

AGENDA
SPECIAL MEETING OF THE
UTAH STATE UNIVERSITY BOARD OF TRUSTEES
TELEPHONE CONFERENCE CALL
July 18, 2011

3:00 p.m. Special Meeting Champ Hall Conference Room, Room 136
 • Action Agenda

18 July 2011

ITEM FOR ACTION

RE: Proposed Amendments to the Utah State University Policy Manual, Section 401 – Composition and Authority of the Faculty; Section 402 – The Faculty Senate and Its Committees; Section 403 – Academic Freedom and Professional Responsibility; Section 404 – Faculty Appointments; Section 405 – Tenured and Term Appointments: Evaluation, Promotion and Retention; Section 406 – Program Discontinuance, Financial Exigency and Financial Crisis; and Section 407 – Academic Due Process: Sanctions and Hearing Procedures

EXECUTIVE SUMMARY

With the merger of Utah State University and the College of Eastern Utah (USU-CEU), the Utah State University Policy Manual, Sections 401 – 407, underwent a comprehensive and thorough review by a special committee formed by the Faculty Senate with the primary intention of modifying the code to integrate the two campuses. Many of the proposed changes are procedural in nature and others improve readability of the text and clarify sections of the code that were uncertain. Three major substantive changes include: (1) creating a new, fourth category of academic rank among tenured and tenure-track faculty; (2) specifying and expanding teaching responsibilities of lecturers with term appointments; and (3) adding a new faculty category of term appointments.

The proposed changes emerged from extensive discussions and debates and better align the Policy Manual with Utah State University's multiple campus system encompassing a wide range of instructional programs. The recommendations were approved by the Faculty Senate on April 25, 2011 (see attached).

RECOMMENDATION

Based on the above proposal and approvals as indicated, the President and Provost recommend that the Board of Trustees approve the proposed amendments to the Utah State University Policy Manual, Sections 401 – 407.

RESOLUTION
UTAH STATE UNIVERSITY
BOARD OF TRUSTEES

WHEREAS, The proposal to amend the Utah State University Policy Manual, Sections 401 – 407, and

WHEREAS, With the merger of Utah State University and the College of Eastern Utah (USU-CEU), there is a need to integrate the two campuses, and

WHEREAS, The proposed amendments better align the Policy Manual with Utah State University's multiple campus system encompassing a wide range of instructional programs, and

WHEREAS, The proposal has been approved by the Faculty Senate, and

WHEREAS, The proposal has the approval of the President and Provost of Utah State University;

NOW THEREFORE BE IT RESOLVED, That the Utah State University Board of Trustees hereby approves the proposed amendments to the Utah State University Policy Manual, Sections 401 – 407.

RESOLUTION APPROVED BY THE BOARD OF TRUSTEES

DATE

11 July 2011

TO: Board of Trustees
Utah State University

FR: Raymond T. Coward
Executive Vice President and Provost



RE: Proposed Amendments to Section 400 of the USU Policy Manual

Attached for your review and consideration is a copy of Section 400 of the USU Policy Manual. During the past academic year, this section of the manual (often referred to as the “faculty code”) underwent a comprehensive and thorough review by a special committee formed by the Faculty Senate with the primary intention of modifying the code to incorporate our new faculty colleagues at USU-Eastern (USU-CEU).

All proposed changes in text are presented in red and strikethroughs indicate text that will be eliminated. Many of the changes that you will review are procedural in nature; that is, they represent new reporting structures that reflect the administrative structure of our new campuses in Price and in Blanding. Other changes were made to improve the readability of the text and clarify sections of the code that were uncertain.

But there are three major, substantive changes to which I want to bring your special attention. I did not want these major changes to be obscured by the hundreds of smaller changes that have also been proposed. These three significant changes include:

1. In Section 401.3.5 (Section 401, pages 4 and 5), we propose to create a new, fourth category of academic rank among our tenured and tenure-track faculty; titled “Professional Career and Technical Education.” Individuals in this new faculty category will comprise those with primary instructional responsibilities in career and technical education. This new category will be in addition to the three types of tenured and tenure-track faculty that we currently employ; i.e., core faculty, librarians, and extension faculty. By this action, we signal to our faculty with professional backgrounds in career and technical education that we value their expertise, acknowledge their contributions to our instructional offerings and count them among the professoriate at Utah State University. It removes, we hope, any implication that they are “second-class citizens” who are not a vital part of our faculty.

Coward to USU Board of Trustees
11 July 2011

Consistent with the proposal to create a new category of academic rank among our tenured and tenure-track faculty, in Section 405.5 (Section 405, pages 11-13) we articulate the tenure and promotion criteria for faculty members in the professional career and technical education rank.

2. In Section 401.4.2 (1) we have specified and expanded the teaching responsibilities of lecturers with term appointments (Section 401, page 6). As we explored the current use of lecturers at Utah State University, we found numerous instances in which lecturers were being used at a wide-range of instructional levels; not just those levels specified in the code. The proposed expanded wording clarifies the procedures that must be followed when lecturers “who are uniquely qualified through education and/or experience” are appointed to teach a course numbered 5000 or above; i.e., “after full consultation between the department head and the faculty of the department that grants credit for the course.” This new wording reemphasizes the important role of the faculty in overseeing the curriculum and how it is delivered.
3. Finally, in Section 401.4.2 (6) we have proposed adding a new faculty category of term appointments; titled “Professional Practice Ranks” (Section 401, Page 7). In nearly every academic college, there is the need for faculty members with “substantial professional experience and expertise in a specific professional arena outside of academe.” These individuals often bring real-world experience to the classroom, a “hands-on” understanding about the practice of the profession and significant credibility among our students. Prior to this proposed change, academic colleges have been using the category of “Clinical Ranks” (401.4.2 (2), Section 401 Page 5) in the appointment of such individuals. However, many programs (engineering, education, business, agriculture, natural resources, science, and fine arts) found the phrase clinical faculty not descriptive of the types of professionals who were being employed. This new category better describes the type of individuals that we believe are useful on our faculty but, also, provides a title that is more befitting their experience and expertise.

The changes that are presented for your review emerged from extensive discussions and debates about how to align our policy manual with the new realities of our university; i.e., multiple campuses encompassing a wide range of instructional programs; from non-credit courses, to professional career and technical education certificates, to associate degree programs, to baccalaureate degree programs to graduate degree programs. The result is a dynamic document that reflects the changing evolution of our institution and I am extremely grateful to my faculty colleagues who devoted their time and energies to this task. Dr. Vincent Wickwar, 2010-2011 USU Faculty Senate President, led this effort and is principally responsible for its completion and adoption.

Coward to USU Board of Trustees
11 July 2011

I look forward to any questions that you may have during our special telephone conference call scheduled for next Monday, July 18, 2011, at 3:00 p.m. MST. Indeed, if you would like to discuss a particular section of the proposed documents, or inquire about the rationale behind a particular proposed change, please do not hesitate to contact me by telephone (435-797-1167) or E-mail (Raymond.Coward@usu.edu).

Cc: Stan L. Albrecht, President
Sydney M. Peterson, Secretary, USU Board of Trustees
Glenn McEvoy, Professor and USU Faculty Senate President



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TO: Stan Albrecht, President
FROM: Vincent Wickwar, Faculty Senate President
DATE: May 11, 2011
CC: Raymond T. Coward, Executive Vice President and Provost
SUBJECT: Proposed Policy Amendments Approved by the Faculty Senate

The Following proposed amendments to policy were presented to the Faculty Senate, voted on and approved April 25, 2011. I am forwarding the edited changes, but since the changes are so extensive the final text that is usually sent has not been attached. The format of the changes are such that final text wording will not be difficult to extrapolate. All changes are typed in red and strikethroughs indicate language that will be eliminated.

The following bullets highlight noteworthy code revisions:

Section 401 - Composition and Authority of the Faculty

- Clarify that USU comprises multiple, geographically dispersed campuses
- Clarify that faculty on all campuses are part of the USU faculty
- Clarify use of the term "school" in the code
- Add a new Academic rank, Professional Career and Technical Education faculty, whose members will be in the newly proposed School of Technology
- Clarify teaching role of Term Appointment rank, Lecturer
- Add new Term Appointment rank, Professional Practice
- Clarify procedures to follow in making all Term Appointments
- Delete Term Appointment rank, Edith Bowen Teachers
- Clarify definition of Special Appointment rank, Adjunct

Section 402 - The Faculty Senate and Its Committees

- Enlarge membership on Faculty Senate to add faculty from USU-CEU
- Enlarge pool of presidential appointees to Faculty Senate to include USU-CEU chancellor and regional campus deans
- Make sure the chair of the Faculty Evaluation Committee is a member of Faculty Senate
- Modify policy on Faculty Senate member absences and vacancies
- Enlarge membership of standing committees of the Faculty Senate to include USU-CEU
- Specify that the Budget and Faculty Welfare Committee shall appoint faculty members to the university Benefits Advisory Committee
- Change composition and term of Senate Handbook Committee members
- Add that the Senate Committee on Committees is to appoint a member to the university Diversity Council

- Ensure that councils and committees, including faculty members, can be established on the Regional Campuses and USU-CEU

Section 403 - Academic Freedom and Professional Responsibility

- Clarify appeal procedure for alternative course requirements

Section 404 - Faculty Appointments

- Clarify appointment procedures (what campuses to visit and candidate approval procedure) for tenure or tenure-eligible faculty, term appointment faculty, faculty with special appointments, and faculty with administrative duties within or outside academic units.

Section 405 - Tenured and Term Appointments: Evaluation, Promotion and Retention

- Clarify process for application of prior service of a faculty member toward tenure and promotion
- Clarify that time as an instructor does not count toward the pre-tenure probationary period
- Clarify criteria for promotion from Associate Librarian to Librarian
- Articulate tenure and promotion criteria for faculty members in the Professional Career and Technical Education rank.
- Expand the Service criterion to include “engagement in local communities”
- Clarify conditions under which a department head or supervisor can be appointed to a tenure advisory committee, a promotion advisory committee, or a quinquennial review committee
- Articulate process for tenure and promotion review of faculty at regional campuses and the USU-CEU
- Relocate text describing the process for the quinquennial review of tenured faculty to this section

Section 406 - Program Discontinuance, Financial Exigency and Financial Crisis

- Clarify procedures for program discontinuance and declaration of financial exigency

Section 407 - Academic Due Process: Sanctions and Hearing Procedures

- Articulate procedures for non-renewal of faculty of regional campuses and USU-CEU.

Policy 202.2.4(2) states that “within 30 calendar days of receipt of the proposed amendment, the President will either forward the proposed amendment to the Board of Trustees with a recommendation for its approval, forward the proposed amendment to the Board of Trustees with no recommendation, remand the proposed amendment to the Senate, or inform the Senate of approval.” Please advise me of your action regarding these proposed policy amendments by June 11, 2011.

POLICY MANUAL

FACULTY

Number 401

Subject: Composition and Authority of the Faculty

Effective Date: July 1, 1997

Revision: July 1, 1999, March 6, 2009

Date of Last Revision: August 13, 2010

401.1 FACULTY MEMBERSHIP

Utah State University is an institution of higher education comprising multiple, geographically dispersed campuses, each of which employs faculty. The faculty consists of the Ppresident, the Pprovost, the chancellor, academic deans, regional campus deans, and other members of the tenured and tenure-eligible faculty, faculty with term appointments, faculty with special appointments, and emeritus faculty as defined herein. All appointed faculty, without regard to which campus they are assigned, are members of the Utah State University faculty.

401.2 DEFINITIONS

2.1 Faculty Defined; Faculty Categories

The terms "faculty" and "faculty members" designate university employees appointed for the purpose of carrying out one or more of the following primary functions of the Uuniversity: (1) academic instruction and technical training, (2) enlargement of knowledge through research and other creative activities, and (3) dissemination of knowledge beyond the campus through extension, service, and other methods.

Faculty members receive appointments in one of the following four separate categories: (1) tenured or tenure-eligible appointments; (2) term appointments without eligibility for tenure; (3) special appointments without eligibility for tenure and; (4) emeritus appointments.

2.2 Academic Units and Academic Departments Defined

The term "school" has been used in two different ways at the university. In all cases but one, a "school" is the equivalent of a "department." In one case, the Jon M. Huntsman School of Business, the term is used as the equivalent of a "college." Throughout the remainder of Section 400, whenever the term "department" appears it is assumed to encompass all "schools" except the Jon M. Huntsman School of Business. The latter is governed by policies that apply to colleges, not departments. Whenever the term "college" is used in this policy, it will encompass all academic colleges and the Jon M. Huntsman School of Business.

An academic unit is a group of faculty ~~of the University~~ with an identifiable teaching, research, or other academic mission. To be designated an academic unit, the group of faculty must fulfill all of the following criteria: (a) have an identifiable curriculum or formal description in current ~~U~~university catalogs or other publications; (b) have a separate, identifiable budget; (c) be designated an academic unit by decision of the Educational Policies Committee and ratification of the Faculty Senate, and approved by the ~~P~~resident, the Board of Trustees and the Board of Regents.

An academic department is a group of faculty ~~of the University~~ with an identifiable teaching, research, or other academic mission. To be designated an academic department, the group of faculty must fulfill all of the following criteria: (a) offer or administer a degree, certificate, or some other official credential of the ~~U~~university; (b) have an identifiable curriculum and formal description in current ~~U~~university catalogs or other publications; (c) have a separate identifiable budget; (d) be designated an academic department by decision of the Educational Policies Committee and ratification of the Faculty Senate, and approved by the ~~P~~resident, the Board of Trustees and the Board of Regents.

All academic departments are academic units. Two academic units are not academic departments. These are the Library and Extension.

401.3 THE TENURED AND TENURE-ELIGIBLE FACULTY

3.1 Description and Eligibility

The tenured and tenure-eligible faculty consists of those individuals appointed to carry out the ~~U~~university's scholarly and educational functions and who have been or may be granted permanent status (policy 405.1.2). They receive their appointments within academic units. All faculty in this category either hold tenure or enter the process that ~~may leads~~ to the granting of tenure. Tenured and tenure-eligible faculty appointments shall not be made for less than 0.5 FTE.

3.2 Academic Ranks: Core Faculty

Tenure and tenure-eligible faculty members appointed to an academic department are the "core" faculty and hold one of the following ranks: Instructor, Assistant Professor, Associate Professor, or Professor. A description of each follows. (See policy 405.2 for a complete discussion of the criteria for appointment or promotion for these ranks.)

(1) Instructor.

Appointment as instructor requires a master's degree or its equivalent, as determined by ~~the~~ appropriate administrator, and demonstrated ability ~~related to in accordance with~~ the role statement.

(2) Assistant Professor.

Appointment as or advancement in rank to **A**ssistant **P**rofessor requires a terminal degree or its equivalent; demonstrated ability in teaching, research **or creative endeavors**, extension, **service, or other qualifying work in accordance with the role statement** and evidence of progressive professional development as determined by **the** appropriate administrator.

(3) Associate Professor.

Appointment as or advancement in rank to **A**ssociate **P**rofessor requires all the qualifications prescribed for an **A**ssistant **P**rofessor; an established reputation in **scholarship**, teaching, research **or creative endeavors**, extension, **and** service, **or other qualifying work in accordance with the role statement**; and broad recognition for professional success in the field of appointment. **Section 405.2.2**

(4) Professor.

Appointment as or advancement in rank to **P**rofessor requires all the qualifications prescribed for an **A**ssociate **P**rofessor and an established outstanding reputation in the field of appointment. **Section 405.2.4**

3.3 Academic Ranks: Librarians

Faculty members appointed to the academic unit of the library hold one of the following ranks: **A**ffiliate **L**ibrarian, **A**ssistant **L**ibrarian, **A**ssociate **L**ibrarian, or **L**ibrarian. A description of each follows. (See policy 405.3 for a complete discussion of the criteria for appointment or promotion for these ranks.)

(1) Affiliate Librarian.

Appointment as **A**ffiliate **L**ibrarian requires, a master's degree in library and information science from an institution accredited by the American Library Association or a master's degree and appropriate credentials for assignment to areas with specialized needs and demonstrated ability **related to in accordance with** the role statement.

(2) Assistant Librarian.

Appointment as or advancement in rank to **A**ssistant **L**ibrarian requires all the qualifications prescribed for an affiliate librarian; demonstrated ability in librarianship, research, or other qualifying work; and evidence of professional development as determined by **the** appropriate administrator.

(3) Associate Librarian.

Appointment as or advancement to **A**ssociate **L**ibrarian requires all the qualifications prescribed for an **A**ssistant **L**ibrarian; an established reputation in librarianship based on scholarship, and service; and **and** broad recognition for professional success in librarianship.

(4) Librarian.

Appointment as or advancement to Librarian requires all the qualifications prescribed for an Associate Librarian and an established outstanding reputation in the field of academic librarianship.

3.4 Academic Ranks: Extension

Faculty members appointed to the academic unit of Extension and who fulfill general Extension responsibilities hold one of the following ranks: Extension Instructor, Extension Assistant Professor, Extension Associate Professor, or Extension Professor. A description of each follows. (See policy 405.4 and policy 405.5 for a complete discussion of the criteria for appointment or promotion for these ranks.)

(1) Extension Instructor.

Appointment as Extension Instructor requires a master's degree or its equivalent, as determined by appropriate administrator, and demonstrated ability related to the role statement.

(2) Extension Assistant Professor.

Appointment as or advancement in rank to Extension Assistant Professor requires a Master's degree or its equivalent; demonstrated ability in teaching, research, extension, or other qualifying work; and evidence of progressive professional development as determined by appropriate administrator.

(3) Extension Associate Professor.

Appointment as or advancement in rank to Extension Associate Professor requires all the qualifications prescribed for an Extension Assistant Professor; an established reputation based upon a balance of scholarship, teaching, and service; and broad recognition for professional success in the field of appointment. Section 405.4

(4) Extension Professor.

Appointment as or advancement in rank to Extension Professor requires all the qualifications prescribed for an Extension Associate Professor and an established outstanding reputation in the field of appointment. Section 405.4

~~3.5 Academic Ranks: Extension Agents~~

~~This historic title is no longer in use; instead, refer to "Academic Ranks: Extension" (see Section 401.3.4).~~

3.5 Academic Ranks: Professional Career and Technical Education

Faculty members appointed to a proposed School of Technology with responsibilities for professional career and technical education will hold one of the following ranks: Professional Career and Technical Education Instructor, Professional Career and Technical Education Assistant Professor, Professional Career and Technical Education Associate Professor, or Professional Career and Technical Education Professor. A description of each follows. (See policy 405.5 for a complete discussion of the criteria for appointment or promotion to these ranks.)

(1) Professional Career and Technical Education Instructor.

Appointment as a professional career and technical education instructor requires six years of applicable work experience at the journeyman level. Up to three years of academic training from an accredited college may be substituted for three years of work experience.

(2) Professional Career and Technical Education Assistant Professor.

Appointment as a professional career and technical education assistant professor requires an associate of applied science or associate of science degree from an accredited college plus basic industry qualifications; three years full-time teaching experience at an accredited college; demonstrated ability in accordance with the role statement and evidence of progressive professional development.

(3) Professional Career and Technical Education Associate Professor

Appointment as, or advancement in rank to a professional career and technical education associate professor requires all of the qualifications prescribed for assistant professor; a bachelor's degree from an accredited university; a minimum of seven years of full-time teaching at an accredited college; an established reputation in accordance with the role statement; and broad recognition for professional success in professional career and technical education.

(4) Professional Career and Technical Education Professor

Appointment as, or advancement in rank to, a professional career and technical education professor requires all of the qualifications prescribed for an associate professor; a master's degree or higher from an accredited university; a minimum of 12 years of full-time teaching experience at an accredited college; an outstanding reputation in accordance with the role statement; and national recognition for professional success in professional and technical education.

3.6 Exceptions

Under extraordinary circumstances, exceptions to Section 401.3 may be made to the qualifications for appointment in the various ranks in order to fulfill the mission of the University. Exceptions require petition to and approval by the President, and must specify a time period for meeting the qualifications.

401.4 THE FACULTY WITH TERM APPOINTMENTS

4.1 Description and Appointment Requirements

The faculty with term appointments consists of individuals appointed to perform specialized academic duties ~~that who~~ make substantial and regular contributions to a ~~U~~university academic unit, but do not have the permanence of appointment of tenured faculty.

Term appointments are for one academic or fiscal year in duration and are automatically renewed based on funding and performance, unless the faculty members holding such appointments are given notice of nonrenewal (policy 404.1.2(4)). The faculty member who holds a term appointment has no claim to a de facto permanent appointment based on length of service. Appointments for less than one academic or calendar year's duration are made to the temporary ranks (policy 401.65.2(3)). For those faculty whose appointments depend on extramural funds, the appointment is dependent upon the availability of those funds. Term appointments are established only in an academic unit.

4.2 Academic Ranks

The academic ranks for the faculty with term appointments follow.

(1) Lecturer Ranks.

Faculty members whose function it is to teach remedial (0010-0990), ~~beginning lower division (1000-2990)~~, or, on occasion, ~~intermediate upper division (3000-4990)~~ university courses, are appointed to one of the following titles: ~~L~~ecturer, ~~S~~enior ~~L~~ecturer, or ~~P~~principal ~~L~~ecturer. ~~Lecturers who are uniquely qualified through education and/or experience may, under special circumstances, teach a course 5000 and above after full consultation between the department head and the faculty of the department that grants credit for the course.~~

(2) Clinical Ranks.

Faculty members whose primary function is the supervision of students in clinical practicum, residency, and intern programs ~~may be are~~ appointed to one of the following ranks: clinical instructor, clinical assistant professor, clinical associate professor, or clinical professor, ~~after full consultation between the department head and the faculty of the department that grants credit in this area.~~

(3) Research Ranks.

Faculty members whose primary function is research and whose source of funding is extramural ~~may be are~~ appointed to one of the following ranks: research assistant professor, research associate professor, or research professor, ~~after full consultation between the department head and the faculty of the department that grants credit in this area.~~ Appointment to the research ranks requires a terminal degree or its equivalent.

(4) Federal Cooperator (FC) Ranks.

Faculty members who are federal employees, who are paid by agencies of the federal government, whose primary function at the university is equivalent to core faculty, and who serve as faculty under cooperative agreements between the university and the federal government (e.g., U.S. Department of the Interior, Fish and Wildlife Service) ~~may be are~~ appointed to one of the following ranks: instructor (FC), assistant professor (FC), associate professor (FC), or professor (FC), **after full consultation between the department head and the faculty of the department that grants credit in this area.** Appointments to federal cooperator ranks are made only in academic units where such cooperative agreements exist.

(5) Federal Research (FR) Ranks.

Faculty members who are federal employees, who are paid by agencies of the federal government, whose primary function at the university is research, and who serve as faculty under agreements between the university and the federal government (e.g., U.S. Department of Agriculture) ~~may be are~~ appointed to one of the following ranks: assistant professor (FR), associate professor (FR), or professor (FR), **after full consultation between the department head and the faculty of the department that grants credit in this area.** Appointments to federal research ranks are made only in academic units where such agreements exist.

(6) Professional Practice Ranks

Faculty members with substantial professional experience and expertise in a specific professional arena outside of academe, who contribute to an academic program by administration, teaching, mentoring, advising, service, or other responsibilities based on his or her professional experience may be ~~Individuals are~~ appointed to one of the following ranks: professional practice instructor, professional practice assistant professor, professional practice associate professor, or professional practice professor, after full consultation between the department head and the faculty of the department that grants credit in this area.

~~(6) Edith Bowen Teachers.~~

~~Faculty members who hold certification or licensure required by public schools and whose primary function is teaching preschool, elementary school, or developmentally disabled students at Edith Bowen Elementary School are appointed to one of the following titles: Teacher, Mentor Teacher, or Master Teacher. Appointments to teacher ranks are made only by the College of Education and Human Services.~~

4.3 Limitations on Positions: Faculty with Term Appointments

(1) No Tenure.

Faculty with term appointments are not eligible to enter the process that leads to the granting of tenure, unless the faculty member's status is changed.

(2) Changes in Status.

All changes in status from term appointment faculty to faculty with tenure or tenure-eligibility require a national search.

(3) Leave.

Faculty with term appointments are not eligible for sabbatical leave, but may be granted professional leave under appropriate conditions, as determined by the appropriate administrator.

(4) Limitations on Faculty Participation.

Faculty with term appointments are eligible to be elected to and to vote for members of the Faculty Senate. The participation in faculty affairs of faculty members holding lecturer, clinical, research, federal research, or ~~teacher positions~~ professional practice ranks is subject to the following limitations: (a) they may participate in the processes of setting policy within their academic units only to the extent determined by their appointing departments, colleges, or other academic units; (b) they may serve as members of appointed faculty committees and may vote on all matters except those relating to appointment, retention, tenure, or promotion of tenured and/or tenure-eligible faculty; and (c) they may not be counted among the number of tenured and tenure-eligible faculty members for purposes of apportioning Faculty Senate members. Federal ~~C~~ooperator ranks are exempt from the foregoing limitations on faculty participation with the following exceptions: they may not serve on committees or vote on matters relating to retention or tenure of tenure-eligible faculty.

401.5 FACULTY WITH SPECIAL APPOINTMENTS

5.1 Description and Appointment Requirements

The faculty with special appointments consists of those individuals whose appointments confer a limited association with the ~~U~~niversity. Such appointments are made to establish an association with professional peers for temporary or part-time service.

Faculty members with special appointments must possess qualifications and experience commensurate with those required for tenured and/or tenure-eligible or term appointment faculty. Proposed special appointments must be considered by appropriate departmental procedures. Periodic reviews of the performance of faculty members with special appointments may be conducted. Faculty ~~m~~embers with special appointments are not eligible for tenure.

5.2 Academic Ranks

The academic ranks for the faculty with special appointments follow.

(1) Adjunct Ranks.

Faculty members whose association with an academic department is secondary to an appointment within a different department, institution, organization, or other personal and professional interests can be appointed as adjunct faculty. The term “adjunct” may precede any faculty title in the tenure and term appointment ranks. ~~are appointed to one of the following ranks: Adjunct Instructor, Adjunct Assistant Professor, Adjunct Associate Professor, or Adjunct Professor.~~ Adjunct appointments are made for less than 50 percent time only.

(2) Visiting Ranks.

Faculty members from other academic institutions who are participants in a university exchange program or who are employed to teach one or more semesters for an academic department while on leave from another academic institution are appointed to one of the following ranks: ~~V~~visiting ~~I~~nstructor, ~~V~~visiting ~~A~~assistant ~~P~~rofessor, ~~V~~visiting ~~A~~ssociate ~~P~~rofessor, or ~~V~~visiting ~~P~~rofessor.

(3) Temporary Ranks.

The term “temporary” may precede all tenure-eligible academic ranks. In extraordinary circumstances, academic units may fill faculty appointments on a temporary basis. The temporary nature and the length of the term of such a position must be clearly specified in advance. The term cannot exceed one academic year and is renewable up to an additional two years. An exception may be made for long-term international assignment. Temporary appointments shall not be used as long-term strategies for accomplishing the duties of academic departments or academic units.

5.3 Limitations on Positions: Faculty with Special Appointments

(1) No tenure eligibility.

Faculty ~~members~~ with special appointments are ineligible for tenure.

(2) Limitations on faculty participation.

The participation of faculty members holding adjunct, temporary, or visiting positions is subject to the following limitations: (a) they may participate in the processes of setting policy within their departments only to the extent determined by their appointing departments; (b) they may serve as voting members of appointed faculty committees except those relating to appointment, retention, tenure, or promotion of tenured and/or tenure-eligible faculty and faculty with term appointments; (c) they may not be counted among the number of faculty members for the purposes of apportioning the Faculty Senate members; and (d) they are ineligible to be elected to and to vote for members of the Faculty Senate.

401.6 EMERITUS FACULTY

At the time of retirement and upon recommendation of the Ppresident and the approval of the Board of Trustees, faculty members may be awarded the honorary rank of Emeritus preceding their final academic rank.

401.7 LIST OF FACULTY

~~Prior to the end of fall semester of each year the Uuniversity shall publish a list of all faculty which states the faculty category and the academic unit to which they are appointed.~~

Each year the university shall publish a list of all faculty in an electronic format that is readily accessible, which states the faculty category and the academic unit to which they are appointed or, in the case of emeritus faculty, to which they were appointed.

401.8 AUTHORITY OF THE FACULTY

8.1 Policy Statement

(1) American Association of University Professors Joint Statement.

Although this policy statement may contain some provisions that are the same or similar to certain principles promulgated by the American Association of University Professors (AAUP), this policy statement is not intended to incorporate AAUP principles and interpretations, and any such incorporation by reference is expressly disclaimed.

(2) Faculty Responsibility for Educational Process.

The faculty has primary responsibility for such fundamental areas as curriculum, subject matter, and methods of instruction, and those aspects of student life which relate to the educational process. In those exceptional circumstances when the power of review or final decision of the Ppresident is exercised adversely on these matters, it shall be communicated to the faculty. Following such communication, the faculty shall have the opportunity for further consideration and further transmittal of its view to the Ppresident.

The faculty sets the requirements for the degrees offered, determines when the requirements have been met, and recommends to the Ppresident that the degrees be granted.

(3) Faculty Status and Related Matters.

Faculty status and related matters, such as appointments, reappointments, nonrenewals of appointments, terminations, dismissals, reductions in status, promotions, and the granting of tenure are primarily a faculty responsibility. The primary responsibility of the faculty for such matters is based upon the fact that its judgment is central to general educational policy. Furthermore, scholars in a particular field or activity have the chief competence for judging the work of their colleagues; in such competence it is implicit that responsibility exists for both adverse and favorable judgments. Determination in these matters should be first by faculty action

through established university procedures, reviewed and approved by the Ppresident, followed where necessary, by the approval of the Board of Trustees and/or the Board of Regents.

(4) Collegial Governance of the University.

There is shared responsibility in the governance of the Uuniversity with a meaningful role for the faculty. This role includes participation in decisions relating to the general academic operations of the Uuniversity, such as budget matters and the appointment of administrators. The faculty should actively advise in the determination of policies and procedures governing salary increases.

Organizations and methods for faculty participation in the collegial governance of the Uuniversity should be established wherever faculty responsibility is present. The organizations and methods may consist of meetings of the faculty members of a department, college, library, extension, other academic unit, or the Uuniversity as a whole; or they may take the form of faculty-elected committees in academic units and a faculty designed, approved, and established committee through the joint effort of the faculty and the administration.

(5) Faculty and Administration Communications.

Suggested means of communication among the faculty, the Uuniversity administrators, and the Board of Trustees are:

- (a) circulation of memoranda and reports,
- (b) joint ad hoc committees of the groups,
- (c) standing liaison committees of the groups, and
- (d) membership of faculty members on administrative councils, committees, and other bodies.

8.2 Legislative Authority of the Faculty

Subject to the authority of the Board of Regents, the Board of Trustees, and the Ppresident, faculty shall legislate on all matters of educational policy, enact such rules and regulations as it deems desirable to promote or enforce such policies, and decide upon curricula and new courses of study. The legislative power will normally be exercised by the Faculty Senate. In all matters except those within the authority of the Faculty Senate, the faculty retains original jurisdiction.

8.3 Appellate Authority of the Faculty: Right to Review and to Modify Faculty Senate Actions

Faculty members who are eligible to vote in Faculty Senate shall have the appellate power to review ~~all~~ Faculty Senate actions by means of a special meeting. Upon the written petition of 10% of these faculty ~~members who are eligible to vote in Faculty Senate elections~~, or upon the written request of 25 senators, the faculty must meet to reconsider Faculty Senate actions and to ratify, modify, or repeal them. The petition or request must be submitted to the university Ppresident as chair of the faculty.

401.9 MEETINGS OF THE FACULTY

9.1 Calling Meetings

Meetings of the faculty may be convened upon the call of the **university P**resident. Upon receipt by the **P**resident of a written request or a written petition as provided in policy 401.98.3, the president must call a meeting of the faculty within ten working days to discuss and/or act on issues raised in the request or petition.

9.2 Notice

Faculty must receive individual notice of the meeting and its agenda a minimum of five days before the meeting, unless a majority of them waives that notice prior to or at the meeting or unless the **P**resident waives the notice on the grounds of emergency.

9.3 Quorum

Any number over ten percent of the faculty eligible to vote in Faculty Senate elections shall constitute a forum for discussion at faculty meetings, but no vote shall be binding unless a quorum is present. Fifty percent plus one member of the voting ~~resident~~ faculty shall constitute a quorum. A quorum being present, all actions shall be by majority vote of those in attendance with voting power. Meeting procedures shall be governed by Robert's Rules of Order.

401.10 CHAIR OF THE FACULTY; SECRETARY OF THE FACULTY

The **P**resident of the **U**niversity (and in the president's absence, the **executive vice president and P**rovost) is the chair of the faculty and presides over all meetings of the faculty. The **P**resident of the **U**niversity shall appoint a secretary for the faculty who will also be ex officio Executive Secretary of the Faculty Senate. The secretary shall record all actions of the faculty when it meets, and shall preserve the records in a form convenient for reference.

401.11 COMMITTEES OF THE FACULTY

The faculty may appoint, at any time, such committees as the work of the **U**niversity may require. These committees must report to the faculty and to the Faculty Senate the progress of their work and the action they have taken.

POLICY MANUAL

FACULTY

Number 402

Subject: The Faculty Senate and Its Committees

Effective Date: July 1, 1997

Revision Dates: November 16, 2001; April 29, 2002; January 12, 2007; April 30, 2007, March 6, 2009.

Date of Last Revision: August 13, 2010

402.1 AUTHORITY OF THE FACULTY TO REVIEW FACULTY SENATE ACTIONS

Actions of the Faculty Senate (Senate) shall be subject to the appellate power of the faculty, as provided in policy 401.97.3. The agenda and actions of the Senate shall be reported to the faculty as provided in policy 402.4.2(3).

