consultation with University Faculty Senate, will determine the evaluation tool and process.
- C. The faculty performance appraisal of the Deans normally shall be completed no later than the end of the third (3rd) year of appointment, and every third (3rd) year thereafter.
- The Provost, in consultation with the University Faculty Senate, will determine the evaluation tool. The relevant and appropriate college committee shall be responsible for the process of obtaining college faculty input into the evaluation.

- D. The faculty performance appraisal of all other academic administrators with College, School or University responsibilities normally shall be completed no later than the beginning of the fourth (4th) year of appointment, and every third (3rd) year thereafter, as appropriate, observing the University's policies and procedures for the performance appraisal of academic administrators.

Article XXI: Faculty Meetings

- Section 1** The University Faculty Senate and Faculty Senate Standing Committees as described in Article V are the forum for faculty participation in the governance and decision-making process concerning the University, its defined faculty, and its curriculum, in accordance with the provisions of its *University Faculty By-Laws*.
- Section 2** College/School faculty meetings are the principal forum for the participation of the faculty in the governance and the decision-making process concerning the College/School, its defined faculty, and its curriculum take place in accordance with the provision of its College/School Faculty By-Laws.
- Section 3** All faculty members are expected to attend all College/School/University faculty meetings, and each faculty member, as defined in these By-Laws, has one vote.

Article XXII: Amendments

- Section 1** An Amendment to these *University Faculty By-Laws* may be initiated by any member of the Senate or the President of the University by presenting it in writing to the President of the Faculty Senate. No amendment to these *University Faculty By-Laws* or to any supplemental College/School By-Laws is effective unless approved by the Board of Trustees.
- Section 2** Proposed Amendments to these By-Laws must be presented in writing at least one (1) meeting, regular or special, prior to the Senate meeting at which the vote is taken. Amendments may be voted on at the following Senate meeting, but not less than ten (10) calendar days after the proposed Amendment has been first presented in writing to the Senators.
- Section 3** The Senate may approve an amendment to these By-Laws by a two-third (2/3) affirmative vote of the Senators present at a meeting in which a quorum exists. Voting shall be by ballot.
- Section 4** The amendment shall be voted upon by the University Faculty as a whole. Their approval shall be determined by an affirmative vote of a majority of the University faculty present at a meeting in which at least 50% of the faculty are in attendance. Voting on amendments may also be taken electronically, in which case, approval shall be by an affirmative majority of the ballots cast; provided that at least fifty percent (50%) of the then University Faculty cast a ballot.
- Section 5** When voted upon by the Faculty Senate and the University Faculty one month prior to the Board of Trustees meeting, the Provost shall review and forward the proposed amendment with their recommendation to the President for their consideration. The President of the University shall review and forward the proposed amendment with their recommendation to the Board of Trustees for their consideration. When an amendment receives the approval of the Board of Trustees, that amendment is incorporated into these *University Faculty By-Laws* and takes effect on the date specified by the Board of Trustees in the amendment.

Appendix A: Faculty Senate Standing and Advisory Committees Descriptions

The following will function as university-wide standing and advisory committees of the Senate: University Academic Affairs Committee (**UAAC**), University Faculty Affairs Committee (**UFAC**), University Faculty Budget Review Committee (**UFBRC**), University Graduate Affairs Committee (**UGAC**), University Professional Status Committee (**UPSC**), and the University Technology Advisory Committee (**UTAC**) and the University Chairs Committee (**UCC**). These committees will send recommendations to the Senate for vote. Standing committees and advisory committees of the Faculty Senate may be added or changed by greater than a 2/3 vote of the Senate. The description and purview of the standing committees and advisory committees are as follows:

