

## SECTION 2

SECTION 2, known as the *Faculty Manual*, contains the approved policies and procedures of St. Edward's University concerning the terms and conditions of faculty employment for a given year.

**THIS COPY OF SECTION 2, FACULTY MANUAL,  
REPLACES ANY PRIOR VERSIONS.**

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St. Edward's University  
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## THE FACULTY MANUAL

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## 2.0 FACULTY EMPLOYMENT POLICIES AND PROCEDURES

A qualified and dedicated faculty is critical to educational distinctiveness. To fulfill the goals and objectives of St. Edward's University, membership on the faculty means, among other things (See 2.5.):

- \* That the individual faculty member will strive for excellence in teaching.
- \* That the faculty member is committed to furthering the students' mastery of the ability to analyze problems, propose solutions, and make responsible decisions while expressing themselves articulately in both oral and written form.
- \* That the faculty member prepares graduates to reach decisions using critical and creative thinking as well as moral reasoning.
- \* That the faculty member assigns priority status to maintaining an interest in each student's personal, intellectual and professional growth.
- \* That the faculty member is engaged in actively fulfilling school and university service responsibilities.
- \* That the faculty member maintains a high level of professional development through remaining current and demonstrating involvement in scholarly activities and/or creative endeavors.
- \* That the faculty member assists in making bridges among various facets of the university community as well as between that community and the surrounding Austin metropolitan area.

Section 2, known as the Faculty Manual, contains the approved policies and procedures of St. Edward's University concerning the terms and conditions of faculty employment for a given year. The Faculty Manual, as amended from time to time, is incorporated annually into the contracts of employment of each faculty member. Where written provisions of individual contracts are inconsistent with provisions of the Faculty Manual, the terms of the individual contracts will control. The Faculty Manual is intended to be a living document with amendments made as needed. Previous versions of the Faculty Manual are superseded and are of no further force and effect. Employment under a previous version of the Faculty Manual confers no continuing rights.

## 2.1 DEFINITION OF FACULTY STATUS

The St. Edward's faculty consists of the president, the provost who is the chief academic officer, the school deans, Dean of the Munday Library, the associate academic vice presidents with faculty appointments, and all

persons holding teaching appointments. The university's faculty shall consist of two major categories—non-tenure-track term appointments and tenure-track appointments. Specific contract types (See 2.2) and other specific contractual rights and responsibilities shall accrue to each specific group as defined in the appropriate sections of this Faculty Manual.

2.1.1 The Ranked Faculty. The ranked faculty member is a full-time or pro-rata employee of the university who has been appointed to one of the four regular academic ranks: instructor, assistant professor, associate professor, or professor (See 2.1.3.1, 2.1.3.2, 2.1.3.3, 2.1.3.4). St. Edward's University, as an accredited member of the Southern Association of Colleges and Schools, abides by the Southern Association's standards regarding the required background of a faculty member to teach in a specific academic discipline.

2.1.1.1 Full-Time Faculty. A full-time faculty member ordinarily has full-time teaching duties or has teaching and other duties such as academic administration, which are equivalent to a full-time teaching load. Determination of FTE is obtained from the table below:

Full-Time is normally considered two semesters, fall and spring

2.1.1.2 Pro-Rata Faculty. Pro-rata Faculty are faculty members who are ranked as defined in 2.1.1 and who are given an appointment equivalent to quarter-time or more but less than that of a full-time faculty member. They may be employed on tenure- or non-tenure track contracts. If employed on a tenure track- contract, such pro-rata faculty are provided the opportunity to establish eligibility for tenure, promotions (except to professor) and sabbaticals, as calculated on a full-time equivalent (FTE) basis as provided in this Faculty Manual.

FTE is defined as that combination of part-time contracts for a given faculty member issued over a period of more than one 12-month year (excluding summer and special terms) required to equal the full-time contract equivalent of one academic year. For example, a faculty member with a half-time contract would require two years to accrue the FTE of one year. Pro-rata service is not considered in calculating length of service for promotion to the rank of professor (See 2.6.4.3). All Pro-rata faculty are voting members of the faculty and have, on a pro-rata basis, responsibilities for advising, service on committees and all other obligations of full-time faculty members as detailed in this Faculty Manual.

2.1.2 General Definitions. The following definitions apply in the determination of a faculty member's eligibility for rank, promotion, tenure, leaves, particularly sabbatical leave, retirement and other benefits.

2.1.2.1 College/University of Recognized Standing. A college/university of "recognized standing" shall mean a college/university accredited by one of the six regional accrediting associations, such as the Southern Association of Colleges and Schools Commission on Colleges by which St. Edward's University is accredited, or a college/university of international standing recognized by St. Edward's University. All teaching experience must have occurred at and all required degrees must have been received from a college/university of recognized standing.

- 2.1.2.2 Length of Service. For promotion, tenure, sabbatical and other leave eligibility, and all purposes not specified otherwise, length of service is computed on the basis of academic years as a tenure track faculty member. The applicability of service rendered in a non-tenure-track capacity will be specified in writing at the time a tenure-track appointment is made. Specific criteria for computing length of service follow.
- A. Length of service is computed on the basis of two academic year semesters or their equivalent, being the equivalent of one year. Under no circumstances can an annual appointment, beginning fall and extending through the following summer, count for more than one year.
  - B. Teaching during special terms and summer sessions will not be considered toward the minimum length of service requirements. Achievements during such appointments are considered for all other purposes.
  - C. Pro-rata appointment (that is quarter-time or more but less than full-time contracted faculty service) is calculated on the basis of full-time equivalence (See 2.1.1.2). This interpretation excludes service time during appointments on a per-course basis as lecturers. In no case will appointments as teaching assistants be considered faculty appointments. Pro-rata service is not considered in calculating length of service for promotion to the rank of professor.
  - D. Minimum length-of-service requirements are computed to include services for which a candidate for appointment, promotion, or tenure is under contract and which will have been rendered prior to the effective date of the applied status becoming effective if granted. Specific requirements affecting application for sabbatical are specified in 2.10.3.1.
  - E. Leaves of absence and sabbaticals normally do not count toward minimum length-of-service requirements for promotion, tenure, or academic assignments. Exceptions to this rule may be granted depending on the specific scholarly/professional development activities completed during the period. The provost on petition by the faculty member may grant an exception to this rule. Written support of the school committee must accompany such a petition.
  - F. Paid leaves of absence which qualify for Family Medical Leave of Absence (FMLA) and paid sabbaticals do not interrupt any consecutive requirement for years of service as applied to retirement calculations. Unpaid sabbaticals and personal leaves of absence do not count toward the retirement calculation.
  - G. The minimum amount of any length-of-service requirement that must be satisfied at St. Edward's University is specified in relation to the specific

purpose for which length of service is being calculated. (See for example, Promotion 2.6.4; Tenure 2.7.1; Sabbatical Leave 2.10.3.1.)

2.1.2.3 Required Degree. Appointment to the faculty may be made with the requirement that continued employment and/or eligibility for promotion and tenure are dependent upon the completion of further degree requirements. Appointment to the faculty may also be made with the understanding that the degree held (if not a terminal degree) is, nevertheless, sufficient in the particular case for continued employment and eligibility for promotion and tenure. All such expectations and understandings will be specified in the letter of appointment. For purposes of considering eligibility for promotion and tenure, the school and Faculty Evaluation Committees will follow the degree requirement or understanding as established when the individual was appointed to the faculty, or as subsequently modified with the approval of the provost or if not so provided, as determined by the provost.

2.1.2.4 School. 'School' is the term used throughout the document to designate the major organizational units of the academic area, namely, School of Behavioral and Social Sciences; School of Human Development and Education; School of Arts and Humanities; School of Natural Sciences; and Munday School of Business. The head of each of these organizational units is identified throughout as the dean.

2.1.2.4.1 Department. 'Department' is the term used throughout the document to designate a program or discipline or a number of programs or a number of disciplines that function together administratively within a school. The head of each of these organizational units is referred to as the department chair. Multiple disciplines choosing to form a single department are required to identify a coordinator with disciplinary expertise to oversee academic requirements as stated by SACSCOC, and service by such disciplinary experts is determined by the school dean. (General guidelines for calculating the size of departments as it factors into compensation for the chair are included in Appendix D.

2.1.2.5 Faculty Serving on School Committee

The school committee is composed of the school dean and two members of the school faculty elected, one in each alternate year, by the majority vote of their peers for a two-year term.

A. Qualifications of faculty serving on the school committee follow.

- a. Full time appointment, tenured or tenure- track appointment.
- b. Post-probationary status with a minimum of three years at St. Edward's University.
- c. Rank of associate professor or above, preferred.
- d. No conflict of interest impediment to performing the specified responsibilities listed in the section below. (Note especially: A faculty member cannot serve on the school committee and the Faculty Evaluation Committee in the same year, nor can one serve on the school committee in any year in which one is a candidate for promotion and/or tenure, or scheduled for post-probationary or post-

tenure review, or for the review of any required follow-up from an unsatisfactory review.)

- B. Responsibilities of faculty serving on the school committee follow.
  - a. Recommend exceptions in support of leaves of absence or sabbaticals counting toward minimum length of service requirement.
  - b. Recommend the granting of rank in conjunction with administrative appointments.
  - c. Participate in the recruitment of faculty and make recommendations regarding appointments.
  - d. Provide list of peer evaluators available to conduct classroom observations.
  - e. Evaluate probationary faculty annually, post-probationary faculty every three years and tenured faculty every six years; monitor any required follow-up and make recommendations regarding continuing appointments or non-reappointment.
  - f. Evaluate faculty candidates for promotion and tenure and forward a recommendation to the Faculty Evaluation Committee.
  - g. Make recommendations to the provost regarding potential school candidates for election to the FEC if an exception to the specified rank and years-of-service requirements is necessitated.
  - h. Participate in the determination, in the event of financial exigency, of positions for which funding will be discontinued and the faculty whose appointments accordingly will be terminated.
  - i. Carry out other responsibilities as assigned in the individual schools or by the school dean.

C. Replacement of faculty on school committee

In the event of a vacancy or need for a replacement, a special election is held to select by majority vote the faculty member to complete the remainder of the term.

D. Replacement of the dean on school committee

In the event that the dean applies for promotion or tenure, that position on the school committee will be filled for the duration of the dean's evaluation by a full professor (or the most senior faculty member available) voted on by the faculty of the involved school.

E. Exceptions to required qualifications for faculty on school committee

In the event that a school does not have candidate(s) that meet the required qualifications, the dean will recommend the most qualified substitute who, with the approval of the provost, will stand for a vote of confirmation by the faculty of the school.

- 2.1.3 Criteria for Appointment to Specific Ranked-Faculty Status. At the time of initial appointment of a full-time or pro-rata faculty member, the provost and the school dean make a judgment about rank for the initial contract using the criteria described below and in accord with the requirements of 2.1.2 above. Any agreements modifying the future determination of promotion and tenure as specified in the Faculty Manual will also be specified in the letter of appointment. Copies of the letter of appointment will be provided to

the school involved, the individual involved, and as appropriate, the Faculty Evaluation Committee.

The following minimal standards govern the rank of faculty members:

- 2.1.3.1 **Instructor.** A faculty member to be appointed to this rank must have demonstrated potential for college teaching or service as a college librarian and hold a master's degree in the appropriate subject area from a graduate institution of recognized standing, or have equivalent experience and professional recognition such as professional recognition in the creative arts, business or medical community in accord with Southern Association Standards. The requirement of further earned degrees for continuance, promotion, or tenure is established in writing in the letter of appointment.
- 2.1.3.2 **Assistant Professor.** A faculty member to be appointed to the rank of assistant professor must have demonstrated ability for college teaching or for service as a college librarian, hold an appropriate earned doctorate or an appropriate terminal professional or academic degree, or a master's degree in the appropriate subject area and three years of full-time college teaching experience, or documented accomplishments which are recognized as equivalent such as performance in the creative arts in accord with Southern Association Standards (See 2.5). The requirement of further earned degrees for continuance, promotion or tenure is established in writing in the letter of appointment (See 2.6.4.1.)
- 2.1.3.3 **Associate Professor.** A faculty member to be appointed to this rank must have demonstrated ability for teaching or serving as librarian or academic administrator at the college level, hold a master's degree in the appropriate discipline and be in the seventh year of full-time college teaching (or equivalent non-adjunct, part-time college teaching) or be in the seventh year of service as a college librarian or academic administrator. A candidate holding an earned doctoral degree or terminal degree in the appropriate discipline must have completed five years of full-time college teaching (or equivalent non-adjunct, part-time college teaching) or service as a college librarian or academic administrator. The faculty member must clearly demonstrate potential for continuing, effective contributions to his/her academic discipline and to the academic program at St. Edward's University (See 2.5). The requirement of additional earned degrees for continuance, promotion or tenure is established in writing in the letter of appointment.
- 2.1.3.4 **Professor.** Ordinarily, a faculty member is not initially appointed to the rank of professor. Candidates must hold a master's degree in the appropriate teaching or professional area and have twelve years of full-time teaching or service as a college librarian or academic administrator, or candidates must hold an earned doctoral degree or appropriate terminal degree and have completed ten years of full-time college teaching or service as a college librarian or academic administrator. The rank of professor is granted as an acknowledgment of the consistently high quality of a faculty member's strong contributions to all areas of university life and of a consistent and sustained record of achievement in teaching, service and professional development (See 2.5).