402.2 AUTHORITY OF THE SENATE

The authority of the faculty is delegated to the Senate. The Senate legislates and sets policy for matters within the collective authority of the faculty. See policy 401.97. The Senate shall have the power to act for and represent the faculty in all matters of educational policy, including requirements for admission, degrees, diplomas, and certificates; and in curricular matters involving relations between colleges, schools, divisions, or departments.

The Senate shall also have the following powers: (1) ~~to~~ receive and consider reports from any faculty committee, and from any council, department, division, administrative officer, library, or college; and to take appropriate action; (2) ~~to~~ consider matters of professional interest and faculty welfare and to make recommendations to the President of the University and other administrative officers; and (3) ~~to~~ propose to the President amendments or additions to these policies.

2.1 Senate Power of Internal Governance; Referral of Matters to the President

The Senate shall have the power to make rules governing its own procedures and to establish its own order of business. All other matters considered and approved by the Senate shall be forwarded by the Executive Secretary to the President of the University and, in appropriate cases, to the Board of Trustees.

2.2 The President, University Administrators, and Board of Trustees

The Senate is an advisory body to the President of the University. While the Senate votes

on policy and procedural issues, including but not limited to policy and procedural issues in these policies, these actions and recommendations cannot be implemented without the approval of the Ppresident of the Uuniversity. The Board of Trustees advises the Ppresident of the Uuniversity and approves or disapproves any policy or procedural change.

Approval or disapproval of Senate actions, whether by the Ppresident of the Uuniversity or by the Board of Trustees, shall be reported back to the President of the Senate by the Ppresident of the Uuniversity, or a designee, in a timely manner following the Senate action. When Senate actions receive final approval, it is the responsibility of Uuniversity administrators and administrative bodies to implement the action.

2.3 Senator's Handbook

Each senator shall receive a current Senator's Handbook which explains briefly the role and operation of the Senate. The Handbook will include: (1) provisions of this policy pertinent to Senate proceedings, rules, and membership; (2) a simplified statement of the Rules of Order; and (3) rules for calling meetings. The Senate Executive Secretary must ensure that each newly elected Senator receives a Handbook no later than the September meeting of the Senate.

402.3 MEMBERSHIP; ALTERNATES; TERM; VACANCIES

3.1 Membership

The Senate shall be composed of the following members: (1) ~~Fifty-five~~ **sixty** faculty members assigned in proportion to the number of tenured and tenure eligible faculty in the academic colleges, the Regional Campuses, USU-CEU, Extension, and the Libraries. These **sixty** will be elected by and from faculty members eligible to vote in Senate elections (see policy 401.64.3(2)(dc)); (2) the Ppresident and the **executive vice president and Pprovost** of the Uuniversity or their designees; (3) eight appointees of the Ppresident of the Uuniversity who shall be **a vice presidents and/or academic college deans, a regional campus dean, or a chancellor**, six of whom must hold faculty appointments and must be designated annually preceding elections to the Senate; (4) the ~~four~~ chairs of the Academic Freedom and Tenure Committee, the Budget and Faculty Welfare Committee, the Professional Responsibilities and Procedures Committee, ~~and~~ the Faculty Diversity, Development and Equity Committee, **and the Faculty Evaluation Committee** if they are not one of the faculty members elected to the Senate; and (5) three students, who shall include the Associated Students of Utah State University (ASUSU) President or a designee, the ASUSU Academic Senate President or a designee, and the Graduate Student Senate (GSS) President or a designee.

With the exception of faculty holding special or emeritus appointments, any member of the faculty who is not designated as a presidential appointee is eligible for election to the Senate.

3.2 Alternates for Elected Members

Senate members are expected to attend its meetings regularly. In cases of unavoidable

absence, including sabbatical leave, professional development leave, and unpaid leaves of absence, Senators will arrange for an elected alternate senator to attend in their place (see policy 402.10.2). The alternate shall have full voting rights.

Senators must notify the **Executive** Secretary of the Senate in writing (email is acceptable) whenever alternates will replace them. If an absent senator fails to arrange for a substitute more than once during an academic year, then that senator's position will be considered vacant (see policy 402.3.4). Senators are considered absent whenever they are replaced by designated alternates (see policy 402.3.4).

3.3 Term

Faculty members elected to the Senate shall serve three-year terms or, as provided in policy 402.3.4, complete the three-year term vacated by a faculty member. Terms shall begin July 1 following elections and may be re-elected once, after which a faculty member is ineligible to stand for election for one year. The term of office for student members of the Senate shall be one year and shall coincide with the term of ASUSU and GSS officers. The term of office for presidential appointees shall be one year and shall begin July 1. A presidential appointee can be reappointed to consecutive terms, up to a maximum of six years, after which the appointee is ineligible for appointment for one year.

3.4 Vacancies

A senate seat shall be declared vacant if a senator (1) resigns, (2) is terminated, (3) goes on extended medical leave, (4) will otherwise be unavailable for more than half of the academic year, (5) misses ~~more than one~~ **two** regularly scheduled meetings during an academic year without arranging for an alternate, or (6) misses four regularly scheduled senate meetings during any one academic year **even if he or she has arranged for alternates, or misses more than one regularly scheduled meeting even when an alternate is arranged,** or (7) is **no longer a member of the faculty of the academic unit from which he or she was elected.** The Executive Secretary of the Senate reports all vacancies to the Committee on Committees. For vacancies an alternate elected senator will be appointed by the affected **academic D**ean or **V**ice **P**resident to fill the seat in accordance with policies 402.3.2 **and 402.10.1**. For vacancies among Presidential-appointees, the **P**resident shall appoint a new Senator within 30 days.

402.4 RECORDS; AGENDA; MINUTES; ORDER OF BUSINESS

4.1 Records

The records of the Senate shall be kept by **the E**xecutive **S**ecretary for the use of the members of the faculty, the **P**resident of the **U**niversity, and the Board of Trustees. Records are public unless otherwise specified by action of the Senate in accord with state law (see policy 402.8).

Under the supervision of the President of the Faculty Senate, the Executive Secretary shall ensure that Senate actions approved by the **P**resident of the **U**niversity, or where

necessary by the President and the Board of Trustees (see policy 402.2.2), are **distributed to faculty on all campuses published in campus media** within an appropriate time frame and included in the Senate records.

4.2 Agenda and Minutes

(1) Senate agenda.

The Executive Committee shall meet at least 14 days in advance of regularly scheduled Senate meetings to prepare the agenda and make assignments to those who are to report to the Senate. A copy of the agenda must be sent to each senator at least five days before regularly scheduled meetings.

(2) Faculty petition to place **an item matter** on the agenda.

Any 25 faculty members may petition the Senate to obtain consideration of any matter within the Senate's authority. The petition shall be presented in writing to any Senate member, who shall then give notice of the petition to the Senate or to its Executive Committee. The Executive Committee shall place the matter raised in the petition on the agenda of the next regularly scheduled Senate meeting or, at the discretion of the Senate President, on the agenda of a special meeting called in accordance with the provisions of policy 402.6.2.

(3) Distribution of agenda and minutes.

One week prior to each Senate meeting, the Executive Secretary shall **provide each academic unit, for public posting, make available to all faculty** a copy of the agenda of the next meeting, **without attachments**, and minutes of the prior Senate meeting.

(4) Publicizing and publication of recommended changes in policies or procedures.

Under the supervision of the President of the Faculty Senate, the Executive Secretary shall ensure that Senate actions recommending a change in this policy or in other **University** policies or procedures are **publicized communicated** in a timely manner to **all campuses. the campus and reported to campus news media.**

4.3 Order of Business

Except as otherwise provided by the Senate, its order of business shall be: call to order (quorum), approval of minutes, announcements, university business, information items, consent agenda, key issues and action items, new business, and old business.

402.5 PARLIAMENTARY PROCEDURE

All actions of the Senate shall be in accordance with the most recent edition of Robert's Rules of Order.

402.6 MEETINGS; QUORUM

6.1 Scheduled Meetings

Regularly scheduled meetings of the Senate shall be held on the first Monday of the month at 3:00 PM from September through May unless otherwise specified by the Senate.

6.2 Special Meetings

Special meetings shall be held at the call of the Senate President or upon petition of any 10 senators. The petition must be written, must state the purpose of the special meeting, and must be submitted to the Senate President. Upon receipt of the petition, the Senate President must call a special meeting within 12 working days. Senators shall receive at least five days notice of the special meeting and its agenda unless a majority of them waives that notice prior to or at the meeting.

6.3 Quorum and Voting

A majority of the members of the Senate shall constitute a quorum for the conduct of Senate business. All actions or recommendations of the Senate shall be by majority vote of the members and alternates present. Voting shall be by secret ballot upon passage of a motion to that effect.

6.4 Meetings Consulting with Constituents

The elected senators ~~should~~ shall ~~hold a meeting each semester~~ communicate and/or meet regularly with their constituents to answer questions and discuss Senate business. ~~A senior senator in each college, in Extension, Regional Campuses, and the Library will call and chair the meeting~~

402.7 SENATE PRESIDENT, PRESIDENT-ELECT, AND PAST PRESIDENT

7.1 Duties of the Senate President

The Senate President shall preside over and conduct meetings of the Senate and its Executive Committee and the Faculty Forum and its Executive Committee. The Senate President shall see that Senate actions are accurately recorded and that all actions approved are implemented or forwarded as appropriate.

7.2 Duties of the Senate President-Elect

The Senate President-Elect shall perform the functions and duties of the Senate President when the latter is unable to exercise them or when the Senate President-Elect is designated by the Senate President to perform in the Senate President's stead.

7.3 Duties of the Immediate Past President

The immediate past president shall serve as a voting member of the Faculty Senate Executive Committee and Faculty Senate for a period of one year immediately following his/her term as Senate President. The immediate past Senate President shall also serve as a member of the Senate Handbook Committee (see policy 402.12.10).

7.4 Eligibility and Term

The Senate President-Elect/President shall be elected annually from and by elected Senate members, as provided in policy 402.10.3, to serve for a three-year, non-renewable term. During the first year he/she shall serve as the Senate President-Elect, during the second year shall be the Senate President, and during the third year shall serve as Past President.

Any elected senator who is completing or has completed one year of a faculty Senate term is eligible to serve as President-Elect/President, subject to the following exceptions: Senators who are completing their terms are not eligible, unless they have been re-elected to the Senate for an additional term. The election of the Senate President-Elect/President is understood to be an extension of that individual's term in the Senate for the number of years necessary to fulfill a term as Senate President. If an extended term is necessary for the new Senate President, then the individual so chosen will become a supernumerary member of the Senate and the regular schedule of elections to the Senate from that individual's college will be unaffected.

402.8 SENATE EXECUTIVE SECRETARY

An Executive Secretary of the Senate shall be appointed by the ~~P~~resident of the ~~U~~niversity. See policy 401.10. The duties of the Executive Secretary are: (1) ~~U~~nder the direction of the Senate President, to prepare agendas for all meetings of the Senate, the Faculty Forum, and the Executive Committees of each; (2) ~~U~~nder the direction of the Senate President, to keep minutes of the meetings of the Senate, the Faculty Forum, and the Executive Committees of each; (3) ~~T~~o distribute copies of both agenda and minutes; (4) ~~T~~o forward actions, policies, and reports of the Senate to the ~~P~~resident of the ~~U~~niversity; (5) ~~T~~o gather items and data that the Executive Committee may present at Senate meetings; (6) ~~T~~o prepare and present, at the September and March Senate meetings, an accounting of the implementation or non-implementation of motions passed by the Senate; (7) ~~T~~o apprise Senate committees of items which the Senate has requested that they study; (8) ~~T~~o maintain an archive of the minutes of each meeting of the Senate and its Executive Committee, the Faculty Forum and its Executive Committee, and the Senate committees; (9) ~~T~~o keep university faculty informed of the action and the proposed business of the Senate by publicizing the Senate agenda, Senate actions, and the results of Senate elections as provided in policy 402.4.2(3); and ~~(10) T~~o provide yearly each senator with a copy of the Senator's Handbook (policy 402.2.3).

402.9. FACULTY FORUM

9.1 Membership of the Faculty Forum; Description

Faculty Forum consists of all elected Senate members, and the ~~four~~ chairs of the Academic Freedom and Tenure Committee, the Budget and Faculty Welfare Committee, the Professional Responsibilities and Procedures Committee, ~~and the~~ Faculty Diversity, Development and Equity Committee, ~~and the Faculty Evaluation Committee~~. The Faculty Forum meetings are a means of open discussion for elected Senate members and the committee chairs without participation by or from the ~~P~~resident of the ~~U~~niversity, the ~~executive vice president and P~~rovoost, the presidential appointees, ~~academic~~ deans and department heads, ~~chancellors, regional campus deans~~, or the student members of the Senate, unless specifically requested by the Executive Committee of the Faculty Forum (~~see Policy 402.9.3(2)~~). During meetings of the Faculty Forum, participants may discuss subjects of current interest, question and debate any policies and procedures, and formulate recommendations for consideration by the Faculty Senate. The Faculty Forum does not exercise the legislative authority of the Faculty Senate.

9.2 Meetings; Agenda; Notice

The Faculty Forum shall convene at and in lieu of the regularly scheduled November meeting of the Senate. This annual scheduled meeting of the Faculty Forum will be open to all faculty members to attend and speak, with the exception of those excluded by policy 402.9.1.

Additional special meetings may be held by the call of the Faculty Forum President, or upon the written request of a majority of the Faculty Forum Executive Committee, or upon the written petition of 10 members of the Faculty Forum, or upon the written petition of 25 ~~resident~~ faculty members. Special meetings of the Faculty Forum will be scheduled, whenever possible, within two weeks after receipt of the petition(s) by the Faculty Forum President. Business at special meetings of the Faculty Forum will be conducted by Faculty Forum members. The Faculty Forum Executive Committee will set the agenda for the November meeting and other Faculty Forum meetings. The agenda will include all items raised by the petition(s), together with items deemed pertinent by the Executive Committee. The minutes and agenda for all Faculty Forum meetings shall be distributed in accordance with policy 402.4.2(3). Notice of the November Faculty Forum meeting will be given in the October Senate meeting and ~~in appropriate campus news media~~ distributed to faculty on all campuses.

9.3 Officers and Executive Committee of the Faculty Forum

(1) Officers.

The Senate President shall preside over and conduct meetings of the Faculty Forum and its Executive Committee. The Senate President-Elect shall serve as the President-Elect of both, and shall perform the duties of the Senate President when the latter is unable to exercise them or when the Senate President-Elect is designated by the Senate President to

perform in the Senate President's stead.

(2) Executive Committee of the Faculty Forum.

The Faculty Forum Executive Committee shall consist of the ~~11~~ elected faculty members on the Senate Executive Committee (policy 402.12.~~2~~).

402.10 SENATE ELECTIONS

10.1 Apportionment of Elected Faculty Positions

Annually, the Senate Committee on Committees shall apportion the number of elective Senate positions to the **academic** colleges, Regional Campuses, **USU-CEU**, Extension, and the **Libraryies**. ~~Apportionment shall be~~ in proportion to the number of tenured and tenure-eligible faculty. ~~in each college, in Extension, Regional Campuses, and in the Libraries.~~ The minimum representation from each of these academic units shall be one.

10.2 Election of Faculty Members to the Senate

(1) Scheduled date; notice to **academic** deans, ~~the vice president for extension, vice provost of regional campuses and distance education, and chancellor.~~ ~~and directors.~~

Elections of faculty representatives to the Senate and sufficient alternate senators to serve when regular senators cannot attend, are held by **academic** colleges, Regional Campuses, **USU-CEU**, Extension, and the **Libraryies**. Elections shall be supervised by the Senate Committee on Committees. Elections shall be conducted during ~~the spring semester~~ **January and February** of each school year, in time to be announced at the March meeting of the Senate. Additional elections shall be held as necessary to ensure the availability of alternates to fill vacancies in unexpired terms for the duration of those terms. The Senate Committee on Committees shall notify the appropriate **academic** deans, ~~s and directors~~ or **vice president for extension, chancellor, or the vice provost of regional campuses and distance education** of the number of senators to be elected annually by their faculty and the date by which the elections must be held.

(2) Nominations.

After receipt of notice that annual elections shall be held, the appropriate **academic** deans ~~and directors~~ or **vice president for extension, chancellor, or vice provost of regional campuses and distance education** shall communicate ~~by memorandum~~ with their ~~resident~~ faculty members eligible to vote in Senate elections (see policy 401.~~64.23~~ for limitations) for the purpose of nominating Senate candidates and alternates. There shall be at least two candidates for each vacancy.

(3) Voting.

Faculty members with tenured or tenure-eligible appointments and faculty members with term appointments may nominate and vote for candidates and alternates in Senate

elections. Balloting ~~shall be by mail~~ within each **academic** college, **the** Regional Campuses, **USU-CEU**, Extension, and the Library**ies shall be by an appropriate method to ensure timeliness, fairness, and verifiability.**

(4) Verification and notice of election results.

The **academic** colleges, Regional Campuses, **USU-CEU**, **Extension**, and the Library**ies** must submit the names of nominees elected to the Senate Committee on Committees on or before the final date set for the conclusion of elections. The Committee on Committees shall verify all election results and then inform the Senate of the names of new members at its regularly scheduled April meeting. Election results shall be made public.

10.3 Elections within the Senate

Nominations for the office of President-Elect shall occur from the floor during the April Senate meeting. Elections shall be by secret ballot completed prior to the May meeting.

402.11 SENATE COMMITTEES: AUTHORITY, ACTION AND PROCEDURES

11.1 Purpose; Reporting

The Senate appoints and discontinues such standing and ad hoc committees as it deems necessary to carry out its duties.

The Senate establishes advisory committees to study and to make reports and recommendations to it on matters under faculty jurisdiction and to carry out the decisions of the Senate relating to its functions and responsibilities. Senate committees receive their authority from the Senate and shall report their work and make their recommendations to the Senate. No Senate committee may alter the reports or the recommendations of another Senate committee.

11.2 Membership; Elections; Terms; Vacancies

Only members of the faculty eligible to vote in Senate elections are eligible for election and appointment to Senate standing committees; (see policy 401.~~64~~.3(24) (~~dc~~) for limitations).

Unless governed by committee procedures otherwise stipulated, non-Senators of Senate standing committees are elected at the same time and according to the same procedures that elect Senators (see policy 402.10.2). Terms shall be three years and shall begin July 1 following elections and are renewable once, after which a faculty member is ineligible to stand for election for one year. Terms shall be staggered so that approximately 1/3 of them expire annually.

A vacancy shall be declared among the elected committee members if that member resigns, is terminated, goes on extended medical leave, or has four or more unexcused absences from regularly scheduled committee meetings during an academic year. If a

vacancy occurs, then a replacement will be appointed. The Senate Committee on Committees will appoint seats vacated by representatives of the Faculty Senate, and the academic Deans, vice president for extension, chancellor, or vice provost of regional campuses and distance education, will appoint seats vacated by representatives of the academic Colleges, Regional Campuses, USU-CEU, Extension, and the Library .

Appointed members of Senate standing committees are chosen from the elected membership of the Senate; the Committee on Committees prepares a slate of nominations for approval by the Senate at its May meeting. Terms shall be two or three years, as stated below for a particular committee, and shall be renewable once. Terms shall be staggered. Vacancies will be filled upon recommendation to the Senate by the Committee on Committees.

11.3 Senate Committee Procedures

(1) Committee action; meetings; quorum; majority and minority reports.

Senate committees shall not act independently of the Senate. All statements and actions of Senate committees shall be approved by the Senate before they are official, except for routine actions of the Educational Policies Committee which shall be submitted to the Senate as information items (see policy 402.12.6(1)). Committee work shall be accomplished as a body. Committee meetings shall be held as required to meet the duties of the committee. Meetings shall be held at the call of the chair or upon written request, submitted to the chair, by committee members or the Faculty Senate Executive Committee. A majority of committee members shall constitute a quorum for conducting business. Committee actions shall be by majority vote of the quorum present. Minority committee reports may be submitted to the Senate by dissenting committee members.

(2) Committee minutes.

Minutes shall be taken at all committee meetings and a copy shall be filed with the Senate Executive Secretary as part of the Senate records. The minutes shall include copies of all forms, statements, and reports which are presented to the Senate for action.

(3) Chairs.

Unless otherwise specified, all standing committees and subcommittees of the Senate shall elect chairs annually, preferably at the last meeting of the academic year.

402.12 SENATE STANDING COMMITTEES

12.1 Executive Committee

(1) Duties.

The Executive Committee shall perform the following duties:

- (a) prepare Senate meeting agendas;
- (b) propose such standing and special committees of the Senate as may be needed;
- (c) examine the work of the Senate committees to discourage duplication of effort and to ensure that all committee assignments are carried out;
- (d) act as a steering committee to direct problems to the proper committees;
- (e) act as a liaison to harmonize the work of all committees;
- (f) transact such business as may be referred to it by the Senate; and
- ~~(g) compile the Senator's Handbook and oversee its reproduction and distribution.~~

(2) Membership.

The Senate Executive Committee shall consist of the following ~~14~~ members:

- (a) the Senate President;
- (b) the President-Elect of the Senate;
- (c) immediate Past President;
- (d) ~~nine~~ elected faculty senators, representing each of the ~~seven~~ academic colleges, Regional Campuses, ~~USU-CEU~~, Extension, and the Libraryies ;
- (e) the ~~P~~resident of the ~~U~~niversity and ~~executive vice president and P~~provost, who shall serve as ex-officio members; and
- (f) a senator ~~elected~~ appointed by the ~~P~~resident and approved by the Senate ~~from the presidential appointees of the Senate.~~

All members have a vote.

(3) Eligibility; election; term.

Any elected senator who is completing or has completed one year of a Senate term is eligible to serve on the Executive Committee, subject to the following exceptions: (1) Senators with only one year remaining in their terms; and (2) Senators who are completing their terms, unless they have been re-elected to the Senate for an additional, successive term.

The election of Executive Committee members shall be conducted each spring following the election of new members to the Senate. Elections shall be by separate caucus of faculty senators within each ~~academic~~ college, Regional Campuses, ~~USU-CEU~~, ~~and~~ Extension, ~~and the Library~~. Caucuses shall be held within one week following the April meeting of the Senate.

A faculty senator elected to the Executive Committee shall serve for a two-year term, renewable (reelected) once.

(4) Joint meeting of new and old Executive Committees.

Newly elected Executive Committee members will attend the April meeting of the old

Executive Committee.

(5) Meetings; Senate agenda.

The Executive Committee shall meet at least 14 days in advance of regularly scheduled Senate meetings to prepare the agenda and make assignments to those who are to report to the Senate.

(6) Reports and recommendations of other Senate committees.

The Executive Committee will place reports and recommendations of other Senate committees on the Senate agenda without alteration.

12.2 Committee on Committees (CoC)

The responsibility of the Committee on Committees is to: (1) apportion Senate elective positions annually; (2) coordinate and supervise the election of members to the Senate; (3) prepare eligibility slates and supervise nominations and elections within the Senate; and (4) recommend to the Senate the appointed members of all Senate committees and the members of university committees that include Senate representatives.

The Committee on Committees shall consist of three (3) elected faculty senators. They are elected according to the same procedures, at the same time, and with the same eligibility restrictions that govern election of the Senate President-Elect. See policy 402.10.3 and 7.3. Members of the Committee on Committees serve two-year terms. They elect a chair from within their membership.

12.3 Academic Freedom and Tenure Committee (AFT)

(1) Duties.

(a) Jurisdiction as an administrative hearing body.

The Academic Freedom and Tenure Committee, as represented by each of its hearing panels is an administrative hearing body, with jurisdiction in matters related to academic freedom, tenure, promotion, dismissals, and other sanctions; and actions alleged not to be in accordance with the adopted standards, policies, and procedures of the University. In relation to these matters, the committee may hear both complaints initiated by the University against a faculty member and grievance petitions brought by a faculty member.

(b) Procedural due process.

Hearing panels of the Academic Freedom and Tenure Committee shall, when hearing grievances, determine whether procedural due process was granted the petitioner as provided in this policy and determine whether the grievance is valid or not valid (see policy 407.6.6(8)) The recommendation of the hearing panel shall be binding on the general membership of the Academic Freedom and Tenure Committee.

(c) Policy revisions.

The Academic Freedom and Tenure Committee shall recommend to the Professional Responsibilities and Procedures Committee possible policy revisions arising from within the Academic Freedom and Tenure Committee's jurisdiction.

(d) Review.

The Academic Freedom and Tenure Committee will review, for consideration by the Senate, all matters pertaining to faculty rights, academic freedom, and tenure.

(2) Membership.

The Academic Freedom and Tenure Committee consists of the following ~~12~~ members:

(a) ~~seven faculty members~~, one ~~faculty member~~ elected by and from the faculty in each ~~academic college, Regional Campus, USU-CEU, Extension, and the Libraries~~, ~~(b) one faculty member elected by and from the faculty in Extension;~~ ~~(c) one faculty member elected by and from the faculty of Regional Campuses;~~ ~~(d) one faculty member elected by and from the faculty in the Libraries;~~ and ~~(b) (e)~~ three faculty members appointed from the ~~55~~ elected faculty senators by the Committee on Committees.

(3) Election and appointment of members; terms.

Committee members elected from the faculty shall be elected and will serve terms in accordance with policy 402.11.2. Committee members appointed from the Senate shall be selected in accordance with policy 402.12.2(4) and will serve three year terms; (see also policy 402.11.2).

(4) Officers.

(a) Eligibility; election; term. No later than ~~the last day of the Spring semester May 10~~ (before the terms of the newly elected members begin), the Committee shall elect from among its members a new chair and vice chair, each to serve a one-year term beginning July 1. Any member who has at least one year remaining in a committee term or who has been re-elected to an additional, successive term is eligible to serve as chair or vice chair.

(b) Responsibilities of the chair and vice chair. The chair shall set the agenda for and preside at Academic Freedom and Tenure Committee meetings, and appoint hearing panels as required. In the absence of the chair, the vice chair shall assume these duties. The vice chair shall be responsible for the recording of the minutes.

(5) Supplemental appointments.

If necessary in order to hear grievances in a timely manner, supplemental members of the Academic Freedom and Tenure Committee may be appointed by the Committee on Committees from the elected members of the Senate. This appointment process shall be initiated by the chair of the Academic Freedom and Tenure Committee. The term of these appointees shall expire June 30 following appointment.

(6) Hearing panels.

Hearing panels shall be appointed as necessary to hear grievances. Four members shall be appointed by the chair of the Academic Freedom and Tenure Committee from the Academic Freedom and Tenure Committee, and the remaining member shall be an administrator who holds a faculty appointment appointed by the President of the University. Faculty members of hearing panels shall be selected by the chair of the Academic Freedom and Tenure Committee on a rotating basis. All five panel members have a vote. Even if their Academic Freedom and Tenure Committee terms expire, hearing panel members shall serve until the recommendation of the hearing panel has been submitted to the Academic Freedom and Tenure Committee and to the President of the University.

12.4 Budget and Faculty Welfare Committee (BFW)

(1) Duties.

The duties of the Budget and Faculty Welfare Committee are to (1a) participate in the university budget preparation process; (2b) periodically evaluate and report to the Senate on matters relating to faculty salaries, insurance programs, retirement benefits, sabbatical leaves, consulting policies, and other faculty benefits; (3c) review the financial and budgetary implications of proposals for changes in academic degrees and programs, and report to the Senate prior to Senate action relating to such proposals; and (4d) report to the Senate significant fiscal and budgetary trends which may affect the academic programs of the University; and (e) provide faculty representatives for the Benefits Advisory Committee (BAC).

(2) Membership.

The membership, election, and appointment of members; term of members; officers; and meetings and quorum of the Budget and Faculty Welfare Committee shall be parallel to those of the Academic Freedom and Tenure Committee, as stated in policy 402.12.3(2) through 12.3(5).

12.5 Professional Responsibilities and Procedures Committee (PRPC)

(1) Duties.

The Professional Responsibilities and Procedures Committee shall advise the Faculty Senate regarding ~~revision and implementation of this policy, and the composition and revision of the Faculty Senate Handbook~~ composition, interpretation, and revision of Section 400 in University Policies and Procedures. Needed Recommended revisions and implementation failures shall be submitted to the Senate for its consideration.

(2) Membership.

The membership, election, and appointment of members; term of members; officers; and meetings and quorum of the Professional Responsibilities and Procedures Committee shall be parallel to those of the Academic Freedom and Tenure Committee, as stated in policy 402.12.3(2) through 12.3(5).

12.6 Educational Policies Committee (EPC)

(1) Duties.

The major function of this committee shall be to serve as the Senate committee on educational policy, including program discontinuance for academic reasons (policy 406.2). In addition to conducting studies and making recommendations as specifically instructed by the Senate, the committee itself may initiate such activities. Routine actions taken under established policy, such as approval for specific course changes, additions, or deletions, shall be submitted to the Senate as information items. All policy recommendations and major actions shall be referred to the Senate for approval or disapproval. Specific duties of the Educational Policies Committee shall include consideration of standards and requirements for ~~U~~university designated honors such as cum laude, magna cum laude, and summa cum laude.

(2) Membership.

The Educational Policies Committee consists of the ~~P~~executive vice president and ~~P~~provost or designee; one faculty representative from each ~~academic~~ college, ~~Regional Campus, USU-CEU, Extension, and the Libraries;~~ ~~one faculty representative from Regional Campuses;~~ ~~one faculty representative from Extension;~~ ~~one faculty representative from the Libraries;~~ one faculty representative from the Graduate Council; the chairs of the EPC Curriculum Subcommittee, General Education Subcommittee, Academic Standards Subcommittee, two student officers from the elected ASUSU student government and one student officer from the GSS. The faculty representatives are elected to the committee in accordance with policy 402.11.2.

(3) Term of members.

The term of office for faculty members on the Educational Policies Committee shall be in accordance with policy 402.11.2. The term of office for student members shall be one year and shall coincide with the term of ASUSU and GSS officers.

(4) Chair.

The ~~P~~executive vice president and ~~P~~provost or his/her designated representative shall serve as chair of the Educational Policies Committee. The Committee will elect a vice chair from its members to serve in the absence of the chair. The chair or his/her designee will report to the Senate on the committee's actions.

(5) Curriculum Subcommittee.

The Curriculum Subcommittee will formulate recommendations on curricular matters, such as course changes, and forward the same to the Educational Policies Committee. This subcommittee shall consist of the ~~seven~~ chairs of the ~~college~~ curriculum committees of each academic college, three faculty members appointed from the elected membership of the Educational Policies Committee, one faculty representative from each Regional Campus, USU-CEU, Extension, and the Libraries, and two students, one from the ASUSU and one from the GSS. The terms of Educational Policies Committee members on the subcommittee will correspond to their terms on the Educational Policies Committee. The term of office for student members shall be one year and shall coincide with the term of ASUSU and GSS officers. The subcommittee shall elect a chair annually, preferably at the last meeting of the academic year.

(6) General Education Subcommittee.

The General Education Subcommittee formulates and reviews policy with respect to general education. The subcommittee shall consist of three faculty members and one student appointed from the Educational Policies Committee. Their terms will correspond to their Educational Policies Committee terms. Additional members may be appointed to the subcommittee for two-year terms by the Educational Policies Committee to lend academic expertise to the areas of emphasis in the general education program of the University. Recommendations developed by the General Education Subcommittee will be submitted to the Educational Policies Committee. The subcommittee shall elect a chair annually, preferably at the last meeting of the academic year.

(7) Academic Standards Subcommittee.

The Academic Standards Subcommittee (a) recommends policy on all matters pertaining to academic evaluation of students, including admission, retention, grade assignment, and graduation; (b) recommends discipline policy regarding student academic dishonesty; and (c) approves the process for discipline regarding alleged academic violations by students and for grievance hearings in cases of alleged student academic dishonesty. The subcommittee shall consist of four faculty members and one student appointed from the Educational Policies Committee. Their terms will correspond to their Educational Policies Committee terms. Additional members may be appointed to the subcommittee for two-year terms by the Educational Policies Committee to lend expertise.

Recommendations from this subcommittee will be submitted to the Educational Policies Committee. The subcommittee shall elect a chair annually, preferably at the last meeting of the academic year.

12.7 Faculty Evaluation Committee (FEC)

(1) Duties.

The Faculty Evaluation Committee shall (1a) assess methods for evaluating faculty performance; (2b) recommend improvements in methods of evaluation; (3) recommend

~~methods of faculty development~~; and (4c) decide university awards for Professor and Advisor of the Year.

(2) Membership.

The committee shall consist of one faculty representative from each academic college, Regional Campus, USU-CEU, Extension, and the Libraries, ~~one faculty representative each from Extension, one faculty member from Regional Campuses, one faculty representative from the Libraries~~; two student officers from the ASUSU and one student officer from the GSS. The faculty representatives are elected to the committee in accordance with policy 402.11.2. The committee will elect a chair annually ~~-, preferably at the last meeting of the~~ academic year.

12.8 Faculty Diversity, Development, and Equity Committee (FDDE)

(1) Duties.

The duties of the Faculty Diversity, Development, and Equity Committee are to: (1) collect data and identify and promote best practices for faculty development, mentoring, and work environment to facilitate the success of diverse faculty at all career levels; (2) provide feedback and advocate processes for faculty recruitment, promotion, and retention that promote diversity, fair pay standards, and work/life balance for the faculty; (3) report on the status of faculty development, mentoring, diversity, and equity; and (4) make recommendations for implementation of proposals related to faculty diversity, development, and equity.

(2) Membership.

The membership, election, and appointment of members; term of members; officers; and meetings and quorum of the Diversity, Development, and Equity Committee shall be parallel to those of the Academic Freedom and Tenure Committee, as stated in policy 402.12.3(2) through 12.3(5).