1. **UAAC:** The purview of the University Academic Affairs Committee encompasses standards of admission, retention, and dismissal applicable to undergraduate students of the University; general education requirements; University-wide academic assessment and program review; general education cyclical review; curricular and degree requirements; and instructional standards throughout the University. UAAC's role includes, but is not limited to the following: to review and make recommendations to the Provost and Faculty Senate on questions concerning admission, selection, retention, and dismissal standards policies and procedures, curricular and degree requirements, and other curriculum-related issues that are common to undergraduate students in academic programs throughout the university; to work with appropriate faculty groups in the development, implementation, evaluation, and refinement of the general education program required of undergraduate students; to recommend to the Provost and Faculty Senate designation of courses to be included in the general education program; to make recommendations to the UFBRC and Provost concerning the allocation of resources and support services necessary for sustaining the general education curriculum; to work with appropriate faculty groups in the development, implementation, evaluation, and refinement of assessment processes; to consider and make recommendations to the Provost and Faculty Senate on other academic matters common to undergraduate students as the Provost or Faculty Senate may request; to support and advance inclusion of values consistent with the University Mission in the general education curriculum and matters common to undergraduate students; to report regularly to faculty on the activities of the committee related to the above objectives.
2. **UFAC:** The University Faculty Affairs Committee exists to monitor and work towards the improvement of faculty work/life at the University. This includes, but is not limited to activities related to promotion and tenure, faculty compensation, terms and conditions of employment, faculty development, faculty diversity and faculty and academic administrator evaluation. This committee is concerned with the continuing development, adaptation and interpretation of the *University Faculty By-Laws*. The committee solicits information and reports from and gives advice to the Faculty Senate, College faculty affairs committees, individual faculty members and other departments/divisions regarding faculty issues. The committee is especially concerned with establishing and maintaining academic processes and procedures, which reflect principles of democracy and equity, vision and adaptability, and quality and responsibility, advancing the Mission of the University.

3. **UFBR:** The University Faculty Budget Review Committee advances the Mission of the University as it monitors and makes recommendations about budget content and processes from the faculty perspective. This includes, but is not limited to, the review of the Strategic Plan, issues affecting enrollment and/or enrollment management, as well as budgetary support for enrollment and marketing and other aspects and documents of university financial life. The Committee will recommend relative priorities for hiring new faculty and staff members and for budgetary requests from all colleges. These recommendations will be submitted to the Provost. The Chair of UFBR will serve as the faculty representative to the Board of Trustees Finance & Infrastructure Committee.

In order to facilitate increasing transparency in university wide budget content, processes, and policies the Committee will do the following activities at least once per year:

1. Analyze the annual budget and keep faculty informed of major issues/challenges.
 2. Meet with the Senior Vice President/Chief Financial Officer to review and discuss capital project priorities.
 3. Meet with the Senior Vice President/Chief Financial Officer to discuss any anticipated changes to the Lewis Retirement and Benefits Plan.
4. **UGAC:** The purview of the University Graduate Affairs Committee encompasses minimum equitable standards of graduate admission, retention, dismissal and graduation applicable to graduate students. It provides a structure to evaluate and ensure the ethical, academic integrity of the graduate student. It establishes minimum faculty standards for those teaching in graduate programs. It initiates and supports University-wide graduate assessment initiatives and program review in collaboration with already existing individual College governance structures. It addresses the initiation and expansion of new graduate programs, as well as other matters pertinent to graduate programs at the University. It encompasses the coordination and mutual support among all graduate programs and their advancement of the University Mission. UGAC serves as an official consultative body to the Dean of the School of Graduate, Professional, and Continuing Education on all affairs affecting graduate students and programs.
5. **UPSC:** The University Professional Status Committee shall insure the equitable treatment of all faculty members through coordination and interpretation of appropriate Articles within these By-laws. Functions of this Committee include but are not limited to:
1. establishing methods for evaluation of full-time and half-time faculty for promotion and/or tenure (see Article XI);
 2. creating and implementing a mentoring program for faculty applying for promotion and/or tenure;
 3. reviewing, revising and updating the methods and criteria for faculty evaluation (see Article XI Section 5);
 4. Recommending candidates for promotion and/or tenure (See Article XI);

- Recommending candidates for sabbaticals (See Article X);
5. recommending candidates for emerita/emeritus status according to University criteria (see Article VI).
 6. recommending forwarded candidates for reclassification (see Article VII).
6. **UTAC:** The University Technology Advisory Committee works to support and advance the university mission through the strategic use of technology as it relates to teaching and learning. The responsibilities of the committee include but are not limited to the following: the review and development of proposals and recommendations for new technologies, upgrades, renewals, and technology capital improvements to be presented to the University Technology Council; the prioritization of academic technology proposals and recommendations; the assessment of implemented technology; and the development of initiatives related to the use of technology in teaching and learning. Each UTAC member is also a representative on an advisory committee or the University Technology Council in the following disbursement: two (2) members on Infrastructure Advisory Committee (IAC), two (2) on Enterprise Systems Advisory Committee (ESAC), and four (4) on University Technology Council (UTC) with the goal of providing faculty input, advice, and expertise.
7. **UCC:** The University Chairs Committee is an advisory committee that provides a unified voice for department chairs and co-chairs to contribute formally to the Lewis University governance system. It is an advisory forum through which the department chairs from across the university can provide policy recommendations to the Faculty Senate, its standing committees, and the administration. It also is a means to share information and best practices among departments and the administration in order to carry out our mission and strengthen the success of Lewis University. The UCC will address departmental issues including but not limited to delivery of curriculum, student learning and success, mentoring and evaluating faculty and adjuncts, budgeting, and managing departments.