- 2.1.4 Professional Librarians. The library through its faculty and staff is designed to support St. Edward's educational, research and service functions. In order to offer quality support, it is the policy of the university to recruit, develop and retain highly-qualified individuals to occupy its positions in the library. The professional librarians at the time of initial employment by St. Edward's University are appointed to faculty rank and are accorded the privileges and responsibilities characteristic of all faculty members. Library faculty are evaluated for their professional effectiveness and in two categories which they hold in common with teaching faculty, namely, service and professional development (See 2.5).
- 2.1.5 Part-Time, Per-Course Term Faculty. A part-time per-course faculty member is usually a part-time temporary employee of St. Edward's University who is assigned the temporary designation of Lecturer. Academic personnel in this category are hired for specific instructional tasks and do not carry the wide- range of responsibilities associated with full-time or pro-rata ranked faculty appointments. They are appointed to teach a particular course or courses on a semester basis and are not eligible for promotion, tenure or fringe benefits. Selection of Lecturers will be consistent with the academic standards of St. Edward's. A person assigned to this position will meet or exceed the minimal requirements set forth for Instructor. Lecturers generally are not contracted to teach more than six (6) credit hours per semester. Because the appointment is on a per-course basis, lecturers do not receive notice that their term appointment will not be renewed (See 2.2.1.2). The provost may in special circumstances grant lecturers with outstanding credentials the distinction of being designated as distinguished lecturers.
- 2.1.6 Special Appointment Faculty. Special appointment faculty include emeritus faculty, administrators with faculty status with or without rank, post-doctoral associates (3 years maximum), visiting, temporary replacement, or specially funded on- or off-campus program faculty. Except for professor and associate professor emeriti, special faculty are appointed for specific periods and these faculty members may continue as needed, as determined by the university or as specified in the appointment.
- 2.1.6.1 Professor Emeritus. The title emeritus and status associated therewith may be granted to deserving St. Edward's University faculty members or administrators holding faculty status upon or following retirement. Such a distinction is not automatic upon retirement and is conferred in accordance with the policies and procedures outlined in 2.6.4.4. The rank of associate professor emeritus or professor emeritus is conferred by the Board of Trustees upon the recommendation of the president. No compensation accrues by virtue of this rank.
- 2.1.6.2 Administrators with Faculty Status. According to the "Definition of Faculty Status" (2.1), some administrators have faculty status as the result of the supervisory components of their administrative position. If such an administrator holds faculty rank at St. Edward's University at the time of his/her appointment to such an administrative position, that individual retains that rank with the opportunity for promotion as stipulated in 2.6. If such an administrator does not hold faculty rank at the time of appointment, that administrator will be granted full faculty status without

rank. If the administrator requests faculty rank, then the appropriate school committee will recommend to the president, or in the case of the president to the Chair of the Board, the proposed faculty rank. Rank at the time of such administrative appointments may be assigned as determined appropriate by the president or Chair of the Board. The assignment of such rank does not entail right of retreat to the faculty at the termination of the administrative appointment unless so specified in said appointment. Administrators, at the time of retirement, may be granted Emeritus status according to the provisions of 2.6.4.4.

- 2.1.6.3 Special Academic Support Staff Categories. As program needs require, science assistants, coaches without teaching responsibilities, non-professional library staff, academic counselors, tutors and similar academic support personnel may be employed. Such positions will be considered staff rather than faculty appointments.
- 2.1.6.4 Visiting Appointments. All visiting appointments are for a limited period of time with no intent of on-going employment. Visiting appointments are reserved for faculty members of other institutions, professors emeriti and persons distinguished in their fields. Appointments are on non-tenure-track term contracts only. Rank will be assigned as appropriate.
- 2.1.6.5 Artist/Writer/Executive/Scholar-In-Residence. St. Edward's University may appoint to the faculty distinguished artists, writers, poets, executives and scholars in a special faculty status of Artist/Writer/Executive/Scholar-In-Residence. Such appointments shall be full-time or pro-rata depending on the needs of the university. The appointments are on non-tenure-track term contracts only.
- 2.1.6.6 Replacement Faculty. St. Edward's University may appoint a replacement faculty member on full-time or pro-rata contract. Such appointments are on non-tenure-track term contracts only. Service in such contracts does not count for tenure, promotion, or sabbatical leave unless such service is recognized by the provost at the time of offering a tenure track contract.

## 2.2 TYPES OF CONTRACTS

The agreement between the university and a faculty member is contained in one of the following standard notices of appointment to the faculty. Five different categories of appointment are used. These are grouped into two major classifications—Non-Tenure-Track Term Contracts, and Tenure-Track Contracts. Any special conditions, other than those specified in the Faculty Manual, will be stipulated as supplementary text to the particular individual contract involved.

- 2.2.1 Non-Tenure-Track Term Contracts. There are two kinds of non-tenure-track term contracts: full-time or pro-rata contracts and per-course contracts. Term contracts provide for employment for a specified period and automatically expire at the end of that period. No notice of non-reappointment is required.

Reemployment is at the discretion of the university. Both parties retain the right to negotiate new terms in any subsequent contract.

- 2.2.1.1 Full-time or Pro-rata Term Contracts. According to special academic needs, three types of full-time or pro-rata non-tenure-track appointments carrying the wide range of faculty responsibilities may be made: (1) no limit placed on the number of contracts that may be offered, or (2) an appointment for which a limited number of subsequent contracts may be offered (This latter classification of appointment is frequently made for a program which will be operative only a limited span of time.), or (3) an explicitly terminal appointment with no further contract possible, involving visiting faculty, replacements for all faculty members on a leave of absence, or to meet short-term teaching needs. Faculty with all such appointments are assigned rank.
- 2.2.1.2 Per-Course Term Contracts. Academic personnel in this category are hired for specific instructional tasks and do not carry the wide range of responsibilities associated with a full-time or pro-rata faculty assignment. They are appointed to teach a particular course or courses on a semester basis and are not eligible for promotion, tenure, or fringe benefits. They are designated "Lecturers." Because the appointment is on a per-course basis, Lecturer contracts do not entail any right to or promise of additional contracts. Ordinarily lecturers should not be hired to teach more than six (6) credit hours per semester.
- 2.2.2 Full-time or Pro-Rata Tenure-Track Contracts. For tenure-track ranked faculty appointments, there are three classifications of contracts: probationary, annual and tenured.
  - 2.2.2.1 Probationary Contracts. Normally all ranked faculty beginning teaching service at St. Edward's will be given a probationary contract. Accordingly, contracts covering the faculty member's first five years of appointment are understood to be probationary unless this probationary period is explicitly modified by the provost' letter of appointment. If an assistant professor is promoted to associate professor before the completion of the five-year probationary period, the probationary status ends with the effective date of the promotion. In the unusual circumstance in which a ranked faculty is hired with tenure, that faculty member is exempt from probationary contracts.

Probationary contracts will be made annually and may be renewed for a period of not more than five consecutive FTE academic years. During that interval, St. Edward's University will consider making a more continuous contractual agreement with the individual faculty member. Under the probationary contract the faculty member will be evaluated annually by the department chair and the school committee. The department chair's annual evaluation form will be sent to the school committee and the faculty member simultaneously, giving the faculty member the opportunity 10 business days from the time of receipt of the evaluation from the chair to respond to the department chair's evaluation.

These annual reviews will assess the growth and development attained and will guide the school committee in its annual recommendation regarding retention or separation of the faculty member. These annual evaluations will

be done in accord with the criteria and evidence set forth in the Evaluation Section (See 2.5).

The probationary faculty member, at the time of initial appointment, will be informed of the standards and procedures for obtaining a more continuous contractual agreement and for faculty promotion. If the individual has not achieved an annual contract (2.2.2.2) or a tenured faculty contract (2.2.2.3) by the completion of the fifth consecutive FTE academic year, the probationary period will have expired and further services will be terminated (See 2.8.3).

- 2.2.2.2 Annual Contracts. After the satisfactory completion of the probationary period, a ranked faculty member is offered an annual contract. Such contractual status represents a more permanent commitment on the part of St. Edward's University to the individual faculty member but does not imply de facto tenure status. Such individuals will receive annual renewable contracts (according to the Faculty Manual in effect during each successive contract year) with annual notice of salary adjustments until terminated by one of the contracting parties according to one of the processes of separation stipulated in 2.8 and/or 2.5.6.1.

At the beginning of each scholastic year, annual contracted faculty members are to submit to their department chair and school dean a personal faculty professional development plan establishing goals and objectives for professional growth and development (See 2.5.4.4 and 2.10.2.5). After the end of the Spring semester and before the beginning of the subsequent fall semester, the department chair will complete an evaluation form for each post- probationary contracted faculty member. The chair's annual evaluation form will be sent to the school dean and the faculty member simultaneously, giving the faculty member 10 business days from the time of receipt of the evaluation from the chair to respond to the chair's evaluation.

Although department chairs will submit an evaluation form annually for all faculty members, non-tenured post-probationary faculty on annual contracts will not be evaluated by the school dean each year. Instead, non-tenured post- probationary faculty on annual contracts will receive a formal evaluation by the school dean at the end of the first year of every three-year cycle and a formal periodic review by the school committee every third year. Formal evaluation by the school dean is not required for the second year in the three-year cycle, but may be requested by the faculty member. Requests for optional evaluations should be submitted to the dean in writing before the end of the Fall semester of the year that the letter will cover.

In an evaluation year, the school dean will prepare an evaluation reviewing the degree to which the goals and objectives set forth in the faculty professional development plan have been achieved as well as responding to other indicators drawn from peer evaluations, if submitted by the faculty member, from student evaluations and from personal observations (See 2.5.4.5).

All evaluations by the school dean, as well as the annual evaluation forms from the chair, will contribute to the evaluation in the formal periodic review of post-probationary faculty (See 2.5.6.1). As St. Edward's University does

not require that full-time or pro-rata ranked faculty acquire tenured status after a stipulated number of years or leave the institution, qualified ranked faculty may be retained under annual contracts for an unspecified number of years in accord with the requirements set forth in the Faculty Manual.

- 2.2.2.3 **Tenured Faculty Contracts.** During the seventh year of full-time college teaching/professional service or the part-time equivalent—five of these years must be at St. Edward's—annual contracted ranked faculty may apply for tenure. To be tenured a faculty member must have achieved or be simultaneously achieving at least the rank of associate professor (2.7). Tenured contracts are automatically renewed from year to year with annual notification of salary. Tenured faculty are governed by the Faculty Manual in effect during each succeeding year of service as specified in the annual notification of salary letter. After applicable procedures have been followed a tenured contract can be terminated if the faculty member violates provisions of the Faculty Manual governing the behavior and performance of faculty or if the faculty member fails to correct deficiencies identified in accord with every successive sixth-year review as specified in 2.5.6.2. Tenured contracts do not guarantee such a faculty member's lifetime employment. A number of circumstances as stipulated in 2.8 and 2.5.6.2 permit the termination of a tenured faculty member and outline the procedural steps which are followed.

At the beginning of each scholastic year, tenured faculty members are to submit to their department chair and dean a personal faculty professional development plan establishing goals and objectives for professional growth and development (See 2.5.4.4 and 2.10.2.5). At the end of the spring semester, and before the beginning of the subsequent fall semester, the department chair will complete an evaluation form for each tenured faculty member. The chair's annual evaluation form will be sent to the school dean and the faculty member simultaneously, giving the faculty member 10 business days from the time of receipt of the evaluation from the department chair to respond to the chair's evaluation. Every other year, the school dean will prepare an evaluation reviewing the degree to which the goals and objectives set forth in the faculty professional development plan have been achieved as well as responding to other indicators drawn from peer evaluations, if submitted by the faculty member, from student evaluations and from personal observations (See 2.5.4.5).

Tenured faculty members may request to be evaluated by the school dean in years when a formal evaluation is not required. Requests for optional evaluations should be submitted to the dean in writing before the end of the Fall semester of the year that the letter will cover. All evaluations by the school dean, as well as the annual evaluation forms from the department chair, will contribute to the evaluation in the formal periodic review of tenured faculty .(See 2.5.6.2)

## **2.3 SEARCH/APPOINTMENT/ORIENTATION**

- 2.3.1 **Authorization.** New faculty positions must be approved through the budgetary and planning processes. Approval to fill an existing faculty position must be granted by the provost.

- 2.3.2 Recruitment. After approval is granted, efforts are made to obtain applications for ranked faculty positions from a wide sample of qualified applicants by advertising the position through the Office of Human Resources and through appropriate publications and placement services; and, if appropriate, by sending announcements to other universities and colleges, including relevant discipline-specific and appropriate diversity organizations, as well as to the Vice President of Human Services. All academic vacancies must also be advertised internally by posting in strategic areas readily available to the faculty,

After obtaining applications, the school committee or school Search Committee selects qualified applicants to invite for interviews on campus. The visit should last about one day and include interviews with faculty of the particular discipline, with the school committee and generally, with the provost. There must be involvement of the faculty in the discipline in decisions regarding the appointment of faculty in the discipline when hiring externally, or when a part-time or adjunct faculty member is being considered for a full-time contract, or when a staff member is being considered for a faculty position. Interviews with students or other faculty members may be scheduled at the discretion of the school dean.

Procedures for the hiring of non-tenure line faculty within each school are on file in the school office. Normally, these positions are filled by appointment of the provost upon the recommendation of the school dean. From time to time, schools may advertise for non-tenure line faculty to fill various positions.