12.9 Executive Committee of the Faculty Forum (ECFF)

The Executive Committee of the Faculty Forum shall have the duty of composing the agenda for the annual meeting and any special meetings of the Faculty Forum. The membership of this committee shall consist of the elected members of the Faculty Senate Executive Committee ~~of the Senate excluding administrators~~ (see policy 402.912.1(2a-2d)).

12.10 Senate Handbook Committee (SHC)

The Senate Handbook Committee composes and/or revises annually the Senate Handbook (policy 402.2.3). ~~with final approval by the Senate Executive Committee (policy 402.12.1)~~. This committee consists of the Faculty Senate President, President-Elect of the Senate, and the Past President of the Senate ~~three members appointed from the Senate~~.

~~one of whom is the immediate past Senate President. Additional members may be appointed by the Committee on Committees. All members of this committee serve two year terms in accordance with policy 402.11.2 and 12.2(4).~~

402.13 UNIVERSITY COUNCILS AND COMMITTEES WITH FACULTY REPRESENTATIVES

The Senate Committee on Committees recommends to the Senate faculty members to be appointed to the following ~~U~~university councils, boards, and committees: Athletic Council, Graduate Council, University Research Council, Council on Teacher Education, University Libraries Advisory Council, Honors Program Advisory Board, University Scheduling Committee, Calendar Committee, Bookstore Committee, Honorary Degrees and Awards Screening Committee, **Diversity Council**, and Parking Policy Committee. The faculty representative need not be a Senate member unless his/her role on the council or committee is to represent the Senate specifically as well as the faculty generally. See also policy 402.10.3, 11.2 and 12.2(4). ~~In the spirit of shared governance, at the Regional Campuses and USU-CEU, the chancellor and regional campus deans will establish procedures whereby faculty members on those campuses can be actively engaged and represented in key local decisions parallel to the councils and committees described in this paragraph .~~

POLICY MANUAL

FACULTY

Number 403

Subject: Academic Freedom and Professional Responsibility

Effective Date: July 1, 1997

Revision: October 20, 2006

Date of Last Revision: March 6, 2009

403.1 INTRODUCTION

The University is operated for the common good which depends upon the free search for truth and its free exposition. Academic freedom is essential to these purposes and applies to teaching, research, and service. (See policy 401.98 (1)).¹ regarding provisions which are the same or similar to certain statements of the American Association of University Professors).

The University is a community dedicated, through promulgation of thought, truth, and understanding, to teaching, research, and service. It must therefore, be a place where innovative ideas, original experiments, creative activities, and independence of thought are not merely tolerated but actively encouraged. Thought and understanding flourish only in a climate of academic freedom and integrity, expressed collectively by colleges and departments as well as individually through research and teaching and as they exist within the wider context of advanced study as commonly understood by all universities. The community also values diversity and respect, without which there can be no collegiality among faculty and students. In addition, the University community values individual rights and freedoms, including the right of each community member to adhere to individual systems of conscience, religion, and ethics. Finally, the University recognizes that with all rights come responsibilities.

Because the pursuit of truth is fundamentally a personal enterprise, a statement of faculty responsibility must be strongly anchored to principles of intellectual freedom and personal autonomy. While faculty must abide by standards of professional responsibility, the University must provide and safeguard a climate of intellectual freedom. Relationships within the University should consist of shared confidence, mutual loyalty, and trust. Dealings should be conducted with courtesy, civility, decency, and a concern for personal dignity. Such an atmosphere can be achieved only when all concerned behave responsibly. While the right of academic freedom is respected, the exercise of the right cannot be through disruptive actions or physical force. The University works to uphold its collective values by fostering free speech, broadening fields of inquiry, and encouraging the generation of new knowledge that challenges, shapes, and enriches our collective and individual understandings.

403.2 ACADEMIC FREEDOM

Academic freedom is the right to teach, study, discuss, investigate, discover, create, and publish freely. Academic freedom protects the rights of faculty members in teaching and of students in learning. Freedom in research is fundamental to the advancement of truth. The faculty member is entitled to full freedom in teaching, research, and creative activities, subject to the limitations imposed by professional responsibility.

2.1 Freedom and Responsibilities of the University

Subject to the power and authority of the Board of Regents to control, manage, and supervise the ~~State-Utah~~ System of Higher Education, and Utah State University as a member institution, the ~~U~~university has the freedom to pursue its ends without interference from government. Included therein are the four essential freedoms of the ~~U~~university to determine for itself on academic grounds: (1) who may teach; (2) what may be taught; (3) how it shall be taught; and (4) who may be admitted to study. Consistent with principles of academic freedom, the faculty, individually and collectively, has the responsibility for determining the content of the curriculum.

The ~~U~~university consists of many components all of which support the interactive, collegial enterprise that exists in the quest for knowledge and its transmittal. The ~~U~~university has the general responsibility to protect the academic freedom of every faculty member and the freedom of every student to learn. The ~~U~~university itself shall not violate the academic freedom of any faculty member or the freedom of any student to learn and shall use its powers and resources to defend its faculty and students from unjustified attempts to compromise or restrict those freedoms, even should the exercise of those freedoms generate hostility.

2.2 Freedom and Course Requirements

Students are expected to take courses that will challenge them intellectually and personally. Students must understand and be able to articulate the ideas and theories that are important to the discourse within and among academic disciplines. Personal disagreement with these ideas and theories or their implications is not sufficient grounds for requesting an alternative course requirement. Alternative requirements requested on such grounds will not necessarily be granted. The ~~U~~university recognizes that students' sincerely held core beliefs may make it difficult for students to fulfill some requirements of some courses or majors ([see policy 403.4](#)). The ~~U~~university assumes no obligation to ensure that all students will be able to complete any course or major.

2.3 Violations of Academic Freedom or Standards and Regulations

Persons having a formal association with the ~~U~~university shall not be involved in acts which violate the academic freedom or constitutional rights of others, or the standards and regulations of the ~~U~~university or the State Board of Regents.

403.3 PROFESSIONAL RESPONSIBILITY; STANDARDS OF CONDUCT

The concept of academic freedom is accompanied by an equally demanding concept of professional responsibility. The standards for professional responsibility listed in the following subsections are standards to which faculty members are expected to adhere.

University faculty members are citizens, members of learned professions, and officers of an educational institution. When speaking or writing as citizens, faculty members are free from institutional censorship or discipline, but their special position in the community imposes special obligations. As individuals of learning and as educational officers, they should understand that the public may judge their profession and their institution by their individual utterances. Hence, they should at all times strive to be accurate, exercise appropriate restraint, show respect for the opinions of others, and make every effort to indicate that they are not speaking for the institution.

3.1 Standards of Conduct - Faculty Responsibilities to Student

(1) Faculty members engage in reasonable and substantial preparation for the teaching of their courses, appropriate to the educational objectives to be achieved and consistent with the standards of the discipline.

(2) Faculty members meet scheduled classes. Schedules are altered or classes canceled only for valid reasons and only after adequate notice is given to students and ~~to the department head, dean, or other appropriate academic officer~~ the faculty member's direct academic supervisor. Failure to meet a class without prior notice to students is excusable only for reasons beyond the control of the faculty member.

(3) Faculty members shall select course requirements based on the legitimate pedagogical goals of the course and discipline, and inform students of the general content and evaluation criteria in the syllabus or comparable documentation at the beginning of any course they teach. Faculty members evaluate student course work promptly, conscientiously, without prejudice or favoritism, and consistently with the criteria stated at the beginning of the course in the course documentation and related to the legitimate pedagogical goals of the course. The documentation for the course should identify, to the extent possible, the writings, lectures, films, presentations, performances, or other course requirements in sufficient detail to allow the student to identify requirements that may conflict with the student's sincerely held core beliefs. Faculty will not always be able to predict in advance requirements that may conflict with the sincerely held core beliefs of a given student or group of students. If conflicts arise, Procedures for Alternative Course Requirements due to Conflicts with Sincerely Held Core Beliefs (403.4) provides guidance to students and faculty for the resolution of conflicts.

(4) Faculty members with teaching responsibilities maintain regular office hours for consultation with students, or they otherwise assure accessibility to students.

(5) Faculty members do not plagiarize the work of students. When faculty members and students work together, appropriate credit is given to the students. Faculty members do

not limit or curtail the right of any student to publish or otherwise communicate the result of the student's own independent scholarly activities.

(6) Faculty members do not use their positions and authority to obtain uncompensated labor or to solicit gifts or favors from students. Faculty members do not ask students to perform services unrelated to legitimate requirements of a course unless the student is adequately compensated for such services.

(7) Faculty members do not reveal matters told to them in confidence by students except as required by law, and then only to persons entitled to such information by law or institutional regulation. Faculty members may, however, report their assessment of a student's performance and ability to persons logically and legitimately entitled to receive such reports.

(8) Faculty members create and maintain environments in which students are provided the opportunity to do original thinking, research, and writing.

(9) Faculty members avoid the misuse of the classroom by preempting substantial portions of class time for the presentation of views on topics unrelated to the subject matter of the course. Faculty members do not reward agreement or penalize disagreement with his or her views on controversial topics.

(10) Faculty members do not engage in the sexual harassment of students (policy 407.9).

3.2 Standards of Conduct - Professional Obligations

(1) Faculty members do not plagiarize nor do they permit the appearance that they are the author of work done by others.

(2) Faculty members do not falsify data either by deliberate fabrication or selective reporting with the intent to deceive.

(3) Faculty members do not misappropriate other's ideas.

(4) Faculty members do not misuse privileged or otherwise confidential information.

(5) Faculty members exercise "reasonable care" (policy 403.3.5) in meeting their obligations to their associates when they are engaged in joint research or other professional effort.

(6) Faculty members do not exploit their positions for personal or pecuniary gain when supervising the professional work of others. Research for pecuniary return should be conditional upon disclosure to and consent of the ~~V~~vice ~~P~~resident for ~~R~~research.

(7) Faculty members exercise "reasonable care" (policy 403.3.5) in meeting their commitments to the institution and to funding agencies where appropriate in research,

publication, or other professional endeavors.

(8) Faculty members keep informed and knowledgeable about developments in their fields.

(9) Faculty members do not engage in the sexual harassment of other faculty members or any employee of the University (policy 407.9).

3.3 Standards of Conduct - Responsibilities to the Institution

(1) Faculty members conduct themselves in an open, fair, civil, and humane manner both in general and when making decisions or recommendations concerning admissions, employment, promotion, retention, tenure, and other professional matters. Faculty members do not harass or discriminate against anyone on the basis of race, color, religion, sex, sexual orientation, gender identity, gender expression, national origin, age, veteran status, or marital or parental status; the presence of any sensory, physical or mental disability or handicap; or for any other reason impermissible under applicable constitutional or statutory provisions.

(2) Faculty members may engage in outside professional activities ~~which~~ that improve their academic skills and have a legitimate relationship to their academic service; however, faculty members must comply with policies 376 and 377, restricting the amount of time spent on non-institutional commitments, including outside consulting and other non-institutional employment. They also must comply with state law and institutional regulations relating to conflicts of interest.

(3) Faculty members do not exploit the institution's name or their relationship to the institution for personal reasons unrelated to their legitimate academic or professional activities. They avoid creating the impression that they are representing the institution in public appearances or statements, unless in fact they are.

(4) Faculty members do not purposely destroy institutional property, purposely disrupt institutional programs, purposely inflict physical injury or threaten such injury to other persons on campus, or purposely interfere with the legitimate activities of other persons on the institution's campus, nor do they purposely and unlawfully incite others to engage in such destruction, disruption, injury, or interference. Provided however:

(a) ~~Non~~-violent reaction from members of an audience at a meeting or program open to the public shall not be considered disruption or interference of legitimate activities, unless such reaction occurs for the purpose of preventing the continuation of the program and has a reasonable likelihood of succeeding.

(b) Mere advocacy or expression shall not be considered incitement, unless the advocacy or expression poses a clear and present danger of the imminent occurrence of destruction, disruption, injury, or interference.

(5) Faculty members do not misappropriate institutional property or knowingly use it in violation of state or federal law.

(6) Faculty members do not knowingly mislead the institution by falsely asserting facts relevant to their qualifications as faculty members or their eligibility for institutional benefits.

(7) Faculty members adhere to the drug- and alcohol-free workplace policy (policy 313).

3.4 Standards of Conduct - Responsibilities of Citizenship

Faculty members share the general legal duties of citizenship. Faculty members who violate state or federal law may expect no immunity or special protection by reason of faculty status. As with other citizens, breaches of legal duty by faculty members are matters for disposition by the legal system. The University will not commence disciplinary proceedings for violations of law unless such violations directly relate to the University or adversely impact on the University's purposes and mission. The University reserves the right to bring disciplinary proceedings against faculty members who are charged with unlawful conduct which also constitutes a violation of a standard of conduct of this policy.

3.5 Definition of Reasonable Care

This term, which is familiar to the law, means that the level of performance required of a faculty member is that which is recognized in the profession as reasonable in the light of the obligations which he or she has assumed, competing demands upon his or her energy and time, nature and quality of his or her work, and all other circumstances which the academic community would properly take into account in determining whether he or she was discharging his or her responsibilities at an acceptable level.

403.4 PROCEDURES FOR ALTERNATIVE COURSE REQUIREMENTS DUE TO CONFLICTS WITH SINCERELY HELD CORE BELIEFS

It is the student's obligation to determine, before the last day to submit a petition for late course drop without penalty, when course requirements conflict with the student's sincerely held core beliefs. The class should be dropped if a conflict exists. A student who finds this solution impractical may request an alternative requirement from the instructor. Though the University provides, through this policy, a process by which a student may make such a request, the policy does not oblige the instructor to grant the request, except in those cases when a denial would be arbitrary and capricious or illegal. A request for an alternative requirement must be made to the instructor in writing or email, and the student must deliver a copy of the request to the office of the department head. The request must articulate the burden the requirement would place on the student's sincerely held core beliefs.

The instructor must respond to any request for an alternative requirement within two

school days of receiving it. The response must be made in writing and a copy must be delivered to the office of the department head. In the event that the class does not meet on the day by which the instructor must respond, the student must make arrangements to receive the response in a timely manner. Instructors are not required to provide an alternative requirement, as long as the original course requirement has a reasonable relationship to a legitimate pedagogical goal. They may do so only if a reasonable alternative means of satisfying the course requirement is available and only if that alternative is fully appropriate for meeting the academic objectives of the course, after considering (1) the fundamental importance of the particular requirement to the legitimate pedagogical requirements of the course; (2) the burden on the student's sincerely held core beliefs; and (3) the difficulty of administering the alternative requirement.

In considering whether or not to provide an alternative requirement, the instructor may evaluate the sincerity but not the validity of the student's beliefs. If an instructor in a course provides an alternative requirement, the instructor must similarly consider all other requests made during the same semester for the same course for alternative requirements to address all students' sincerely held core beliefs. Requests will be individually evaluated in relation to the same considerations; however, the granting of one such request will not guarantee that all requests will be granted. Because the criteria and requirements for granting requests will apply differently to each instructor and to each section of each course, decisions made by an instructor in one course will not affect decisions by the same instructor in other courses or by other instructors in the same or other courses.

If an instructor does not grant a request for an alternative requirement, the student may appeal that denial in writing to the ~~dean department head of the college~~. If the ~~dean department head~~ is the instructor of the course, the student may appeal the denial to the ~~academic dean of the college the office of the provost~~. The ~~dean (or designee) department head~~ will, in consultation with the faculty member ~~and the department head (or designee)~~, act within two school days. The ~~dean (or designee) department head~~ will uphold the denial unless she or he finds that the denial was arbitrary and capricious or illegal. ~~The student may appeal the department head's decision to the academic dean of the college~~. The ~~academic~~ dean's determination shall be final as it pertains to the specific request for an alternative requirement. Faculty challenges to the appropriateness of this decision should follow established grievance procedures. The student may but is not required to participate in these further reviews.

If the faculty instructor disagrees with the dean's decision that the instructor's denial of the student's request was arbitrary and capricious or illegal, the faculty instructor may not be compelled against his/her professional judgment to administer the requested alternative requirement for the student. If the faculty instructor declines to administer the alternative requirement, it will be the responsibility of the dean in consultation with the department head to design and administer the alternative requirement for the student in order to satisfy the student's request. The dean (or dean's appropriate designee) will determine the student's grade on that specific alternative requirement and will report that grade to the course instructor, who will incorporate that grade for the requirement into the

total grade for the course. The final grade in the course will be determined by the faculty instructor and will be calculated in the same way as the final grade is determined for all other students in the course.

A student in good standing may determine, after the last day to submit a petition for late course drop without penalty, that a course requirement conflicts with the student's sincerely held core beliefs. If the instructor has denied the student's written request for an alternative requirement, the student may seek permission in writing from the dean to withdraw without receiving a W on his/her transcript and to receive a refund of tuition for that class. It is the student's responsibility to determine any effect withdrawing from the course may have on the student's financial aid. In making this request the student must demonstrate that he or she could not have made this determination prior to the last day to drop courses without penalty, or that the request was made prior to the last day to drop a course and a decision was made after the drop date. The dean's determination shall be final.

Decisions on requests for alternative requirements shall not be considered adversely to a faculty member in retention, promotion and tenure, or other proceedings as long as those decisions are made in good faith. Faculty shall not take adverse academic action against students requesting alternative requirements. The academic college dean, campus dean, vice chancellor for academic affairs or department head shall not take any adverse action against an instructor based on his/her decision to provide or not to provide an alternative requirement for a student.

POLICY MANUAL

FACULTY

Number 404

Subject: Faculty Appointments

Effective Date: July 1, 1997

Revision: July 1, 1999

Date of Last Revision: March 6, 2009

404.1 APPOINTMENT

An appointment is a contractual agreement between a faculty member and the University. The terms and conditions of the appointment are described in this manual, the faculty member's role statement (policies 405.6.1 and 11.1), and salary notification and benefits forms. As an integral part of the appointment, faculty shall be entitled to the full range of benefits and privileges for which they are eligible.

1.1 Policies Respecting Appointments

The University shall take sufficient time to seek, and then to investigate thoroughly, candidates for appointment to assure that only highly qualified personnel are employed, and shall not discriminate against any candidate on the basis of race, color, religion, sex, sexual orientation, national origin, age, veteran status, marital or parental status, or the presence of any sensory, physical or mental disability or handicap.

The University shall hire as faculty members only candidates who are committed to ~~excellence in teaching, research, and/or extension work~~ carrying out the mission of the university.

Faculty positions and administrative positions to be filled by faculty members, when external searches are being conducted, shall be advertised in media most likely to reach qualified persons who may have an interest, including those media that will encourage ~~minority and female under represented~~ applicants. In addition to candidate-initiated applications, faculty will be invited to submit nominations; and the search and screening committee will be obligated to identify qualified candidates by encouraging nominations and aggressively pursuing promising nominees.

1.2 Professional Services

Faculty members shall be employed and their professional services and compensation shall be determined in accordance with the following policies. Professional services are, for example,

teaching, research, extension, library, **professional career and technical education**, and related and supporting services, and are described in the role statement.

(1) The **U**niversity has a right to the full-time professional services of each faculty member as described in the role statement to the extent prescribed by his or her appointment.

(2) The appointments of tenured faculty members shall be automatically renewed annually. Notice in writing of intent to dismiss a tenured faculty member shall be in accordance with policy 407.~~42.21~~(5). Notice to terminate the employment of a tenured faculty member shall be in accordance with policies 406.2.3 and 4.4). Dismissal and termination are defined in policy 407.2.1(5).

(3) The appointments of tenure-eligible faculty members in the probationary period are automatically renewed annually unless they receive notice of non-renewal in accordance with policy 407.7 (in particular, 7.3). Notice in writing of intent to dismiss a tenure-eligible faculty member shall be in accordance with policy 407.~~42.21~~(5). Notice to terminate the employment of a tenure-eligible faculty member shall be in accordance with policies 406.2.3 and 4.4. Dismissal and termination are defined in **policy** 407.2.1(5).

(4) Term appointments for faculty members are automatically renewed annually, based on performance ~~and~~ **or** funding, unless the faculty members are given notice of non-renewal in accordance with policy 407.7 (in particular, 7.3). -Notice in writing to dismiss a faculty member with a term appointment shall be in accordance with policy 407.~~42.21~~(5). Notice to terminate the employment of a faculty member with a term appointment shall be in accordance with policies 406.2.3 and 4.4. -Dismissal and termination are defined in policy 407.2.1(5).

(5) Special appointments for faculty members are renewed at the discretion of the academic unit in which the appointment is held. Special appointments may expire without notice of nonrenewal.

(6) Decisions to resign shall be submitted in writing by the faculty member as soon as possible, but not later than three months prior to the effective date of resignation. The notice shall be submitted to the department head, ~~or supervisor, or director (where applicable)~~; that administrator shall advise the **appropriate academic dean, chancellor, or vice president for extension, or regional campus dean**, of the decision. The **appropriate academic dean, chancellor, or vice president for extension** shall advise the provost who, in turn, shall advise the **P**resident. A faculty member's resignation terminates all rights and privileges, such as rank and tenure, which he or she enjoyed as a faculty member.

(7) A faculty member's professional service to the **U**niversity shall be covered by appointment compensation. -This shall not, however, prevent the **U**niversity from employing faculty members for temporary assignments on supplemental appointments with additional salary covering professional services beyond a standard load. Commitment for such extra service must have the specific approval of the appropriate department head, ~~or supervisor, director (where applicable), academic dean, chancellor, or vice president for~~

extension, or regional campus dean, and the specific approval of the Pprovost and the Ppresident. Supplemental appointments shall not adversely affect the responsibilities described in the role assignment statement under the regular appointment.

(8) An initial role statement and any subsequent revisions to the role statement shall be prepared in accordance with policies 405.6.1 and 11.1.

(9) The merit salary increase of individual faculty members shall be arrived at following an annual appraisal of performance and merit by the appropriate administrators, including the department head; or supervisor, director (where applicable), academic dean, chancellor, or vice president for extension, or regional campus dean. Consideration shall be given to the quality of the entire range of professional services as defined in the faculty member's role statement.

1.3 Minimum Educational Requirements for ~~Academic Rank Tenured and Tenure-Eligible Appointments~~

~~A master's degree or its equivalent is one of the prerequisites for employment with the rank of instructor, affiliate librarian, extension instructor, or assistant extension agent. Faculty members who are appointed to academic ranks in the following categories: core (policy 401.4.2), librarians (policy 401.4.3), and extension (policy 401.4.4), and do not currently hold a terminal degree are expected to obtain it. Tenure and promotion are predicated upon, among other criteria, the attainment of a terminal degree.~~

The minimum educational requirements for tenured and tenure-eligible faculty can be found in policy 401.3.1 through 401.3.5.

1.4 Graduate Degrees from the University

Except under unusual circumstances, it is the policy of the Uuniversity not to grant graduate degrees to its own faculty members, where the degree satisfies a prerequisite for appointment or advancement in rank. Requests for exceptions must be individually considered and approved by the provost based on appropriate recommendations.

404.2 TERM OF APPOINTMENT; DEFINITION OF ACADEMIC YEAR

In the appointment of faculty members, two types of terms will be used: (1) an appointment on an academic year basis and (2) an appointment on a fiscal year basis.

Academic year ~~appointments are the standard appointments for faculty who have major assignments in teaching.~~ Academic year appointees receive holidays and sick leave; however, they do not earn annual leave. Faculty on academic year appointments may be absent from campus between terms after they have fulfilled the professional responsibilities of their role assignments; they may earn up to three additional months of salary for teaching, research or administrative assignments during the summer that precedes the academic year.

An academic year does not exceed 274 consecutive calendar days commencing in August. Within this framework in any given year the specific dates for the academic year are approved by the Executive Committee.

Fiscal year appointments are made for teaching, research, extension, library, or administrative assignments, or for a combination of such assignments. Fiscal year appointees receive holidays and earn annual and sick leave.

404.3 APPOINTMENT PROCEDURES, TENURED OR TENURE-ELIGIBLE FACULTY AND FACULTY WITH TERM APPOINTMENTS

The department head, ~~or supervisor or director (where applicable)~~ and the search and screening committee are responsible to ensure that all University regulations pertaining to affirmative action and equal opportunity are adhered to throughout the appointment process.

3.1 The faculty of departments and other academic units, in conjunction with the department head, ~~or supervisor or director (where applicable)~~, shall determine the need for and general parameters of faculty appointments congruent with ~~their~~ its mission and role.

3.2 The department head, ~~or supervisor or director (where applicable)~~, shall obtain authorization from the Provost, through the appropriate academic dean, chancellor, vice president for extension, or regional campus dean to establish or fill any appointment on the academic unit's faculty.

3.3 The department head, ~~or supervisor or director (where applicable)~~ shall appoint a search and screening committee of not less than five members. A majority, and, where possible five members, must be appointed from among the faculty of the department or ~~other academic unit~~ the Library if the search occurs there. In searches for faculty who will reside at campuses other than Logan, the search and screening committee must include faculty representation from the campus where the new faculty member will reside. See policies 401.54.3(4) and 65.3(2) for limitations on appointments of faculty to serve on search and screening committees.

3.4 In consultation with the department head, ~~or supervisor or director (where applicable)~~, and the faculty of the academic unit and, where appropriate, the academic dean, chancellor, vice president for extension, or the regional campus dean, the search and screening committee shall prepare the job description and advertising in accord with university regulations.

3.5 The search and screening committee shall screen applicants according to the job description and identify a suitable pool of candidates, ~~those~~ to be further considered by the faculty and pertinent administrators. Where feasible, at least three candidates shall be identified.

3.6 Candidates shall be invited to come to the Logan campus ~~(and/or site of employment)~~ and, when appropriate, to the campus location where they will reside, at University expense for personal interviews to be interviewed by the academic unit's faculty and pertinent

administrators, to give lectures, and/or to participate in departmental seminars and other appropriate campus activities in order that the candidates shall become better known and evaluated, and to assure that they become acquainted with the institution and the locality of their prospective work and domicile.

~~3.7 Before an offer can be made to a candidate, the candidate shall have been interviewed on the campus (and/or site of employment) by the academic unit's faculty and pertinent administrators.~~

~~3.87~~ When the investigation of candidates has been completed, the search and screening committee shall solicit recommendations from faculty and pertinent administrators. Utilizing these recommendations and their own knowledge of the candidates, the search and screening committee members shall present a its list of acceptable candidates and all supporting information to the department head; or supervisor, ~~or director (where applicable)~~ ranked in order of preference.

~~3.98~~ The department head; or supervisor ~~or director (where applicable)~~ shall forward a recommendation from the list of acceptable candidates recommended by the search and screening committee, including all supporting information, to the academic dean ~~or and, where appropriate, the chancellor, or vice president for extension.~~

~~3.910~~ The academic dean ~~or and, where appropriate, the chancellor, or vice president for extension,~~ shall forward to the Pprovost the academic unit's recommendation together with all pertinent and supportive data- from the faculty and the department head or supervisor. If the Pprovost is in agreement, the Pprovost, as the Ppresident's designee, shall recommend approve the appointment of the candidate to the Board of Trustees.

~~3.101~~ Tentative offers can be made to a prospective appointee only with the approval of the Pprovost.

~~3.12 Appointments to the faculty of the University are subject to the approval of the Board of Trustees.~~

404.4 APPOINTMENT PROCEDURES; FACULTY WITH SPECIAL APPOINTMENTS (Policy 401.6)

The department head; or supervisor ~~or director (where applicable)~~ is responsible to ensure that all university regulations pertaining to affirmative action and equal opportunity are adhered to throughout the appointment process.

4.1 Adjunct and Visiting Ranks and Titles (Policies 401.6.2(1) and 6.2(2))

Before appointing faculty in the adjunct and visiting ranks, the department head; or supervisor ~~or director (where applicable)~~ shall consult with the faculty and then make a recommendation to the academic dean ~~or and, where appropriate, the chancellor,~~ vice president for extension,

or the regional campus dean. In turn, the academic dean ~~or~~ and, where appropriate, the chancellor, vice president for extension, or the regional campus dean shall make a recommendation to the Pprovost. If the Pprovost is in agreement, the Pprovost, as the Ppresident's designee, shall ~~recommend~~ approve the appointment of the candidate ~~to the Board of Trustees. Faculty appointments are subject to the approval of the Board of Trustees.~~

4.2 Temporary Ranks and Titles ~~(Policy 401.6.2(3))~~

(1) The faculty of departments and other academic units, in conjunction with the department head, ~~or supervisor or director (where applicable)~~ shall determine the need for and general parameters of temporary faculty appointments congruent with ~~their~~ its mission and role.

(2) The department head, ~~or supervisor or director (where applicable)~~ shall obtain authorization from the Pprovost through the appropriate academic dean ~~or~~, chancellor, vice president for extension, or regional campus dean to establish or fill a temporary appointment in an academic unit's faculty.

(3) The department head, ~~or supervisor or director (where applicable)~~, together with the appropriate academic dean ~~or~~, chancellor, vice president for extension, or regional campus dean, shall prepare the job description and advertising in accord with Uuniversity regulations.

(4) The department head, ~~or supervisor or director (where applicable)~~, shall consult with the faculty and then make a recommendation to the appropriate academic dean ~~or~~, chancellor, vice president for extension, or regional campus dean. In turn, the academic dean ~~or~~, chancellor, vice president for extension, or regional campus dean shall make a recommendation to the Pprovost. If the Pprovost is in agreement, the Pprovost, as the Ppresident's designee, shall ~~recommend~~ approve the appointment of the candidate ~~to the Board of Trustees. Temporary faculty appointments are subject to the approval of the Board of Trustees.~~

4.3 Emergency Appointments

Emergency appointments to the temporary ranks (policy 401.65) may be ~~recommended~~ approved by the provost ~~President to the Board of Trustees~~ after consultation with the appropriate ~~department head, supervisor, or director (where applicable)~~ academic dean ~~or~~, chancellor, vice president for extension, or regional campus dean and ~~academic college dean or vice president~~ the appropriate department head or supervisor without following the procedures in policy 404.3.

404.5 APPOINTMENT PROCEDURES: FACULTY WITH ADMINISTRATIVE DUTIES IN ~~A DEPARTMENT OR OTHER AN~~ ACADEMIC UNIT

~~The department or other academic unit will make good faith efforts to acquire the resources to conduct an external search for faculty with administrative duties in a department or other the academic unit. Applications from qualified faculty of the university will be considered.~~

The ~~academic dean, chancellor, or vice president for extension, or regional campus dean~~ and ~~the~~ search and screening committee are responsible to ensure that all university regulations pertaining to affirmative action and equal opportunity are adhered to throughout the appointment process.

5.1 External Search Procedures ~~for Heads of Academic Units~~

The ~~department or other~~ academic unit will make good faith efforts to acquire the resources to conduct an external search for faculty with administrative duties in ~~a department or other the~~ academic unit. Applications from qualified faculty of the ~~U~~university will be considered.

(1)The faculty of ~~departments and other~~ academic units, in conjunction with the ~~academic dean or vice president~~, shall determine the need for and general parameters of faculty appointments with administrative duties in ~~a department or other~~ an academic unit congruent with ~~their its~~ mission ~~and role~~.

(2) The ~~academic dean or vice president~~ shall obtain authorization from the ~~P~~provost to establish or fill a faculty appointment with departmental administrative duties.

(3) The ~~academic dean or vice president~~ shall appoint a search and screening committee of not less than five members. A majority, and, where possible five members, must be appointed from among the faculty of the department or ~~the Library if the search occurs there. or other~~ ~~academic unit~~. See policies 401.~~54~~.3(4) and ~~65~~.3(2) for limitations on appointments of faculty to serve on search and screening committees.

(4) In consultation with the ~~academic dean or vice president~~ and the faculty of the academic unit, the search and screening committee shall prepare the job description and advertising in accordance with university regulations.

(5) The search and screening committee shall screen applicants according to the job description and identify a suitable pool of candidates, ~~those~~ to be further considered by the faculty and ~~pertinent appropriate~~ administrators. Where feasible, at least three candidates shall be identified.

(6) Candidates shall be invited to come to the ~~Logan campus (and/or site of employment)~~ and, when appropriate, to the campus location where they will reside, at university expense ~~for personal interviews~~ to be interviewed by the academic unit's faculty and ~~pertinent administrators~~, to give lectures, and/or to participate in departmental seminars and other appropriate campus activities in order that the candidates shall become better known and evaluated, and to assure that they become acquainted with the institution and the locality of their prospective work and domicile.

~~(7) Before an offer can be made to a candidate, the candidate shall have been interviewed on the campus (and/or site of employment) by the academic unit's faculty and pertinent administrators.~~

(87) When the investigation of candidates has been completed, the search and screening committee shall solicit recommendations from faculty and pertinent administrators. Utilizing these recommendations and their own knowledge of the candidates, the search and screening committee members shall present a list of acceptable candidates and all supporting information to the academic dean or vice president listed in alphabetical order without any indication of ranking or preference, unless otherwise mutually agreed between the academic dean or vice president and the search and screening committee.

(98) The academic dean or vice president shall forward a recommendation from the list of acceptable candidates recommended by the search and screening committee, including all supporting information, to the Pprovost.

(109) If the Pprovost is in agreement, the Pprovost, as the Ppresident's designee, shall recommend approve the appointment of the candidate to the Board of Trustees.

(110) Tentative offers can be made to a prospective appointee only with the approval of the Pprovost.

~~(12) Appointments to the faculty of the University are subject to the approval of the Board of Trustees.~~

(11) The tenure of core faculty with administrative duties is held in the appointing academic unit ; the tenure of the library or extension faculty with administrative duties is held in the appointing academic unit.

5.2 Internal Search Procedures for Heads of Academic Units

The procedures for an internal search are identical to the procedures for an external search, with the following differences:

(1) The authorization in policy 404.5.1(2) shall be to establish or fill a faculty appointment with administrative duties in a department or other academic unit from among the department's or other academic unit's faculty.