The remaining attached documents, beginning with Appendix B are supplemental to the *University Faculty By-Laws*. Since these documents are supplemental, changes in these documents/appendices do not require faculty approval and/or are updated outside the faculty governance process.

Appendix B: University Councils

- Section 1** All University Councils are advisory to the President, who is entrusted by the Board of Trustees with the governing of the University. All University Councils are chaired by the President or designee and are structured to respond to the need for well-informed decision-making.
- A. **UAC** (University Administrative Council) is the central administrative advisement group serving the President. It provides advisement upon, and practical implementation of University policies. Through the Provost and each Vice President, it assists the President in developing the proposed final University budget and in supporting administrative practices and oversight ensuring the effectiveness of the University's Strategic Plan and the University's Mission.
 - B. **UPBRAC** (University Planning and Budget Review Advisory Council) is particularly charged with discussing major policy changes and significant University-wide initiatives and reviewing the proposed budget and ongoing budgetary operations. Other matters related to current practice or policy are also considered in the work of the group. In all matters, the purpose of UPBRAC is to serve as an advisory body to the President in the decision-making process. A particular emphasis of UPBRAC is a wider and more complete dissemination of the nature of and rationale for major decisions.
 - C. **UPC** (University Planning Council) has as its major responsibilities the implementation, review, and renewal/adjustment of the University's Strategic Plan. Additionally, it is charged with seeking timely information from the community to further planning at all levels affecting the Strategic Plan. It works with UPBRAC, UAC, and others to link more effectively planning and budgeting processes throughout the University.
 - D. **UMHC** (University Mission and Heritage Council) has as its prime responsibility the encouragement of the Mission in all areas of University life. It is also the leadership body in making the Mission central to all University planning activities related to the University's Strategic Plan and unit planning. The Council directly implements in some areas and it is advisory and consultative in many other areas defined in the University's Strategic Plan. Areas of significant responsibility include Mission orientation of new hires, coordination of Founders Month, selection of Lasallian student graduation speakers, and assisting in the development of Mission themes for University-wide convocations in the Fall and Spring.
 - E. **UTC** (University Technology Council) serves as an advisory organization to the University's leadership team for the planning,

- implementation, and evaluation of technology resources at Lewis University. The UTC is responsible for providing the strategic direction of technology to the University's leadership as well as the articulation of Lewis University's strategic vision for technology to various constituencies. It will also evaluate recommendations from the various technology advisory committees for consideration by the University leadership. Finally, the UTC will provide information related to the approval and prioritization of technology proposals and recommendations.

The advisory committees that report to the University Technology Council include:

1. **UTAC** (University Technology Advisory Committee): UTAC is a standing committee of the Faculty Senate. See Article V.L.5. (e) for membership, and Appendix A for the committee description.
2. **ESAC** (Enterprise Systems Advisory Committee): ESAC provides functional and technical guidance in the development, maintenance, and support of Lewis University's enterprise systems applications, interfaces, and technologies. The committee provides recommendations to the University Technology Council about investments in the enterprise systems, develops and revises existing institutional policy for the acceptable use of the enterprise systems, and recommends policies for adoption pertaining to the enterprise systems.
3. **IAC** (Infrastructure Advisory Committee): IAC provides functional and technical guidance to the University Technology Council in the responsible development, maintenance, support, and security of the Lewis University infrastructure technologies and services. It also provides direction on the deployment of new university-wide infrastructure technologies to ensure all relevant University constituencies understand and adopt changes. Finally, the IAC maintains the technology infrastructure portfolio for the University, which will be used for improving communication and collaboration with these services.