- 2.3.3 Appointment Procedures. After all invited applicants have been interviewed, and relevant faculty polled, the school committee or school Search Committee, with the concurrence of the school dean, will formulate a recommendation to the provost. The committee will make its decisions based not only upon the qualifications of applicants, but also their compatibility with the mission statement of St. Edward's University. If the recommendation of the school committee is approved, the school dean will inform the selected applicant and negotiate salary and rank according to the guidelines previously approved by the provost. The appointment is contingent upon successful completion of the required background check. Appointments to the faculty are made by the provost with the consent of the president. The locus of appointment is specified with regard to the school or program in which that appointment is effective.
- 2.3.4 Orientation. Newly-appointed ranked faculty members are required to attend orientation session(s). Opportunities to attend new faculty seminar sessions will be made available throughout the year to aid in new faculty learning about and being included in the University community.
- 2.3.5 Employment Conflict of Interest/Nepotism. Close relatives may not directly participate in making recommendations affecting the appointment, retention, promotion or tenure of one another. Close relatives include spouses, employee's or spouse's parents; grandparents; great grandparents; aunts and uncles; brothers and sisters (whether whole or half blood); children (whether natural or adopted); grandchildren; great grandchildren; as well as the spouses of brothers, sisters, children, grandchildren, and great grandchildren

- 2.3.6 **Special Recruitment Categories.** St. Edward's University is committed to preserving and fostering its special relationships with the Congregation of Holy Cross and the Sisters Servants of the Immaculate Heart of Mary. Accordingly, special consideration is given to qualified members of the religious congregations of Holy Cross and Immaculate Heart of Mary; these congregations are notified of position vacancies and encouraged to present interested and qualified candidates for faculty and staff positions.
- 2.3.7 **Reimbursement of Interview Trip Expense.** St. Edward's University will cover authorized costs of the interview visit to campus for selected applicants whose visits were approved in advance by the school dean in concurrence with the provost.
- 2.3.8 **Documentation of Recruitment and Appointment Processes.** A list of all academic vacancies, advertisements thereof, and of applicants for each position are maintained in a central file in the Human Resources Office. The top candidates selected after the initial screening process will be identified; further screening activities used (interview, reference checks, recommendations, evaluations, etc.), and reasons for the final selection will be documented.
- 2.3.9 **U.S. Employment Authorization.** The Immigration Reform and Control Act of 1986 requires all employees of St. Edward's University to provide proof of identity and eligibility to work in the United States at the time of employment. An I-9 must be on file in the Human Resources Office by the third day of employment.

## **2.4 PERSONNEL RECORDS**

Because appointment as a ranked faculty member may lead to a continuing relationship with the college/University, it is essential that there be adequate and detailed documentation to support every action involving each individual, especially those actions pertaining to appointment, promotion, tenure, layoff, and dismissal.

- 2.4.1 **Official Personnel File for Ranked Faculty.** The basic documents to be found in each faculty member's file in the provost's office follow.
- A. SEU application for faculty appointment (for faculty hired after Jan. 2004).
  - B. Letters of application.
  - C. Appointment and acceptance letters.
  - D. Personal data information.
  - E. Performance reviews and evaluations.
  - F. Change in status documentation (promotion, tenure, etc.).
  - G. Payroll change documents (salary increases or changes).
  - H. Current official transcript with an updated resume.
  - I. Official correspondence; and
  - J. Information on professional background and accomplishments the faculty member wishes placed in this file.

This file is available on a need to know basis only to the president, the Board of Trustees, legal counsel, the provost, the school dean, the Human

Resources Office and the staffs of each (excluding work- study students), the individual faculty member, or others specifically designated by the provost.

The faculty member may, for the cost of duplication, obtain copies of documents in his/her official personnel file. Any such copies will be made by a member of the provost's staff.

The official personnel file will be kept in strictest confidence and will be available for confidential use only to the individuals indicated above. However, for a valid reason, the faculty member may authorize in writing access to his/her file by a person not indicated above. Further, the university may permit access to and copying from such files pursuant to lawful requests of federal or state agencies relevant to investigations, hearings, or other proceedings pending before such agencies or the courts.

2.4.2 Personnel Files for Per-Course and Special-Appointment Faculty.  
The provost will maintain an electronic file for each of these faculty that will contain the following.

- A. SEU application for faculty appointment (for faculty hired after Jan. 2004).
- B. A copy of the faculty member's term contracts.
- C. The faculty member's official credentials, transcript (hard copy also maintained), and resume.
- D. Official correspondence.
- E. Information on professional background and accomplishments the faculty member wishes placed in this file; and
- F. Personnel information.

Access to such files is defined in section 2.4.1.

## 2.5 EVALUATION

In order to maintain a high level of professional competency and effectiveness, St. Edward's University has established an evaluation program. The office of the provost, in collaboration with the appropriate academic administrators, oversees this program, which is specific to all those holding faculty rank. It is designed to

- A. Guide faculty members in the continuing development of their teaching effectiveness.
- B. Encourage faculty members to render service both within and outside of the university community.
- C. Assist all faculty members to maintain a high level of professional scholarship.
- D. Provide a basis for precise, comprehensive, and impartial decisions regarding retention, promotion, and tenure.

The evaluation of all faculty at St. Edward's University is solidly grounded in the principles articulated in the mission statement. The university's Holy Cross roots have led to its distinguishing characteristics as an institution: respect for the human person; the pursuit of a peaceful and just world; and

a commitment to academic excellence, based on critical and creative thinking. These are the bedrock principles upon which all faculty must base their work at the university and upon which they will be evaluated. Within this framework, however, the university realizes that to be valid and legitimate, any evaluation process must also be flexible enough to accommodate reasonable differences in areas such as teaching styles, approaches to service, professional development, and collegial relations. The following is an attempt to provide clear and consistent information in the areas of both criteria and procedures relating to the process of evaluation. The goal is to balance the pivotal principles articulated in the mission statement with the need for flexibility to ensure evaluation which is unbiased, non-arbitrary, and productive.

**Process:**

Faculty members may hold appointments in more than one type of the three main types of faculty positions: teacher, administrator, librarian. In cases when the total performance of the faculty member is being considered, the information listed under each of the relevant types of faculty appointments will be considered. The weight given to each type of appointment will depend on the apportionment specified in the faculty member's contract.

The specific yearly goals of each faculty member will be detailed in the annual professional development plan submitted to the appropriate department chair and school dean at the start of each academic year. Professional development plan achievements will then be reported in the annual self-evaluation submitted to the department chair and school dean at the end of the academic year.

Schools and departments are asked to provide approved guidelines that define levels of performance in the three evaluation categories to inform evaluation of candidates. The criteria that make up these guidelines must be flexible and allow a range of options for meeting each performance level. The performance guidelines must also be compatible with school and university evaluation criteria in the faculty manual, but they will make clear what each discipline values in pedagogy, service, and scholarship/creative endeavor. These performance guidelines should be regularly reviewed and revised, and they should be used by the chair, the school committee, the school dean, and the FEC in their evaluation of candidates applying for promotion and tenure.

## 2.5.1 Evaluation Categories for Teaching Faculty

Faculty holding teaching appointments are evaluated in three areas: teaching effectiveness, service, and professional development.

### 2.5.1.1 Teaching Effectiveness

At St. Edward's University, excellence in teaching is the most important attribute of a faculty member. Since many characteristics contribute to teaching effectiveness, documentation should demonstrate, but not necessarily be limited to, the following

#### A. Command of one's subject

- a. Breadth, depth, and up-to-date knowledge of one's discipline;
  - b. Ability to plan and execute substantive, well-organized courses;  
and
  - c. Maintenance of current credentials in one's discipline.
- B. Knowledge of the relationships of one's discipline within broader fields
- a. Ability to relate one's subject to other areas of knowledge and to the liberal arts tradition;  
and
  - b. Teaching to accomplish university goals as expressed in the mission statement.
- C. Pedagogical skill
- a. Knowledge of current developments in pedagogy relevant to one's field;
  - b. Skill in communicating with students;
  - c. Ability to stimulate and broaden student interest in subject matter;
  - d. Capacity to challenge students, e.g., to motivate independent work;
  - e. Ability to utilize effective teaching methods and strategies;
  - f. Encouragement of student expression and critical assessment of divergent views;
  - g. Availability for contact with students outside of the classroom, i.e., meetings during office hours, extracurricular involvement in discipline-related activities; and
  - h. Capacity to exemplify and train students in appropriate modes of professional behavior, including interpersonal skills.
- D. Ongoing self-assessment and development
- a. Effective use of evaluation and feedback to monitor student progress;  
and
  - b. Ability to develop new courses and to revise established courses.
- E. Advising

Faculty members have an obligation to advise students in their classes about class work and to serve as advisors for students in their school as assigned by the school dean. Faculty members are responsible for acting as initial advisors to the students in their courses and for guiding them in the selection of appropriate courses of study. Advising duties related to teaching may be defined as

- a. Formal advising
  - 1. Advising students in a faculty member's class regarding class work;
  - 2. Assisting students assigned by the school dean with academic planning, e.g., registration, degree audits, certifications for graduation;
  - 3. Maintaining familiarity with existing support and referral services; and
  - 4. Serving as an advisor/faculty sponsor of a student club or organization.

b. Informal advising

1. Assisting students who request academic or career advice but who are not necessarily assigned to the faculty member by the school dean;
2. Being generally available for student contact through maintenance of regular office hours and/or as appropriate, via email or telephone conferences.

c. Career advising

1. Being knowledgeable about career opportunities, internships, cooperative education, job availability and graduate and professional education in one's professional field; and
2. Being aware of current developments and changes in one's professional field that might affect students' career decisions.

2.5.1.2 Service

The university mission statement holds that "a caring faculty" should "encourage individuals to confront the critical issues of society and to seek justice and peace," as well as "to understand themselves, clarify their personal values, and recognize their responsibility to the world community." The university itself serves as the role model for this commitment to service. In this spirit, the faculty at St. Edward's University shall be evaluated in the area of service.

At St. Edward's University the faculty is expected to render service. This may include service within and/or outside of the university community. Both of these categories are evaluated according to two criteria. The first criterion considers what service is rendered, i.e., responsibility, while the second considers the spirit in which it is rendered, i.e., collegial relations. Both are considered important aspects of service and must be included as part of the evaluation.

2.5.1.2.1. Responsibility

All those holding faculty rank are expected to render service as part of their contract with and commitment to the university. This involves service within and outside of the university community. All are expected to be involved in the ongoing life of the campus community. The emphasis may shift from year to year in the balance of time commitment requirements of responsibilities within and beyond the university community.

A. University responsibility

The first area, responsibility, may include internal and/or external service. In terms of internal service or university responsibility, faculty members are required to participate in the operational concerns of the institution. While this service may take many forms, some examples of activities that fulfill this obligation include

- a. Critical and creative work on university committees;
- b. Service in various administrative positions; (See 2.5.3)
- c. Attendance at and participation in faculty meetings, school meetings, university activities, ceremonies and convocations;
- d. Involvement in and contribution to the ongoing life of the university outside of the academic area;
- e. Work on library holdings;
- f. Participation as a club sponsor;
- g. Contribution to school, college and/or university-wide program development and maintenance;
- h. Mentoring, especially of new faculty members; and
- i. Attainment and effective use of external grant funds.

## B. Community responsibility

In the spirit of the mission statement, faculty may also be reasonably expected to render service to the larger community, i.e., from neighborhood to international service. This generally excludes service in the faculty member's area of study, which is covered in Professional Development. However, some contributions in the faculty member's discipline go beyond the parameters of individual professional development and involve service to the larger group. These may be considered here. Some examples of activities that fulfill this obligation include

- a. Volunteering at community service organizations, such as Meals on Wheels or Recording for the Blind;
- b. Participating in service related to religious organizations, such as the Habitat for Humanity or the St. Vincent de Paul Society;
- c. Working with political organizations such as the Nature Conservancy or the League of Women Voters;
- d. Serving the educational system through organizations such as the PTA or Reflections;
- e. Holding leadership positions in any of the types of organizations mentioned above; and
- f. Holding leadership positions in organizations in one's discipline.

### 2.5.1.2.2 Collegial Relations

Regarding the second component of service, collegial relations, the faculty is expected to exercise their best efforts to create a collaborative, productive environment. All interactions at the workplace and in the larger community must be grounded in personal and professional integrity, maturity, and respect for colleagues, students, and members of the larger community. Activities in the area of collegial relations include, but are not necessarily limited to

- A. Active support and exemplification of all areas of the university mission statement.
- B. Willingness to share one's talents and energies with other individuals.
- C. Showing respect for the diversity that exists in all areas of life at St. Edward's University and in the larger community.
- D. The promotion of group decision-making in pursuing consensus:

and

E. Respect for the Catholic heritage and traditions of St. Edward's.

### 2.5.1.3 Professional Development

In accordance with the mission statement, all faculty members have an obligation to maintain a high level of professional competence and to keep abreast of developments in their academic fields. Professional development may be addressed by faculty members in two ways — discipline specific development and/or cross-disciplinary development.

#### A. Discipline-specific professional development

- a. Research and publication in the faculty member's field;
- b. Literary contributions, for example, textbooks written and published in the faculty member's field and/or various works of fiction;
- c. Exhibitions of the faculty member's artistic creations, for example, sculpture, painting, photography, and multi-media works;
- d. Contribution to the performing arts, for example, acting, directing, designing and other achievements in theatre arts;
- e. Active participation in professional meetings, such as presentation of refereed papers;
- f. Leadership in professional organizations in the faculty member's field;
- g. Continuing education necessary for initial or annual currency requirements associated with professional certification; and
- h. Advanced training/continuing education in the faculty member's field.

#### B. Cross-disciplinary professional development

- a. Advanced training in technology skills used to support teaching and related activities in the faculty member's discipline;
- b. Service as a contributor to or editor of an interdisciplinary journal;
- c. Training for and/or implementation of service-learning programs;
- d. Training for and/or implementation of programs such as writing across the curriculum and ethics across the curriculum;
- e. Training for and/or implementation of multicultural programs;
- f. Pursuing external funds to support programs of study and/or research;  
and
- g. Participation and/or leadership in professional organizations related to cross disciplinary activities.

### 2.5.1.4 Evidence

Those charged with the responsibility for the evaluation of faculty will utilize as many kinds of documentation as possible. The following documentation must be submitted by faculty as part of the evaluation process.