(2) The job description shall not be advertised, but shall be circulated internally to the department's or other academic unit's faculty. The job description will include the requirement that the appointee be tenured in the department or other academic unit. Interested faculty will submit applications to the search and screening committee.

5.3 Appointment of Faculty with Assistant or Associate Departmental Administrative Duties in a Department or Other Academic Unit

Assistants or associates to these positions (for example, department heads) are appointments of the administrator in charge, subsequent to consultation with the faculty.

404.6 APPOINTMENT PROCEDURES: FACULTY WITH ADMINISTRATIVE DUTIES OUTSIDE ~~A DEPARTMENT OR OTHER AN ACADEMIC UNIT~~

~~The college, academic unit, or University will make good faith efforts to acquire the resources to conduct an external search for administrators who require faculty status. Applications from qualified faculty of the university will be considered.~~

The Ppresident, or designee, and the search and screening committee are responsible to ensure that all university regulations pertaining to affirmative action and equal opportunity are adhered to throughout the appointment process.

6.1 External Search Procedures

~~The college, academic unit, or University will make~~ A good faith efforts will be made to acquire the resources to conduct an external search for administrators who require faculty status. Applications from qualified faculty of the Uuniversity will be considered.

- (1) When a vacancy occurs the Ppresident shall appoint a representative search and screening committee and chair following consultations with the President of the Faculty Senate, administrators, appropriate faculty, and affected staff. The committee shall be structured to represent the interest of the faculty at large in conducting searches for ~~chancellors~~, vice presidents and for the Pprovost, and to represent ~~an college's or~~ academic unit's faculty when conducting searches for ~~academic~~ deans.
- (2) As its first order of business, the search and screening committee shall refine the current description of the position, and if necessary, prepare an appropriate description. The announcement shall be reviewed with the Pprovost and Ppresident before its publication. The position announcement shall be published by the Uuniversity.
- (3) Through the steps listed below, the committee shall reduce the list of applicants to three or more acceptable finalists, where feasible, who can be recommended to the Ppresident.
 - (a) The committee shall evaluate all applications using the position announcement as the initial criterion for eliminating unqualified applicants. ~~-(b) The committee shall reduce the number of qualified applicants to manageable proportions. -(c) Each committee member shall evaluate the remaining applications and should participate in deliberation of their relative merits. -Any conclusions the committee may arrive at concerning the relative merits of the finalists should not be withheld from the Ppresident.~~
- (4) When the final list of candidates has been reviewed with the Ppresident, the names of the finalists will be announced to the university community along with a series of interview dates when the candidates will be able to visit the campus for interaction with concerned faculty and staff.

(5) The Ppresident shall evaluate input from the committee, administrators, faculty, and staff in making a selection from the list of final candidates recommended by the committee. The committee shall be informed of the Ppresident's selection.

(6) The Ppresident shall recommend to the Board of Trustees the appointment of the selected candidate.

(7) In cases where faculty status is to be sought for an individual who functions primarily as an administrator, the faculty in the academic department or **academic** unit in which the faculty status is sought shall decide whether and at what level to grant such status within the provisions of this policy (policy 405).

(8) Administrative appointments that require faculty status are subject to the approval of the Board of Trustees.

(9) When applicants for administrative appointments that require faculty status seek tenure, any such tenure must be held within an academic department or other academic unit.

6.2 Internal Search Procedures

While every effort will be made to conduct external searches for appointments at this level of administration, this policy is included for those occasions when an internal search is considered appropriate.

The procedures for an internal search are identical to the procedures for an external search, with the following differences:

(1) At the time the Ppresident appoints a representative search and screening committee, the Ppresident shall communicate the reasons that an internal search is being conducted.

(2) The position shall be advertised in ~~such campus media as to be~~ a manner most likely to reach qualified persons who may have an interest in such a position.

POLICY MANUAL

FACULTY

Number 405

Subject: Tenured and Term Appointments: Evaluation, Promotion and Retention

Effective Date: July 1, 1997

Revision: February 15, 2007, March 6, 2009

Date of Last Revision: August 13, 2010

405.1 TENURE: INTRODUCTION, RIGHTS CONFERRED, ELIGIBILITY, PRE-TENURE PROBATIONARY PERIOD

1.1 Introduction

Tenure is that provision of employment attained after completion of a **pretenure** probationary period during which the probationer's performance is found to be such as to make him or her an asset to the institution because of his or her abilities as a scholar, a teacher, a researcher, a librarian, ~~or an Extension worker~~ **faculty member, or a professional career and technical educator**. It is the policy of the **U**niversity to reward such outstanding performance of tenure-eligible faculty members by tenure and/or promotion.

Tenure is a means to certain ends, specifically: freedom of teaching, research, and other academic endeavor, and a sufficient degree of economic security to make the profession attractive to men and women of ability. Freedom and economic security for faculty are indispensable to the success of a university in fulfilling its obligations to its students and to society.

1.2 Permanence of Appointment Conferred by Tenure

To hold a position with tenure means that appointment to such a position is permanent and is not subject to dismissal or reduction in rank, except as defined in policy 407, and is not subject to termination or reduction in status except as defined in policy 406 or policy 407.5. Tenure is established only in an academic unit as defined in policy 401.2.2. In other units, appointments to tenure ranks are not made and tenure is not granted.

1.3 Eligibility

Only non-tenured individuals holding faculty ranks as defined in policy 401.43 enter the process that leads to the granting of tenure. Except for extraordinary instances, when specific and persuasive justification is provided, tenure will not be awarded to faculty members prior to their advancement to the rank of associate professor, associate librarian, ~~Extension~~ **associate professor, and associate Extension agent professional career and technical education associate professor**. Exceptions may be made in order to fulfill the mission of the **U**niversity, but require

petition to and approval by the Ppresident. Appointments to all administrative positions are without significance for the achievement of tenure. Administrators with faculty status positions hold their tenure in an academic unit.

Tenure will be awarded only to tenure-eligible faculty. A part-time (50% or more) faculty member appointed to a tenure-eligible rank is tenure-eligible (policy 401.43.1). All provisions of this policy apply to such part-time faculty. The right of permanence conferred by tenure encompasses only the faculty member's part-time appointment. If there is an upward adjustment in the appointment of a tenured or tenure-eligible part-time faculty member, the tenure status is adjusted upward an identical amount.

When a tenured or tenure-eligible faculty member is to hold appointments in two or more academic units, the unit in which tenure is to be awarded must be specified in writing by the department head or supervisor at the time of appointment.

1.4 Pre-tenure probationary period

(1) Normal Period.

The normal pre-tenure probationary period shall be six years. **In general, the tenure-track faculty member is eligible for promotion and tenure review in the sixth year from the calendar year in which he or she is appointed.** The seventh year is not a probationary year; it is either a year that commences tenure status or a year of employment under a terminal contract.

When the effective date of a tenure-eligible faculty appointment falls between July 1 and December 31, the academic year (policy 404.2) in which the appointment becomes effective shall be the first year of the pretenure probationary period. When the effective date of a tenure-eligible faculty appointment falls between January 1 and June 30, the following academic year shall be the first year of the pretenure probationary period.

At the time of initial appointment, a tenure-eligible faculty member shall sign a statement **which that** records the final date for tenure consideration for the faculty member. This document shall be signed and approved by the department head or supervisor, **the director (where applicable) academic dean or vice president for extension, and, where applicable, the chancellor or regional campus dean,** and the Pprovost.

Table 405.1.4 Target dates for tenure-eligible faculty during a normal pretenure pre-tenure probationary period.

Effective appoint. date	First year	Second year	Third year**	Sixth year	Solicitev	Tenurenot
Jul. 1-Dec. 31,2003	2003-2004	2004-2005	2005-2006	2008-2009	2008	2009
Jan. 1-Jun. 30,2004	2004-2005	2005-2006	2006-2007	2009-2010	2009	2010
Jul. 1-Dec. 31,2004	2004-2005	2005-2006	2006-2007	2009-2010	2009	2010
Jan. 1-Jun. 30,2005	2005-2006	2006-2007	2007-2008	2010-2011	2010	2011
Jul. 1-Dec. 31,2005	2005-2006	2006-2007	2007-2008	2010-2011	2010	2011
Jan. 1-Jun. 30,2006	2006-2007	2007-2008	2008-2009	2011-2012	2011	2012
Jul. 1-Dec. 31,2006	2006-2007	2007-2008	2008-2009	2011-2012	2011	2012
Jan. 1-Jun. 30,2007	2007-2008	2008-2009	2009-2010	2012-2013	2012	2013
Jul. 1-Dec. 31,2007	2007-2008	2008-2009	2009-2010	2012-2013	2012	2013
Jan. 1-Jun. 30,2008	2008-2009	2009-2010	2010-2011	2013-2014	2013	2014
Jul. 1-Dec. 31,2008	2008-2009	2009-2010	2010-2011	2013-2014	2013	2014
Jan. 1-Jun. 30,2009	2009-2010	2010-2011	2011-2012	2014-2015	2014	2015
Jul. 1-Dec. 31,2009	2009-2010	2010-2011	2011-2012	2014-2015	2014	2015
Jan. 1-Jun. 30,2010	2010-2011	2011-2012	2012-2013	2015-2016	2015	2016
Jul. 1-Dec. 31,2010	2010-2011	2011-2012	2012-2013	2015-2016	2015	2016
Jan. 1-Jun. 30,2011	2011-2012	2012-2013	2013-2014	2016-2017	2016	2017
Jul. 1-Dec. 31,2011	2011-2012	2012-2013	2013-2014	2016-2017	2016	2017
Jan. 1-Jun. 30,2012	2012-2013	2013-2014	2014-2015	2017-2018	2017	2018
Jul. 1-Dec. 31,2012	2012-2013	2013-2014	2014-2015	2017-2018	2017	2018
Jan. 1-Jun. 30,2013	2013-2014	2014-2015	2015-2016	2018-2019	2018	2019

~~**There is an early schedule for annual review and recommendation for renewal for third-year appointees.~~

(2) Prior Service.

~~The pre-tenure probationary period at USU is six years, but up to nine years of total pre-tenure probationary period will be allowed if the candidate was in a tenure-eligible position at another accredited college or university. At the time of appointment to a tenure-eligible position at USU, candidates who have served in a pre-tenure probationary appointment at another accredited university or college can negotiate with the department head or supervisor, the application of that prior service to the USU pre-tenure probationary period. If an agreement is reached between the department head or supervisor and the candidate on the acceptance of prior service, the pre-tenure probationary period at USU shall not exceed five years. Therefore, candidates cannot apply for more than four years of prior service in a pre-tenure, probationary period at another college or university. The agreement must be specified in writing and approved by the~~

department head or supervisor, ~~the director (where applicable) or vice president,~~ academic college dean and the provost, and, where appropriate, the vice president for extension, chancellor, or regional campus dean.

(3) Leaves of Absence.

An academic year(s) in which leave without pay is taken will not count as part of the faculty member's pre-tenure probationary period. When a tenure-eligible faculty member is on any leave of absence with pay for one or more semesters in an academic year, upon recommendation from the faculty member's department head or supervisor, ~~director (where applicable),~~ and the academic dean or vice president for extension, and, where appropriate, the chancellor or regional campus dean, the Provost may approve an extension ~~from~~ of the faculty member's pre-tenure probationary period in cases such as, but not limited to, Family and Medical Leave, Sick Leave, Military Leave, and Jury and Witness leave.

(4) Extension of Pretenure Probationary Period.

Even if a leave of absence is not taken, at any time during the tenure process a tenure-eligible faculty member can request an extension of the pre-tenure probationary period for one year for reasons including, but not limited to, medical needs of the faculty member or a family member or family responsibilities (including birth of a child or adoption). This extension may be requested up to two times, ~~so long as the total pre-tenure probationary period does not exceed eight years unless the candidate is given credit for prior service, in which case it does not exceed nine years.~~ Upon recommendation from the faculty member's department head or supervisor, ~~director (where applicable),~~ and the academic dean or vice president for extension, and, where applicable, the chancellor or regional campus dean, the Provost may approve an extension of the faculty member's pre-tenure probationary period. During the year in which the pre-tenure probationary period extension is granted, faculty responsibilities may be negotiated. When the faculty member that has extended the pre-tenure probationary period goes forward for tenure, ~~research~~ expectations will be no greater than if the tenure extension had not been utilized.

(5) Award of Tenure Prior to the Completion of the Pretenure Probationary Service.

When justification is provided by a faculty member's tenure advisory committee, department head or supervisor, ~~director (where applicable),~~ and academic dean or vice president for extension, and, where applicable, the chancellor or regional campus dean, the President may recommend the granting of tenure to a faculty member at any time.

(6) Transfers.

A tenure-eligible faculty member who transfers permanently from one academic unit to another loses credit toward tenure in the unit from which he or she has transferred. The academic unit to which the faculty member transfers may require service for the full pre-tenure probationary period ~~(not to exceed nine years),~~ or the academic unit may accept any or all of the years of satisfactory service completed toward tenure in the former academic unit. The years of service in the former academic unit to be accepted toward tenure in the new academic unit must be agreed

upon in advance of the transfer by the faculty member, the department head or supervisor, ~~director (where applicable)~~, the academic dean or vice president for extension, and, where applicable, the chancellor or regional campus dean, and the Pprovost.

(7) Effective Date.

Tenure shall become effective at the beginning of the university fiscal year immediately following the award of tenure.

405.2 TENURE AND PROMOTION: CRITERIA FOR CORE FACULTY RANKS

2.1 Criteria for Promotion from Instructor to Assistant Professor

Faculty members will be initially appointed to the rank of instructor when they have not yet completed the terminal degree in their field but have demonstrated ability related to the role statement. Promotion to assistant professor requires completion of the terminal degree or its equivalent; demonstrated ability in teaching, research or creative endeavors, extension, professional career and technical education, or other qualifying work; evidence of scholastic promise; and evidence of progressive professional development (policy 401.43.2(2)). ~~The pretenure probationary period will include time as an instructor.~~

2.2 Criteria for the Award of Tenure and for Promotion from Assistant to Associate Professor

Tenure and promotion from assistant to associate professor, are awarded on the basis by which a faculty member performs his or her ~~role responsibilities~~ as defined by the role statement. Although tenured and tenure-eligible faculty members are expected to carry out the major university functions of teaching, research/ or creative endeavors, extension, and service, individual emphasis will vary within and among academic departments as described in each faculty member's role statement. Each candidate must present evidence of effectiveness in all of the professional ~~serviees domains in~~ which ~~they he or she~~ performs, and must present evidence of excellence in the major emphasis of ~~their his or her~~ role statement.

The criteria for the award of tenure and the criteria for the award of promotion from assistant to associate professor are the same. These criteria include, but are not limited to: an established reputation based upon a balance of teaching, research/ or creative endeavors, extension, and service; broad recognition ~~for of~~ professional success in the field of appointment; evidence ~~for of~~ effectiveness in all of the professional ~~serviees domains in~~ which the faculty member performs; and evidence of excellence in the major emphasis of ~~their his or her~~ role statement (policies 401.43.2(3) and 405.2.1). Excellence is measured by -standards for associate professors within the national professional peer group.

The foregoing criteria are to be applied to the following areas:

(1) Teaching.

Teaching includes but is not limited to all forms of ~~on-or-off-campus~~ instructional activities: classroom performance, **broadcast and online instruction**, student advising and supervision, thesis and dissertation direction, and curriculum development. Documentation supporting teaching performance must include student and peer evaluations, and may include, but is not restricted to: proficiency in curriculum development as demonstrated through imaginative or creative use of instructional materials such as syllabi, instructional manuals, edited readings, case studies, media packages and computer programs; authorship of textbooks; teaching and/or advising awards; authorship of refereed articles on teaching; success of students in post-graduate endeavors; recognition by peers of substantive contributions on graduate committees; service on professional committees, panels, and task forces; and invited lectures or panel participation.

(2) Research ~~and~~ or Creative Endeavors.

Research ~~and~~ or creative endeavors encompass a wide variety of scholarly activities that lead to the advancement of knowledge and/or to original contributions in the arts and humanities. Documentation supporting such activities must include peer recognition of their value and may include, but is not restricted to: publication of books, or monographs, or articles in peer reviewed media; intellectual contributions represented by patents, inventions and other intellectual property; participation in symposia and authorship of chapters in review volumes; creative work in the arts and humanities that receives regional and national recognition; success in competition for ~~extra-~~mural funding.

(3) Extension.

Extension provides the public, primarily within the state, with research-based information and other university resources. Documentation supporting ~~E~~extension performance must include peer evaluation and may include, but is not restricted to: active programs with various ~~E~~extension constituents; recognition by ~~E~~extension clients for an effective effort; innovative techniques; effective use of the media; publications appropriate to the assignment; responses to requests from private and government entities for advisory help and consulting; publications in peer-reviewed and/or professional media; service on professional committees, panels and task forces; and peer recognition of the value of the ~~E~~extension effort.

(4) Service.

Service activities include but are not limited to: membership in, and leadership of, departmental, college and university committees and organizations; active participation in regional and national professional organizations as evidenced by committee membership and/or by holding elective or appointive office; consulting activities in local, regional, national and international organizations and agencies; public speaking and/or information dissemination involving professional expertise; **engagement in local communities**. Tenure-eligible faculty must participate in service activities. Although such activities are vital to the mission of the ~~U~~niversity, they are not expected to constitute a major emphasis in the role statement for tenure-eligible faculty.

2.3 Initial Appointment at the Associate Professor or Professor Ranks without Tenure

Faculty members who are qualified for initial appointments at the ranks of associate professor or professor may be appointed without tenure. The criteria for the award of tenure are the same as those in 405.2.2 above. A written statement attesting to the length of the pre-tenure probationary period is negotiated at the time of appointment and is approved by the department head, academic dean, and, where appropriate, the vice president for extension, chancellor, or the regional campus dean, and the Pprovost.

2.4 Criteria for Promotion from Associate Professor to Professor

In addition to the criteria for promotion to associate professor, i.e., evidence of excellence in the major emphasis of ~~their~~ his or her role statement and effectiveness of all other professional ~~services domains~~ (section 405.2.2), promotion to the rank of professor shall require an outstanding reputation in at least the ~~primary area of~~ major emphasis as defined in the role statement. Excellence is measured by standards for professors within the national professional peer group.

405.3 TENURE AND PROMOTION: CRITERIA FOR LIBRARIANS

3.1 Criteria for Promotion from Affiliate Librarian to Assistant Librarian

Faculty ~~members~~ will be initially appointed to the rank of affiliate librarian when they have completed the terminal degree in Library and Information Science or its equivalent but have less than three years work experience as a professional librarian. Promotion to assistant librarian requires the completion of a terminal degree or its equivalent; a minimum of three years work experience as a professional librarian; demonstrated ability in librarianship, research, or other qualifying work; evidence of scholastic promise; and evidence of professional development (policy 401.43.3(2)).

3.2 Criteria for the Award of Tenure and for Promotion from Assistant to Associate Librarian

Tenure, and promotion from assistant to associate librarian, are awarded on the basis by which a librarian performs ~~their~~ his or her role as defined by the role statement. Although librarians are expected to carry out the major university functions of librarianship, research, and creative endeavors, and service, individual emphasis will vary within and among library departments as described in the librarian's role statement. Each candidate must present evidence of effectiveness in all of the professional ~~services domains which~~ that he or she performs, and must present evidence of excellence in the major emphasis of the role statement.

The criteria for the award of tenure and for promotion from assistant to associate librarian are the same. These criteria include but are not limited to: an established reputation based upon a balance of librarianship, scholarship, and service; broad recognition for professional success in librarianship; evidence for effectiveness in all of the professional ~~services domains in~~ which the faculty member performs; and evidence of excellence in the major emphasis of his or her role statement (policy 404.3(3)). Excellence is measured by standards for associate librarians within the national professional peer group.

The foregoing criteria are to be applied to the following areas:

(1) Librarianship.

Librarianship includes but is not limited to all forms of ~~on-or-off-campus~~ library activities ~~which that~~ contribute to the educational, research, extension, and service mission of the University: identifying, selecting and developing library resources; providing bibliographic control and organizing library material for effective use; preserving and conserving library resources; performing effective reference service by anticipating and understanding user needs and pursuing user queries to satisfactory solutions; initiating new ideas, new technology or alternative approaches to library procedures that improve information resources and/or service; teaching and consulting to encourage and enhance full use of library resources and services, as well as promoting information literacy; supporting research efforts of others through faculty liaison work; and using special knowledge and/or skill, such as subject and bibliographic expertise, and knowledge of a foreign language to enhance library service.

Documentation supporting performance in librarianship must include peer evaluations, and may include, but is not restricted to: proficiency in assigned area of librarianship and areas of subject expertise as demonstrated through imaginative or creative use of up-to-date library/information and instructional materials such as computer programs and utilities, library manuals, reports, bibliographies, indexes, and abstracts; authorship of textbooks; authorship of refereed articles relating to librarianship and/or areas of expertise; recognition for outstanding teaching and/or consultation; recognition by peers of substantive contributions on graduate committees; service on professional committees, panels, and task forces; and invited lectures or panel participation.

(2) Research ~~and~~ or Creative Endeavors.

Research ~~and~~ or creative endeavors encompass a wide variety of scholarly activities that lead to the advancement of knowledge. Documentation supporting such activities must include peer recognition of their value and may include, but is not restricted to: publication of books, or monographs, or articles in peer reviewed media; intellectual contributions represented by patents, inventions and other intellectual property; participation in symposia and authorship of chapters in state-of-the-art review volumes; creative work using computer/telecommunication technology which receives regional and national recognition; success in competition for extra-mural funding.

(3) Extension.

Extension provides the public, primarily within the state, with research-based information and other university resources. Documentation supporting extension performance may include, but is not restricted to: active library/information support with various extension constituents; recognition by Extension clients for an effective effort; innovative techniques; effective use of the media; publications appropriate to the assignment; responses to requests from private and government entities for advisory help and consulting; publications in peer-reviewed and/or professional media; service on professional committees, panels and task forces; and peer recognition of the value of the extension effort.

(4) Service.

Service activities include but are not limited to: membership in, and leadership of, library, college, and university committees and organizations; active participation in regional and national professional organizations as evidenced by committee membership and/or by holding elective or appointive office; consulting activities in local, regional, national and international organizations and agencies; public speaking and/or information dissemination involving professional expertise; **engagement in local communities**. Tenure-eligible library faculty must participate in service activities. Although such activities are vital to the mission of the University, they are not expected to constitute a major emphasis in the role statement for tenure-eligible library faculty.

3.3 Initial Appointment at the Associate Librarian or Librarian Ranks without Tenure

Librarians who are qualified for initial appointments at the ranks of associate librarian or librarian may be appointed without tenure. A written statement attesting to the length of the pretenure probationary period is negotiated at the time of appointment and is approved by the supervisor, ~~director (where applicable)~~, ~~the Dean of the Library, and, where applicable, the chancellor or regional campus dean~~, and the ~~P~~provost.

3.4 Criteria for Promotion from Associate Librarian to Librarian

In addition to the criteria for promotion to associate librarian, *i.e.*, **evidence of excellence in the major emphasis of his or her role statement and effectiveness of all other professional services (section 405.3.2)**, promotion to the rank of librarian shall require an **established** outstanding reputation in **at least the primary area of emphasis as defined in** the role statement. Excellence is measured by ~~national~~ standards for librarians within the **national** peer group.

405.4 TENURE AND PROMOTION: CRITERIA FOR FACULTY WITH EXTENSION RANKS

~~Criteria for promotion and tenure of faculty with academic appointments in the Extension ranks (policy 401.4.4) are identical to those for the core faculty (policy 405.2).~~

~~405.5 TENURE AND PROMOTION: CRITERIA FOR EXTENSION AGENTS~~

5.1 4.1 Criteria for Promotion from Extension Instructor to Extension Assistant ~~Agent~~ Professor

Extension faculty will be initially appointed to the rank of ~~E~~extension ~~I~~nstructor when they have not yet completed the terminal degree appropriate for ~~E~~extension faculty, but have met all other criteria for appointment to the rank of ~~E~~extension ~~A~~assistant ~~P~~rofessor. Promotion to ~~E~~extension ~~A~~assistant ~~P~~rofessor requires completion of the terminal degree appropriate for ~~E~~extension faculty or its equivalent; demonstrated ability in teaching and development of

programs relevant to the identified population; evidence of scholastic promise; and evidence of professional development.

5.2 4.2 Criteria for the Award of Tenure and for Promotion from Extension Assistant Professor to Extension Associate Professor

Tenure and promotion from ~~E~~extension ~~A~~assistant ~~P~~professor to ~~E~~extension ~~A~~associate ~~P~~professor are awarded on the basis by which an ~~E~~extension faculty member performs his or her role ~~assignment statement~~. Although ~~E~~extension faculty are expected to carry out the major university functions of teaching, research/ or creative endeavors, extension, and service, individual emphasis will vary as described in the ~~E~~extension faculty member's role statement. Each candidate must present evidence of effectiveness in all of the professional ~~services domains~~ in which ~~they he or she~~ performs and must present evidence of excellence in the major emphasis of ~~their his or her~~ role statement.

The criteria for the award of tenure and for promotion from ~~E~~extension ~~A~~assistant ~~P~~professor to ~~E~~extension ~~A~~associate ~~P~~professor are the same. These criteria include but are not limited to: an established reputation based upon a balance of scholarship, teaching, extension, and service; recognition for professional success in the field of appointment; evidence for effectiveness in all of professional ~~services domains~~ in which the faculty member performs; and evidence of excellence in the major emphasis of his or her role statement (401.43.54; 405.1). Excellence is measured by national standards within the professional peer group.

The foregoing criteria are to be applied to the following areas:

(1) Teaching.

Teaching includes, but is not limited to, all forms of extension instructional activities: proficiency in identifying the needs of the identified audience as demonstrated through imaginative or creative use of up-to-date instructional methods such as workshops, conferences, classes, lectures, newsletters, media presentations, computer-assisted instruction, authorship of extension bulletins, self-instruction materials; program development awards; service on relevant community committees; invited presentations or panel participation.

(2) Extension.

Extension provides the public, primarily within the state, with research-based information and other university resources. Documentation supporting extension performance may include, but is not restricted to: active programs with various extension constituents, recognition by extension clients for an effective effort; innovative techniques; effective use of the media; publications appropriate to the assignment; responses to requests from private and government entities for advisory help and consulting; publications in peer-reviewed and /or professional media; service on professional committees, panels, and task forces; and peer recognition of the value of the extension effort.

(3) Service.

Service activities include but are not restricted to: membership in and leadership of community, state, and/or national committees relevant to the role statement; committee participation in state, regional, and national professional organizations; consulting activities in local, state, regional, and national organizations and agencies; public speaking and/or information dissemination involving professional expertise; **engagement in local communities**.

5.3 4.3 Initial Appointment at the Extension Associate Professor or Extension Professor Ranks without Tenure

Faculty members with experience in **Extension** at other accredited colleges or universities may be appointed to the ranks of **Extension** associate professor or **Extension** professor without tenure. The criteria for the award of tenure are the same as those in **405.54.2** above. A written statement attesting to the length of the pretenure probationary period is negotiated at the time of appointment and is approved by the supervisor, vice president **of extension**, and the **P**rovost.

5.4 4.4 Criteria for Promotion from Extension Associate Professor to Extension Professor

In addition to the criteria for promotion to **Extension** associate professor, promotion to the rank of **Extension** professor shall require an established outstanding reputation for excellence in teaching, development of programs relevant to the identified population, and **Extension**, according to the role statement. Excellence is measured by national standards for **Extension** professors within the professional peer group.

405.5 TENURE AND PROMOTION: CRITERIA FOR PROFESSIONAL CAREER AND TECHNICAL EDUCATION FACULTY RANKS

5.1 Criteria for Promotion from Professional Career and Technical Education Instructor to Professional Career and Technical Education Assistant Professor

Professional career and technical education faculty will be initially appointed to the rank of professional career and technical education instructor when they have not yet completed the associate of science or associate of applied science degree but have six years of applicable work experience at the journeyman level. Up to three years of academic training from an accredited college may be substituted for up to three years work experience. Promotion to professional career and technical education assistant professor requires completion of the associate of science or an associate of applied science degree from an accredited college plus basic industry qualifications; three years full-time teaching experience at an accredited college and evidence of progressive professional development.

5.2 Criteria for the Award of Tenure and for Promotion from Professional Career and Technical Education Assistant Professor to Professional Career and Technical Education Associate Professor

Tenure and promotion from professional career and technical education assistant professor to

professional career and technical education associate professor are awarded on the basis by which a faculty member performs his or her assignment. Although professional career and technical education faculty are expected to carry out the major university functions of teaching, research or creative endeavors, and service responsibilities assigned to them, individual emphasis will vary as described in the faculty member's role statement. Each candidate must present evidence of effectiveness in all of the professional domains in which he or she performs and must present evidence of excellence in the major emphasis of his or her role statement.

The criteria for the award of tenure and for promotion from professional career and technical education assistant professor to professional career and technical education associate professor are the same. These criteria include, but are not limited to: all of the qualifications prescribed for an professional career and technical education assistant professor; a bachelor's degree from an accredited university; a minimum of seven years of full-time teaching at an accredited college; an established reputation based upon a balance of teaching, research or creative endeavors, and service; broad recognition for professional success in the field of appointment; evidence of effectiveness in all of the professional domains in which the faculty member performs; and evidence of excellence in the major emphasis of his or her role statement. Excellence is measured by national standards within the professional peer group.

The foregoing criteria are to be applied to the following areas:

(1) Teaching.

Teaching includes, but is not limited to, all forms of career and technical education instructional activities: classroom performance, student advising and supervision, oversight of independent learning, and curriculum development. Documentation supporting teaching performance must include student and peer evaluations, and may include, but is not restricted to: proficiency in identifying the needs of the identified audience; curriculum development as demonstrated through imaginative or creative use of up-to-date instructional methods materials such as workshops, conferences, classes, lectures, newsletters, syllabi, instructional manuals, assigned readings, case studies, media presentations, packages and computer-assisted instruction, programs; authorship of extension bulletins, self-instruction textbooks or other instructional materials; program development teaching and/or advising awards; authorship of refereed articles on teaching; success of students in post-instructional licensing procedures or employment placements; service on professional committees; panels and task forces; and invited presentations or panel participation and professional lectures or consultations.

(2) Service.

Service activities include but are not restricted to: membership in, and leadership of community, state, and/or departmental, college/school and university committees and organizations; active participation in regional and national committees relevant to the role statement; professional organizations as evidenced by committee participation in state, regional, and national professional organizations; membership and/or holding elective or appointive office; consulting activities in local, state, regional, and national and international organizations and agencies;

public speaking and/or information dissemination involving professional expertise; engagement in local communities. Tenure-eligible faculty must participate in service activities. Although such activities are vital to the mission of the university, they are not expected to constitute a major emphasis in the role statement for tenure-eligible faculty.

5.3 Initial Appointment at the Professional Career and Technical Education Associate Professor or Professional Career and Technical Education Professor Ranks without Tenure

Faculty members who are qualified for initial appointment at the ranks of professional career and technical education associate professor or professional career and technical education professor may be appointed without tenure. The criteria for the award of tenure are the same as those in 5.2 above. A written statement attesting to the length of the pre-tenure probationary period is negotiated at the time of appointment and is approved by the department head, academic dean and where appropriate, the chancellor or regional campus dean, and the provost.

5.4 Criteria for Promotion from Professional Career and Technical Education Associate Professor to Professional Career and Technical Education Professor

In addition to the criteria for promotion to professional career and technical education associate professor, promotion to the rank of professional career and technical education professor shall require a master's degree or higher from an accredited university; a minimum of twelve years of full-time teaching experience at an accredited college; an outstanding reputation based upon a balance of scholarship, teaching, and service; national recognition for professional success in professional and technical education; evidence of effectiveness in all of the professional domains in which the faculty member performs; and evidence of excellence in the major emphasis of his or her role statement. Excellence is measured by national standards within the respective professional peer groups.

405.76 TENURE, PROMOTION AND REVIEW: GENERAL PROCEDURES

~~7.1~~ 6.1 Role Statement and Role Assignment

A role statement will be prepared by the department head or supervisor, agreed upon between the department head or supervisor and the faculty member at the time he or she accepts an appointment, and approved by the ~~director (where applicable)~~ academic dean and the provost and where applicable, the chancellor, vice president for extension or regional campus dean. The role statement shall include percentages for each area of professional ~~service domains~~ (404.1.2). These percentages will define the relative ~~evaluation~~ weight to be given to performance in each of the different areas of professional ~~service domains~~. Role statements serve two primary functions.

First, the faculty member can gauge his or her expenditure of time and energy relative to the various roles the faculty member is asked to perform in the ~~U~~university. Second, role statements

provide the medium by which the assigned duties of the faculty member are described and by which administrators and evaluation committees can judge and counsel a faculty member with regard to his or her allocation of effort. During the search process, the department head or supervisor will discuss with each candidate his or her prospective role in the academic unit as defined by the role statement.

The role statement shall be reviewed, signed and dated annually by the faculty member and department head or supervisor and **academic dean, or, where appropriate, the vice president for extension, chancellor, or regional campus dean or director**, and revised as needed. Any subsequent revision may be initiated by either the faculty member or the department head or supervisor. Any revision of the role statement should be mutually agreed to by the faculty member and department head or supervisor and approved by the **director (where applicable) or academic dean or vice president for extension, and, where applicable, the chancellor or regional campus dean**. If agreement cannot be reached, individual department, college, and/or University appeal or hearing procedures should be used to resolve disagreements before transmitting revised role statements to promotion advisory committee and tenure committees. At the time of the appointment a copy of the role statement, and any later revisions, will be provided to the faculty member, the department head or supervisor, **director (where applicable)**, the **academic dean or vice president for extension and the Pprovost, and, where applicable, the chancellor or regional campus dean**, and the members of the tenure and/or promotion advisory committee.