Section 2 Membership on the University Councils shall be as follows:

- A. **UAC:** Membership includes the President, the Provost and additional academic designees, and Vice Presidents of the University.
- B. **UPBRAC:** Membership includes the President or designee, University Committee Representatives, At-Large Representatives, University Planning Council Representative, President's Student Advisory Council Representatives, University Administrative Council Representatives, and Representatives from the Office of the President. These representatives will share their perspectives on the issues under discussion based upon their experience, expertise, and knowledge of the work of various groups, councils, and committees they represent.
- C. **UPC:** Membership includes the President or designee, University Planning Coordinator, elected faculty representative(s) from each College, Institutional Research and Planning Information representative(s), each of the academic deans, one undergraduate student, one graduate student, and other Provost appointees.
- D. **UMHC:** Membership includes the President or designee, a representative for Mission and Development, faculty, administrators, professional staff, and students.
- E. **UTC:** Membership includes the Chief Information Officer (co-chair); Provost, or designee of the Provost's Office; Academic Deans (or designee); the Chief Financial Officer; Chairs of the University Technology Advisory Committee, Enterprise Advisory Committee, and the Infrastructure Advisory Committee; VP or designee from Enrollment Management, Marketing, and Planning; designee from the Faculty Center for the Advancement of Teaching and Learning; 1 UTAC member from each college; a designee from Lewis University's Albuquerque Campus; VP or designee from Mission and Academic Services; VP or designee from Student Services; VP or designee from University Advancement; and Student Senate President.
 - 1. **UTAC:** Membership includes 2 representatives from each of the Colleges; Provost or designee (ex officio); Chief Information Officer (ex officio); designee from the Business Office; designee from the Faculty Center for the Advancement of Teaching and Learning; designee from the Library; and designee from Mission and Academic Services.

2. **ESAC:** Membership includes faculty/non-faculty representative from each college/school appointed by the deans; a designee from the Business Office; VP or designee from Enrollment Management, Marketing, and Planning; VP or designee from Mission and Academic Services; a Student Senate representative; VP or designee from Student Services; VP or designee from University Advancement; Designee from Faculty Center for Advancement of Teaching and Learning; 2 UTAC representatives; designee of the Office of Technology (ex officio).
3. **IAC:** Membership includes Assistant Provost from the Faculty Center for the Advancement of Teaching and Learning; designee from the Business Office; VP or designee from Enrollment Management, Marketing, and Planning; designee from Facilities Services; designee from Human Resources; designee from Marketing and Communications; Registrar; VP or designee from Student Services; two (2) UTAC representatives; designee from the Office of Technology (ex officio).

Appendix C: Calendar of Dates to Be Followed for Promotion and/or Tenure

May 1st	Notice should be given to the Dean of the College/School that faculty member intends to apply for promotion and/or tenure. (The form that this notice should take, written or verbal, shall be decided by the individual College/School.)
September 1st	Promotion and/or tenure supporting materials, gathered by the faculty member/applicant, should be received by applicant's department.
September 30th	Promotion and/or tenure application and supporting materials should be forwarded to the Dean of the College, along with the department's written assessment and recommendation.
November 15th	Promotion and/or tenure application and supporting materials, as well as the written assessment and recommendation of the Dean, and the department's written assessment and recommendation should be forwarded to the University Professional Status Committee (UPSC). The applicant should also receive a copy of the Dean's evaluation and recommendation.
February 15th	Promotion and/or tenure application and supporting materials should be forwarded to the Provost by the UPSC, along with the UPSC's written assessment and recommendation and the independent written assessment and recommendation of the Dean and department.
March 15th	Promotion and/or tenure application and supporting materials should be forwarded to the President by the Provost, along with the UPSC's written assessment and recommendation, the independent written assessment and recommendation of the Department, the independent written assessment and recommendation of the Dean, and the independent written assessment and recommendation of the Provost. If the Provost's recommendation is not to support Promotion or Tenure, the faculty member shall be notified.
April 15th	The President makes a decision and the recommendation goes to the Board of Trustees. If the President's recommendation isn't supported, faculty will be notified.
June 1st	All tenure and promotion decisions will be communicated to applicants.

If the above dates fall on a Saturday, Sunday or legal holiday, or on a date that the University business office is closed, then the date shall be considered the first day there following on which the University business office is open.

Any appeal process from the adverse recommendation of the Provost must be initiated by the faculty member within the time and in accord with the procedures described in Article XVI, and any appeal right must be exhausted before any unfavorably recommended application is submitted to the Board of Trustees or one of its committee.