#### A. Required evidence

- a. Approved, written school and department guidelines for criteria used in evaluating teaching, service, and professional development;
- b. Self-evaluation prepared for the promotion/tenure process;
- c. Letters of evaluation by the appropriate school dean and annual

- evaluation forms from department chair;
- d. Annual professional development plans and end of year academic self- assessments;
- e. Student course evaluations;
- f. Course materials, including syllabi, tests, class handouts, etc.;
- g. End of semester grade distribution reports showing grade distribution and course load data (available from the school dean's office);
- h. Documentation of scholarly involvement (see 2.5.1.3 A and B for suggestions).

Faculty may also include many additional types of evidence to document the areas of evaluation detailed above. These include, but are not limited to

#### B. Additional evidence (optional)

- a. Continuing education experiences that relate to the faculty's responsibilities as St. Edward's;
- b. Formal and informal feedback from St. Edward's faculty, staff and students;
- c. Formal and informal feedback from groups or individuals outside of St. Edward's;
- d. Internal and external awards;
- e. Publications, such as books and articles;
- f. Creative productions, such as art exhibits and performances.

### 2.5.2 Evaluation Categories for Librarians

Library faculty are evaluated in two categories which they hold in common with the teaching faculty. These categories are

Service: For Criteria, see 2.5.1.2.

Professional Development: For Criteria, see 2.5.1.3.

Library faculty are also evaluated in one category specific to their work: professional effectiveness.

#### 2.5.2.1 Professional Effectiveness

At St. Edward's University, excellence in professional effectiveness is the most important attribute of a faculty librarian. Since many characteristics contribute to professional effectiveness, documentation should demonstrate, but not necessarily be limited to, the following:

- A. Command of one's area of responsibility
  - a. Up-to-date knowledge of the university curriculum in area(s) of responsibility;
  - b. Breadth and depth in one's support of university curriculum through collection, development and management;
  - c. Demonstrated awareness of university academic goals in designing and offering services to students;

- d. Ability to plan and execute substantive, well organized presentations (when appropriate to one's assigned duties);  
and
  - e. Performance of assigned duties and responsibilities.
- B. Knowledge of the relationship of one's areas of responsibility within broader fields
- b. Ability to relate one's subject to other areas of knowledge and to the liberal arts tradition; and
  - c. Commitment to accomplish university goals as expressed in the mission statement.
- C. Pedagogical skill (when appropriate to one's assigned duties)
- a. Knowledge of current developments in pedagogy relevant to one's field;
  - b. Skill in communicating with students;
  - c. Ability to stimulate and broaden student interest in subject matter;
  - d. Capacity to challenge students, e.g., to motivate independent work;
  - e. Ability to utilize effective teaching methods and strategies;
  - f. Encouragement of student expression and critical assessment of divergent views;
  - g. Availability for contact with students; and
  - h. Capacity to exemplify and train students in appropriate modes of professional behavior, including interpersonal skills.
- D. Effectiveness in consulting
- a. General availability to students, faculty and staff;
  - b. Degree of helpfulness shown to the library patrons;
  - c. Appropriate advising of students and faculty on use of materials to support the curriculum;
  - d. Suitable counseling of students regarding research strategies and study skills;
  - e. Effective consultation with faculty, staff and administration on research projects.

#### 2.5.2.2 Evidence

Those charged with the responsibility for the evaluation of faculty librarians will utilize as many kinds of documentation as possible. The following documentation must be submitted by faculty librarians as part of the evaluation process.

- A. Required evidence
- a. Self-evaluation prepared for promotion/tenure process;
  - b. Peer evaluation, where applicable;
  - c. Student evaluations, where applicable;
  - d. Annual evaluation by library director;
  - e. Annual professional development plan and end of year academic self- assessment;
  - f. Class and/or presentation materials;
- and

g. Documentation of scholarly involvement.

B. Additional evidence (optional)

- a. Continuing education experience that relates to the faculty librarian's responsibilities at St. Edward's;
- b. Formal and informal feedback from St. Edward's faculty, staff and students;
- c. Formal and informal feedback from groups or individuals outside of St. Edward's;
- d. Internal and external awards;
- e. Publications, such as books and articles; and
- f. Creative productions, such as art exhibits and performances.

2.5.3 Evaluation Categories for Faculty Holding Administrative Appointments

The evaluation of faculty who are serving in either full or three-quarter time administrative appointments is solidly grounded in the principles articulated in the mission statement. These include respect for the human person; the pursuit of a peaceful and just world; and a commitment to academic excellence based on critical and creative thinking. It is expected that administrators translate these principles into action on a daily basis in their interactions with other administrators, faculty and staff colleagues, and students. All administrators must do their best to contribute to the creation of a collaborative, productive environment on campus. Administrators must be especially sensitive to actively supporting faculty in their scholarly pursuits and to aiding students in their journeys toward academic excellence.

Faculty holding either full- or three-quarter-time administrative appointments are evaluated in the following three areas which are specific to those responsibilities — management and communication skills, academic and job focus, and service. Faculty who have been given release time to serve in part- time administrative capacities, especially if s/he report to someone other than their teaching supervisor, should be given feedback on their administrative work, using the categories below.

Faculty serving in administrative appointments will submit supporting evidence to the appropriate supervisor at the end of each academic year. Using this and any other appropriate material, the supervisor will write an annual evaluation letter and meet with the administrator to discuss the evaluation.

2.5.3.1 Management and Communication Skills

It is expected that those holding administrative appointments are effective managers of both resources and personnel. In addition, they must have strong communication skills to reinforce their management capabilities. The qualities that define this category include, but are not limited to, the following:

- A. Verbal, non-verbal, and written communication skills
- B. Ability to work with diverse populations, including other administrators, faculty, staff, and students

- C. Ability to judge people with both perception and open-mindedness
- D. Ability to work for consensus
- E. Flexibility
- F. Leadership skills
- G. Ability to take, as well as delegate, responsibility and authority
- H. Initiative
- I. The ability to motivate
- J. Conflict resolution skills
- K. Decision making skills
- L. Planning skills
- M. Attention to both "the big picture" and to details
- N. Concern with substantive issues rather than trivia
- O. Budget planning and implementation
- P. Meeting expectations and work schedules
- Q. Efficiency and a sense of timeliness; and
- R. Knowledge of both modern management and modern communication techniques.

#### 2.5.3.2 Academic and Job Focus

It is expected that those holding administrative appointments understand and make appropriate contributions in their specific appointment areas, as well as to the overall academic environment of St. Edward's. Factors that relate to this area include, but are not limited to, the following:

- A. An understanding and implementation of all specific job responsibilities
- B. An understanding and support of the St. Edward's mission statement
- C. A knowledge of the purpose and goals of higher education
- D. An understanding and implementation of academic process
- E. Working in the community for support of the institution; and
- F. Broad intellectual and cultural interests.

#### 2.5.3.3 Service

Those holding administrative appointments are expected to render service both within and/or outside of the university, beyond that which is required by their specific job descriptions (see 2.5.3). Service is evaluated according to two criteria. The first considers what service is rendered, i.e., responsibility, while the second considers the spirit in which it is rendered, i.e. collegial relations. Some examples of activities that fulfill this obligation include, but are not limited to

##### 2.5.3.3.1 Responsibility

- A. University responsibility (beyond that which is required by the administrator's specific job description)
  - a. Critical and creative work on university committees;
  - b. Attendance at and participation in various academic activities, such as meetings and ceremonies;
  - c. Involvement in and contribution to the ongoing life of the university outside of the academic area;

- d. Mentoring;
  - e. Attainment and effective use of external grant funds;
  - and
  - f. Serving as a club sponsor.
- B. Community responsibility (beyond that which is required by the administrator's specific job description)
- a. Volunteering at community service organizations, such as Meals on Wheels or Recording for the Blind;
  - b. Participating in service-related religious organizations, such as Habitat for Humanity or the St. Vincent de Paul Society;
  - c. Working with political organizations such as the Nature Conservancy or the League of Women Voters;
  - d. Serving the educational system through organizations such as the PTA or Reflections; and
  - e. Holding leadership positions in any of the types of organizations mentioned above.

#### 2.5.3.3.2 Collegial Relations

Regarding the second component of service, collegial relations, all faculty holding administrative positions are expected to exercise their best efforts to create a collaborative and productive environment. All interactions at the workplace and in the larger community must be grounded in personal and professional integrity, maturity, and respect for colleagues, students and members of the larger community. Activities in the area of collegial relations include, but are not necessarily limited to, the following:

- A. Active exemplification of all areas of the university mission statement.
- B. Willingness to share one's talents and energies with other individuals.
- C. Showing respect for the diversity that exists in all areas of life at St. Edward's University and in the larger community.
- D. Respect for the Catholic heritage and traditions of St. Edward's; and
- E. Integrity.

#### 2.5.3.4 Evidence

The supervisors who are charged with evaluating faculty holding administrative appointments will utilize as many kinds of documentation as possible, including, but not limited to, the following:

- A. Approved, written school and department guidelines for criteria used in evaluating teaching, service, and professional development;
- B. Self-evaluation, including a listing of yearly activities related to the five categories above.
- C. Feedback from St. Edward's administrators, faculty, staff, and students.
- D. Documentation of appropriate training; and
- E. Internal and external awards.

## 2.5.4 Evaluation Process

### 2.5.4.1 Course Evaluations.

Students evaluate each class toward the end of every session using the standard course evaluation form. Procedures will vary from program to program, but must ensure the confidentiality of the student response. The faculty member whose course is being evaluated should not be present during the evaluation, nor be the recipient of the evaluation forms or electronic responses. Institutional Research will process the forms and distribute the results to the faculty member through the school office. A copy of the results will be kept in the faculty member's folder in the school office and will be available to the department chair, the school dean, and the school committee for preparing evaluations.

### 2.5.4.2 Classroom Observation.

Peer evaluation of classroom teaching will be performed for at least one course during each year of a probationary faculty member's contract. Other teaching faculty may request peer evaluation at any time to assist them in improving teaching effectiveness or specific teaching strategies. The process will be facilitated by the appropriate school dean.

Evaluators will be chosen by the faculty member from a list of at least five faculty members provided by the school committee. Following the evaluation, the evaluator and evaluated may discuss the evaluation before it is sent to the school dean. Results of peer evaluations of probationary faculty will be kept in the faculty member's file in the school office and are available to the department chair, the school dean, and the school committee for preparing evaluations.

The results of peer evaluations of post-probationary faculty may be included in evaluations at the option of the faculty member, but their inclusion cannot be required.

### 2.5.4.3 Self-evaluation.

At the end of each spring semester, every faculty member will provide a self-evaluation, in accord with agreed upon procedures of each school, furnishing information concerning achievements in each of the evaluation categories, and submit it to the department chair by May 31. The department chair will use this information in compiling the annual evaluation form and will forward the self-evaluation to the dean with the evaluation form for each faculty member in the department. The school dean will keep the self-evaluation in the faculty member's file in the school office.

### 2.5.4.4 Professional Development Plan.

Professional development is important in the overall evaluation process. In planning a program of professional development, faculty members are advised to consider the long- and short-range plans of their department, school, and the university in relation to their current and potential contributions to their school and the university. At the beginning of each fall semester or trimester, each faculty member will submit a statement of goals

and objectives for professional development to the department chair and school dean. The development plan on file in the school office will derive from the faculty member's interests, in relation to all aspects of his/her current and potential responsibilities, the department's, school's and university's long-range and short-term goals, and suggestions for development from the school dean. The school dean will work with the faculty member in seeking sufficient resources to implement the agreed upon plan. The Faculty Professional Development Plan will be important in considering requests for the approval of a sabbatical. The faculty member's progress towards meeting the goals and objectives will be assessed near the end of the spring semester, and this assessment will be included in the annual evaluation letter.

#### 2.5.4.5 Evaluation of Department Faculty.

Each year at the end of the spring semester and before the beginning of the subsequent fall semester, the department chair will complete an evaluation form for each faculty member in the school with regard to the appropriate evaluation categories. The annual evaluation form will be a part of each faculty member's permanent record and will be included in the tenure and promotion process (i.e., will be forwarded to the faculty evaluation committee), along with any response from the faculty member being evaluated. The department chair's annual faculty evaluation form will include substantive language, clearly documenting the level of performance of the faculty member in each category (teaching, service, and professional development), but the chair's annual evaluation form will not categorically rate faculty members as "excellent," "strong," "adequate," "unacceptable" (i.e., check a box). The chair's annual faculty evaluation form will be sent to the school dean and to the faculty member simultaneously, giving the faculty member 10 business days from the time of receipt of the evaluation from the department chair to respond to the chair's evaluation.

Following the receipt of the department chair's annual evaluation form and faculty member response if one is submitted, the school committee will prepare annual summative evaluations for all probationary faculty in the school. In the years when a dean's evaluation is required (see sections 2.2.2.2 and 2.2.2.3), following the receipt of the department chair's annual evaluation form, the school dean will submit a summative evaluation of each post-probationary faculty member. These evaluations by the school committee or the school dean will include the final categorical rating (i.e., "excellent," "strong," "adequate," or "unacceptable") of that faculty member in the areas teaching, service, professional development. These evaluations will be based on criteria in the Faculty Manual and the written criteria for each evaluation category defined by the departments within each school. This evaluation will be forwarded to the faculty member and placed in the faculty member's records. School committee post-probationary and post-tenure formal reviews substitute for the dean's evaluation in years in which formal reviews are required. Post-probationary members may request to be evaluated by the school dean in years when a formal evaluation is not required. Requests for optional evaluations should be submitted to the dean in writing before the end of the Fall semester of the year that the letter will cover. All evaluations by the school dean, as well as the annual evaluation forms from the chair, will contribute to a faculty member's formal periodic review.