Some academic units may find it useful to employ an annual work plan or “role assignment”. The faculty member's role assignment provides for the detailed implementation of the professional **services domains** of the faculty member described in the role statement. During the annual review, the role assignment may be adjusted within the parameters of the role statement. Major changes in the role assignment may prompt review and revision of the role statement.

7.2 6.2 Advisory Committees

(1) Tenure advisory committee (TAC).

For each new tenure-eligible faculty member who is appointed, the faculty member's department head or supervisor shall, in consultation with the faculty member and with the approval of the **director (where applicable), or academic dean or vice president for extension, and, where appropriate, the chancellor or regional campus dean**, appoint a tenure advisory committee. A tenure advisory committee must be appointed during the faculty member's first semester of service. The committee shall consist of at least five members, **at least** one of whom **is must be** from outside the academic unit. The department head or supervisor will designate the chair of the committee. The dean of the college will appoint a tenure advisory committee for department heads appointed without tenure in academic departments. The **Pprovost** will appoint a tenure advisory committee for deans, **or vice presidents, or chancellors** (where applicable) appointed without tenure.

The tenure advisory committee members shall be tenured and hold rank higher than that held by the faculty member under consideration unless that faculty member is an untenured full

professor, librarian, ~~or Extension agent~~ professor, or professional career and technical education professor. If there are fewer than five faculty members in the academic unit with higher rank than the candidate, then the department head or supervisor shall, in consultation with the ~~director (where applicable), or academic dean or vice president for extension, and, where appropriate, the chancellor or regional campus dean,~~ complete the membership of the committee with faculty of related academic units. The department head or supervisor of the candidate shall not serve on the tenure advisory committees, and no committee member may be a department head or supervisor of any other member of the committee. ~~A department head or supervisor may only be appointed to the TAC with the approval of the faculty member under consideration.~~ The department head or supervisor for each committee shall fill vacancies on the committee ~~as they occur.~~ In consultation with the faculty member ~~and the director (where applicable), academic dean or vice president for extension, and, where appropriate, the chancellor or regional campus dean,~~ the department head or supervisor may replace members of the tenure advisory committee. The candidate may request replacement of committee members subject to the approval of the department head or supervisor, ~~the director (where applicable)~~ or the ~~academic dean or vice president for extension, and, where appropriate, the chancellor or regional campus dean.~~

The role and responsibility of the ~~Tenure Advisory Committee~~ TAC is to provide an annual evaluation of a faculty member's progress toward tenure and promotion. The TAC is responsible for providing feedback to the faculty member with regard to progress toward tenure and promotion, and shall recommend (a) to renew the appointment or (b) not to renew the appointment (407.2.1(5)). In the final year of the pre-tenure probationary period, the committee shall recommend (a) awarding promotion and tenure or (b) denying promotion and tenure (407.2.1(5)). At any time during the pre-tenure probationary period, the committee can be asked to render judgment on an administrative proposal to grant promotion and tenure in accordance with Section 405.7.3(1) of the ~~Faculty Code~~ USU Policy Manual. Under those circumstances, the TAC shall recommend (a) to award promotion and tenure or (b) to continue the pre-tenure probationary period.

(2) Promotion advisory committee (PAC).

When a faculty member without tenure is to be considered for promotion, the tenure advisory committee shall also serve as a promotion advisory committee. The term of this committee shall expire when the faculty member is awarded tenure.

Following tenure, if a faculty member so desires, he or she may request in writing to the department head or supervisor that a promotion advisory committee be formed and meet with the faculty member. This shall be done by the department head in consultation with the faculty member and ~~the director (where applicable), academic dean, vice provost~~ or vice president for extension, and, where appropriate, the chancellor or regional campus dean, within 30 days of receipt of the written request. The promotion advisory committee must be formed by February 15th of the third year following tenure and it is recommended that the informational meeting outlined in 405.8.2(1) below be held at this time.

~~If the promotion advisory committee meets for the first time in the fifth year post tenure, this committee would also perform the functions of the post tenure review committee. If this~~

~~committee has met prior to the fifth year then this committee or a three member subcommittee may form the post-tenure review committee and carry out the Quinquennial Review of Tenured Faculty 405.12.2.~~

The promotion advisory committee shall be composed of at least five faculty members who have tenure and higher rank than does the faculty member. The department head or supervisor shall appoint a chair other than him or herself. Normally, two academic unit members of higher rank who have served on the candidate's tenure advisory committee shall be appointed to the promotion advisory committee, and at least one member shall be chosen from outside the academic unit. If there are fewer than four faculty members in the academic unit with higher rank than the candidate, then the department head or supervisor shall, in consultation with the ~~director (where applicable)~~ academic dean or vice president for extension, and, where appropriate, the chancellor or regional campus dean, complete the membership of the committee with faculty of related academic units. Department heads and supervisors of the candidate shall not serve on promotion advisory committees, and no committee member may be a department head or supervisor of any other member of the committee. ~~A department head or supervisor may only be appointed to the promotion advisory committee in unusual circumstances and with the approval of the faculty member under consideration.~~ The appointing authority for each committee shall fill vacancies on the committee as they occur. In consultation with the faculty member and ~~director (where applicable)~~, academic dean or vice president for extension, and, where appropriate, the chancellor or regional campus dean, the department head or supervisor may replace members of the promotion advisory committee. The candidate may request removal of committee members subject to the approval of the department head or supervisor and the ~~director (where applicable)~~, academic dean, or vice president for extension, and, where appropriate, the chancellor or regional campus dean,.

When a department head or supervisor is being considered for promotion, ~~the director (where applicable)~~, the appropriate dean, or vice president for extension shall appoint the promotion advisory committee; when a ~~director (where applicable)~~, dean, or vice president, or chancellor is being considered for promotion, the Provost shall appoint the promotion advisory committee. ~~When a faculty member with tenure wishes to be considered for promotion, at the written request of the candidate for promotion, the department head or supervisor shall, by February 15 of the spring semester six months prior to that consideration, convene the promotion advisory committee to meet with the candidate.~~

76.3 Candidate's File

The candidate is responsible for keeping his or her professional file current and complete. This file is the primary source of information for the tenure advisory committee or promotion advisory committee. The file should include thorough documentation ~~of teaching, research/creative endeavor, librarianship, service, and/or extension effort,~~ related to the responsibilities outlined in ~~accord with~~ the role assignment statement.

Other materials that provide information or data of consequence to the formal review of the candidate should be added to the candidate's file as supplementary material before the

tenure advisory committee's annual meeting. The candidate is entitled to review this supplementary material upon request, with the exception of peer review letters. If a candidate wishes to comment on any item in this supplementary material, the candidate's written comment must be added prior to the annual meeting of the tenure advisory committee. The same will hold true for files of faculty submitted for promotion.

76.4 University Records: Access

A faculty member has the right to examine, upon request, ~~U~~university records maintained or retrievable under his or her name or identifying number. ~~U~~university records maintained or retrievable under a faculty member's name or identifying number shall be open to inspection only by the ~~P~~resident and administrative officers or persons to whom the ~~P~~resident delegates in writing the power to inspect such records. Other persons shall not be permitted to examine such records except as required by law.

76.5 Ombudspersons

All ~~Colleges, Extension, and the Libraries, academic units~~ will appoint ombudspersons to serve in the ~~P~~promotion, ~~T~~tenure, and ~~P~~post-~~T~~tenure ~~R~~review processes. Ombudspersons will be tenured faculty members (as defined in section 401.2.1) and elected or appointed in their respective academic units. The ~~P~~provost's office will develop and implement a plan for the ombudsperson program that defines the election or appointment process, the terms of office, the training, and the implementation of the ombudsperson program.

An ombudsperson must be present at all meetings of a promotion advisory committee or a tenure advisory committee. Ombudspersons must receive adequate advance notice of a committee meeting from the chairperson.

For post-tenure quinquennial review meetings and for meetings held between either the department head or supervisor and the tenure, promotion, or review candidate to review the committee's evaluation and recommendation, the candidate or department head or supervisor may request the presence of an ombudsperson.

The ombudsperson is responsible for ensuring that the rights of the candidate and the ~~U~~university are protected and that due process is followed according to ~~the Faculty Code, section 400 of the~~ **USU Policy Manual**. Ombudspersons shall not judge or assess the candidate, and therefore is not a member of the promotion, tenure, or review committee, or a supervisor of the candidate.

Ombudspersons who observe a violation of due process during a committee meeting should immediately intervene to identify the violation. Committee reports shall be submitted to the department head or supervisor only if they include the ombudsperson's signed statement that due process has been followed. If the ombudsperson cannot sign such a statement, then the ombudsperson shall report irregularities to the department head or supervisor and **the appropriate dean or other administrator**. After conferring with the ombudsperson, the department head or supervisor, dean or other administrator will determine what, if any, actions should be taken.

405.87 PROCEDURES SPECIFIC TO THE TENURE PROCESS

87.1 Annual Event

(1) Meetings of the tenure advisory committee.

An initial meeting of the committee shall be held to acquaint the candidate with the members, to discuss the professional plans of the candidate, to review the role statement, and to initiate an annual review of the candidate's progress. An ombudsperson must be present at all meetings of the tenure advisory committee in accordance with policy 405.76.5. All tenure advisory committee members shall participate interactively in all committee meetings, either physically or by ~~voice~~ **electronic** conferencing, at the appointed date and time. Ombudspersons must be present in person, with the exception of meetings for field-based ~~E~~extension faculty, when they may participate by ~~voice~~ **electronic** conferencing.

(2) Evaluation and recommendation by the tenure advisory committee.

After the initial meeting, the tenure advisory committee shall meet with the candidate at least annually and review the candidate's file ~~and supplementary material~~ to evaluate progress toward tenure. An ombudsperson must be present at all meetings of the tenure advisory committee in accordance with policy 405.76.5. The committee will submit, each year, a written report to the department head or supervisor. This report shall be submitted by December 1 for first-year and second-year appointees, by October 26 for third-year appointees, and by December 1 during subsequent years (~~see Table 405.1.4~~). Except in the year in which the tenure decision must be made, the report shall include an evaluation of the candidate's progress toward tenure and identify areas for improvement in the candidate's performance as necessary. The report shall also contain a recommendation regarding the renewal or nonrenewal of the appointment (405.6.2(1); 407.7). Copies of all reports signed by the committee members shall be provided to the candidate, the department head, or supervisor ~~and the director (where applicable)~~, the **academic dean**, or vice president ~~for extension, and, where applicable, the chancellor or regional campus dean~~. A copy shall be placed in the candidate's file.

(3) Evaluation and recommendation by the department head or supervisor.

The department head or supervisor shall, after receiving the tenure advisory committee report, meet annually with the candidate to review fulfillment of the role statement ~~and the role assignment~~ and evaluate progress toward tenure. For meetings held between either the department head or supervisor and the candidate to review the committee's evaluation and recommendation, the candidate or department head or supervisor may request the presence of an ombudsperson in accordance with policy 405.6.5. Subsequently, the department head or supervisor shall submit in writing to the ~~director (where applicable)~~, **academic dean**, or ~~assistant vice president of for extension, chancellor or regional campus dean~~, an evaluation of the candidate indicating where satisfactory progress is being made and where improvement is needed. The department head or supervisor may recommend the nonrenewal of the appointment of the faculty member. This report shall be submitted by December 18 for first-year and second-year appointees, by November 10 for third-year appointees, and by December 18 during

subsequent years. Copies will be provided to the candidate and the tenure advisory committee. A copy shall be placed in the candidate's file.

87.2 Additional Events During the Year in which a Tenure Decision is to be Made

(1) External peer reviews.

Prior to September 15, the department head or supervisor will make a **single** solicitation of letters from at least four peers of rank equivalent to or higher than that sought by the candidate. If fewer than four letters arrive, additional letters will be solicited only to attain the minimum of four letters. The reviewers must be external to the **U**niversity and must be held with respect in academe. The candidate will be asked to submit the names of potential reviewers and to state the nature of his or her acquaintance with each of them. The number of names should be at least equal to the number of letters to be solicited. At least one-half of the reviewers must be selected from the candidate's list. The candidate may also submit names of potential reviewers that **they he or she does** not want contacted, although this list is not binding on the department head or supervisor.

The department head or supervisor and the tenure advisory committee shall mutually agree to the peer reviewers from whom letters will be solicited. A summary of the pertinent information in his or her file initially prepared by the candidate and a cover letter initially drafted by the department head or supervisor with final drafts mutually agreed upon by the candidate, the tenure advisory committee, and the department head or supervisor shall be sent to each reviewer by the department head or supervisor. Each reviewer should be asked to state, at the very least, the nature of his or her acquaintance with the candidate, and to evaluate the candidate's published work and/or creative endeavors, and recognition and standing among his or her peers. Copies of these letters will become supplementary material to the candidate's file (see Code 405.6.3).

A waiver of the external review process may be granted by the **P**resident when such a process is operationally not feasible for a particular set of academic titles and ranks.

(2) Evaluation and recommendation by the tenure advisory committee.

The tenure advisory committee shall review and evaluate the candidate for tenure, based on the information in his or her file including external peer reviews. The committee shall make a decision with respect to its tenure recommendation by a majority vote and the names of those for and against shall be recorded. The committee **members** will support this decision with a letter to the department head or supervisor, and shall include in that letter a report of the committee vote by name along with appropriate summaries and interpretations of the documents, and may include both majority and minority views, if any, on which their decision was made. The letter is to be prepared by the chair of the tenure advisory committee, presenting the committee's decision, and is to be signed by the committee, and sent to the department head or supervisor prior to December 1, except that for third-year appointees the date is October 26 (**see Table 405.1.4**). Minority positions, if any, may be documented in separate letters. A copy of the tenure advisory committee's letter(s) shall be sent to the candidate **at the same time that it is sent to the next level of review** and placed in his or her file.

(3) Evaluation and recommendation by the department head or supervisor.

After reviewing the ~~tenure advisory committee's recommendation~~ candidate's dossier and the recommendation of the tenure advisory committee, the department head or supervisor shall prepare a separate ~~report~~ recommendation. For meetings held between either the department head or supervisor and the candidate to review the committee's evaluation and recommendation, the candidate or department head or supervisor may request the presence of an ombudsperson in accordance with policy 405.6.5. The ~~reports~~ recommendations of the department head or supervisor and the tenure advisory committee shall be transmitted to the ~~director (where applicable), academic dean,~~ or vice president for extension, and, where applicable, the chancellor or regional campus dean by December 15, except that for third-year appointees the date is November 10 (~~see Table 405.1.4~~). A copy of the department head or supervisor's letter shall be provided to the tenure advisory committee, sent to the candidate, and placed in his or her file at the time that his or her recommendation is transmitted to the next level of review.

(4) Evaluation and recommendation by the ~~director (where applicable), academic dean,~~ or vice president for extension, and, where applicable, the chancellor or regional campus dean.

The ~~director (where applicable), academic dean,~~ or vice president for extension will send his or her own recommendation, the department head's recommendation, and the tenure advisory committee's recommendation to the provost on or before January 11, except that for third-year appointees the date is November 20 (~~see Table 405.1.4~~). The regional campus dean will also submit a separate recommendation for each regional campus candidate, and likewise, the chancellor of USU-CEU will submit a separate recommendation for each USU-CEU candidate. ~~A copy~~ Copies of the ~~director's (where applicable)~~ letters from the academic dean's or vice president's for extension, and, where applicable, the chancellor or regional campus dean ~~letter~~ shall be sent to the tenure advisory committee and the candidate, department head ~~and~~ or supervisor, and placed in his or her file at the time that these recommendations are transmitted to the next level of review.

Should the ~~academic dean, director, or~~ vice president for extension, chancellor, or regional campus dean choose to convene an ad hoc advisory committee to review tenure and promotion recommendations under his or her purview, the members of this committee shall have tenure and rank equal to or greater than that sought by the candidate. The department head, or supervisor, ~~or director (where applicable)~~ of the candidate shall not serve on this committee. The ~~academic dean, director, or~~ vice-president for extension, chancellor, or regional campus dean, shall chair the committee. Any such advisory committee formed shall also utilize an ombudsperson, and the names of the members of the committee shall be made known to the faculty of the ~~college~~ academic unit.

(5) Further evaluation and recommendation.

The ~~P~~provost shall convene a committee including the ~~V~~vice ~~P~~presidents for ~~R~~research and ~~E~~xtension dean of the school of graduate studies, the ~~V~~vice ~~P~~resident for ~~E~~xtension, ~~and Dean of the School of Graduate Studies~~, and others of his or her choosing. The ~~P~~resident may attend

and participate in meetings of the committee. All members must hold the rank of professor with tenure.

The Pprovost shall ~~maintain a file of all documentation received from the directors (where applicable), deans, or vice presidents and circulate the same~~ make available to all the members of ~~this~~ the committee the candidate's file. After a thorough review and discussion of the dossier, the Pprovost will report the collective ~~action~~ recommendation of this committee to the Ppresident.

The Ppresident shall review the committee's recommendations prior to making his or her ~~decision~~ recommendations. The Ppresident shall submit any recommendation to award tenure to the Board of Trustees prior to the April Board of Trustees meeting. The Ppresident shall inform the candidate in writing upon approval of tenure by the Board of Trustees. The ~~director (where applicable), academic dean or vice president for extension, department head or supervisor, and~~ tenure advisory committee, and, where appropriate, the chancellor or regional campus dean, will also be notified of the action.

The Ppresident shall notify the Pprovost, ~~director (where applicable), academic dean or vice president for extension, department head or supervisor, tenure advisory committee, and, where appropriate, the chancellor or regional campus dean, and~~ the candidate in writing of the Ppresident's decision to deny tenure no later than April 15. For candidates in their third year, the deadline is December 10th ~~(see Table 405.1.4).~~

Once a decision has been reached, the Pprovost will meet ~~individually~~ with the tenure advisory committee and with those administrators whose recommendations were not accepted. The Pprovost will also, at the request of the candidate, meet collectively with the candidate, the chair of the tenure advisory committee, the department head or supervisor, ~~and the director (where applicable), academic dean, or vice president for extension, and, where appropriate, the chancellor or regional campus dean,~~ to discuss the candidacy and the decision.

87.3 Exceptional Procedure

(1) Administrative nominations for ~~tenure~~.

The department head or supervisor, ~~director (where applicable), academic dean, vice president for extension, and, where appropriate, the chancellor or regional campus dean, Pprovost or Ppresident~~ may propose the granting of tenure. Such a proposal shall be referred to the tenure advisory committee for consideration and all procedures of policy 405.6 and 405.7.2 shall be followed with the exception that the timetable therein may be waived.

(2) Transfers of tenured faculty.

A faculty member with tenure who transfers permanently from one academic unit to another forfeits tenure in the unit from which he or she has transferred. The academic unit to which the faculty member transfers determines the rank with which the faculty member will transfer and may require service for a pre-tenure probationary period appropriate to the faculty member's

academic rank or may accept any or all of the years of satisfactory service completed toward tenure in the former academic unit, provided that in no case shall the pre-tenure probationary period exceed three years. Credit for service in the former academic unit to be accepted toward tenure in the new academic unit must be agreed upon in advance of the transfer by the faculty member, the department head or supervisor, ~~the director (where applicable)~~, academic dean or vice president for extension, and, where appropriate, the chancellor or regional campus dean, and the Provost.

405.98 PROCEDURES SPECIFIC TO THE PROMOTION PROCESS

98.1 Faculty without Tenure

(1) Instructors, affiliate librarians, extension instructors, and ~~affiliate extension agents professional career and technical education instructors~~.

Instructors, affiliate librarians, ~~E~~extension instructors, and ~~affiliate Extension agents professional career and technical instructors~~, shall be promoted to the ranks of assistant professor, assistant librarian, ~~E~~extension assistant professor, ~~assistant Extension agent professional career and technical education assistant professor~~, respectively, once the criteria in 405.2.1, 405.3.1, 405.4, or 405.65.1 have been met.

(2) Assistant professors, assistant librarians, ~~E~~extension assistant professors, and ~~assistant Extension agents professional career and technical education assistant professors~~

Assistant professors, assistant librarians, ~~professors~~, extension assistant professors, and ~~assistant Extension agents and professional career and technical education assistant professors~~ shall be promoted to the ranks of associate professor, associate librarian, ~~E~~extension associate professor, and ~~associate Extension agent professional career and technical education associate professor~~, respectively when tenure is granted.

98.2 Faculty with Tenure

The promotion advisory committee shall meet upon request of the faculty member, or in no case later than February 15 of the third year following tenure, to consider a recommendation for promotion.

The department head or supervisor, ~~director (where applicable)~~, academic dean, or vice president for extension, and, where appropriate, the chancellor or regional campus dean, Provost, or President may propose promotion. Such a proposal shall be referred to the promotion advisory committee for consideration and all procedures of 405.8.3 shall be followed.

(1) Meetings of the promotion advisory committee

When the promotion advisory committee, formed by the department head or supervisor in consultation with the faculty member and with the approval of the chancellor or regional campus dean (where applicable) and the academic dean, meets for the first time, the purpose of this

meeting, similar to the first tenure meeting, will be to ensure that an appropriate role statement is in place and to provide information to the faculty member about promotion to ~~full~~ the rank of professor. This information could include historical information about the records of the last several department members promoted to ~~full~~ professor or information about the committee's understanding of what is necessary for promotion to ~~full~~ professor. All promotion advisory committee members shall participate interactively in all committee meetings, either physically or by ~~voice electronic~~ conferencing, at the appointed date and time. Ombudspersons must be present in person, with the exception of meetings for field-based ~~E~~extension faculty, when they may participate by ~~voice electronic~~ conferencing. Subsequent to this first meeting the faculty member may request additional meetings with the promotion advisory committee if desired.

When the faculty member is ready to be considered for promotion to ~~full~~ professor, the promotion advisory committee shall meet, upon request of the faculty member, to consider a recommendation for promotion to ~~full~~ professor the following fall. This initial meeting shall take place by February 15, ~~approximately~~ six months before the faculty member submits materials for consideration and review.

(2) Report of the promotion advisory committee

After meeting with the faculty member for the first time, the ~~newly reconstituted~~ promotion advisory committee shall write a letter in which ~~they~~ it reports on the guidance given to the faculty member. The primary purpose of this report is not to evaluate the faculty member but to inform the department head or supervisor of the information and guidance provided to the faculty member about promotion to ~~full~~ professor. Department heads, supervisors, ~~academic deans, the vice presidents for extension, or vice provosts, or, where appropriate, the chancellor or regional campus dean,~~ may not use this letter as an evaluation of a faculty member's progress towards ~~full~~ professor unless the faculty member explicitly requests that the meeting be evaluative and chooses to provide a curriculum vita to the committee. Copies of the report signed by the committee members shall be provided to the faculty member, ~~the department head or supervisor, and the director (where applicable), the academic dean, vice provost~~ or vice president for extension, and, where appropriate, the chancellor or regional campus dean. If this meeting occurs in the fifth year, the letter should cover both the requirements of post tenure review (~~see policy 405.12~~) and the summary of the guidance given to the faculty member as outlined above.

(3) Report of the department head or supervisor

Subsequently, the department head or supervisor shall submit in writing to the ~~director (where applicable), academic dean, vice provost or~~ vice president for extension, and, where appropriate, ~~the chancellor or regional campus dean,~~ a summary of the information and guidance provided to the faculty member about promotion to ~~full~~ professor. If the faculty member has asked to be considered for promotion to ~~full~~ professor, then this letter would also include an evaluation of the candidate's progress towards promotion to ~~full~~ professor and identify any areas of improvement in the candidate's performance, as necessary. Copies will be provided to the faculty member and the promotion advisory committee. This letter should be delivered to the faculty member ~~and director, academic dean, vice provost,~~ or vice president of extension, and, where appropriate, the chancellor or regional campus dean, no later than 30 days following the meeting with the

promotion advisory committee.

98.3 Procedures for Promotion

(1) External peer reviews.

Prior to September 15, the department head or supervisor will solicit letters from at least four peers of rank equivalent to or higher than that sought by the candidate. If fewer than four letters arrive, additional letters will be solicited only to attain the minimum of four letters. The reviewers must be external to the university and must be held with respect in academe. The candidate will be asked to submit the names of potential reviewers and to state the nature of his or her acquaintance with each of them. The number of names should be at least equal to the number of letters to be solicited. At least one-half of the reviewers must be selected from the candidate's list. The candidate may also submit names of potential reviewers that ~~they~~ **he or she** does not want contacted, although this list is not binding on the department head or supervisor. The department head or supervisor and the promotion advisory committee shall mutually agree to the peer reviewers from whom letters will be solicited. A summary of the pertinent information in his or her file initially prepared by the candidate and a cover letter initially drafted by the department head or supervisor with final drafts mutually agreed upon by the candidate, the tenure advisory committee, and the department head or supervisor shall be sent to each reviewer by the department head or supervisor. Each reviewer should be asked to state, at the very least, the nature of his or her acquaintance with the candidate, and to evaluate the candidate's published work and/or creative endeavors, and recognition and standing among his or her peers. Copies of these letters will become supplementary material to the candidate's file.

(2) Evaluation and recommendation by the promotion advisory committee.

The promotion advisory committee shall review and evaluate the candidate for promotion, based on the information in his or her file including external peer reviews. An ombudsperson must be present at all meetings of the promotion advisory committee in accordance with policy 405.6.5. The committee **members** shall make a decision with respect to its promotion recommendation by a majority vote and the names of those for and against shall be recorded. The committee will support this decision with a letter to the department head or supervisor, and shall include in that letter a report of the committee vote by name along with appropriate summaries and interpretations of the documents, and may include both majority and minority views, if any, on which their decision was made. The letter is to be prepared by the chair of the committee, presenting the committee's decision, and is to be signed by the committee, and sent to the department head or supervisor prior to December 1. Minority positions, if any, may be documented in separate letters. A copy of the tenure advisory committee's letter(s) shall be sent to the candidate **at the same time that it is sent to the next level of review** and placed in his or her file.

(3) Evaluation and recommendation by the department head or supervisor.

After reviewing the ~~tenure advisory committee's recommendation~~ **candidate's dossier and the**

recommendation of the promotion advisory committee, the department head or supervisor shall prepare a separate ~~report~~ recommendation. For meetings held between either the department head or supervisor and the candidate to review the committee's evaluation and recommendation, the candidate or department head or supervisor may request the presence of an ombudsperson in accordance with policy 405.6.5. The ~~reports~~ recommendations of the department head or supervisor and the promotion advisory committee shall be transmitted to the ~~director (where applicable)~~, academic dean, or vice president for extension, and, where applicable, the chancellor or regional campus dean by December 15. A copy of the department head or supervisor's letter shall be provided to the promotion advisory committee, sent to the candidate, and placed in his or her file at the time that his or her recommendation is transmitted to the next level of review.

(4) Evaluation and recommendation by the ~~director (where applicable)~~, academic dean, or vice president for extension, and, where applicable, the chancellor or regional campus dean.

The ~~director (where applicable)~~, academic dean, or vice president for extension will send his or her own recommendation, the department head's or supervisor's recommendation, and the promotion advisory committee's recommendation to the provost on or before January 11. The regional campus dean will also submit a separate recommendation for each regional campus candidate, and likewise, the chancellor of USU-CEU will submit a separate recommendation for each USU-CEU candidate. ~~A copy~~ Copies of the ~~director's (where applicable)~~ letters from the academic dean's or vice president's for extension, and, where applicable, the chancellor or regional campus dean letter shall be sent to the promotion advisory committee and the candidate, department head and or supervisor, and placed in his or her file at the time that these recommendations are transmitted to the next level of review.

Should the academic dean, ~~director~~, or vice president for extension, chancellor, or regional campus dean choose to convene an ad hoc advisory committee to review promotion recommendations under his or her purview, the members of this committee shall have tenure and rank equal to or greater than that sought by the candidate. The department head, or supervisor, ~~or director (where applicable)~~ of the candidate shall not serve on this committee. The academic dean, ~~director~~, or vice-president for extension, chancellor, or regional campus dean, shall chair the committee. Any such advisory committee formed shall also utilize an ombudsperson, and the names of the members of the committee shall be made known to the faculty of the college academic unit.

(5) Further evaluation and recommendation.

The Provost shall convene a committee including the Vice Presidents for Research and Extension dean of the school of graduate studies, the Vice President for extension, and Dean of the School of Graduate Studies, and others of his or her choosing. The President may attend and participate in meetings of the committee. All members must hold the rank of professor with tenure.

The Provost shall ~~maintain a file of all documentation received from the directors (where applicable), deans, or vice presidents and circulate the same~~ make available to all the members of this the committee the candidate's file. After a thorough review and discussion of the dossier,

the Pprovost will report the collective ~~action~~ recommendation of this committee to the Ppresident.

The Ppresident shall review the committee's recommendations prior to making his or her recommendations. The Ppresident shall submit any recommendation to promote to the Board of Trustees prior to the April Board of Trustees meeting. The Ppresident shall inform the candidate in writing upon approval of promotion by the Board of Trustees. The ~~director (where applicable), academic dean or vice president for extension,~~ department head or supervisor, ~~and~~ promotion advisory committee, ~~and, where appropriate, the chancellor or regional campus dean,~~ will also be notified of the action. The Ppresident shall notify the Pprovost, ~~director (where applicable), academic dean or vice president for extension,~~ department head or supervisor, promotion advisory committee, ~~and, where appropriate, the chancellor or regional campus dean,~~ and the candidate in writing of the Ppresident's decision to deny tenure no later than April 15.

Once a decision has been reached, the Pprovost will meet ~~individually~~ with the promotion advisory committee whose recommendations was not accepted in order to review the reasons for the decision. The Pprovost will also, at the request of the candidate, meet collectively with the candidate, the department head or supervisor, ~~and the director (where applicable), academic dean, or vice president for extension,~~ ~~and, where appropriate, the chancellor or regional campus dean,~~ to discuss the reasons for the decision.

405.109 TERM APPOINTMENTS: ELIGIBILITY

Only individuals holding ranks as defined in policy 401.54 are eligible for term appointments.

405.110 TERM APPOINTMENTS AND PROMOTION: CRITERIA

10.1 Criteria for Initial Appointment and Promotion

~~(1) Initial appointment. Faculty members will be initially appointed to the rank in 401.5 appropriate to their area of expertise and experience. When they have not yet completed the terminal degree in their field, but have met all other criteria for appointment, they will be initially appointed to the lowest rank in 401.5 appropriate to their area. Appointment to the research ranks requires a terminal degree or its equivalent.~~

~~(2) Promotion upon completion of terminal degree.~~

~~Completion of the terminal degree or its equivalent is the prerequisite for promotion to the next level.~~

110.21 Criteria for Promotion to the Penultimate Ranks:

Clinical or Research Assistant Professor, Assistant Professor (Federal Cooperator), Assistant Professor (Federal Research), Lecturer, ~~and Teacher~~ Professional Practice Instructor to Clinical or Research Associate Professor, Associate Professor (Federal Cooperator), Associate Professor

(Federal Research), Senior Lecturer, and ~~Mentor-Teacher~~ Professional Practice Associate Professor

Promotion to the penultimate ranks is awarded on the basis by which a faculty member performs his or her role statement. Each candidate must present evidence of effectiveness in all of the professional ~~services domains that in which~~ he or she performs and must present evidence of excellence in the major emphasis of his or her role statement.

For promotion to the penultimate ranks, faculty members must demonstrate their ability to fulfill the following criteria, appropriate to their appointment:

(1) Teaching.

Teaching includes all forms of ~~on-or-off-campus~~ instructional activities: classroom performance, student advising, clinical supervision, thesis and dissertation direction, and curriculum development. Evidence supporting teaching performance must include student and peer evaluations where appropriate, and may include, but is not restricted to: proficiency in curriculum development as demonstrated through imaginative or creative use of up-to-date instructional materials such as syllabi, instructional manuals, edited readings, case studies, media packages, and computer programs; authorship of textbooks; teaching and/or advising awards; authorship of refereed articles on teaching; success of students in post-graduate endeavors; recognition by peers of substantive contributions on graduate committees; service on professional committees, panels, and task forces; invited lectures or panel participation.

(2) Research or Creative Endeavors.

Research encompasses a wide variety of scholarly activities that lead to the advancement of knowledge. Evidence supporting such activities must include peer recognition of their value and may include, but is not restricted to: publication of books, monographs, or articles in peer-reviewed media; invitations to participate in symposia and to write chapters in state-of-the-art review volumes; and success in competition for extramural funding.

(3) Service (applicable to all ranks).

Although service activities are vital to the mission of the ~~U~~university, they are not expected to constitute a major ~~percentage of his or her~~ role ~~assignment statement~~ for term appointment faculty. Service activities include: membership in, and leadership of, departmental, college, and university committees and organizations; committee participation in regional and national professional organizations; consulting activities in local, regional, national, and international, organizations and agencies; public speaking and/or education involving professional expertise; ~~engagement in local communities~~.

4110.32 Criteria for Promotion Beyond the Penultimate Rank

In addition to the criteria for promotion to the penultimate ranks, further promotion shall require an established reputation for excellence in teaching, and/or research and service, according to the

role ~~assignment statement~~. Excellence is ~~here considered~~ to be judged by national standards within the professional peer group.

1110.43 Promotion of Faculty with Term Appointment

Faculty with term appointments may request promotion to the next highest rank at any time.

405.1211 TERM APPOINTMENT: GENERAL PROCEDURES FOR PROMOTION

1211.1 Role Statement and Role Assignments

A role statement will be prepared by the department head or supervisor, agreed upon between the department head or supervisor and the faculty member at the time he or she accepts an appointment, and approved by the ~~director (where applicable)~~ academic dean and the provost and, where applicable, the chancellor, vice president for extension or regional campus dean. In determining the role statement, consideration shall be given to all forms of professional service (policy 404.1.2). Role statements provide the medium by which the assigned duties of the faculty member are described and by which administrators and promotion evaluation committees can judge ~~and counsel~~ a faculty member with regard to his or her performance. During the search process, the department head or supervisor will discuss with each candidate his or her prospective role in the academic unit as defined by the role statement.

The role statement shall be reviewed annually and shall be revised as needed. The process of revision may be initiated by either the faculty member or the department head or supervisor. Any revision of the role statement should be mutually agreed to by the faculty member and department head or supervisor and approved by the ~~director (where applicable) or~~ academic dean or vice president for extension, and, where applicable, the chancellor or regional campus dean. If agreement cannot be reached, individual department, college, and/or University appeal or hearing procedures should be used to resolve disagreements before transmitting revised role statements to Ppromotion advisory committees. A copy of the role statement, and any later revisions, will be provided to the faculty member, the department head or supervisor, ~~director (where applicable)~~, the academic dean or vice president for extension and the Pprovost, and where applicable, the chancellor or regional campus dean, and the members of the tenure and/or promotion advisory committee.

~~Some academic units may find it useful to employ an annual work plan or “role assignment”.~~

The faculty member's role assignment provides for the detailed implementation of the professional services domains of the faculty member described in the role statement. During the annual review, the role assignment may be adjusted within the parameters of the role statement. Major changes in the role assignment may prompt review and revision of the role statement.

1211.2 Promotion Advisory Committee

When a faculty member with term appointment is being considered for promotion, the department head or supervisor shall, in consultation with the ~~director (where applicable)~~,

academic dean or vice president for extension, and, where applicable, the chancellor or regional campus dean appoint a promotion advisory committee of at least five faculty members who have higher rank than does the candidate for promotion, a majority of whom are tenured. The department head or supervisor shall appoint a chair other than him or herself. The promotion advisory committee shall be appointed during the fall semester of the year upon the request of the faculty member who seeks promotion. At least one member shall be chosen from outside the academic unit. If there are fewer than five qualified faculty members in the academic unit, the department head or supervisor shall, in consultation with the ~~director (where applicable);~~ academic dean; or vice president for extension, and, where applicable, the chancellor or regional campus dean, fill the vacancies with qualified faculty of related academic units. The department head or supervisor for each committee shall fill vacancies on the committee ~~as they occur~~. The department head or supervisor may, with the approval of the ~~director (where applicable);~~ academic dean; or vice president for extension, and, where applicable, the chancellor or regional campus dean, replace members of the promotion advisory committee. The candidate may request removal of committee members subject to the approval of the department head or supervisor and the ~~director (where applicable);~~ academic dean; or vice president for extension, and, where applicable, the chancellor or regional campus dean.

1211.3 Candidate's File

The candidate is responsible for keeping his or her professional file current and complete. This file is the primary source of information for the promotion advisory committee. The file should include thorough documentation of all domains of professional service, in accord with the role statement.

Any other written statements, from whatever source, which are intended to provide information or data of consequence to the formal review of the candidate should be added to the candidate's file as supplementary material before the promotion advisory committee's meeting. The candidate is entitled to review this supplementary material upon request, with the exception of peer review letters designated confidential by the author(s). If a candidate wishes to comment on any item in this supplementary material, the candidate's written comment must be added prior to the meeting of the promotion advisory committee.

1211.4 Events During the Year in which a Promotion Decision is to be Made

- (1) External peer reviews ~~(not required for lecturer ranks)~~.

Prior to September 15, the department head or supervisor will make a single solicitation of letters from at least four peers of rank equivalent to or higher than that sought by the candidate. If less than four letters arrive, additional letters will be solicited to attain the minimum of four letters. The reviewers must be external to the University and must be respected in their fields. The candidate will be asked to submit the names of potential reviewers and to state the nature of his or her acquaintance with each of them. The number of names should be at least equal to the number of letters to be solicited. At least one-half of the reviewers must be selected from candidate's list. The department head or supervisor and the promotion advisory committee shall

mutually agree to the peer reviewers from whom letters will be solicited. A summary of the pertinent information in his or her file initially drafted by the department head or supervisor, with final drafts agreed upon by the candidate, the promotion advisory committee, and the department head or supervisor, shall be sent to each reviewer by the department head or supervisor. Each reviewer should be asked to state at the very least the nature of his or her acquaintance with the candidate, and to evaluate the candidate's work, recognition, and standing among his or her peers. Copies of these letters will become supplementary material to the candidate's file.

The external review process is not required for those seeking promotion in the lecturer ranks.

A waiver of the external review process may be granted by the Ppresident when such a process is operationally not feasible for a particular set of academic titles and ranks.

(2) Evaluation by the promotion advisory committee.

The promotion advisory committee shall review and evaluate the candidate for a promotion, based on the information in his or her file including external peer reviews where applicable. An ombudsperson must be present at all meetings of the promotion advisory committee in accordance with policy 405.6.5. The committee shall make a decision with respect to its recommendation for promotion by a recorded vote. The committee will support this decision with a letter to the department head or supervisor, and shall include in that letter a report of the committee vote by name along with appropriate summaries and interpretations of the documents, and may include both majority and minority views, if any, on which their decision was made. The letter is to be prepared by the chair of the committee, presenting the committee's decision, and is to be signed by the committee and sent to the department head or supervisor prior to December. Minority views, if any, may be documented in separate letters. A copy of the promotion advisory committee's letter(s) shall be sent to the candidate at the same time that it is sent to the next level of review and placed in his or her file.

(3) Evaluation and recommendation by the department head or supervisor.

After reviewing the ~~tenure advisory committee's recommendation~~ candidate's dossier and the recommendation of the promotion advisory committee, the department head or supervisor shall prepare ~~an independent report~~ a recommendation. For meetings held between either the department head or supervisor and the candidate to review the committee's evaluation and recommendation, the candidate or department head or supervisor may request the presence of an ombudsperson in accordance with policy 405.6.5. The ~~reports~~ recommendations of the department head or supervisor and the promotion advisory committee shall be transmitted to the ~~director (where applicable),~~ academic dean, or vice president for extension, and where applicable, the chancellor or regional campus dean by December 15. A copy of the department head or supervisor's letter shall be provided to the promotion advisory committee, sent to the candidate, and placed in his or her file at the time that his or her recommendation is transmitted to the next level of review.

(4) Evaluation by the ~~director (where applicable),~~ academic dean, or vice president for extension, and, where applicable, the chancellor or regional campus dean.

The ~~director (where applicable),~~ academic dean, or vice president for extension will send his or her own recommendation, the department head's or supervisor's recommendation, and the promotion advisory committee's recommendation to the Pprovost on or before January 11. The regional campus dean will also submit a separate recommendation for each regional campus candidate, and likewise, the chancellor of USU-CEU will submit a separate recommendation for each USU-CEU candidate. Copies of letters from the academic dean's or vice president's for extension, and, where applicable, the chancellor or regional campus dean ~~letter~~ shall be sent to the promotion advisory committee and the candidate, department head ~~and~~ or supervisor, and placed in his or her file at the time that these recommendations are transmitted to the next level of review. The ~~director (where applicable),~~ academic dean, ~~director,~~ or vice president for extension, chancellor, or regional campus dean may convene an ad hoc advisory committee to review promotion recommendations for faculty with term appointments. The members of this committee shall not have appointments that are primarily administrative, including that of department head or supervisor. The majority of the committee members shall be tenured. The ~~director (where applicable),~~ academic dean, or vice president for extension, chancellor, or regional campus dean shall chair the committee.

(5) Further evaluation and recommendation.

The Pprovost shall convene a committee including the ~~V~~vice Ppresidents for ~~R~~research and ~~E~~extension dean of the school of graduate studies, the ~~V~~vice Ppresident for ~~E~~extension, ~~and Dean of the School of Graduate Studies,~~ and others of his or her choosing. The Ppresident may attend and participate in meetings of the committee. All members must hold the rank of professor with tenure. The Pprovost shall ~~maintain a file of all documentation received from the directors (where applicable), deans, or vice presidents and circulate the same~~ make available to all the members of ~~this~~ the committee the candidate's file. ~~After a thorough review and discussion of the dossier,~~ the Pprovost will report the collective ~~action~~ recommendation of this committee to the Ppresident.

The Ppresident shall review the committee's recommendations prior to making his or her ~~decision~~ recommendations. The Ppresident shall submit any recommendation to promote to the Board of Trustees prior to the April Board of Trustees meeting. The Ppresident shall inform the candidate in writing upon approval of promotion by the Board of Trustees. The ~~director (where applicable),~~ academic dean or vice president for extension, department head or supervisor, ~~and tenure~~ promotion advisory committee, and where appropriate, the chancellor or regional campus dean, will also be notified of the action. The Ppresident shall notify the Pprovost, ~~director (where applicable)~~ academic dean or vice president for extension, department head or supervisor, promotion advisory committee, and, where appropriate, the chancellor or regional campus dean, and the candidate in writing of the Ppresident's decision to deny a promotion no later than April 15. For candidates in their third year, the deadline is December 10th ~~(see Table 405.1.4).~~

Once a decision has been reached, the Pprovost will meet ~~individually~~ with the promotion advisory committee whose recommendation was not accepted in order to review the application and the decision. The Pprovost will also, at the request of the candidate, meet collectively with the candidate, the chair of the promotion advisory committee, the department head or supervisor, ~~and the director (where applicable),~~ academic dean, or vice president for extension,

and, where appropriate, the chancellor or regional campus dean, to discuss the candidacy and the decision.

4211.5 Exceptional Procedures

The department head or supervisor, ~~director (where applicable)~~, academic dean, or vice president ~~for Extension, and, where appropriate, chancellor, or regional campus dean, Provost or President~~ may propose the granting of a promotion ~~for a term appointment faculty member~~. Such a proposal shall be referred to the promotion advisory committee for consideration.

405.1312 REVIEW OF FACULTY

There are two additional reviews of faculty performance other than those for tenure-eligible faculty and for promotion. These are annual reviews for ~~all~~ faculty for salary adjustments and for term appointment renewal, and quinquennial reviews of tenured faculty.

Tenure (see Section 405.1) is a means to certain ends, specifically; freedom of teaching, research and other academic endeavors, and a sufficient degree of economic security to make the profession attractive to men and women of ability. ~~Academic Freedom~~ and economic security for faculty are indispensable to the success of a university in fulfilling its obligation to its students and to society. With tenure comes professional responsibility, the obligation conscientiously and competently to devote one's energies and skills to the teaching, research, ~~extension~~ and service missions of the university. A central dimension of academic freedom is the exercise of professional judgment in such matters. The intent of post-tenure review is to support the principles of academic freedom and tenure through the provision of effective evaluation, useful feedback, appropriate intervention, and timely and affirmative assistance to ensure that every faculty member continues to experience professional development and accomplishment during the various phases of his or her career. Useful feedback should include tangible recognition to those faculty who have demonstrated high or improved performance. It is also the intent of this policy to acknowledge that there will be different expectations in different disciplines and changing expectations at different stages of faculty careers.

1312.1 Annual Review of Faculty ~~for Salary Adjustments and Term Appointment Renewal~~

Each department shall establish procedures by which all faculty shall be reviewed annually. Such reviews shall, at a minimum, incorporate an analysis of the fulfillment of ~~the~~ role statements ~~and assignments~~. The basic standard for appraisal shall be whether the faculty member under review discharges conscientiously and with professional competence the duties appropriately associated with his or her position. The department head or supervisor shall meet with the faculty member annually to review this analysis of the fulfillment of the role statement ~~and the role assignment~~ and, subsequently, provide a written report of this review to the faculty member. A copy of this report shall be sent to the ~~director (where applicable)~~, academic dean, or vice president ~~for extension, and, where appropriate, chancellor or regional campus dean~~. The annual evaluation and recommendation by the department head or supervisor for tenure-eligible faculty (405.7.1 (3)) may constitute ~~the~~ this review ~~for salary adjustment~~. For faculty with term appointments, the

annual review shall also include a recommendation regarding renewal of the term appointment.

1312.2 Quinquennial Review of Tenured Faculty

Tenured faculty shall be reviewed every five years by ~~the committee described in policy 405.6.2(3)~~. a post-tenure quinquennial ~~reviews,~~ the review committee shall consisting of at least three tenured faculty members who hold rank equal to or greater than the faculty member being reviewed. The committee shall be appointed by the department head or supervisor in consultation with the faculty member and academic dean or vice president for extension, and, where applicable, the chancellor or regional campus dean, and must include at least one member from outside the academic unit. If there are fewer than two faculty members in the academic unit with equal to or higher rank than the candidate, then the department head or supervisor shall, in consultation with the academic dean or vice president for extension, and, where appropriate, the chancellor or regional campus dean, complete the membership of the committee with faculty of related academic units. Department heads and supervisors of the faculty member being reviewed shall not serve on this committee, and no committee member may be a department head or supervisor of any other member of the committee. An administrator may only be appointed to the quinquennial review committee with the approval of the faculty member under consideration.

~~Tenured faculty shall be reviewed every five years by the committee described in policy 405.6.2(3)~~. For post-tenure quinquennial review meetings and for meetings held between either the department head or supervisor and the candidate to review the committee's evaluation and recommendation, the candidate or department head or supervisor may request the presence of an ombudsperson in accordance with policy 405.6.5. The basic standard for appraisal shall be whether the faculty member under review discharges conscientiously and with professional competence the duties appropriately associated with his or her position as specified in the role statement. It is the intent of this policy to acknowledge that there will be different expectations in different disciplines and changing expectations at different stages of faculty careers. This ~~in-~~~~depth~~ evaluation of tenured faculty shall include the review of the annual evaluation (405.12.1), and shall include the current curriculum vita and other professional materials deemed necessary by the faculty member, and any professional development plan in place. The review will be discipline and role specific, as appropriate to evaluate: (1) teaching, through student, collegial, and administrative assessment; (2) the quality of scholarly and creative performance and/or research productivity; and (3) service to the profession, the ~~U~~university, and the community. The criteria for the award of tenure or promotion to the most senior ranks shall not be employed for the review of the tenured faculty. In the event that a faculty member is promoted to the most senior rank, the review made by his or her promotion committee shall constitute the quinquennial review. In such cases, another ~~in-depth~~ review need not be scheduled for five years.

Upon completion of its review, the review committee for tenured faculty shall submit a written report to the department head or supervisor, who shall forward a copy to the ~~director (where applicable), academic dean,~~ or vice president for extension, and, where appropriate, chancellor or regional campus dean. A copy of the committee's report shall be sent to the faculty member. In the event that the outcomes of a professional development plan are contested (405.12.3(3)), the review committee for tenured faculty may be called upon by the faculty member to conduct its quinquennial review ahead of schedule. In such cases, another ~~in-depth~~ review need not be

scheduled for five years. The review committee may also, at times, between its quinquennial reviews, review the professional development plan as described in sections (405.12.3(1-2)).

1312.3 Professional Development Plan

(1) The ~~D~~department head, or supervisor may, as a consequence of the annual review process, initiate the negotiation of a professional development plan to help the tenured faculty member more fully meet role expectations. The plan shall respect academic freedom and professional self-direction, and shall permit subsequent alteration. The professional development plan shall be mutually agreed to and signed by the faculty member and the department head or supervisor and approved by the ~~director (where applicable), academic~~ dean or vice president **for extension, and, where appropriate, the chancellor or regional campus dean** . If agreement cannot be reached, individual department, college, and/or University appeal or hearing procedures should be used to resolve disagreements before transmitting revised role statements to promotion advisory committee and tenure committees. Such appeal and hearing procedures can, upon request, include a review of the professional development plan by the Review Committee described in policy 405.~~6.2(3)~~ **12.2**.

(2) The professional development plan should include elements which: (1) identify the specific strengths and weaknesses (if any) and relate these to the allocation of effort assigned in the role statement; (2) define specific goals or outcomes needed to remedy the identified deficiencies; (3) outline the activities that are necessary to achieve the needed outcomes; (4) set appropriate time lines for implementing and monitoring the activities and achieving the outcomes; (5) indicate appropriate criteria for progress reviews and the evaluation of outcomes; and (6) identify any institutional commitments in the plan.

(3) The faculty member shall meet with the department head or supervisor, at times indicated as appropriate in the professional development plan, to monitor progress toward accomplishment of the goals or outcomes included in the plan. The department head or supervisor shall, at the conclusion of the professional development plan, evaluate the fulfillment of the goals or outcomes described in the plan, in terms of the criteria established by the plan. The department head or supervisor shall meet with the faculty member to review this analysis and subsequently, the department head or supervisor shall provide a written report of this review to the faculty member and shall also forward a copy to the ~~director (where applicable), academic~~ dean or vice president **for extension, and, where appropriate, the chancellor or regional campus dean**. For meetings held between either the department head or supervisor and faculty member to discuss the report, the faculty member or department head or supervisor may request the presence of an ombudsperson in accordance with policy 405.6.5. At the request of the faculty member, department head, or supervisor, this report may be reviewed by the committee for tenured faculty, who shall conduct an in-depth evaluation as described in 405.12.2, including an analysis of the fulfillment of the goals or outcomes, or any other features included in the professional development plan. In this event, this in-depth review shall constitute the quinquennial review and another review need not be scheduled for five years. Upon completion of its review, the committee shall submit a written report to the department head or supervisor. A copy of the committee's report shall be sent to the faculty member, ~~and~~ to the chancellor or campus dean } and ~~to the college~~ **academic** dean or vice president for extension.

1312.4 Academic Process

Evaluations, conducted pursuant to Policy 407, may reveal continuing and persistent problems with a faculty member's performance that call into question the faculty member's ability to function in his or her position. If such problems have not been rectified by efforts at improvement as prescribed in a professional development plan, the outcomes of which have been judged (405.12.3.(3)) by the review committee (405.12.2), then other nonpunitive measures, should be considered in lieu of a sanction as per policy 407.21.1. The standard for sanction (policy 407.2) remains that of adequate cause, namely conduct contrary to the standards set forth in policy 403. Successive negative reviews do not in any way diminish the obligations of the University to show such adequate cause pursuant to policy 407.4.

POLICY MANUAL

FACULTY

Number 406

Subject: Program Discontinuance, Financial Exigency and Financial Crisis

Effective Date: July 1, 1997

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Date of Last Revision: August 21, 2009

406.1 INTRODUCTION

This **section of the policy manual** specifies the procedures for (1) discontinuing a program for academic reasons; (2) suspending enrollment; (3) determining whether at a particular moment the **U**niversity faces a state of financial exigency; (4) responding to a financial exigency; (5) determining whether the **U**niversity faces a major financial crisis not definable as financial exigency; (6) responding to a major financial crisis; and (7) terminating or reducing in status **of** faculty members due to program discontinuance, bona fide financial exigency, or major financial crisis. Reduction in status of tenured faculty members shall only occur for reasons of program discontinuance, financial crisis, or bona fide financial exigency.

406.2 PROGRAM DISCONTINUANCE FOR ACADEMIC REASONS

2.1 Definitions

(1) Program discontinuance.

Program discontinuance for academic reasons under this policy means the cessation of a program, center, institute, school, department, ~~or~~ college, **campus, or site** based upon educational and academic considerations. For the purposes of Policy 406.2, educational and academic considerations do not include cyclical or temporary variations in enrollment and/or budgets, but must reflect long-range judgments that the basic teaching, research, and extension mission of the **U**niversity will be strengthened by the discontinuance of the program, center, institute, school, department, ~~or~~ college, **campus, or site**. Program discontinuance does not preclude the reallocation of resources to other academic programs with higher priority based on academic and educational reasons.

(2) Academic program.

An academic program is a unit within the **U**niversity with an identifiable teaching, research, or other academic mission. For purposes of this code, an academic program operates within one or more academic units and includes, but is not limited to, an academic center, institute, school, department, ~~or~~ college, **campus or site**. An academic program is to be determined by existing academic standards, and academic programs are never to be declared with the aim of singling out individual faculty members. An academic program must be designated as such by

decision of the Educational Policies Committee and the ~~which~~ decision ~~has been~~ must be ratified by the Faculty Senate, and approved by the ~~P~~president, the Board of Trustees, and the Board of Regents. For a unit to be designated as a “program,” it must fulfill one or more of these criteria: (a) offer or administer a degree, certificate, or some other credential; (b) have an identifiable curriculum or be formally described in current ~~U~~university catalogs or other publications; or (c) be designated a “program” by specific faculty decision and have an identified group of one or more faculty.

2.2 Decision-Making Process

(1) Initiation.

Consideration of the possible discontinuance of an academic program may be initiated at any time by the faculty or a duly appointed faculty committee of that program; the faculty or an appropriate committee of the center, institute, school, department, ~~or~~ college, or ~~other academic unit~~ of that program; the Graduate Council; the appropriate department head, ~~academic dean or vice president for extension, or, where appropriate, chancellor or regional campus dean~~; or by the ~~P~~provost or ~~P~~resident of the ~~U~~university. If a program discontinuance may result in the termination of faculty, the person or group initiating the consideration of discontinuance shall prepare, and submit to the ~~P~~provost, a memorandum which (a) clearly identifies the program; (b) states explicit criteria by which faculty are identified with the program, (c) states the reasons, with respect to the ~~U~~university’s mission and goals, for recommending discontinuance; (d) assesses the probable ~~ye~~ consequences for faculty, related programs, and the ~~U~~university in general; and (e) suggests a timetable for accomplishing discontinuance.

(2) Distribution.

The ~~P~~provost shall distribute copies of the memorandum, embodying an initial or an amended proposal for program discontinuance, to (a) the faculty members and faculty committee most directly involved in the academic program proposed for discontinuance; (b) the appropriate ~~director~~, department head, ~~academic dean or vice president for extension, and, where appropriate, chancellor or regional campus dean~~; (c) relevant departments and colleges; (d) relevant college committees or councils; (e) the Educational Policies Committee; (f) the Budget and Faculty Welfare Committee; and (g) the relevant student college senators.

(3) Consultation.

The groups above shall forward comments and recommendations to the appropriate ~~academic dean, or to the V~~vice ~~P~~resident for ~~Cooperative E~~extension, ~~and, where appropriate, the chancellor or regional campus dean~~. He/she shall forward the comments and a recommendation to the ~~P~~provost, and, where appropriate, to the Graduate Council; the Graduate Council may review this material and make a recommendation to the ~~P~~provost. After receiving and considering the recommendations and comments, the ~~P~~provost shall submit the proposal, the comments, and a recommendation to the Educational Policies Committee. The Educational Policies Committee’s recommendation shall be subject to review

and debate by the Faculty Senate [Policy 402.12.6(1)]. All comments, recommendations, and supporting material shall be available to faculty senators for their perusal.

(4) Final recommendation.

The Faculty Senate's recommendations shall be forwarded to the Ppresident for consideration ~~and determination of the recommendation to be made to the Board of Trustees and the Board of Regents~~. The Ppresident shall submit his/her a final recommendation in writing to the Board of Trustees and the Board of Regents and shall attach the written comments and recommendations of the Faculty Senate.

2.3 Terminations; Reductions in Status

(1) Notice of program discontinuance.

After the Board of Regents has approved a proposal by the Uuniversity to discontinue a program, the appropriate academic dean or vice president of the program, center, institute, school, department, ~~or~~ college, campus, or site shall give written notice of the discontinuance to all persons, including, students in the program, center, institute, school, department, ~~or~~college, campus, or site. A minimum of one full year, beginning July 1, shall pass from the time a final decision is made to close an academic program to the actual program discontinuance.

(2) Definition of termination and reduction in status.

Termination means the ending of employment of a tenured faculty member (or one with a term appointment) for medical incapacity, program discontinuance, financial crisis, or financial exigency [see also Policy 407.2.1(5)]. Reduction in status means a decrease in annual time the faculty member is contracted to the Uuniversity.

(3) Notice of termination or reduction in status.

In addition to the general notice in Policy 406.2.3(1), the Ppresident shall give tenured and ~~untentured~~ tenure-track faculty members in the discontinued program, center, institute, school, department, ~~or~~ college, campus, or site formal notice of termination or reduction in status as follows: (a) if the appointee is untenured and in the first year of service, notice shall be given at least three months prior to termination or reduction in status; (b) if the appointee is untenured and in the second years of service, notice shall be given at least six months prior to termination or reduction in status; (c) if the appointee is tenured or is untenured but in the third or subsequent years of service, notice shall be given at least 12 months prior to termination or reduction in status; (d) the length of notice for faculty with term appointments as defined in Policy 401.54 shall be parallel to that for the untenured faculty described above, with the exception of those term appointees with research or federal research ranks; termination of these faculty is coincident with and contingent upon the termination date of their extramural funding; if their funding extends beyond that of a discontinued program, they

may be reassigned to another program and (e) appointees with specialized functions as defined in Policy 401.6 shall be parallel to that for the tenured and tenure-eligible faculty described above.

(4) Relocation.

During ~~the~~ a grace period of three years, and with the assistance of the appropriate administrators (e.g., academic deans, department heads or supervisors, vice presidents of extension, and, where applicable, chancellor or regional campus dean) and the consent of the receiving department, every reasonable and good faith effort will be made to enable the affected faculty members who wish to do so to obtain suitable positions for which they are qualified elsewhere in the University. Tenured faculty members terminated through program discontinuance shall, for a period of three years following the date of their final salary payment, receive special consideration among candidates with comparable qualifications for any vacant and funded University position for which they apply and are qualified.

(5) Faculty employment after program reinstatement.

If a terminated program or position is reinstated, tenured faculty members terminated through program discontinuance shall have the right of immediate reinstatement for a period of three years following the ~~formal notice of termination in Policy 406.2.3(4)~~ final salary payment.

(6) Appeal.

Within 30 calendar days of receiving notice from the President of termination or reduction in status, a faculty member who intends to appeal must notify, in writing, the President and the Academic Freedom and Tenure Committee of the intent to appeal. The formal appeal, with supporting documentation, must be filed with the Academic Freedom and Tenure Committee within 60 calendar days of receipt of notice from the President. A hearing will then be conducted in a timely manner by the Academic Freedom and Tenure Committee, in accordance with procedures established by that committee.

406.3 SUSPENSION OF ENROLLMENT

3.1 Definition

Suspension of enrollment is an action short of discontinuance which if not reversed will lead to discontinuance, and which refers to the suspension of enrollment in a major subject, a minor subject where there is no corresponding major, a certificate program, or program awarding a credential certifying completion. Suspension of enrollment does not lead to reduction in status or termination of faculty in the program.

3.2 Procedure

(1) Initiation.

A department that plans to suspend enrollment must notify the Educational Policies Committee as soon as the departmental decision has been made and approved by the dean.

(2) Review.

The Educational Policies Committee will review the proposed suspension of enrollment for its effect on other academic programs of the University. The committee will hold hearings at which all constituencies affected, including students, faculty, and representatives from other departments affected by the proposed action, have the opportunity to testify. At the conclusion of its deliberations, the Educational Policies Committee will recommend approval or disapproval of suspension of enrollment to the Faculty Senate. The Faculty Senate shall make a recommendation to the President. This process shall be concluded within 90 days following notification of the Educational Policies Committee. Suspension is granted by the President subject to the legal obligation, if any, of the University to permit students already enrolled in the program to complete their course of study.

(3) Time limitation.

~~At any time up to three years after suspension has been granted, A~~ a suspension of enrollment may be reversed by the department, upon approval of the Educational Policies Committee, the academic dean or vice president for extension, and, where appropriate, the chancellor or regional campus dean, and the President ~~at any time up to three years after suspension has been granted~~. If suspension has not been reversed within this three year period, program discontinuance must be initiated.

406.4 FINANCIAL EXIGENCY

4.1 Definitions

(1) Financial exigency.

Financial exigency is an existing or imminent financial crisis which threatens the mission/role of the institution as a whole, which requires programmatic reductions or closings which may entail faculty reductions or dismissals to enable the institution to accomplish its mission/role, and which cannot be alleviated by less drastic means.

(2) Academic program.

See Policy 406.2.1(2).

(3) Serious distortion of an academic program.

A serious distortion of an academic program shall be deemed to occur when the faculty remaining in the program would not be qualified to meet generally accepted program standards (Section 406.4.4(1)).

4.2 Declaration of Financial Exigency

(1) Board of Trustees; Board of Regents.

The Ppresident may, in accordance with the procedures below and with the approval of the Board of Trustees and the advice of the Faculty Senate, the Professional Employees Association, and the Classified Employees Association, recommend to the Board of Regents that a state of financial exigency be declared. A financial exigency may also be initiated by the Board of Regents. A financial exigency exists only after it has been declared by the Board of Regents.

(2) Initiation.

When the Ppresident of the Uuniversity identifies a possible financial exigency, he/she shall inform the Budget and Faculty Welfare Committee, the Faculty Senate, the Professional Employees Association, and the Classified Employees Association concerning the causes and possible consequences of the crisis. The Ppresident shall also identify the measures considered by the Uuniversity up to that point for dealing with the crisis, including a possible declaration of financial exigency, possible strategies that may be alternative to program reduction or program elimination, reasons why the Uuniversity's financial circumstances may necessitate academic program reduction or elimination, and the time frame by which decisions must be made by those entitled to participate in the consultative process.

Time considerations will be critical when the Uuniversity must judge whether or not a financial exigency exists. To the extent that such a judgment must be made in a brief time frame for a given situation, the time periods for the consultative process provided for in this policy shall be specified by written notice from the Ppresident giving those for whom the consultative processes were provided the fullest possible amount of time under the circumstances. In that regard, the Ppresident shall use his/her best efforts to secure the fullest period of time possible for consideration of these matters and the responses hereto.

(3) Consultation.

Within the time period established by the President the Faculty Senate shall receive and consider the comments and advice of the Budget and Faculty Welfare Committee, as well as timely presented views of any other faculty, administrative body, or individual faculty members, and shall make a recommendation to the Ppresident concerning financial exigency.

Within the time period established by the Ppresident and before making a recommendation to the Board of Regents, the Ppresident shall receive and consider the comments and advice presented on the matter by the Budget and Faculty Welfare Committee, the Faculty Senate, the Professional Employees Association, and the Classified Employees Association.

(4) Recommendation.

The Ppresident shall submit his/her final recommendation on the declaration of financial exigency in writing to the Board of Trustees prior to submitting it to the Board of Regents. He/she shall attach the written comments and recommendations of the Faculty Senate, the Professional Employees Association, and the Classified Employees Association. The Ppresident shall also send a copy of his/her final recommendations to the Faculty Senate, the Professional Employees Association, and the Classified Employees Association.

4.3 Program Elimination or Reduction Because of Financial Exigency

(1) Iterative process.

After declaration of financial exigency by the Board of Regents, an iterative process of Uuniversity program elimination or reduction may begin. The intent of this process is to best iensure the continuing integrity of academic programs and the overall mission of the Uuniversity. The first step in this process shall be for every administrative, academic, nonacademic, and structural component of the Uuniversity to assess its programs with regard to legal mandate, essentiality to the mission/role of the Uuniversity, and quality. During subsequent steps, support services shall be reduced to the extent feasible while preventing significant impairment of the Uuniversity's ability to fulfill its mission/role.

(2) Administrative and support services.

The Ppresident will ask the Pprovost and the appropriate vice presidents to develop reduction and/or elimination plans in the areas of Uuniversity-wide support services and non-academic programs. Such plans will be reviewed by the ~~Administrative Council~~ president's executive committee, the Council of Deans ~~Council~~, the Budget and Faculty Welfare Committee, and the relevant committees of the Professional Employees Association and the Classified Employees ~~Council~~ Association, and will be integrated with academic elimination or reduction plans (see Section 406.4.3 (3)) in light of the overall academic mission of the Uuniversity.

If a non-academic program has been reduced or eliminated, Uuniversity-wide support services must be re-evaluated and reduced as appropriate. These reductions shall precede further reductions in or elimination of academic programs.

(3) Academic program elimination or reduction.

The Ppresident, after consultation with the Executive Committee, the Council of Deans ~~Council~~, and the Budget and Faculty Welfare Committee, shall direct the Pprovost to develop plans for academic program elimination or reduction. These plans shall include a timetable for their implementation.

The development of academic program elimination or reduction plans must involve consultation among departmental and college faculties to identify areas under consideration for academic program eliminations or reductions. The following criteria and information sources shall be considered by those making judgments about which programs should be

eliminated or reduced because of financial exigency: (a) legal mandate; (b) the general academic quality of the program with regard to scholarship, teaching, and service; (c) the extent of importance that the program has for the mission of the University; (d) the mission and goals of the University; (e) Graduate Council review; (f) findings by national accreditation bodies; (g) reports by appropriate national ranking sources; (h) such other systematically derived information, based on long-term considerations of program quality, as may be available; (i) the capacity of the program to generate external funding; (j) faculty/student ratios; (k) cost effectiveness when compared to similar programs at other universities; and (l) relationship to the Board of Regents Master Plan for Higher Education in the State of Utah. The above list is not ranked and is not inclusive.

If an academic program is eliminated or reduced, those support services and administrative oversight associated with it shall be re-evaluated and reduced if appropriate. Any reductions in support services shall precede further reduction or elimination of academic programs.

(4) Review.

If a plan calls for the elimination or reduction of a specific program, center, institute, school, department, ~~or~~ college, campus, or site, that element of the plan shall be reviewed by the Budget and Faculty Welfare Committee; the Educational Policies Committee; the Graduate Council, where appropriate; the faculty members and/or faculty committee most directly involved in the program; the appropriate ~~director~~, department head or supervisor, and academic dean, vice president for extension, and, where applicable, chancellor and regional campus dean; relevant college committees or councils; relevant committees of the Professional Employees Association and the Classified Employees Association; and relevant student advisory committees. The views of these bodies shall be forwarded to the Faculty Senate for its consideration within the time periods prescribed by the President. The conclusions of the above bodies and the Faculty Senate shall be forwarded to the Provost who shall consider them and forward them, along with his/her own recommendation, to the President. When the President's recommendations are submitted to the Board of Trustees and the Board of Regents, they shall be accompanied by the Faculty Senate's recommendations. After the Board of Trustees and the Board of Regents has approved the plan by the University to eliminate a program, the appropriate academic or regional campus dean, vice president, or chancellor of the program, center, institute, school, department, ~~or~~ college, campus, or site shall give written notice of the elimination to all persons, including students, in the program, center, institute, school, department, ~~or~~ college, campus, or site.