Material for the report will be based on adequate evidence to evaluate the faculty member's responsibilities. Such evidence is obtained from sources which include but are not limited to student evaluations, self-evaluations, professional development plans and observations of the faculty member's activities outside the classroom or specific area of responsibility. Evidence from peer evaluations is included for probationary faculty; peer evaluations for post- probationary faculty are included only if voluntarily submitted by the faculty member.

One copy of the evaluation report will be retained by the faculty member; one copy signed by the faculty member indicating receipt of the report will be maintained in the school office, and another will be kept in the member's personnel file in the provost' office. Faculty members are free to append a response to the signed report. Such a response will also become part of the faculty member's file.

Faculty applying for promotion or tenure in a given year must receive these evaluation reports in time to include them in their promotion/tenure portfolio; therefore, these evaluation reports must be received by the promotion/ tenure candidates by August 1.

2.5.5 FACULTY EVALUATION RATING GRID

Evaluation Categories:

- A. Teaching effectiveness -Command of one's subject, Knowledge of relationships of one's discipline within broader fields; Pedagogical skill; On-going self-assessment and development; Advising.
- B. Service - Responsibility; Collegial relations.
- C. Professional development - Discipline-specific development; Cross- disciplinary development.

Minimum Required Standards:

E = Excellent                      S = Strong                      A = Adequate                      U = Unacceptable

	<u>Teaching</u>	<u>Service</u>	<u>Development</u>
Assistant	S	A	A
5 year #	S	A-or-S*	A-or-S*
Associate	S	S	S
Tenure	E	S	S
Professor	E	S -or- E**	S -or- E**

#Anyone whose 5-year review is at a higher rank than assistant must perform at that rank.

\*The candidate must have an S in teaching; S in one other area; and an A in the final area.

\*\*The candidate must have E in teaching; E in one other area; and S in the final area.

#### Process Regarding Promotion and Tenure:

A simple majority plus one of the members of the Faculty Evaluation Committee must give the candidate the minimum score in each of the three areas.

### 2.5.6 Periodic Review of Post-probationary and Tenured Faculty

The university and the faculty recognize that the professional competency of the faculty is manifested in consistent growth throughout each member's academic career. In addition to annual reviews by the department chair and regular evaluations by the school dean or school committee, conducted for all faculty in order that faculty members may be made aware of the state of their academic development, there are formal periodic reviews (described below) of all post-probationary faculty, both tenured and non-tenured. Should a formal periodic review occur in the same year that a faculty member is applying for promotion or tenure, the review processes may be merged to the degree that they have overlapping requirements. Care will be taken in such cases to satisfy the requirements and follow-up procedures of each review.

#### 2.5.6.1 Faculty on Annual Contracts.

Every successive third year after attaining post-probationary annual contract status, formal review is made of each faculty member to judge whether or not s/he continues to manifest those qualifications upon which annual contract status and/or promotion were based, using the aforementioned criteria and types of evidence. The department and school evaluation reports contribute to the data for this review.

The evaluation is conducted by the school committee, which includes the school dean, and its findings will be presented to the faculty member in writing in March of the spring semester of the third year. If the findings of the school committee are positive, the continuing Notice of Appointment will be issued by April 15. No further action beyond the annual evaluations is warranted until the next three-year review.

If the findings are negative, that is, it is determined that the faculty member does not continue to manifest those qualifications on which his/her current status is based, the school committee will hold a conference with the faculty member. The purpose of this conference is to discuss with the faculty member the committee's findings and to assist the faculty member in formulating an improvement plan to correct the deficiencies noted.

If the faculty member objects to the findings, within five working days of notification s/he may request a review of the findings by a committee consisting of a faculty member appointed by the provost, a member of the Faculty Evaluation Committee chosen by the Faculty Evaluation Committee (See 2.5.7), and a post-probationary faculty member chosen by the faculty member being evaluated. The recommendations of this committee will be forwarded to the provost who will make the final decision and notify the faculty member no later than May 15. In an appeal situation, the annual Notice of Appointment may be delayed until May 15.

The faculty member will have one year in which to correct the deficiencies. At the end of that time, progress will be evaluated by the school committee. If the deficiencies have been corrected, no further action is required at that time. The next formal review will be scheduled for the successive third year. If satisfactory progress has not been shown, the dean will recommend to the provost that a terminal contract be issued for the subsequent year.

Deadlines:

March of third year:	Formal evaluation by school committee completed and written findings sent to faculty member. Request for review of findings may be made at this time.
April/May of third year:	Conference with school committee and faculty member to formulate a developmental improvement plan including process for monitoring progress. Request for review of findings may be made at this time.
Following April/May:	Progress on the developmental plan evaluated. If satisfactory progress is not demonstrated, a recommendation for a terminal contract is sent to the provost. If the recommendation is accepted by the provost, a terminal contract for the final year of service will be issued, usually by June 15. Process of appeal is provided in 2.8.8.

#### 2.5.6.2 Tenured Faculty.

Every successive sixth year after attaining tenure, formal review is made of each faculty member to judge whether or not s/he continues to manifest those qualifications upon which tenure and/or promotion were based, using the aforementioned criteria and types of evidence. The department and school evaluation reports contribute to the data for this review.

The evaluation is conducted by the school committee, which includes the school dean, and its findings will be presented to the faculty member in March of the spring semester of the sixth year.

If the findings of the school committee are positive, the continuing Notice of Appointment will be issued by April 15. No further action beyond the annual evaluations is warranted until the next review.

If the findings are negative, that is, it is determined that the faculty member does not continue to manifest those qualifications on which his/her current status is based, the school committee will hold a conference with the faculty member. The purpose of this conference is to discuss with the

faculty member the committee's findings and to assist the faculty member in formulating an improvement plan to correct the deficiencies noted.

If the faculty member objects to the findings, within five working days of notification s/he may request a review of the findings by a committee consisting of a faculty member appointed by the provost, a member of the Faculty Evaluation Committee, chosen by the Faculty Evaluation Committee (See 2.5.7), and a tenured faculty member chosen by the faculty member being evaluated. The recommendations of this committee will be forwarded to the provost who will make the final decision and notify the faculty member no later than May 15. In an appeal situation, the annual Notice of Appointment may be delayed until May 15.

The faculty member will have the next two consecutive years in which to correct the deficiencies. Progress will be monitored yearly by the school committee. When this committee is satisfied that the deficiencies have been corrected, no further action is required at that time. The next formal review will be scheduled for the successive sixth year. If satisfactory progress has not been shown by the end of the two-year period, the school dean will recommend to the provost that a terminal contract be issued for the subsequent year.

Deadlines:

March of sixth year: Formal evaluation by school committee completed and written findings sent to faculty member. Request for review of findings may be made at this time.

April/May of sixth year: Conference with school committee and faculty member to develop a two-year improvement plan including process for monitoring progress. Request for review of findings may be made at this time.

Spring of first year of improvement plan: Progress on improvement plan evaluated. If satisfactory progress has not been shown, faculty member is advised in writing of continued need for improvement. If deficiencies have been corrected, no further action is required.

April/May of second year of improvement plan: Progress on improvement plan evaluated. If deficiencies have been corrected, no further action is required. If satisfactory progress has not been shown, a recommendation for a terminal contract is sent to the provost. If the recommendation is accepted by the provost, a terminal contract for the final year of service will be issued, usually by June 15. Process of appeal is provided in 2.8.8.

### 2.5.7 Faculty Evaluation Committee.

The Faculty Evaluation Committee (FEC) considers applications for promotion and tenure, and forwards its recommendations to the provost in accord with the requirements of the respective processes. The FEC's final evaluative letter supporting its recommendation will be forwarded to both the candidate and the candidate's school committee when the provost notifies the candidate of the final decision on promotion or tenure. It consists of members serving two-year staggered terms: one tenured faculty member at-large elected through a secret ballot by the Senate in spring of each even-numbered year; one tenured faculty member at-large elected through a secret ballot by the Collegium in spring of each odd-numbered year; faculty members: one from each of the schools, a representative of the graduate faculty, and the library, elected by the respective entity. Full-time and pro-rata contracted faculty are eligible to vote for members of the FEC. The Faculty Elections and Appointments Committee (FEAC) will determine a rotation process for the election of school representatives on the FEC. All members, except in circumstances specified below, will have a minimum of five years on the faculty at St. Edward's, will hold either the rank of associate professor or full professor, and normally will not serve on any other elected committee.

The following procedures will be followed in the unusual circumstances that a school has no one on its faculty who meets the stated rank and/or length of service requirement(s). Even under such circumstances no one will be selected to serve who is not at minimum a contracted assistant professor with at least three years experience at St. Edward's. The school committee with the concurrence of the provost will accordingly determine the two members of the concerned school's faculty whose rank and length of service record most closely approximate the requirements of associate or full professor with five years of experience at St. Edward's. The school faculty will then select its FEC representative from the faculty members so identified. If only one candidate is available through this process, that candidate will stand for election unopposed. If a school has no one on its faculty except the dean who meets the stated rank or length of service requirements, the dean may serve if there are no candidates for promotion or tenure from that school. If the school is unable to find a qualified candidate willing to serve, that faculty may elect not to be represented on the FEC for that year.

A candidate for promotion or tenure cannot serve on the FEC or the school committee during the year of his/her candidacy. To protect faculty applying for promotion and tenure against double jeopardy, no person may serve on the school committee and the FEC during the same academic year. If a school dean applies for promotion/tenure, the dean must be replaced during the discussion of his/her application by the school committee.

A quorum of 75% is required for meetings. Decisions require a simple majority plus one vote. Meetings of the committee are closed. Records of the FEC are available on a need-to-know basis only to the members of said committee, the provost, the president, and, if determined necessary by the president, to the appropriate internal Appeal Committee. Vacancies will be filled for an unexpired term by the electing authority, in the manner originally employed.

The FEC elects a chair from among its members and within the guidelines of this Faculty Manual establishes procedures for committee review of promotion and tenure candidates. The chair is responsible for convening and conducting meetings and for forwarding committee recommendations and supporting materials to the provost.

## 2.6 PROMOTION

- 2.6.1 Procedure. The faculty member seeking promotion (whether holding an appointment primarily as teacher, administrator or librarian) initiates the process by placing the required documentation into a promotion portfolio as specified in 2.6.5. The portfolio is then examined by the school committee (See 2.6.6), which makes a written recommendation of either support or nonsupport of the application to the FEC. The candidate is given one calendar week to review the school committee's written recommendation and correct any factual errors or revise the promotion portfolio if recommended before the portfolio and school committee recommendation are forwarded to the FEC.

Upon completion of its consideration (See 2.6.7), the FEC forwards its recommendation of either support or nonsupport to the provost, together with the portfolio and any relevant documents. The provost will make an evaluation and decision in accordance with 2.6.8. A faculty member may appeal the decision to the president, who will commission an ad hoc committee in accord with 2.6.9 to make a recommendation on the matter. The president's decision is final.

- 2.6.2 Deadlines. The deadlines in the promotion process are met when the steps are completed on the following dates or on the working day closest to the date specified.

April 1:	The provost notifies all faculty of the process and deadlines in the promotion process for the following academic year.
May 31:	Candidates for promotion must inform their chair and school dean of their intention to apply for promotion (which is also the deadline for submission of their annual self-evaluation)
August 1:	Candidates for promotion must receive the dean's evaluation report for the previous academic year if such an evaluation was required or requested.
First contract day of the fall semester:	Application must be in the hands of the school committee.

September 24:	School committee letter is given to candidate.
October 1:	Optional response from candidate to school committee
October 8:	School committee forwards its final recommendations to the FEC.
January 30:	The FEC forwards the portfolio and all recommendations to the provost.
March 1:	The provost notifies the applicant of the decision and provides both the candidate and the candidate's school committee with the FEC's final evaluative letter.
March 15:	If the applicant wishes to appeal the decision, a written request must be submitted to the president by this date to initiate the appeal process.
April 30:	The ad hoc appeal committee makes recommendation to president.
May 15:	President notifies candidate of final decision.

The provost, with regard to the promotion deadlines, and the president, with regard to the appeal process deadlines, for good reason may grant extensions to any of the foregoing timelines, which, unless otherwise noted, shall equivalently extend all subsequent timelines.

2.6.3 General Criteria. Section 2.1.2 contains applicable definitions and criteria for determining a college/university of recognized standing (2.1.2.1); calculating length of service (2.1.2.2); and deciding applicable degree requirements (2.1.2.3).

2.6.4 Criteria by Rank.

2.6.4.1 Assistant Professor. To be eligible for promotion to the rank of assistant professor, the candidate:

A. Qualifies in one of the following:

- a. Holds a master's degree in the appropriate discipline from a college/university of recognized standing and has completed three years of full-time college teaching or service as a college librarian;
- b. Holds an earned doctoral degree or terminal degree in the appropriate discipline from a college/university of recognized standing.

- B. Shall have received evaluations demonstrating growth in each of the three areas of faculty performance since appointment to the St. Edward's faculty in accord with Faculty Evaluation Rating Grid, Section 2.5.5.
- C. Clearly demonstrates potential for continued growth in teaching and professional development.

2.6.4.2 Associate Professor. To be eligible for promotion to the rank of associate professor, the candidate:

- A. Qualifies in one of the following:
  - a. Holds a master's degree in the appropriate discipline from a college/ university of recognized standing, and is in at least the seventh year of full-time college teaching or service as a college librarian or academic administrator (or equivalent part-time college teaching or service), three years of which must have been at St. Edward's University;
  - b. Holds an earned doctoral degree or terminal degree in the appropriate discipline from a college/university of recognized standing, and has completed five years of full-time college teaching or service as a college librarian or academic administrator (or equivalent part-time college teaching or service), three of which must have been at St. Edward's University. Years of service to fulfill this requirement will begin accruing when the doctoral or appropriate terminal degree has been awarded.
- B. Demonstrates ratings in accord with Faculty Evaluation Rating Grid, Section 2.5.5.