(5) Timetable.

Once financial exigency has been declared, the President shall submit to the Faculty Senate a timetable for relieving the state of exigency. Further, he/she shall report progress in this endeavor to the Faculty Senate on a quarterly basis.

4.4 Terminations; Reductions in Status

(1) Plan for faculty reduction.

As the process described in Policy 406.4.3 is taking place, the **academic** dean of each college, in consultation, **where appropriate, with the chancellor and regional campus deans, shall, in consultation** with the departments, department heads, and appropriate college committees, devise an orderly sequence of steps which shall constitute the college's faculty reduction plan. Included in such a plan will be explicit criteria by which individual faculty will be identified with the various programs under consideration for reduction or elimination. Program reductions are never to be declared with the aim of singling out a specific faculty member.

Insofar as feasible, the plan will emphasize the creation of various incentives such as voluntary retirement, early retirement, resignation, reduction in status, salary reduction, severance pay, or similar actions that will result in immediate or eventual cost savings for the **U**niversity, and that are voluntarily entered into by individual faculty members rather than imposed by **U**niversity authority.

When non-voluntary faculty reductions are necessary, unless explicitly stated and compelling academic reasons exist to the contrary, consideration will be given first to not filling existing faculty vacancies and not filling vacancies from resignations, retirements, or deaths. Consideration should next be given to the termination of instructional positions occupied by teaching assistants and faculty with special appointments (adjunct, visiting, and temporary). Next, consideration should be given to the termination of faculty with term appointments. Finally, consideration should be given to the termination of tenure-eligible or tenured faculty members. The integrity of the tenure system will be respected. Within an academic program, the appointment of a faculty member with tenure will not be terminated in favor of retaining a faculty member without tenure, except in extraordinary circumstances where a serious distortion of the specific academic program would otherwise result. The question of serious distortion shall be decided by the Educational Policies Committee and the Faculty Senate, with the approval of the **P**resident **president** and the Board of Trustees. The finding of serious distortion shall be based on criteria which include, but are not limited to, essentiality of service and work, field of specialization, and maintenance of necessary programs or services.

Termination or reduction in status of tenured, tenure-eligible, or term appointment faculty members shall follow the procedures below.

(2) Review procedure.

Proposed faculty reduction plans shall be reviewed by affected department and college faculties in light of the future strength, balance, quality of teaching, research, extension, and mission of the department and college, tempered by concern for individual circumstances. Faculty response to such reduction plans shall be forwarded in a timely manner to the appropriate department heads, **academic deans, vice president for extension, and, where appropriate, to the chancellor or regional campus deans.**

The **academic** dean shall notify, in writing, any faculty member who is the subject of a recommendation for reduction. A faculty member who is so identified may respond in writing

at any point in the review with his/her comments becoming part of the record to be forwarded to the next level of review. ~~The Academic deans, after shall considering~~ such a response in consultation, where appropriate, with the chancellor and regional campus deans, shall add his/her separate recommendations and forward the complete file to the Pprovost or the appropriate vice president.

The Pprovost or any appropriate vice provost shall review the recommendations of the academic dean and any timely faculty response, as well as any appeals filed as in Policy 406.4.4(3).

(3) Appeal to the Pprovost.

If a faculty member chooses to formally appeal to the Pprovost ~~or where appropriate, to the Vice President of Cooperative Extension~~, the faculty member must submit, within 30 days of his/her receipt from the academic dean of a notice of a recommendation for termination or reduction in status, a written notice of intent to appeal with the Pprovost ~~or Vice President for Cooperative Extension~~. A faculty member who has submitted notice of intent to appeal must file a formal written appeal with the Pprovost ~~or of Vice president for Cooperative Extension~~ within 90 days of receipt of the notice of proposed termination.

(4) Notice of termination or reduction in status.

The Pprovost shall forward the complete file with a recommendation to the Ppresident . The Pprovost shall also notify any affected faculty members in writing of his/her recommendation to the Ppresident. Written notice from the Ppresident or from the Ppresident's designee will be given to a faculty member who is terminated due to program elimination or reduction because of financial exigency as follows: (a) if the appointee is untenured and in the first year of service, notice shall be given at least three months prior to termination or reduction in status; (b) if the appointee is untenured and in the second year of service, notice shall be given at least six months prior to termination or reduction in status; (c) if the appointee is tenured or is untenured but in the third or subsequent year of service, notice shall be given at least 12 months prior to termination or reduction in status.

The notice must include the following: (a) the effective date of termination; (b) a statement of the reasons for the declaration of financial exigency; (c) the basis, the procedures, and the criteria used for termination; (d) opportunities for appeal, including access to appropriate documentation, and the appealable issues as set forth in Policy 406.4.4(5) below; and (e) the reinstatement rights.

(5) Appeal and hearing.

A faculty member may appeal a termination only for: (a) violation of his/her academic freedom, legal, statutory, or constitutional rights; (b) failure to comply with this policy, the Board of Regents policy, or with the plan for personnel reduction approved by the Board of Regents; or (c) arbitrary or capricious action. Within 30 days of receiving a notice from the Ppresident for termination or reduction in status, a faculty member who intends to appeal

must notify, in writing, the Ppresident and the Academic Freedom and Tenure Committee of the intent to appeal. The formal appeal, with supporting documentation, must be filed with the Academic Freedom and Tenure Committee within 45 days of receipt of notice from the president. A hearing will then be conducted in a timely manner by the Academic Freedom and Tenure Committee, in accordance with procedures in Policy 407.

(6) Relocation.

During the grace period of **three years**, and with the assistance of the appropriate administrators (e.g., **academic deans, department heads, vice presidents for extension, and, where appropriate, the chancellor or regional campus deans**), and with the consent of the receiving unit, every reasonable and good faith effort will be made to enable the affected faculty members who wish to do so to obtain suitable positions elsewhere in the Uuniversity if qualified.

406.5 REINSTATEMENT RIGHTS

5.1 For Tenured Faculty

In cases of termination of tenured faculty members, the position concerned may not be filled by replacement within a period of three years from the effective date of the termination unless the tenured faculty member has been offered a return to employment in that position and has not accepted the offer within 30 calendar days after the offer was extended.

5.2 For Non-Tenured Faculty

In cases of termination of non-tenured faculty members, the position concerned may not be filled by replacement within a period of one year from the effective date of the termination unless the person terminated has been offered a return to employment in that position and the person terminated has not accepted the offer within 30 calendar days.

5.3 Termination of Offer of Reinstatement

If an offer of reinstatement is not accepted within the timelines stated above, the Uuniversity and the Board of Regents have no further obligation to the person terminated. After the expiration of the applicable reinstatement period as provided herein, the institution and the Board of Regents have no further obligation to the affected faculty.

5.4 Faculty Status and Benefits after Reinstatement

A faculty member who has been terminated and who accepts reinstatement in the same position will resume the rank and tenure status held at the time of termination, be credited with any sick leave accrued prior to the date of the termination, be paid a salary commensurate with the rank and length of previous service, and will be credited with any annual leave which the faculty member had accrued prior to the date of termination and for which the faculty member has not received payment.

406.6 MAJOR FINANCIAL CRISIS

6.1 Definitions

(1) Major financial crisis.

To constitute a major financial crisis, a situation facing the **U**niversity shall: (a) be significantly and demonstrably more than a minor, temporary, and/or cyclical fluctuation in operating funds; and (b) involve substantial risk to the survival of departments, colleges, or other major academic components of the **U**niversity. A substantial risk to survival is considered one where a substantial reduction occurs in (**a**1) the ability to fulfill the mission of the academic unit, (**b**2) the number of students served by the academic unit, or (**e**3) the number and quality of course offerings.

(2) Academic program.

See Policy 406.2.1(2).

6.2 Declaration of Major Financial Crisis

(1) Initiation.

If the **P**resident of the **U**niversity identifies a possible major financial crisis, he/she shall inform the Budget and Faculty Welfare Committee, the Faculty Senate, the Professional Employees Association, and the Classified Employees Association concerning the causes and possible consequences of the crisis. The **P**resident shall also identify the measures considered by the **U**niversity up to that point for dealing with the crisis, including a possible declaration of financial exigency, strategies that may be alternatives to program reduction or program elimination, reasons why the **U**niversity's financial circumstances may necessitate academic program reduction or elimination, and the time frame by which decisions must be made by those entitled to participate in the consultative process. The **P**resident shall use his/her best efforts to secure the fullest period of time possible for consideration of these matters and the responses hereto.

(2) Consultation.

The Faculty Senate shall receive and consider the comments and advice of the Budget and Faculty Welfare Committee, the Professional Employees Association, and the Classified Employees Association, as well as timely presented views of any other faculty or administrative body, on whether the **P**resident should declare the existence of a major financial crisis. The Faculty Senate shall then express its views in writing to the **P**resident. The Professional Employees Association and the Classified Employees Association shall also have the opportunity to express their views in writing to the **P**resident.

(3) Implementation.

The Ppresident, with the approval of the Board of Trustees, may declare the existence of a major financial crisis after following (1) and (2) above. The Uuniversity's actions in response to the crisis shall be governed by Policies 406.4.3 and 4.4.

6.3 Program Elimination or Reduction Because of Major Financial Crisis

(1) Strategies.

When the Ppresident has declared the existence of a major financial crisis, he/she shall consult the president's Eexecutive Ccommittee, the Council of Deans Ccouncil, the Graduate Council, appropriate directors of non-academic programs, the Budget and Faculty Welfare Committee, and the Educational Policies Committee concerning strategies for dealing with the crisis. These shall include examination of feasibility of all of the following: restrictions on enrollment, reductions or elimination of non-academic programs, across-the-board budget reductions, phased reductions, attrition, reductions in supplies, and, finally reduction or elimination of academic programs. The Ppresident will then outline to the Faculty Senate the strategies he/she proposes to follow in developing a specific plan for coping with the crisis. After receiving input from the groups above, the Faculty Senate will make whatever recommendations it deems appropriate concerning such strategies.

The policies below apply when, after receipt of the recommendations of the Faculty Senate, the Ppresident has concluded that a declared major financial crisis entails academic program reduction or elimination.

(2) Iterative process.

After declaration of a major financial crisis by the Ppresident an iterative process of Uuniversity program elimination or reduction may begin. This process should be carried out in a manner that best insures the continuing integrity of academic programs. The first step in this process shall be for every administrative, academic, non-academic, and structural component of the Uuniversity to assess its programs with regard to quality and essentiality to the mission of the Uuniversity. During subsequent steps, support services shall be reduced to the extent feasible to prevent significant impairment of the Uuniversity's ability to fulfill its mission/role.

(3) Administrative and support services.

The Ppresident will ask the Pprovost and the appropriate vice presidents to develop reduction and/or elimination plans in the areas of university-wide support services and nonacademic programs. Such plans will be reviewed by the Administrative-Council president's executive committee, the Council of Deans Ccouncil, the Budget and Faculty Welfare Committee, the Professional Employees Association, and the Classified Employees Ccouncil Association, and will be integrated with academic elimination or reduction plans in light of the overall mission/role of the Uuniversity.

If a non-academic program has been reduced or eliminated, ~~U~~university-wide support services must be re-evaluated and reduced as appropriate. Any reductions in support services or administrative oversight shall precede further reductions in or elimination of academic programs.

(4) Academic program elimination or reduction.

The ~~P~~resident shall direct the ~~P~~provost to assist academic departments in developing plans to implement academic program elimination or reduction. The individual academic departments of the ~~U~~university shall be asked to evaluate their programs, consider alternatives to program reduction or elimination, and examine possible time frames (including multiyear) for accomplishing possible budget reductions. The ~~academic~~ dean of each college, ~~and, where appropriate, the chancellor and regional campus deans~~ shall review the departmental reports and comment upon them. The departmental reports and ~~deans'~~ ~~comments from the academic deans, and, where appropriate the chancellor and regional campus deans~~ shall be forwarded to the ~~Administrative Council president's executive committee~~, the ~~Council of Deans Council~~, the Graduate Council, where appropriate, and the Educational Policies Committee for their review and statement of reactions.

The following criteria and information sources shall be considered by those making judgments about which programs should be eliminated or reduced because of a major financial crisis: (a) legal mandate; (b) the general academic quality of the program with regard to scholarship, teaching, and service; (c) the extent of importance that the program has for the mission of the ~~U~~university; (d) the mission and goals of the ~~U~~university; (e) Graduate Council review where appropriate; (f) findings by national accreditation bodies; (g) reports by appropriate national ranking sources; (h) such other systematically derived information, based on long-term considerations of program quality, as may be available; (i) the capacity of the program to generate external funding; (j) faculty/students ratios; (k) cost effectiveness when compared to similar programs at other universities; and (l) relationship to the Board of Regents' Master Plan for Higher Education in the State of Utah. The above list is not ranked and is not inclusive.

If an academic program is eliminated or reduced, those support services associated with it shall be re-evaluated and reduced if appropriate. These reductions shall precede further reductions or elimination of academic programs. Unless financial exigency is declared, tenured faculty members may not be terminated because their program was reduced, except when program elimination has occurred.

(5) Review.

If a plan calls for the elimination or reduction of a specific program, center, institute, school, department, ~~or~~ college, ~~campus, or site~~ that element of the plan shall be reviewed by the Budget and Faculty Welfare Committee; the Educational Policies Committee; the Graduate Council; the faculty members and/or faculty committee most directly involved in the program; the appropriate ~~director~~ department head, ~~and academic dean, vice president for extension, and, where appropriate, the chancellor or regional campus dean~~; relevant college

committees or councils; and relevant student advisory committees. The views of these bodies shall be forwarded to the Faculty Senate for its consideration within the time periods prescribed by the Ppresident . The conclusions of the above bodies and the Faculty Senate shall be forwarded to the Ppresident who shall consider them in his/her review of the proposed plan. The views of the Faculty Senate on the plans shall be forwarded to the Board of Trustees and/or to such other body as may be required by state law or ~~U~~university policy.

(6) Timetable.

Once a major financial crisis has been declared, the Ppresident shall submit to the Faculty Senate, the Professional Employees Association, and the Classified Employees Association a timetable for relieving the crisis. Further, he/she shall report progress in this endeavor to the Faculty Senate, the Professional Employees Association, and the Classified Employees Association on a quarterly basis.

6.4 Terminations; Reductions in Status

The procedures described in Policy 406.4.4 shall apply, except that the appointment of a faculty member with tenure will not be terminated in favor of retaining a faculty member without tenure unless program elimination has occurred.

POLICY MANUAL

FACULTY

Number 407

Subject: Academic Due Process: Sanctions and Hearing Procedures

Effective Date: July 1, 1997

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407.1 INTRODUCTION

This **section of the policy manual** describes allowable sanctions that may be imposed on a faculty member and specifies procedures for the imposition of a sanction, for establishing medical incapacity, and for conducting a grievance hearing.

Where administrators have faculty ~~role~~ assignments, they are subject to the provisions of this policy, such provisions to be carried out by their immediate supervisors.

In the absence of the **P**resident, or where a potential or actual conflict of interest exists, the **P**resident may designate a tenured faculty member to act on his/her behalf. If the **P**rovost is not a tenured faculty member or where a potential or actual conflict of interest exists, the **P**rovost may designate a tenured faculty member to act on his/her behalf.

In all proceedings in this policy, the rights of access to records are maintained (see Policy 405.6.4).

1.1 Non-punitive Measures

Non-punitive measures such as guidance, counseling, therapy, leave of absence, voluntary resignation, or early retirement should be considered and taken in lieu of a sanction when: (1) it is available; (2) it will provide reasonable assurance that the faculty member will not repeat his/her violation of professional responsibility; (3) substantial institutional interests are not undermined; and (4) the faculty member consents thereto.

1.2 Definitions of Days

In all proceedings under Policy 407, a day is defined as a calendar day (Sunday through Saturday, excluding official university holidays).

407.2 SANCTIONS

Misconduct contrary to the standards of conduct set forth in Policy 403 may lead to

sanction. Minor departures from responsible professional behavior are likely to be minor lapses, which can be corrected simply by calling the matter to the attention of the faculty member involved. Such minor lapses are handled within the faculty member's academic unit.

Apparent failures to comply with the standards of conduct are approached by positive attempts to improve faculty performance such as sustained attempts to inform, persuade, and improve. If appropriate, positive efforts to improve faculty performance shall precede or accompany all sanctions.

2.1 Authorized Sanctions

(1) Reprimand.

A reprimand is a written statement detailing a violation of the standards of conduct in Policy 403.

(2) Probation.

Probation is a period of time, not to exceed one year, during which faculty members who have violated the standards of conduct in Policy 403 are afforded the opportunity to demonstrate their ability to comply with their professional responsibilities. Failure to fulfill the terms of probation may result in the imposition of another sanction.

(3) Suspension.

Suspension is the barring of a faculty member from the exercise of all or part of his/her duties for a period of time, not to exceed one year. Suspension may be imposed with full pay, partial pay, or without pay.

(4) Reduction in rank.

Reduction in rank is a one-step reduction in faculty rank as defined in Policies 401.4 and 401.5. Reduction in rank is different from reduction in status (see Policy 406.2.3 (2)).

(5) Dismissal.

Dismissal is the ending of employment.

Termination and non-renewal are defined here to differentiate them from dismissal. Termination and non-renewal are not sanctions. Termination means the ending of employment of a tenured faculty member or a faculty member with term appointment for medical reasons, program discontinuance, financial crisis, or bona fide financial exigency. Non-renewal means the ending of employment of a faculty member without tenure or a faculty member with term appointment by non-renewal of his/her contract (see Policy 405).

2.2 Purpose

The imposition of a sanction should serve one or more of the following purposes: (1) to induce self-improvement and reform by a faculty member whose conduct demonstrates the need for self-improvement and reform; (2) to indicate to the faculty member the seriousness of his/her violation and thereby deter him/her from future violations; (3) to reassure the institutional community that violations of the standards of conduct will not be tolerated, thereby helping to maintain respect for and commitment to the standards by other members of the institutional community; or (4) to remove from institutional employment faculty members whose violation of the standards of conduct makes them unsuitable to continue in beneficial service to the institution.

2.3 Imposing a Sanction

The decision to impose a sanction should be guided by mercy and restraint. A sanction shall be imposed when: (1) the purpose set forth in Policy 407.2.2~~(2)~~ cannot be adequately served by non-punitive measures; (2) the sanction is not disproportionately severe in relation to the violation of the standards of conduct for which it is imposed; and (3) the imposition of such sanction is fair and just to the faculty member involved, giving due consideration to the situation and to any relevant matters tending to mitigate the seriousness of the violation.

Sanctions are mutually exclusive and are imposed by the authority of the Ppresident. However, probation and another sanction consequent on the failure to fulfill the terms of probation cannot be imposed simultaneously. Sanctions are not cumulative; the sanctions are progressive in severity, but do not have to be imposed progressively.

2.4 Restitution

When a sanction less than dismissal is imposed, the terms of imposition may include the requirement that the faculty member take reasonable action to make restitution or to remedy a situation created by a violation of the standards of conduct.

2.5 Double Jeopardy

No faculty member shall be twice subject to proceedings under this policy for the same instance of a violation of a standard of conduct.

Where a faculty member has been subject to proceedings in a court of law, a sanction shall not be imposed on the faculty member for the same acts unless the acts constitute violations of the standards of conduct in Policy 403.

407.3 PROCEDURES FOR REPRIMANDS

3.1 Notification of Intent to Issue a Reprimand

If a faculty member's department head **or supervisor** and **academic dean**; ~~(or director or the vice president)~~ **for extension, or, where appropriate, chancellor or regional campus dean** believe that a faculty member has violated the standards of conduct in Policy 403 and such violation warrants a reprimand, they shall notify the faculty member of the basis of the proposed reprimand. The faculty member shall be afforded an opportunity to meet and persuade them that the proposed reprimand should not be imposed. If a reprimand is imposed, it must be issued within 5 days of the meeting.

3.2 Review of Reprimand

If a faculty member believes that the reprimand has been unjustly imposed, he or she may request a review of the reprimand by the Academic Freedom and Tenure Committee. Such request must be made in writing to the chair of the committee within 20 days after the faculty member receives the reprimand. Within 20 days of receipt of a written request for review, the chair of the Academic Freedom and Tenure Committee shall select by lot and convene a special panel of three members of the Academic Freedom and Tenure Committee (see Policy 402.132.3(2)). The panel shall provide the faculty member with the opportunity to submit a detailed written statement if he or she desires. The panel shall decide whether the facts merit a reprimand hearing. Submission of a request for review does not automatically result in a reprimand hearing.

The panel may seek to bring about a settlement of the matter with the consent of all parties involved. If settlement is not possible or appropriate within 20 days after the panel is convened, the panel will decide whether or not to hold a hearing on the matter.

3.3 Reprimand Hearing

The reprimand hearing will occur within 10 days after the review of the reprimand by the panel. The hearing will be informal but will provide the faculty member and those imposing the reprimand with the rights to be present, to be heard, and to present evidence.

Within 10 days after the hearing, the panel will report its findings and recommendations in writing to the faculty member and to those imposing the reprimand. If the panel determines that the written reprimand is unjust or otherwise inappropriate, such sanction shall be rescinded by those who imposed it and removed from the faculty member's file.

407.4 PROCEDURES FOR SANCTIONS OTHER THAN REPRIMANDS

Probation, suspension with other than full pay, reduction in rank, and dismissal may be imposed on a faculty member only after it has been determined, by the proceedings in this policy, that he or she has violated the standards of conduct in Policy 403. The **P**resident may suspend a faculty member with full pay pending completion of the procedures described below. In all proceedings to impose a sanction other than a reprimand, the following procedures shall govern, except for procedures which govern allegations of research fraud (see Policy 407.8) and sexual harassment (Policy 407.9).

4.1 Initiation

Whenever there are grounds to believe that a faculty member has failed to comply with the standards of conduct in Policy 403, the ~~P~~resident, upon his/her own initiative, upon a recommendation from a department head, ~~supervisor, academic dean, director,~~ the vice president ~~for extension, chancellor, regional campus dean,~~ or other administrative office, upon request of the Board of Trustees, or upon the receipt of complaints from any person, may initiate proceedings for probation, suspension, reduction in rank, or dismissal of a faculty member.

4.2 Notice of Intent to Impose a Sanction

At the direction of the ~~P~~resident, the ~~P~~rovost shall cause written notice to be delivered personally or by certified mail, return receipt requested, to the faculty member under investigation. A copy of this notice shall be sent to the chair of the Academic Freedom and Tenure Committee, along with a statement confirming the date the faculty member received it. Copies will also be sent to the faculty member's department head ~~or supervisor and academic dean (or director or),~~ vice president ~~for extension, or,~~ where appropriate, ~~chancellor or regional campus dean.~~

Such notice shall contain the following:

- (1) A concise and clear statement of the facts, conduct, or circumstances reported to constitute failure to comply with the standards of conduct in Policy 403, including a statement of the standard or standards the faculty member is alleged to have violated.
- (2) A statement of the sanction proposed.
- (3) A statement that (a) the faculty member has the right to be heard in a conference with the ~~P~~rovost (see Policy 407.4.5) ~~either in person or by electronic conferencing;~~ (b) the faculty member may have an advisor of his/her own choosing present at such conference; (c) this conference must be requested in writing within 5 days after receipt of the notice by the faculty member; and (d) this conference must be held within 10 days after receipt of notice by the faculty member.
- (4) A statement of the schedule of events ~~which that~~ lead to a formal hearing, and that a faculty member may be accompanied at such hearing by an advisor of his/her own choosing.
- (5) A statement that within 20 days of the receipt of this notice, the faculty member, if he or she wishes to contest the alleged violation, must file in writing with the chair of the Academic Freedom and Tenure Committee a statement of intent to contest the alleged violation through formal hearing; and that failure to do so will result in the imposition of the proposed sanction.

(6) A statement that within 20 days of the filing of the written statement of intent to contest the alleged violation through formal hearing, the faculty member must file, with the chair of the hearing panel, a written response which answers the alleged violation contained in the original notice; and that failure to do so will result in the imposition of the proposed sanction.

4.3 Schedule of Events

The proceedings shall commence with the receipt by the faculty member of the written notice as described in Policy 407.4.2. A copy of the notice must be delivered by the Pprovost to the chair of the Academic Freedom and Tenure Committee within 10 days of receipt of notice by the faculty member.

If the faculty member desires a conference with the Pprovost, he or she must request it within 5 days of receipt of notice. The conference must be held within 10 days of receipt of notice.

The faculty member must present to the chair of the Academic Freedom and Tenure Committee a written statement of intent to contest the alleged violation through formal hearing within 20 days of receipt of notice. The chair of the Academic Freedom and Tenure Committee must notify the Pprovost of the faculty member's intent to contest the alleged violation through formal hearing within 10 days of receiving such statement of intent.

The chair of the Academic Freedom and Tenure Committee must appoint four members of a hearing panel (Policy 402.12.3(7)), including a hearing panel chair, within 10 days of the filing of the written statement of intent to contest the alleged violation through formal hearing. The Ppresident must appoint an administrative member of the hearing panel within the same time.

The faculty member must file, with the chair of the hearing panel, a written response which answers the alleged violation contained in the original notice, within 20 days of the filing of the written statement of intent to contest the alleged violation through formal hearing. The chair of the hearing panel must provide the Ppresident with a copy of the faculty member's written response which answers the alleged violation contained in the original notice within 5 days of receiving such response.

A prehearing conference will be held within 10 days prior to the formal hearing. The formal hearing will be held within 40 days of receipt of the faculty member's statement of intent to contest the alleged violation through formal hearing. The chair of the hearing panel will schedule the hearing date. The hearing panel must provide a written report of its recommendation to the Ppresident, Pprovost, and to the faculty member within 20 days of the hearing.

The schedule of events for sanctions may be suspended for a reasonable time if key participants are not available either in person, by teleconference, by letter, or other

appropriate means. The hearing panel, appointed by the chair of the Academic Freedom and Tenure Committee, will determine by a majority vote whether a suspension of the schedule of events for sanctions is warranted.

4.4 Emergencies

Emergencies may be grounds for a reasonable extension of the time limits for filing a notice of intent to contest the alleged violation, or for responding to the alleged violation, or for conducting the hearing. Such emergencies must be of a serious and compelling nature, and any such extension shall be by mutual agreement. Failing agreement, an extension for filing a notice of intent to contest the alleged violation is granted only by a majority vote of the Academic Freedom and Tenure Committee; an extension for filing a written response or for conducting the formal hearing is granted only by a majority vote of the hearing panel.

4.5 Conference with Provost

A faculty member notified of an intent to impose a sanction has the right to be heard in conference with the Provost **either in person or by electronic conferencing**. The schedule for requesting and holding a conference is specified in 4.3 above. Both the faculty member and the Provost may each have an advisor of their own choosing present at the conference. The purpose of the conference is to attempt to reach an agreement or settlement. In the event that the alleged violations are disposed of by mutual agreement or negotiation at the conference, no hearing need be held. A copy of such settlement shall be sent to the chair of the Academic Freedom and Tenure Committee.

The right to a conference with the Provost is discretionary with the faculty member; requesting or rejecting such a conference does not abrogate the faculty member's right to a formal hearing.

4.6 Notice of Intent to Contest the Alleged Violation

A faculty member notified of action leading to sanction must file a notice of intent to contest the alleged violation if the faculty member desires a formal hearing. The notice of intent to contest the alleged violation must be filed with the chair of the Academic Freedom and Tenure Committee within 20 days of receipt of notice. Failure to do so will result in entry of the faculty member's default in the premises, and the imposition of the proposed sanction.

4.7 Response to the Alleged Violation

The faculty member must file a written response which answers the alleged violation contained in the original notice with the chair of the hearing panel within 20 days of the filing of the written statement of intent to contest the alleged violation. Appropriate, substantiating documentation shall be submitted with the response. Failure to do so will result in entry of the faculty member's default in the premises, and the imposition of the

proposed sanction.

4.8 Pre-hearing Conference

Within 10 days prior to the date set for the hearing, a pre-hearing conference will be held before the chair of the Academic Freedom and Tenure Committee, who shall preside, and the chair of the hearing panel. At this pre-hearing conference the Pprovost or administrative representative and the faculty member shall make available to each other lists of their proposed witnesses and the documentary evidence to be introduced at the hearing. The pre-hearing conference shall delineate the issues to be examined at the hearing, stipulate the facts to be agreed upon, and achieve such other appropriate pre-hearing objectives as will make the hearing fair, effective, and expeditious.

Before the formal hearing begins, upon request, either party shall allow the other to examine all documentary evidence and any written or recorded statements that were made by witnesses listed by either party.

4.9 Hearing to Consider Imposition of a Sanction

(1) Date.

The formal hearing will be held within 40 days of receipt of the faculty member's statement of intent to contest the alleged violation through formal hearing. The chair of the hearing panel will schedule the hearing date. The formal hearing may be continued upon good cause shown by either party. The panel will grant adjournment to enable either party to investigate evidence to which a valid claim of surprise is made.

(2) Records; witnesses; counsel.

Upon request by either the Pprovost or administrative representative, the faculty member, or any member of the hearing panel, the chair of the hearing panel shall request the production of Uuniversity records and the presence of witnesses to appear and testify. Compliance with such requests is an obligation of employment of any Uuniversity official or employee except that the privilege against self-incrimination and access to Uuniversity records as provided in Policy 405.6.4 shall be honored by the panel.

The faculty member and the Pprovost or administrative representative each have the right to have present any one person as an advisor of their choice at all stages of the hearing. The faculty member and the Pprovost or administrative representative shall also each have the right to confront and cross-examine witnesses, to present evidence and call witnesses in their own behalf, to testify, and to be present with their advisor and/or counsel at all meetings and proceedings of the panel except sessions which are closed for deliberation and vote. The faculty member's advisor and the Pprovost or administrative representative's advisor are permitted to advise and counsel their respective parties but are not permitted to argue the case or interrogate witnesses. Members of the hearing panel may question witnesses and parties to the hearing.

(3) Opening the hearing to the public.

Hearings shall be closed to the public unless the faculty member requests that they be open and the panel determines, following such request, that an open hearing will not prejudice the interests of the University, the faculty member, or the witnesses. When an open hearing is requested by the faculty member but such request is denied, the specific reasons for denial shall be stated in the record. In any closed hearing the faculty member and the Provost or administrative representative shall each have the right to the presence of not more than three persons each designated by them as observers.

(4) Hearing record.

A verbatim record of the hearing or hearings shall be made by the President's office and, upon request, a typewritten copy shall be made available to the faculty member without cost.

(5) Burden of proof.

The burden of proof that adequate cause exists to impose a sanction rests with the Provost or administrative representative and shall be satisfied only by a preponderance of the evidence in the record considered as a whole.

The panel will not be bound by rules of evidence, and will admit any evidence which that is of probative value in determining the issues involved. Every possible effort will be made to obtain the most reliable evidence available.

The findings of fact and the recommendation will be based solely on the hearing record.

(6) Publicity.

Except for such simple announcements as may be required covering the time of the hearing and similar matters, public statements and publicity about the case by all parties and persons involved or present will be avoided as far as possible until the proceedings have been completed.

(7) Deliberations; standards for review.

Hearing panel deliberations and voting shall be conducted in closed sessions from which all other persons are excluded. Upon request of any member of the panel, votes shall be taken by secret written ballot. A simple majority of members shall be required for recommendations by the hearing panel. The panel chair shall be entitled to vote on all questions. The hearing panel may recommend the sanction proposed by the Provost or a less severe sanction, including no sanction.

The standard of review by the hearing panel shall be whether the imposition of the

proposed sanction (a) is an arbitrary or capricious action, (b) fails to accord the faculty member the academic due process statutory, or constitutional, established by these policies, (c) violates the academic freedom of the faculty member, or (d) violates the legal, statutory, or constitutional rights of the faculty member. If the faculty member asserts a violation of statutory or constitutional civil rights in any of the protected categories of race, color, religion, sex, national origin, age, disability, marital or parental status, or veteran's status, in the faculty member's written response to the alleged violation or at any time during the course of the proceeding, such claims shall be immediately referred in writing to the Affirmative Action/Equal Opportunity (AA/EO) Office by the chair of the hearing panel. All such statutory and constitutional civil rights claims shall be handled as outlined in Policy 305.

The hearing panel must report its recommendation to the Ppresident, the Pprovost, and to the faculty member within 20 days of the hearing.

4.10 Decision by the President

The Ppresident shall review the report and recommendation of the hearing panel and notify the faculty member, the Pprovost, and the chair of the Academic and Freedom Committee of his/her decision within 10 days.

Prior to making his/her decision, the Ppresident may remand the matter to the hearing panel for review and further hearing, if necessary. The Ppresident shall state in writing to the chair of the hearing panel the specific purposes or reasons for the remand. The further review and hearing shall be limited to those purposes or reasons. The hearing panel shall complete its review and report its conclusions to the Ppresident within 20 days after receipt of the remand by the chair of the hearing panel. The Ppresident shall review the report and notify the faculty member, the Pprovost, and the chair of the Academic Freedom and Tenure Committee within 10 days of his/her decision.

The decision of the Ppresident is final.

4.11 Temporary Suspension with Full Pay Pending Legal Action

In the event that a faculty member is charged with a felony that affects an institutional interest, the Ppresident may temporarily suspend the faculty member with full pay without following the procedures above upon written notice to the faculty member. This suspension shall remain in effect until such time as the faculty member has resigned, been acquitted of the felony charges, or been sanctioned according to procedures above.

407.5 MEDICAL INCAPACITY

A faculty member may be transferred to the Uuniversity's disability program because of medical incapacity which does not allow the faculty member to perform his/her duties and responsibilities. Procedures for this purpose shall be as follows.