2.6.4.3 Professor. To be eligible for promotion to the rank of professor, the candidate:

- A. Has held the rank of associate professor at St. Edward's for five or more years.
- B. Qualifies in one of the following:
  - a. Holds a master's degree in the appropriate discipline from a college/university of recognized standing and has twelve years of full- time teaching or experience as a college librarian or academic administrator at the college level, eight of which must have been at St. Edward's University;
  - b. Holds an earned doctoral degree or terminal degree in the appropriate discipline from a college/university of recognized standing and has completed ten years of full-time college teaching or service as a college librarian or academic administrator at the college level, five of which must have been at St. Edward's University.

- C. Must be recognized as outstanding in all areas of university life. In addition, the candidate must have made a specific and distinctive contribution reflective of the St. Edward's mission statement in one or more ways to the university. This rank is reserved for those faculty members who are recognized as exceptional by their colleagues in the university and/or those outside of the university. The candidate must also show a consistent pattern of evaluation over time appropriate to the attainment of this rank. Additionally, they must receive a ranking of "excellent" in the category of Teaching Effectiveness; a ranking of "excellent" in either Service or Professional Development; and a ranking of "strong" in the remaining category, according to the voting guidelines used by the Faculty Evaluation Committee.

2.6.4.4 Professor Emeritus. The title Emeritus and status associated therewith may be granted to deserving St. Edward's University faculty members or administrators holding faculty status upon or following retirement and are conferred in accordance with the following policies and procedures:

- A. A faculty member or administrator who retires from St. Edward's University may be considered for emeritus status. Retirement means the individual has satisfied the service, age and other applicable requirements set forth for retirement under the rules of the university (See 2.8.2 and 2.14.4.1).
- B. The faculty member/administrator recommended for emeritus status shall have completed the requisite service listed below. Recommendation for conferring emeritus status shall be based upon individual distinction, as well as the quality of contribution and service to the university.
- C. If the retiree to be honored holds both a professional rank and administrative title at the time of retirement, both shall be utilized.
- D. The title of Professor Emeritus may be conferred upon a faculty member who retires with the rank of professor, and who has served in the rank of professor or some combination of professor and associate professor at St. Edward's University for at least ten years.
- E. The title Associate Professor Emeritus may be conferred on a faculty member who has served in the rank of associate professor at St. Edward's University for at least ten years.
- F. Consideration of emeritus status for faculty members will originate with the appropriate school dean and must be favorably endorsed by the provost and approved by the president and the Board of Trustees.
- G. In exceptional cases, the president of St. Edward's University may waive the minimum length of service requirement.
- H. Individuals who hold emeritus titles at other institutions normally will not be eligible for an emeritus title at St. Edward's University.

- I. Faculty members enjoying emeritus status may be recalled to service in the interest of the university while continuing emeritus status. If, however, an individual is appointed to part-time service upon retirement, recommendation for emeritus status should be held until cessation of employment.
- J. Benefits accruing to emeritus faculty are specified in 2.14.4.2.

2.6.5 The Candidate. The faculty member requesting promotion ("the candidate") is responsible for gathering all supporting documentation and placing it in a portfolio which will include the application; documentation; and approved school evaluation guidelines. The documentation need not be limited to, but will include the required areas of documentation (2.5, 2.6): self-evaluation prepared for the promotion/tenure process; annual department chair evaluation forms; letters of evaluation by the appropriate school dean or school committee; professional development plans and end of academic year self-assessments; student course evaluations; representative examples of course materials i.e. syllabi, handouts, tests, etc.; end of semester grade distribution reports showing grade distribution and course load data. It may also include other appropriate documents and such other evidence (2.5) as may be useful in presenting justification for the requested promotion. Such materials should cover only the period during which the faculty member has held the present rank, or in the case of a long held rank, should emphasize the last six to eight years. If the original Letter of Appointment and/or any explicit modification thereof specified any agreement affecting future eligibility for promotion, said letter(s) also will be included among the materials submitted (see 2.1.3). A table of contents listing materials submitted should be included. This portfolio is given to the school committee no later than the first contract day of the fall semester.

2.6.6 The School Committee. The school committee (see 2.1.2.5) is responsible for evaluating the candidate in relation to the percentage of the candidate's contract assigned to teaching, library and/or administrative appointments. The school committee will send its final recommendation to the faculty evaluation committee on or before October 8 with the portfolio and any documentation it wishes to add to the written statement of support or nonsupport for the candidate's promotion request. The school committee will include in its statement a rating for each of the categories of evaluation and a justification for the assigned ranking (see 2.5.5 and subsequent table). The school committee will use criteria in the Faculty Manual and the written criteria for each of the three evaluation categories defined by departments within the school as presented in the approved school guidelines. Each member of the school committee taking part in the review should sign the letter of recommendation to the FEC. The candidate will have one calendar week to view the school committee recommendation before it is forwarded to the FEC in order to identify and address to the school committee any factual errors in the recommendation and make changes in the promotion portfolio suggested by the school committee.

A faculty member who becomes a candidate for either promotion or tenure while serving on the school committee becomes ineligible for service on said committee, and must be replaced for the remainder of that academic year in accord with specified procedures (see 2.1.2.5).

If the school committee has not forwarded a favorable recommendation to the FEC, the committee will inform the candidate. The candidate may choose to withdraw his/her request for promotion by notifying the provost in writing five days after receiving notification. If the candidate does not withdraw his/her request, the FEC will conduct its standard promotion review which will constitute the appeal of the negative school committee decision.

- 2.6.6.1 Teaching Faculty. If the candidate holds a teaching appointment, the school committee is primarily responsible for arriving at a judgment concerning the candidate's performance in the three areas described in 2.5.1.
- 2.6.6.2 Librarians. If the candidate holds a library appointment, the school committee is especially well situated to assess the candidate's performance in the areas described in 2.5.2.
- 2.6.6.3 Academic Administrators. If the candidate holds an administrative appointment, the school committee will be responsible for making a recommendation based upon his/her performance both as administrator and as teacher. The school committee is responsible for assessing the candidate's performance in areas described in 2.5.3.
- 2.6.7 The Faculty Evaluation Committee. This is a university-wide committee composed of faculty members as specified in 2.5.7 is charged with examining the candidate's application and documentation to determine whether the promotion should be granted. The principal task of the FEC with regard to promotion is to insure, through examination of the documentation supplied by the candidate, the department, and the school committee that standards are applied with appropriate consistency among the schools.
  - 2.6.7.1 The provost will convene the faculty evaluation committee early in the fall semester and review the promotion procedure and criteria with committee members. It is appropriate at this time for the provost to remind the faculty of the need to ensure adequate documentation and compliance with written department guidelines and legal requirements. The merits of individual applications will not be discussed at these initial meetings of the provost and committee prior to the FEC beginning its work.
  - 2.6.7.2 The FEC is primarily responsible for determining the nature of the candidate's contribution to the general university community; the FEC is well situated to offer a complementary judgment on the candidate's performance in the three areas described in 2.5. It is appropriate for the FEC, based on the evidence, to add its assessment of the candidate's overall performance to that of the school committee. The FEC, in making its assessment, will use criteria in the Faculty Manual and the written criteria for each of the three evaluation categories defined by departments within the school. The FEC should also attempt, by comparing evidence from various sources, to verify the self-evaluation of the candidate, the teaching evaluations and the evaluation by the school committee. Any evidence of this verification should be included in the FEC's recommendation to the provost.

The FEC will conduct discussions of the qualifications of each candidate at meetings attended by a quorum of committee members (See 2.5.7). The FEC may request additional documentation from any faculty or administrative source it wishes. The recommendation on promotion for each candidate will be determined using secret ballots by a vote of the simple majority, plus one. (See 2.5.5). After the FEC has made its decision, but prior to forwarding that decision formally to the provost, the FEC will meet with the provost to apprise the provost of the decisions and hear any concerns or reflections the provost may wish to make. The FEC, subsequent to this discussion with the provost, may choose to reconsider its decision. The FEC will also apprise the provost of any inconsistencies in department guidelines so that they may be revised for future years. Notice of the FEC's recommendation, together with reasons for support or nonsupport, then is submitted formally in writing to the provost with the portfolio and any other relevant documentation, no later than January 30.

- 2.6.8 The Provost. The provost will review the recommendations of the school committee and the faculty evaluation committee, together with the portfolio and any documentation provided by either committee.

The provost is primarily responsible for assessing the overall contribution of the candidate to the university and the candidate's commitment to the goals of the institution. The provost is also responsible for noting any inconsistencies in the reports of the school and faculty evaluation committees.

The provost may not promote a candidate who has received a negative recommendation from the FEC unless procedures or regulations governing promotion have been clearly violated. The provost may, however, veto a positive recommendation from the FEC. In this case the provost will provide the candidate and the two committees with written indication of the reason for denying the promotion. The provost will notify the candidate of the final decision by March 1, advising a rejected candidate of the process of appeal. When notifying candidates of the final decision, the provost will provide both the candidate and the candidate's school committee with the final evaluative letter from the FEC supporting its recommendation.

- 2.6.9 The Appeal Process. If the school committee does not recommend promotion, forwarding of the application to the FEC constitutes in effect an appeal of the school committee's findings. A candidate who wishes to appeal a recommendation made by the FEC or the provost will notify the president in writing, specifying the grounds for the appeal, by March 15. Grounds for an appeal are alleged violation or application in an arbitrary and capricious manner of the policies and procedures governing the promotion process as set forth in this Faculty Manual; alleged violations of policies governing academic freedom; or unlawful discrimination which cannot justifiably form the basis for a promotion decision. The burden of proof is on the appellant. The president will commission an ad hoc appeal committee to review the matter and make a recommendation regarding its disposition to him/her. This appeal committee will be composed of one member appointed by the president and two members appointed by the executive committee of the Collegium. All members of the appeal committee must hold the rank of associate or full professor and have served a minimum of five years on the St. Edward's University faculty. No

faculty member who has served on a school committee or the faculty evaluation committee or in any full-time administrative post during that academic year can serve on the appeal committee.

The appeal committee will elect its own chair and conduct its business in a fair and expeditious manner. The purpose of the appeal committee is to ensure that procedures were followed correctly, not to reweigh the merits of the case. As the appeal committee is an internal committee, participation in the appeal process is limited to members of the university community.

The appeal committee has the option of finding no cause for reversing the decision; finding cause and recommending reversal of the decision; or finding that a technical but harmless error was made which would not have affected the decision and accordingly recommending that the decision not be reversed in spite of the error. The finding and recommendation of the appeal committee will be submitted to the president in writing by April 30. The president will consider the recommendation of the appeal committee and make a decision to sustain or reverse the denial of promotion. The president's decision is final.

## 2.7 TENURE

Tenure is defined as the right to an annual contract as a member of the St. Edward's University faculty in accord with the terms specified in the contract section of the current Faculty Manual (2.2.2.3).

- 2.7.1 Policy. To be eligible for tenure, applicants must have seven years full-time college teaching/service as a college librarian or academic administrator at the college level or the part-time equivalent, of which the five immediately preceding consecutive academic years must be at St. Edward's. In unusual circumstances, when hiring for positions such as dean or endowed professor and where the candidate currently holds tenure at another university, this requirement may be negotiated and the candidate hired with tenure. The criteria for computing length of service is specified in 2.1.2.2.

Faculty members may apply for tenure at their discretion after meeting the time- in-service and rank requirements. Denial of tenure does not affect eligibility to apply in subsequent years. The locus of tenure will be the same as the locus of appointment, which is specified with regard to the discipline and school in which it is effective.

The university reserves the right to deny tenure applications if necessary:

- A. To avoid long-term financial commitments in programs of uncertain financial viability;
- B. To maintain accreditation standards in terms of degree composition of faculty; or
- C. To take into account the future needs of the discipline, the school and the university.

- 2.7.2 Criteria. In addition to completing the time-in-service and rank requirements, the applicant must:

- A. Demonstrate continuing development in all areas described in 2.5 as evidenced by evaluations in both current and prior years of service. To be granted tenure, a candidate must receive the rankings in accord with Faculty Evaluation Rating Grid, Section 2.5.5.
- B. Demonstrate potential for effective career-long contributions to both the faculty member's academic discipline and the university-wide academic programs at St. Edward's University.

The granting of tenure not only represents a commitment by the university to the faculty member, but also imparts to the faculty member the responsibility for providing leadership and continuity; for maintaining quality teaching and student advising; for the development of academic programs; and for participation in university governance and when appropriate, for representing the university to the larger academic, business and civic communities.

2.7.3 Procedure. The faculty member initiates the process by preparing an application requesting tenure and compiling supporting documentation in a portfolio which will include the application, documentation, and approved school evaluation guidelines, as specified in section 2.7.5.1. This portfolio is given to the school committee no later than the first contract day of the fall semester. The school committee in accord with section 2.7.5.2 will review the material and forward the portfolio along with its recommendation to the FEC. The candidate will have one calendar week to view the school committee recommendation before it is forwarded to the FEC in order to identify and address to the school committee any factual errors in the recommendation and make changes in the promotion portfolio suggested by the school committee. The FEC in accord with section 2.7.5.3 will review the material and forward the portfolio along with its recommendation to the provost. The provost, as specified in 2.7.5.4, will review the material and forward it with a recommendation to the president, who will make the final decision to grant or deny tenure (2.7.5.5.) Both the provost and the president will pay particular attention to institutional needs in their review of the application materials. The president will notify the Board of Trustees and the candidate of the tenure decision. The president's decision may be appealed to the Institutional Oversight and Academic Affairs Committee of the Board of Trustees whose decision is final (2.7.6).

2.7.4 Deadlines. The deadlines in the tenure process are met when the steps are completed on the following dates or the working day closest to the date specified:

- April 1: The provost notifies all faculty of the process and deadlines in the tenure process.
- May 31: Candidates for tenure must inform their chair and school dean of their intention to apply for tenure (This is also the deadline for submission of their annual self-evaluation.)

- August 1: Candidates for tenure must receive the dean's evaluation report for the previous academic year if such an evaluation was required or requested.
- First contract day of fall semester: Application materials will be presented to the school committee.
- September 24: School committee letter is given to candidate
- October 1: Optional response from candidate to the school committee
- October 8: The school committee having considered the tenure request will have forwarded the application materials along with its final recommendation to the FEC.
- January 30: The FEC having considered the tenure request will have forwarded the application materials with its recommendation to the provost.
- February 15: The provost will have reviewed the application materials and forwarded them with a recommendation to the president.
- March 1: The president will have reviewed the application materials and made a decision regarding the granting of tenure. The president will notify the applicant of the tenure decision in writing and will advise those who have been denied tenure of the appeal process. The president will provide both the candidate and the candidate's school committee with the FEC's final evaluative letter. The president will also notify the Board of Trustees of the tenure decision.
- March 15: If the applicant wishes to appeal the decision, a request must have been submitted to the president in writing initiating the appeal process.
- March 22: Chair of the Institutional Oversight and Academic Affairs Committee of the Board has been notified and has received the materials pertinent to the appeal.
- May 15: The Institutional Oversight and Academic Affairs Committee will have reviewed the materials pertinent to the grounds alleged in the appeal and made a determination on the matter.

May 22: The Chair of the Institutional Oversight and Academic Affairs Committee will have notified the president and the faculty member appellant of the Committee's decision, which is final.

The provost, with regard to the tenure review deadlines, and the president, with regard to the appeal process deadlines, may grant extensions for good reason to any of the foregoing timelines, which, unless otherwise noted, shall equivalently extend all subsequent timelines.

## 2.7.5 Responsibility for the Tenure Review Process.

2.7.5.1 The Candidate. The faculty member requesting tenure is responsible for clearly articulating the case for tenure and providing evidence to justify the request. Documentation need not be limited to but will include the required areas of documentation (2.5, 2.7): self-evaluation prepared for the promotion/tenure process; annual department chair evaluation forms; letters of evaluation by the appropriate school dean or school committee; professional development plans and end of academic year self-assessments; student course evaluations; representative examples of course materials i.e. syllabi, handouts, tests, etc.; end of semester grade distribution reports showing grade distribution; and course load data. It may also include other appropriate documents and evidence (2.5). It will also include the application, which addresses the stated criteria (2.7.2) and may include such other materials as may be useful in justifying the request for tenure. Materials presented should cover the entire period of employment at St. Edward's. If the original letter of appointment and/or any explicit modification thereof specified any agreement affecting future eligibility for tenure, said letter(s) also will be included among the materials submitted (see 2.1.3). A table of contents listing materials submitted should be included.

2.7.5.2 The School Committee. The school committee (see 2.1.2.5) is primarily responsible for judging the strength of the candidate's performance in the areas described in 2.5. Further, the school committee is in a position to evaluate the candidate's potential career-long contribution to the discipline, school and university.

By October 8 the school committee should forward its written assessment of the candidate for tenure; its recommendation in that regard; the documentation provided by the candidate; and any additional documentation to the faculty evaluation committee. The school committee will include in its statement a rating for each of the categories of evaluation and a justification for the assigned ranking (see 2.5.5 and subsequent table). The school committee will use criteria in the Faculty Manual and the written criteria for each of the three evaluation categories defined by departments within the school. Each member of the school committee taking part in the review should sign the letter of recommendation to the FEC. The candidate will have one calendar week to view the school committee recommendation before it is forwarded to the FEC in order to identify and address to the school committee any factual errors in the recommendation and make changes in the promotion portfolio suggested by the school committee.

A faculty member who becomes a candidate for either promotion or tenure while serving on the school committee becomes ineligible for service on said committee, and must be replaced for the remainder of that academic year (see 2.1.2.5).

If the school committee has not forwarded a favorable recommendation to the FEC, the committee will inform the candidate. The candidate may choose to withdraw his/her request for tenure by notifying the provost in writing within five days of being notified. If the candidate does not withdraw his/her request, the FEC will conduct its standard tenure review which will constitute the appeal of the negative school committee decision.

- 2.7.5.3 The Faculty Evaluation Committee. A university-wide committee composed of faculty members as specified in 2.5.7 is charged with examining the candidate's application and documentation to determine whether tenure should be granted. The principal task of the FEC with regard to tenure is to insure thorough examination of the documentation supplied by the candidate and the school committee that standards are applied with appropriate consistency among the schools.
- 2.7.5.3.1 The provost will convene the FEC early in the fall semester and review the tenure procedure and criteria with committee members. It is appropriate at this time for the provost to remind the committee of the need to ensure adequate documentation and compliance with legal requirements. The merits of individual applications will not be discussed at these initial meetings of the provost and committee prior to the FEC beginning its work.
- 2.7.5.3.2 The FEC is primarily responsible for determining the nature of the candidate's contribution to the general university community since the FEC is well-situated to offer a complementary judgment on the candidate's performance in the areas described in 2.5. It is appropriate for the FEC, based on the evidence presented, to add its assessment of the candidate's teaching ability to that of the school committee. The FEC, in making its assessment, will use criteria in the Faculty Manual and the written criteria for each of the three evaluation categories defined by departments within the school. The FEC should also attempt, by from various sources, to verify the self-evaluation of the candidate, the teaching verification will be included in the FEC's recommendation to the provost.

The FEC will conduct discussions of the qualifications of each candidate at meetings attended by a quorum of committee members. (see 2.5.7) The FEC may request additional documentation from any faculty or administrative source it wishes. The recommendation on tenure for each candidate will be determined using a secret ballot by a vote of the simple majority, plus one (See 2.5.5.). After the FEC has made its decision but prior to forwarding that decision formally to the provost, the FEC will meet with the provost to apprise him/her of the decisions and hear any concerns or reflections s/he wishes to make. The FEC, subsequent to this discussion with the provost, may choose to reconsider its decision. Notice of the FEC's recommendation, together with reasons for support or nonsupport, then is submitted formally in writing to the provost with the portfolio and any other relevant documentation no later than January 30.

- 2.7.5.4 The Provost. The provost will review the recommendations of the school committee and the Faculty Evaluation Committee, together with the portfolio and any documentation provided by either committee.

The provost is responsible for assessing the overall contribution of the candidate to the university and the candidate's commitment to the goals of the institution. The provost is also responsible for noting any inconsistencies in the reports of the school and Faculty Evaluation Committees. In evaluating the tenure recommendation, the provost must also weigh the relationship between the long term financial commitment of tenure and the projected financial viability of the program in which the locus of tenure would reside; the degree composition of the faculty in the discipline of the tenure applicant in relation to accreditation requirements; and take into account the future needs of the school and university (See 2.7.1).

The provost having reviewed all the material from the candidate, the school committee, and the FEC, will formulate in writing a recommendation to the president including a statement of the assessment of specific staffing, financial and accreditation concerns. The material from the candidate, school committee and FEC will be forwarded with the provost's assessment and recommendation to the president by February 15.

- 2.7.5.5 The President. The president will review all the material received. The president has primary responsibility to consider the long-term staffing, financial and accreditation requirements of the university and the relationship of the tenure decision to the furtherance of the university's mission (See 2.7.1). The president will notify the candidate and the Board of Trustees of the tenure decision by March 1. When notifying candidates of the final decision, the president will provide both the candidate and the candidate's school committee with the final evaluative letter from the FEC supporting its recommendation.

- 2.7.6 The Appeal Process. A candidate who wishes to appeal a negative tenure decision of the president will appeal the decision in writing, specifying the grounds for appeal. Such an appeal must be initiated in writing by March 15. Grounds for an appeal are alleged violation or application in an arbitrary and capricious manner of the policies and procedures governing the promotion process as set forth in this Faculty Manual; alleged violations of policies governing academic freedom; or unlawful discrimination which cannot justifiably form the basis for a tenure decision. The burden of proof is on the appellant. The appeal is sent to the president for forwarding to the Institutional Oversight and Academic Affairs Committee of the Board of Trustees.

The Institutional Oversight and Academic Affairs Committee of the Board of Trustees will consider the appeal and decide the matter. The president, by March 22, will forward the written appeal and all materials relevant to the tenure process to the Chair of the Institutional Oversight and Academic Affairs Committee. Said committee may request any further information that they determine relevant and may, if they so determine necessary, interview those who were party to the application process. As the Appeal Committee is an internal committee, participation in the appeal process is limited to members of the university community. The purpose of the Institutional

Oversight and Academic Affairs Committee hearing is to assure that procedures were followed correctly, not to re-weigh the merits of the case. The committee will have met and determined the matter by May 15. The Chair of the Institutional Oversight and Academic Affairs Committee will notify the president and the faculty member of its decision by May 22. The decision of the Institutional Oversight and Academic Affairs Committee is final.

## **2.8 SEPARATION**

2.8.1 Resignations. Contracted tenure-track or tenured faculty members may terminate their appointment effective at the end of an academic year, provided that they give notice in writing to the provost at the earliest possible opportunity, but not later than May 15, or thirty days after receiving notification of the terms of their appointment for the coming year, whichever date occurs later. The faculty member may properly request a waiver of this requirement of notice from the provost in case of hardship, good cause, or in a situation where they would otherwise be denied substantial professional advancement, all as determined in the judgment of the provost.

2.8.2 Retirement. Faculty members may retire at their option consistent with the provisions of 2.8.1.

On the date of retirement, employment rights and benefits held by the faculty member shall terminate. Retirement categories and benefits are described in 2.14.4.1 and 2.14.4.2.

Post-retirement employment of a faculty member is permitted upon the recommendation of the school committee. Post-retirement employment is on a term contract. Such contract does not entail any right or promise of continued employment.

2.8.2.1 Normal Retirement. Faculty members may retire at their option consistent with the provisions of 2.8.1.

2.8.2.1.1 On the date of retirement, employment rights and benefits held by the faculty member shall terminate. Retirement categories and benefits are described in 2.14.4.1 and 2.14.4.2.

2.8.2.1.2 Post-retirement employment of a faculty member is permitted upon the recommendation of the school committee. Post-retirement employment is on a term contract. Such contract does not entail any right or promise of continued employment.

2.8.2.2 Phased Retirement Option. When meeting the eligibility criteria faculty members may elect this option to continue half-time employment for up to five years. Once the phased retirement option is initiated, the faculty will not be entitled to return to full-time employment.

2.8.2.2.1 Faculty members will be eligible for this option beginning at age 55 when the combination of their age and their years of full-time (or equivalent )

employment equals to eighty, provided they have completed at least fifteen years full-time (or equivalent ) employment at SEU.

2.8.2.2.2 The workload will be one-half of that of full-time faculty, or the workload of one- half teaching load. The reduction in workload includes a reduction in non- teaching responsibilities, such as advising and committee work. Subject to approval by the faculty member's Dean or Director, the half-time work would be accomplished by either one full-time long semester and nothing the next, or by both half-time long-term semesters. Options for summer teaching assignments for nine month contracted faculty would remain as is.

2.8.2.2.3 The faculty member will be subject to standard performance evaluations during their phased retirement.

2.8.2.2.4 Salary for the first year is one-half of pre-retirement salary, but the individual will be eligible for the same annual percentage raises as a full-time faculty member.

2.8.2.2.5 The faculty member is treated as a full-time faculty member in terms of:  
a. SEU's contribution to the individual's 403b plan,  
b. SEU's contribution toward the individual's health insurance premiums, c. Spouse and offspring tuition reduction, and  
d. Office space.

2.8.3 Non-reappointment of Probationary Faculty. Probationary faculty are subject to all the dismissal and layoff provisions of 2.8 with the exception of sections specifically applicable to post-probationary faculty (2.8.5 and 2.8.6). In addition, failure on the part of the faculty member on a probationary contract to meet the expectations to make continued satisfactory progress for the faculty member's current rank, to maintain the standards set for the rank held or to satisfy the required needs and expectations of the school for the position held will result in notification of non-reappointment. In this latter case non- reappointment is ordinarily initiated by a recommendation of the school committee requesting that the probationary faculty member's contract not be renewed. The final decision regarding non-reappointment is made by the provost who will give notice in writing to the probationary faculty member in accordance with the following:

Not later than March 15 of the first academic year of service, if the appointment expires in May at the end of that academic year, or if a one- year probationary tenure-track appointment terminates other than in May at the end of the academic year, at least 90 days in advance of its termination.

Not later than December 15, after one but less than five years of service, if the appointment expires at the end of that academic year, or, if the appointment terminates during an academic year, at least 180 days in advance of its termination after one but less than five years of service.

During the second semester of the fifth year of full-time service at St. Edward's, a faculty member who has not been offered either an annual contract ( 2.2.2.2) or a tenured faculty contract (2.2.2.3) will receive a terminal one-year contract. The appeal process is specified in 2.8.8.

- 2.8.4 Dismissal for Cause. The contractual rights of a faculty member may be terminated by the university for just cause. Just cause includes but is not necessarily limited to: professional dishonesty; professional incompetence or continued neglect of academic duties, regulations, or responsibilities; failure to fulfill contractual obligations as set forth in this Faculty Manual; misappropriation or misapplication of funds; conviction of a felony; causing notorious and public scandal; or continued disrespect or disregard for the mission and goals of the university.