5.1 Faculty Member Initiation

When a faculty member feels unable to perform his/her duties because of medical incapacity, he or she may request transfer to the ~~U~~university's disability program. The request for transfer will be sent to the faculty member's department head ~~or supervisor~~ and must include a letter from the faculty member's physician certifying the incapacity.

The department head or supervisor will send a recommendation to the appropriate academic dean ~~or director~~ or vice president for extension and, where appropriate, to the chancellor or regional campus dean, requesting that the faculty member be placed on the medical disability program.

A faculty member's transfer from the department or division's budget to the disability program shall be in accordance with the provisions of the ~~U~~university's group disability insurance policy.

5.2 University Initiation

Procedures to transfer a faculty member to the disability program may also be initiated by a written statement alleging medical incapacity made to the ~~P~~provost by the faculty member's ~~dean, director, vice president, department head, or supervisor~~. department head ~~or supervisor~~, academic dean, vice president for extension, or, where appropriate, chancellor or regional campus dean.

Within 20 days after the receipt of such written allegation, the ~~P~~provost shall notify the faculty member thereof and inform him or her of the rights to a conference with the ~~P~~provost and to be examined at ~~U~~university expense by two appropriately licensed professionals. The two professionals shall be chosen by the Budget and Faculty Welfare Committee from lists submitted by the ~~P~~provost and the faculty member.

If the faculty member refuses medical examination or if the medical examiners find the faculty member to be suffering from a medical condition which could substantially and adversely affect the performance of his/her duties, the ~~P~~provost may recommend that the ~~P~~resident initiate procedures described in Policy 407.4 to transfer the faculty member to the disability program. Under these circumstances, references to imposing a sanction shall be replaced by references to transferring to the disability program. A transference to the disability program is a termination (see Policy 407.2.1(5)).

407.6 GRIEVANCES

Faculty members may grieve actions taken against them, including actions initiated by the ~~U~~university against the faculty member. Grievances are allegations of arbitrary or capricious conduct; violations of legal, constitutional, or statutory rights; or violations of this code or other adopted policies and procedures. A faculty member may not grieve a decision reached under Policies 407.3, .4, and .5.

6.1 Initiation

A faculty member who has grounds to file a grievance may file written notice of intent to grieve with the chair of the Academic Freedom and Tenure Committee in a timely fashion, but in no instance later than 120 days after the grievant knew or should have known the facts and circumstances giving rise to the grievance.

However, if the subject of the grievance is termination, non-renewal (including the denial of tenure), or reduction in status a faculty member must file written notice of intent to grieve with the chair of the Academic Freedom and Tenure Committee within 20 days of receipt of notice of termination, non-renewal, or reduction in status.

Once notice of intent to grieve has been filed with the chair of the Academic Freedom and Tenure Committee, the actual grievance statement must be filed in writing with the chair of the Academic Freedom and Tenure Committee within 20 days. Failure to file the grievance statement during this time dismisses the intent to grieve with prejudice against the faculty member refiling.

Proceedings for grievances may be suspended for a reasonable time if key participants are not available either in person, by teleconference, by letter, or other appropriate means. The hearing panel, appointed by the chair of the Academic Freedom and Tenure Committee, will determine by a majority vote whether a suspension of grievance proceedings is warranted.

6.2 Grievance Statement

The grievance statement must include a specific identification of the grievance, a concise summary of the evidence with supporting documentation, and a list of individuals (i.e., respondents) who are asked to respond to the grievance statement. Five copies plus an additional copy for each respondent must be filed with the chair of the Academic Freedom and Tenure Committee.

If a faculty member asserts a violation of statutory or constitutional civil rights in any of the protected categories of race, color, religion, sex, national origin, age, disability, marital or parental status, or veteran's status in his/her grievance statement (or at any time during the course of the proceeding), such claims shall be immediately referred in writing to the AA/EO Office by the chair of the Academic Freedom and Tenure Committee. All such statutory and constitutional civil rights claims shall be handled as outlined in Policy 407.9-3. The chair of the Academic Freedom and Tenure Committee shall inform the faculty member in writing.

6.3 Grievance Hearing Panel

Once the grievance statement has been filed, the chair of the Academic Freedom and Tenure Committee must, within 15 days, appoint a grievance hearing panel in accord with Policy 402.12.3(7). The Ppresident will appoint the fifth member of the grievance

hearing panel within 15 days of the filing of the grievance statement.

6.4 Distribution of Grievance Statement and Responses

Within 5 days after the filing of the grievance statement, the chair of the Academic Freedom and Tenure Committee must distribute copies of the grievance statement to each of the respondents named in the grievance.

Within 20 days after the filing of the grievance statement, these respondents must file six copies of their written responses with the chair of the grievance hearing panel. Within 25 days after the filing of the grievance statement, the chair of the grievance hearing panel must distribute the respondents' responses to the grievant.

Within 25 days after the filing of the grievance statement, the chair of the grievance hearing panel must distribute copies of the grievance statement and the respondents' responses to the remaining members of the grievance hearing panel.

6.5 Pre-hearing Conference

Within 40 days after the filing of the grievance statement, a pre-hearing conference shall be held before the chair of the Academic Freedom and Tenure Committee, who shall preside, and the chair of the grievance hearing panel. At this pre-hearing conference the parties shall make available to each other lists of their witnesses and the documentary evidence to be introduced at the hearing. The pre-hearing conference shall delineate the issues to be examined at the hearing, stipulate the facts to be agreed upon, and achieve such other appropriate pre-hearing objectives as will make the hearing fair, effective, and expeditious.

Before the formal hearing begins, upon request, either party shall allow the other to examine all documentary evidence and any written or recorded statements that were made by witnesses listed by either party.

6.6 Grievance Hearing

(1) Date.

The grievance hearing will be held within 20 days of the pre-hearing conference. The grievance hearing panel will schedule the hearing. The grievance hearing may be continued upon good cause shown by any of the parties and mutual agreement thereto. The grievance hearing panel will grant adjournment to enable either party to investigate evidence to which a valid claim of surprise is made.

(2) Records; witnesses; counsel.

Upon request by either of the parties to the grievance, the hearing panel shall request the production of University records and the presence of witnesses to appear and to testify.

Compliance with such requests is an obligation of employment of any University official or employee except that the privilege against self-incrimination and access to University records as provided in Policy 405.6.4 shall be honored by the hearing panel.

Each party to the grievance has the right to have present any one person as an advisor of his/her choice at all stages of the hearing. Each party shall also have the right to confront and cross-examine witnesses, to present evidence and call witnesses in his/her own behalf, to testify, and to be present with his/her advisor at all meetings and proceedings of the hearing panel except sessions which are closed for deliberation and vote. The advisors and counsels are permitted to advise and counsel their respective parties but are not permitted to argue the case or interrogate witnesses. Members of the hearing panel may question witnesses and parties to the hearing.

(3) Opening the hearing to the public.

Grievance hearings shall be closed to the public unless a party requests that they be open, the other party agrees, and the hearing panel determines that an open hearing will not prejudice the interests of any of the parties to the grievance. Where an open hearing is requested on the mutual consent of the parties but such request is denied, the specific reasons for denial shall be stated in the record. In any closed grievance hearing the parties shall have the right to choose and to have present not more than three persons each designated by them as observers.

(4) Record.

The chair of the hearing panel will be responsible for seeing that a taped record of the hearing is taken. If a typewritten record is desired by either party to the grievance, the parties will share equally in the cost of the transcription.

(5) Burden of proof.

The burden of proof that adequate cause for grievance exists rests with the faculty member and shall be satisfied only by a preponderance of the evidence in the record considered as a whole.

The grievance hearing panel will not be bound by strict rules of evidence, and may admit any evidence which is of probative value in determining the issues involved. Every possible effort will be made to obtain the most reliable evidence available.

The findings of fact and the recommendation will be based solely on the hearing record.

(6) Publicity.

Except for such simple pronouncements as may be required covering the time of the hearing and similar matters, public statements and publicity about the grievance by either party will be avoided as far as possible until the proceedings have been completed.

(7) Deliberations.

Hearing panel deliberations and voting shall be conducted in closed sessions from which all other persons are excluded. Upon request of any member of the hearing panel, votes shall be taken by secret ballot. A simple majority of members shall be required for recommendations. The chair shall be entitled to vote on all questions.

(8) Recommendation of the hearing panel.

In its finding, the hearing panel will determine only whether the grievance is valid or not valid; that is, whether or not there has been arbitrary or capricious conduct, violations of legal, constitutional, or statutory rights, or violations of these policies or other adopted policies and procedures. The determination of the hearing panel shall be binding on the Academic Freedom and Tenure Committee as a whole. A hearing panel shall submit a written report and recommendation to the Ppresident within 20 days of the hearing. A copy of the hearing panel's report shall be forwarded to both parties to the grievance.

(9) Presidential review and recommendation.

The Ppresident shall review the report and recommendation of the hearing panel and notify the parties to the grievance of his/her decision within 10 days.

The decision of the Ppresident is final.

407.7 NON-RENEWAL

7.1 Definition of Non-Renewal

Non-renewal is the ending of employment of tenure-eligible or term appointment faculty, other than by dismissal (Policy 407.2.1(5)) or by termination (Policy 406.2.3(2)). When non-renewal occurs at the end of the pre-tenure probationary period for tenure-eligible faculty (Policy 405.1.4), it is a denial of tenure.

7.2 Reasons for Non-Renewal

There are only three reasons for non-renewal: unsatisfactory performance of the faculty member's assigned role (Policies 405.6.1 and 11.1); failure to satisfy the criteria for the award of tenure; or cessation of extramural funding that is required for a substantial portion of the salary support of the faculty member. Non-renewal prior to the end of the pre-tenure probationary period for tenure-eligible faculty is an administrative decision of the department head or supervisor, ~~director~~, academic dean; or vice president for extension, and, where appropriate, the chancellor or regional campus dean, and must be approved by the Pprovost and Ppresident. In making a decision regarding non-renewal, the department head or supervisor, ~~director~~, academic dean; or vice president for extension, and, where appropriate, the chancellor or regional campus dean is to take into consideration the most current and all

previous reports from the Tenure/~~Promotion~~ Advisory Committee when making a decision regarding non-renewal (Policy 405.6.2(1)). Tenure-eligible and term appointment faculty members may not have their appointments non-renewed for reasons which that violate their academic freedom or legal rights.

7.3 Notice of Non-Renewal

(1) Delivery of notice.

The Ppresident or the Ppresident's designee shall prepare written notice of non-renewal and shall deliver the notice personally to the faculty member, or shall have the notice delivered by certified mail, return receipt requested. If the notice is thus mailed, it is deemed effective for all purposes.

(2) Notification schedule.

For tenure-eligible faculty appointments, non-renewal must first be preceded by the following minimum notice (~~Table 407.7.3~~): (a) not later than March 1 for first-year and second-year appointees; (b) not later than December 15 for third-year appointees; (c) no later than January 29 prior to the issuance of a terminal year appointment for fourth-year and fifth-year appointees, except in the case of denial of tenure (see Policy 407.7.1), where minimum notice shall be not later than April 15.

For term appointments commencing at times other than the beginning of the academic year, notice of non-renewal must be no later than: (a) 60 days prior to the end of the first year of service; (b) 130 days prior to the end of the second year of service; or (c) 30 days prior to the issuance of a terminal year appointment after two or more years of service.

Table 407.7.3 Notification schedule for non-renewal of tenure-eligible faculty appointments on a normal pre-tenure probationary period.

Effective appointment date	First-year March 1	Second year March 1	Third-year Dec. 15**	Fourth year Jan. 29	Fifth year Jan. 29	Tenure denial April 15
Jul. 1-Dec. 31,2003	2004	2005	2006	2007	2008	2009
Jan. 1-Jun. 30,2004	2005	2006	2007	2008	2009	2010
Jul. 1-Dec. 31,2004	2005	2006	2007	2008	2009	2010
Jan. 1-Jun. 30,2005	2006	2007	2008	2009	2010	2011
Jul. 1-Dec. 31,2005	2006	2007	2008	2009	2010	2011
Jan. 1-Jun. 30,2006	2007	2008	2009	2010	2011	2012
Jul. 1-Dec. 31,2006	2007	2008	2009	2010	2011	2012
Jan. 1-Jun. 30,2007	2008	2009	2010	2011	2012	2013
Jul. 1-Dec. 31,2007	2008	2009	2010	2011	2012	2013
Jan. 1-Jun. 30,2008	2009	2010	2011	2012	2013	2014
Jul. 1-Dec. 31,2008	2009	2010	2011	2012	2013	2014
Jan. 1-Jun. 30,2009	2010	2011	2012	2013	2014	2015
Jul. 1-Dec. 31,2009	2010	2011	2012	2013	2014	2015
Jan. 1-Jun. 30,2010	2011	2012	2013	2014	2015	2016
Jul. 1-Dec. 31,2010	2011	2012	2013	2014	2015	2016
Jan. 1-Jun. 30,2011	2012	2013	2014	2015	2016	2017
Jul. 1-Dec. 31,2011	2012	2013	2014	2015	2016	2017
Jan. 1-Jun. 30,2012	2013	2014	2015	2016	2017	2018
Jul. 1-Dec. 31,2012	2013	2014	2015	2016	2017	2018
Jan. 1-Jun. 30,2013	2014	2015	2016	2017	2018	2019

**There is an early schedule for annual review and recommendation for renewal for third-year appointees.

7.4 Procedures

(1) Statement of reasons for non-renewal.

Reasons for non-renewal may be stated in the notice of non-renewal, at the Ppresident's discretion.

(2) Conference.

Within 5 days of the receipt of the notice of non-renewal, ~~A~~at the faculty member's request, a conference to discuss the non-renewal shall occur between ~~the~~ department head ~~or supervisor~~ and the faculty member who received notice of nonrenewal. ~~within 5 days of receipt of the notice of non-renewal.~~

(3) Review by higher administrative level.

Within 15 days of the notice of non-renewal, ~~A~~at the faculty member's request, the non-renewal and relevant documentation shall be reviewed in a conference ~~including with~~ the faculty member ~~at the next higher level outside the academic unit~~ and the academic dean or vice president ~~for extension, and, where appropriate, the chancellor or regional campus dean.~~ ~~within 15 days of the notice of non-renewal.~~ Unless specifically requested by the faculty member, this conference shall not include the department head. or supervisor.

407.8 INQUIRY INTO ALLEGATIONS OF SCIENTIFIC MISCONDUCT IN RESEARCH AND IMPOSING SANCTIONS FOR RESEARCH FRAUD

In order to distinguish misconduct from honest error and ambiguities of interpretation that are inherent in scientific research, and to provide an environment that promotes integrity, the ~~U~~university has adopted procedures for assessing allegations and conducting inquiries and investigations related to possible scientific misconduct in research. These procedures are contained in ~~the most recent version of~~ "UTAH STATE UNIVERSITY Scientific Misconduct Procedures" (USU-SMP). The USU-SMP procedures were recommended by the Office of Research Integrity of the U. S. Department of Health and Human Services and modified by USU. The USU-SMP are maintained and made available by the ~~V~~vice ~~P~~resident for ~~R~~research and ~~dean of the school of graduate studies~~. They shall also be included in the Faculty Handbook.

8.1 Applicability

The Scientific Misconduct Procedures apply to all faculty, professional employees, graduate and undergraduate researchers, trainees, technicians, staff members, fellows, guest researchers or collaborators conducting funded research at USU.

If the imposition of a sanction is recommended for a member of the faculty as a result of such inquiry and investigation, these sanctions shall apply for research fraud as defined in Policy 407.8.2(2) and shall be governed by the procedures in described in Policy 407.4 ~~shall govern.~~

8.2 Definitions

(1) Definitions of Scientific Misconduct in Research

Scientific misconduct or misconduct in science means fabrication, falsification, plagiarism, using data generated by someone else without permission, or other practices that seriously deviate from those that are commonly accepted within the scientific community for proposing, conducting, or reporting research. It does not include honest error or honest differences in interpretations or judgments of data.

(2) Definition of Research Fraud for the Imposition of a Sanction

Research fraud is an act of deception which that is different from unintentional error. For the purposes of imposing a sanction under Policy 407.4, research fraud is considered to be a violation of the standards of conduct set forth in Policy 403 which occurs within a research setting and involves one or more of the following deceptive practices: plagiarism (Policy 403.3.2(1)); falsification of data (Policy 403.3.2(2)); misappropriation of other's ideas (Policy 403.3.2(3)); failure to exercise "reasonable care" where appropriate in research (Policy 403.3.2(7) and 403.5)); and misuse of confidential or privileged information (Policy 403.3.2(4)).

(3) Definition of the Accuser in Scientific Misconduct

The accuser is a person who makes an allegation of scientific misconduct.

(4) Definition of the Respondent in Scientific Misconduct

The respondent is the person against whom an allegation of scientific misconduct is directed or the person who is subject of the inquiry or investigation.

8.3 Research Integrity Officer

The Research Integrity Officer is responsible for assessing allegations of scientific misconduct and determining when such allegations warrant inquiries and for overseeing any inquiries and investigations. This officer will be the ~~V~~vice ~~P~~resident for ~~R~~research and dean of the school of graduate studies.

8.4 Inquiry into Allegations of Scientific Misconduct

The procedures detailed in the USU-SMP will be followed when an allegation of possible misconduct in science is received by an ~~institutional~~ academic or administrative officer. Special circumstances in an individual case may dictate a variation from the normal procedure when doing so is deemed to be in the best interest of the ~~U~~niversity. Any change from the normal procedure must ensure fair treatment to the subject of the inquiry or investigation. Any significant variation must be approved in advance by the ~~V~~vice ~~P~~resident for ~~R~~research and dean of the school of graduate studies.

8.5 Protection of the Good Faith Accuser and the Respondent

University employees who receive or learn of an allegation of scientific misconduct will treat the accuser with fairness and respect and, when the allegation has been made in good faith, will take reasonable steps to protect the position, confidentiality, and reputation of the accuser and other individuals who cooperate with the University against retaliation. Likewise, University employees who receive or learn of an allegation of scientific misconduct will treat the respondent with fairness and respect. In both instances, University employees will protect, to the maximum extent possible, the confidentiality of information regarding the accuser, the respondent, and other affected individuals.

407.9 SEXUAL HARASSMENT

9.1 Definition of Sexual Harassment

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature when:

- (1) Submission to such conduct is made explicitly or implicitly a term or condition of an individual's employment or status in a course, program, or activity, including a student's academic success;
- (2) Submission to or rejection of such conduct is used as a basis for an employment decision affecting an individual; or
- (3) Such conduct unreasonably interferes with an individual's work or academic performance or creates an intimidating, hostile, or offensive working or learning environment.

9.2 Policy Statement

No faculty member shall engage in sexual harassment. Sexual harassment will not be tolerated by the faculty or administration of the University. Any statement in Policies 407.9 and 407.10 that refers to faculty also applies to **graduate** students with teaching or research responsibilities and other instructional personnel of the University.

Sexual harassment may involve a misuse of power and threaten relationships between teacher and student or supervisor and subordinate and may exist among peers.

9.3 Examples of Sexual Harassment

Sexual harassment encompasses the verbal or physical conduct prohibited by Policy 407.9.1 above and also includes, but is not limited to:

- (1) Sexual assault and physical molestation;
- (2) Direct or implied threats that submission to sexual advances will be a condition of employment, work status, promotion, grades, or letters of recommendation;

(3) Subtle pressure for sexual activity, an element of which may be conduct such as repeated and unwanted staring or touching of a sexual nature or unwelcome “sexual talk;”

(4) Sexual conduct (not legitimately related to the subject matter of a course in which one is involved) that produces discomfort or humiliation, or both, and that includes one or more of the following: (a) comments of a sexual nature; or (b) sexually explicit statements, questions, jokes, pictorials, or anecdotes;

(5) Sexual conduct that would discomfort or humiliate, or both, a reasonable person at whom the conduct was directed that includes one or more of the following: (a) unnecessary touching, patting, hugging, or brushing against a person’s body; (b) remarks of a sexual nature about a person’s clothing or body; or (c) remarks about sexual activity or speculations about previous sexual experience.

9.4 Isolated Acts

For sexual harassment to be committed in some instances, a pattern of prohibitive conduct is required. Members of the University community who, without establishing a pattern of doing so, engage in isolated conduct of the kind described in Policy 407.9.3 demonstrate insensitivity that necessitates remedial measures. When University administrators become aware that such activities are occurring in their areas, they should direct that those engaged in such conduct undertake an educational program designed to help them understand the harm they are doing and must advise the AA/EO Office of such activities.

9.5 Procedures for Inquiry into Allegations of Sexual Harassment and Other Violations of Statutory and Constitutional Civil Rights

(1) Initiation.

A complaint that the provisions of this policy have been violated may be brought by any member of the University community to any academic or administrative officer ~~or organizations such as the Women’s Center~~. The complaint shall be filed with the AA/EO Office. The complaint must be filed within 120 calendar days of the last alleged occurrence. Alleged incidences outside the timeline should nonetheless be brought to the attention of the AA/EO Office for review.

(2) Procedures.

An inquiry or investigation shall be conducted in accordance with the policies and practices of the AA/EO Office. Since damage could result to the career and reputation of any person accused of a violation of this policy, or other constitutional or statutory civil rights laws, all information regarding such matters should be held as confidential, to the maximum extent possible.

In the event the allegations in the complaint are not substantiated, all reasonable steps will be taken to restore the reputation of the accused faculty member.

A complainant found to have been intentionally dishonest in making the allegations or to have made them maliciously is subject to sanction or other **U**niversity discipline.

Any appeal of the findings and recommendation of the inquiry or investigation shall also be conducted in accordance with the policies and practices of the AA/EO Office.

(3) Temporary suspension with full pay pending final disposition.

In extraordinary circumstances, where the **P**provost finds that it is reasonably certain that the alleged sexual harassment has occurred and serious and immediate harm will ensue if the faculty member continues to work, and after consulting the chair of the Academic Freedom and Tenure Committee, the **P**provost may at any time during or after an inquiry or investigation into a sexual harassment complaint recommend to the **P**resident the suspension with pay of any faculty member or teaching assistant accused of sexual harassment.

(4) Report to the Academic Freedom and Tenure Committee.

Whenever a referral has been made by an Academic Freedom and Tenure grievance committee to the ~~Affirmative Action/Equal Opportunity Office-AA/EO~~, the Director of the ~~Affirmative Action/Equal Opportunity Office (AA/EO)~~ shall meet periodically with the Academic Freedom and Tenure grievance committee and the chair of the Academic Freedom and Tenure Committee to discuss any inquiry or investigation.

(5) Exclusive action.

A faculty member may not file a grievance under Policy 407.7 to challenge the proceedings under this policy.

407.10 CONSENSUAL RELATIONSHIPS

10.1 Rationale

The **U**niversity's educational mission is promoted by professionalism in faculty-student relationships. Professionalism is fostered by an atmosphere of mutual trust and respect. Actions that harm this atmosphere undermine professionalism and hinder fulfillment of the **U**niversity's educational mission. Trust and respect are diminished when those in positions of authority abuse or appear to abuse their power. Those who abuse or appear to abuse their power in such a context violate their duty to the **U**niversity community.

Faculty members exercise power over students, whether in giving them praise or criticism, evaluating them, making recommendations for their further studies or their

future employment, or conferring any other benefits on them. Amorous relationships between faculty members and students are not acceptable to the University when the faculty member has professional responsibility for the student. Such situations greatly increase the chances that the faculty member will abuse his/her power and sexually exploit the student. Voluntary consent by the student in such a relationship is suspect, given the fundamentally asymmetric nature of the relationship. Moreover, other students and faculty may be affected by such unprofessional behavior because it places the faculty member in a position to favor or advance one student's interest at the expense of others and implicitly makes obtaining benefits contingent on amorous or sexual favors. Therefore, the University will view it as unprofessional conduct if faculty members engage in amorous relations with students in certain situations, even when both parties appear to have consented to the relationship.

10.2 Consensual Relationships in the Instructional Context

No faculty member shall have an amorous relationship (consensual or otherwise) with a student who is enrolled in a course being taught by the faculty member, whose academic work (including work as a teaching assistant) is being supervised by the faculty member, or whose present or future academic or professional success is controlled or influenced by the faculty member. A violation of this policy is considered to be violation of the standards of conduct set forth in Policy 403.

10.3 Consensual Relationships Outside the Instructional Context

Amorous relationships between faculty members and students occurring outside the instructional context may lead to difficulties. Particularly when the faculty member and student are in the same academic unit or in units that are academically allied, relationships that the parties view as consensual may appear to others to be exploitive. Further, in such situations (and others that cannot be anticipated), the faculty member may face serious conflicts of interest and should be careful to distance himself/herself from any decisions that may reward or penalize the student involved. A faculty member who fails to withdraw from participation in activities or decisions that may reward or penalize a student with whom the faculty member has or had an amorous relationship is considered to be in violation of the standards of conduct set forth in Policy 403.

407.11 COMPLAINTS

A complaint alleging violations of Policies 407.9 or 407.10 may be informally or formally registered by any person, or the formal process (Policy 407.12) may be initiated by the Provost.

11.1 Informal Complaint

At the complainant's option, a complaint that one or more provisions in Policies 407.9 or 407.10 have been violated may be brought to any appropriate member of the University community, including any academic or administrative officer of the University such as

the Pprovost, the AA/EO Director, the ~~V~~vice Ppresident for Sstudent Sservices, any ~~collegiate academic dean, vice president of extension, chancellor, regional campus dean director~~, supervisor, department head, ombudsperson, or advisor, ~~and departments or organizations such as the Women's Center.~~

The person to whom the complaint is brought will counsel the complainant about the options available under this policy and, at the complainant's request, may help the complainant resolve the complaint informally and/or help the complainant draft a formal complaint if the complainant decides to follow that route.

The person to whom the informal complaint is brought will not inform the accused of the complainant's action without the consent of the complainant.

11.2 Formal Complaint

A complainant who wishes to make a formal complaint should file it with the AA/EO Office.

407.12 PROCEDURES FOR INQUIRY INTO ALLEGATIONS OF VIOLATIONS OF POLICY ON SEXUAL HARASSMENT AND CONSENSUAL RELATIONSHIPS (Policy 407.9 and 407.10)

In all proceedings to impose a sanction for violations of Policies 407.9 and/or 407.10, the following rules and procedures shall govern.

12.1 Initiation of a Preliminary Inquiry into Alleged Violations of Policies 407.9 and/or 407.10

Whenever there are grounds to believe that a faculty member has violated Policies 407.9 and/or 407.10, the Director of the ~~Affirmative Action/Equal Opportunity Office~~ AA/EO, upon the filing of a complaint, will initiate a preliminary inquiry. In conducting the preliminary inquiry, the Director of the ~~Affirmative Action/Equal Opportunity Office~~ AA/EO may interview the complainant, the accused, and other persons believed to have pertinent factual knowledge. At all times, the Director of the ~~Affirmative Action/Equal Opportunity Office~~ AA/EO will conduct the preliminary inquiry in a manner to ensure confidentiality.

The Director of the ~~Affirmative Action/Equal Opportunity Office~~ AA/EO must decide whether or not an inquiry is appropriate, and must inform those filing the complaint of this decision within 10 days of receiving the complaint of alleged violation of Policies 407.9 and/or 407.10. If an inquiry is warranted, the Director of the ~~Affirmative Action/Equal Opportunity Office~~ AA/EO will inform the Pprovost who shall cause an inquiry panel to be established.

12.2 Inquiry into Allegations of Violation of Policies 407.9 and/or 407.10

(1) Purpose.

An inquiry into allegations of violation of Policies 407.9 and/or 407.10 shall determine from review of factual evidence whether the initiation of actions described in Policies 407.1 through 407.4 is warranted. The purpose of the inquiry is to establish whether there is a reasonable basis for believing that the alleged violation of this policy has occurred.

(2) Notification of faculty member.

Within 10 days of the decision to hold an inquiry, the Pprovost shall notify the faculty member in writing, return receipt requested, of the specific allegations filed against him/her and the procedures described in this policy regarding the inquiry.

(3) Membership of the inquiry panel.

The inquiry will be conducted by a panel of three faculty members, including two chosen by the chair of the Academic Freedom and Tenure Committee from the membership of that committee or from the Faculty Senate at large, and one to be chosen by the Pprovost. Each member of the inquiry panel shall be impartial and shall be removed and replaced if there are any real or apparent conflicts of interest. Not all members of the inquiry panel shall be of the same sex.

(4) Inquiry panel deliberations.

In conducting the inquiry, the inquiry panel may interview the complainant, the accused, and other persons believed to have pertinent factual knowledge. At all times, the inquiry panel will take steps to ensure confidentiality. The inquiry will afford the accused a full opportunity to respond to the allegations.

The inquiry panel must review the allegations and provide a written report of its findings within 20 days after the Pprovost's notification to the accused. The inquiry panel will review the evidence relating to the allegations and determine whether or not actions as described in Policies 407.1 through 407.4 are warranted.

(5) Inquiry panel report.

The written report of the inquiry panel shall be submitted to the Pprovost. If the report recommends proceedings to take actions described in Policies 407.1 through 407.4, the Pprovost shall forward a recommendation to the Ppresident to initiate such proceedings, and will so notify the complainant and the accused. If the inquiry panel report indicates that the allegations are unsupported, the Pprovost shall so notify the complainant and the accused.

The outcomes of the inquiry are either a judgment that the allegations are not warranted or the recommendation of actions described in Policies 407.1 through 407.4.

12.3 Protection of Complainant and Others

(1) Consent of complainant.

Inquiries will be initiated only with the complainant's consent. The complainant will be informed fully of steps taken during the inquiry.

(2) Protection of witnesses.

All reasonable measures will be taken to assure that the complainant and all others testifying before the hearing panel will suffer no retaliation as the result of their activities in regard to the process. Steps to avoid retaliation might include: (a) lateral transfers of one or more of the parties in an employment setting and a comparable move if a classroom setting is involved, and (b) arrangements that academic and/or employment evaluations concerning the complainant or others be made by an appropriate individual other than the accused, and/or (c) temporary suspension with full pay pending final disposition.

In extraordinary circumstances, after consulting the chair of the Academic Freedom and Tenure Committee, the **P**rovost may, at any time during or after an inquiry into a sexual harassment complaint, recommend to the **P**resident the suspension with pay of any faculty member or teaching assistant accused of sexual harassment if, after reviewing the allegations and interviewing the accused, the complainant, and, if it seems appropriate, others, the **P**rovost finds that it is reasonably certain that the alleged sexual harassment has occurred and serious and immediate harm will ensue if the person continues to work.

12.4 Protection of the Accused

At the time the inquiry commences, the accused will be informed of the allegations, the identity of the complainant, and the findings of the preliminary inquiry. In the event the allegations are not substantiated, all reasonable steps will be taken to restore the reputation of the accused.

A complainant found to have been intentionally dishonest in making the allegations or to have made them maliciously is subject to sanction or other **U**niversity discipline.

18 July 2011

ITEM FOR ACTION

RE: Peer Institutions List for Utah State University

EXECUTIVE SUMMARY

The Commissioner's Office in the Utah System of Higher Education periodically works with USHE campuses to update their lists of peer institutions. Formally approved peer lists are used for various financial and statistical comparisons. With the evolving nature of institutions it is important to update the list in order to assure that peer group members remain representative of the nature and mission of the institution for which they are being used as comparators.

The Utah State University peer institution list includes a group of institutions whose mission, role and scope, are well established. The peer list created represents a like group of public land-grant schools, with quite similar characteristics across a host of metrics. The list includes a group of institutions that have the state land-grant mission, are full-time residential campuses, are located in modest to mid-sized towns, and place a fairly substantial emphasis on graduate programs and research activities.

RECOMMENDATION

Based on the above proposal, the President and Provost recommend that the Board of Trustees approve the proposed peer institution list for Utah State University.

RESOLUTION
UTAH STATE UNIVERSITY
BOARD OF TRUSTEES

WHEREAS, The Commissioner's Office in the Utah System of Higher Education periodically works with USHE campuses to update their lists of peer institutions, and

WHEREAS, Formally approved peer lists are used for various financial and statistical comparisons, and

WHEREAS, It is important to update the list in order to assure that peer group members remain representative of the nature and mission of the institution for which they are using as comparators, and

WHEREAS, The proposed peer list created represents a like group of public land-grant schools, with quite similar characteristics across a host of metrics, and

WHEREAS, The proposal has the approval of the President and Provost of Utah State University;

NOW THEREFORE BE IT RESOLVED, That the Utah State University Board of Trustees hereby approves the proposed Peer Institutions List for Utah State University.

RESOLUTION APPROVED BY THE BOARD OF TRUSTEES

DATE

APPENDIX A

(Memo USU Peer Institution List July 2011)

Utah State University Peer Institution List:

Institution	Location	Total Headcount Students	Full-time Faculty	Percent Bachelors	Masters Programs	Doctoral Programs
Colorado St U	Fort Collins, CO	28,882	1,184	73%	22	13
Kansas St U	Manhattan, KS	23,520	986	73%	22	12
Montana St U	Bozeman, MT	11,976	541	80%	19	7
New Mexico St U	Las Cruces, NM	17,239	690	71%	19	10
Oregon St U	Corvallis, OR	20,305	699	79%	18	13
U of Idaho	Moscow, ID	11,791	591	69%	20	9
U of Nebraska-Lincoln	Lincoln, NE	23,573	1,166	72%	23	19
U of Nevada-Reno	Reno, NV	16,867	660	74%	21	10
U of Wyoming	Laramie, WY	12,067	715	73%	23	10
Washington St U	Pullman, WA	25,352	1,215	82%	25	18
Utah State University	Logan, UT	15,099	744	78%	19	11

All data represents 08-09 IPEDS data.

The above is indicative of the three dozen plus comparisons made in determining appropriate peer institutions. Basic institutional characteristics, student and student preparation characteristics, degree program mixes, and geographical locations are part of the data set.