The notice in such a case of dismissal for just cause will contain a specification of the cause for the termination, a summary description of the evidence relied upon by the university in specifying the cause, and a reference to the faculty member's right to appeal the decision in accord with procedures specified in 2.8.8. If the president determines that an immediate termination is necessary in order to safeguard the health and safety of the faculty member, students or employees of the university or in order to prevent a disruption of the normal operations of the university, the termination may be made effective immediately and without prior written notice so long as written notice is provided as soon after the termination as is reasonably practicable.

- 2.8.5 Dismissal of Faculty on Annual Contract. Faculty on annual contract in a post-probationary status who fail to fulfill their contractual obligations, as evidenced in a negative periodic review of post-probationary faculty, and who fail to correct the deficiencies in accord with the specified improvement plan, may be terminated in accord with the procedures set forth in 2.5.6.1. The appeal process is specified in 2.8.8.

- 2.8.6 Dismissal of Tenured Faculty. Tenured faculty who fail to fulfill their contractual obligation, as evidenced in a negative periodic review and fail to correct the deficiencies in accord with the specified improvement plan, may be terminated in accord with the procedures set forth in 2.5.6.2. The appeal process is specified in 2.8.8.

- 2.8.7 Layoff (Termination).

- 2.8.7.1 Mental/Physical Impairment. Termination of an appointment with tenure or of an appointment without tenure before the end of the specified term, for medical reasons, will be based upon medical evidence that the faculty member cannot continue to fulfill the terms and conditions of the appointment. The decision to terminate will be reached only after there has been appropriate consultation and after the faculty member concerned, or a family member representing the faculty member, has been informed of the basis of the proposed action and has been afforded an opportunity to present the faculty member's position and to respond to the evidence. If the faculty member so requests, the evidence will be reviewed in accord with the appeal process provided in 2.8.8. If the faculty member is terminated, s/he will be provided compensation equal to the sick leave pay

to which s/he is entitled. See 2.14 for further information regarding benefits that might be appropriate in a specific case.

2.8.7.2 Dismissal Due to Financial Exigency. Termination of an appointment with tenure or of an appointment without tenure at or before the end of the specified contract term may occur because of financial exigency. Financial exigency is an imminent financial crisis which threatens the solvency of the university, or a budgetary sub-unit. The declaration of financial exigency is reserved to the Board of Trustees. In such cases, the provost, in consultation with the school committee, will determine the number of faculty positions within the school which will no longer be funded. The determination will be in keeping with the fiscal restraints imposed by the Board of Trustees. It is the primary responsibility of the school committee to identify those individuals whose appointments are to be terminated and recommend their termination to the provost. The provost will make the decision regarding termination in accord with consideration of the ability of the school to deliver continuing programs and any legal liability that might be present. If notice is issued to terminate an appointment with tenure or an appointment without tenure before the end of the specified term, the faculty member may appeal this decision in accord with the procedure outlined in 2.8.8.

2.8.7.2.1 The existence and extent of a condition of financial exigency is determined by the Board of Trustees and will be considered presumptively valid.

2.8.7.2.2 Appeals under this provision are limited to the determination to eliminate a particular faculty member.

2.8.7.2.3 If the termination decision is upheld, the faculty member, funding permitting, will be issued a terminal one-year contract if s/he holds tenure. If the dismissed faculty member does not hold tenure, the dismissal will become effective sixty days after the faculty member is notified in writing. When appointments are terminated because of financial exigency, the university will not, at the same time, make other new appointments, except where a serious distortion in the academic program would otherwise result. The appointment of a faculty member with tenure will not be terminated in favor of retaining a faculty member without tenure except where a serious distortion of the academic program would result. Tenured faculty first, then post-probationary faculty without tenure will be given preference over probationary faculty. Before terminating an appointment of a faculty member with tenure or a post-probationary faculty member because of financial exigency, the university will make every effort to place the faculty member concerned in another vacant position for which s/he is fully qualified, subject, however, to the terms and conditions of employment attendant with that position. A faculty member's qualification for a vacant position will be determined by the provost and the deans of the schools involved. In all cases of termination of appointment because of financial exigency, the place of the faculty member concerned will not be filled by a replacement within a period of two years unless the released faculty member has been offered reinstatement. It is the so-terminated faculty member's responsibility to keep the university informed of his/her current address. The requirement to offer reinstatement has been met if notification has been sent to the last provided address of the faculty

member and a reasonable time for response allowed, not to exceed thirty calendar days.

2.8.7.3 Dismissal due to Discontinuance of a Program not Mandated by Financial Exigency. In addition to termination of probationary tenure-track faculty, termination of appointments with tenure, or post-probationary appointments without tenure, may occur as a result of a formal discontinuance of a program. The decision to formally discontinue a program will be based essentially upon educational considerations, and is the responsibility of the Board of Trustees upon recommendations of the president. Before a termination notice is issued to a faculty member with tenure or a post-probationary faculty member, the university will make every effort to place the faculty member concerned in any other vacant position for which s/he is fully qualified, subject, however, to the terms and conditions of employment attendant with that position. Preference in reassignment to vacant positions will be given first to qualified tenured faculty, then qualified annual contract faculty and finally to probationary faculty. A faculty member's qualification for a vacant position shall be determined by the provost and the deans of the schools involved. A faculty member may appeal a proposed relocation or termination resulting from a discontinuance in accord with the provisions provided in 2.8.8. In such an appeal the determination of the Board of Trustees to discontinue the program will be considered presumptively valid. Grounds for appeal are limited to claims of unlawful discrimination in identifying the faculty member to be terminated or relocated, or arbitrary or capricious decision-making in that regard. If a tenured or post-probationary faculty member is dismissed due to discontinuance of program, at the discretion of the president s/he may be issued a terminal one-year contract. A probationary faculty member will be given notice in accord with his/her current status.

2.8.8 Appeal of Separation Decisions. A faculty member may appeal a separation decision by notifying the president and specifying the grounds for the appeal in writing in accord with the following procedures:

2.8.8.1 Appeals to the various types of separation stating the grounds for the appeal will be initiated by the faculty member in writing within the following applicable time frame:

- A. Probationary faculty during the first four years notified of non-reappointment must submit an appeal within 30 days of notification of non-reappointment.
- B. Probationary faculty members who fail to receive a continuous contract at the end of the fifth year and are issued a terminal contract for the sixth year may appeal at any time during the first semester of the sixth and terminal year.
- C. Faculty on annual or tenured contracts who receive a terminal contract may appeal immediately upon receipt of notice or at any time prior to the end of the first semester of the terminal year.
- D. Faculty receiving notification of immediate termination must appeal within ten days.

- E. Faculty terminated as a result of financial exigency or discontinuance of a program must appeal within ten working days of receipt of notification.

2.8.8.2 Faculty Review Committee. If a faculty member wishes to appeal a separation decision, s/he must state the grounds for the appeal in writing and forward said appeal to the president in accord with the time specification provided in 2.8.8.1. Upon receipt of an appeal the president will appoint an ad hoc Faculty Review Committee. This committee will be composed of one member appointed by the president and two members appointed by the executive committee of the Senate. This committee will consider material pertinent to the faculty member's allegation. The basis of an appeal is limited to allegations of unlawful bias, arbitrary or capricious decision-making or a violation of procedures required by this Faculty Manual. The Faculty Review Committee will consider evidence presented by the faculty member and the institution representatives. This is an internal review committee and participation in its proceedings is limited to employees of the university. The Faculty Review Committee will submit its findings and recommendations to the president. The decision of the president is final with regard to nontenured faculty. Tenured faculty may request a review of the president's decision by the Institutional Oversight and Academic Affairs Committee of the Board of Trustees whose decision will be final.

## **2.9 FACULTY RIGHTS AND RESPONSIBILITIES**

2.9.1 Responsibility to the University's Mission. When faculty members accept a contract for an association with St. Edward's University, it is presumed that they know and accept the fundamental purposes of the institution specified in the mission statement. It is the responsibility of each member of the faculty to respect and promote the efforts of the institution to fulfill its mission.

2.9.2 Academic Freedom. The fundamental purposes of the university identified in the mission statement require full commitment to academic freedom. Academic freedom in its proper sense means freedom to seek the truth and to communicate that truth to others.

Institutions of higher education are conducted for the common good and not to further the interests of the individual teacher or the institution as a whole. The common good depends upon the free search for truth and its free exposition.

Academic freedom is essential to these purposes and applies to both teaching and research. Freedom in research is essential to the advancement of truth. Academic freedom in the university's teaching aspect is fundamental for the protection of the rights of the teacher in teaching and of the student to freedom in learning. It carries with it duties correlative with rights (1940 "Statement of Principles of Academic Freedom" by American Association of University Professors and American Association of Colleges).

Faculty members are also citizens of their nation, state and community, and when speaking, writing or acting as such, must be free from institutional censorship or discipline. Simultaneously the individual faculty member must be careful not to speak or be construed to be speaking in the name of the university unless authorized to do so.

2.9.3 Religious Freedom. As a Catholic institution, St. Edward's is committed to respecting the religious freedom of each member of the academic community.

It accepts the doctrine stated by the Second Vatican Council in the Constitution, "Declaration on Religious Freedom":

It is...completely in accord with the nature of faith that in matters religious every manner of coercion on the part of man [woman] should be excluded. In consequence, the principle of religious freedom makes no small contribution to the creation of an environment in which man [woman] can without hindrance be invited to Christian faith, and embrace it of his [her] own free will, and profess it effectively in his [her] whole manner of life.  
(Paragraph 10)

Further, the university endorses the following statement of the North American Region of the International Federation of Catholic Universities:

To perform its teaching and research functions effectively, the Catholic University must have a true autonomy and academic freedom in the face of authority of whatever kind, lay or clerical, external to the academic community itself. To say this is simply to assert that institutional autonomy and academic freedom are essential conditions of life and growth and indeed of survival for Catholic Universities as for all universities.

2.9.4 Faculty Responsibilities. The concept of academic freedom must be accompanied by an equally demanding concept of responsibility.

2.9.4.1 The fundamental responsibilities of faculty members as teachers and scholars include maintenance of competency in their field of specialization and the exhibition of such competency in lectures, discussions or publications.

As scholars, faculty members assume an obligation to exercise critical self-discipline in using, extending, and transmitting knowledge, to practice intellectual honesty, and to refrain from actions that would compromise their freedom of inquiry or the freedom of inquiry of others.

As teachers, faculty members assume an obligation to encourage the free pursuit of learning in their students, to demonstrate respect for students as individuals, and to avoid reservations or favor.

Exercise of professional integrity by faculty members includes recognition that the public will judge the profession and institution by their statements. Therefore, faculty members should strive to be accurate, to exercise appropriate restraint, to show respect for the opinion of others, and to avoid

creating the impression that they speak or act for the university when they speak or act as private individuals.

- 2.9.4.2 The right of faculty to participate in their own governance assumes a corollary responsibility to serve the university community in the capacities of advisor to students and active participants in university, college, school, and collegial organizations and activities.

## **2.10 FACULTY DEVELOPMENT**

The purpose of the faculty development program is to develop, sustain, and renew the competence of the faculty and its commitment to the furtherance of the mission of the university.

Faculty development activities encompass support in all three areas in which faculty are evaluated: Teaching Effectiveness, Service, and Professional Development. Examples of activities that support these evaluation categories are described in Section 2.5 in this manual.

- 2.10.1 Faculty Development Committee. At the discretion of the provost, a university-wide Faculty Development Committee may advise the provost on faculty development matters that affect all areas of the university. This committee will consist of one representative from each school, chosen by the members of the respective school committees. A chairperson will be elected from the membership.
- 2.10.2 Opportunities for Professional Development on Campus. The university offers opportunities during the year for faculty to participate in faculty development workshops, peer evaluation and faculty development grants.
- 2.10.2.1 New-Faculty Orientation Workshop. New faculty members are required to attend a new-faculty orientation, which is planned by in coordination with the provost. Ordinarily this orientation takes place on or about the first day of the contract period in the fall. The orientation workshop will familiarize new faculty members with the St. Edward's campus, history, mission, student body composition, curriculum model, current programs, policies and facilities. The workshop may also include topics related to teaching effectiveness.
- 2.10.2.2 Faculty Development Workshops. Prior to the beginning of each semester, all full-time faculty members are expected to attend a faculty development workshop. In addition, faculty are periodically invited to attend workshops on teaching methods and approaches and special topics related to teaching effectiveness and other professional development topics.
- 2.10.2.3 Peer Evaluation. Faculty members may request a peer evaluation at any time to assist them in improving teaching effectiveness or specific teaching strategies. Members of the faculty may also ask to have classes videotaped for analysis in private or with a peer evaluator.

Faculty members on probationary status will receive a peer evaluation of at least one course each year. Peer evaluations requested by post-probationary faculty are to be considered confidential and are to be used by the instructor for guidance in professional development, especially in classroom teaching. They need not form a part of the person's file for promotion or tenure.

2.10.2.4 Faculty Development Grants. Each year funds are made available from the university budget, foundations and/or friends of the university for a variety of faculty development projects, such as small grants to support individual research, course development, special training, travel or study for professional development. Announcements, deadlines and criteria for award of these professional development funds will be made known to their respective faculties. In cases involving university-wide activities, decisions about the dispersal of faculty development funds will be made by the provost, or when appropriate, in consultation with the Faculty Development Committee.

2.10.2.5 Personal Faculty Professional Development Plan. Each faculty member will have a personal professional development plan, which relates to the various aspects of his/her current and potential responsibilities. This plan will be submitted during the first month of the fall semester each year and will be reviewed with the department chair near the end of the academic year. The school and the university need expertise and creative approaches in many areas and faculty members need the freedom to develop as individuals as well as professionals. The long-and short-range plans of the department, school, and university should also be considered in formulating the development plan. Faculty members are also encouraged to explore a variety of avenues for improvement and development of their skills, knowledge and talents. The yearly personal professional development plan identifies the individual's objectives and proposed means of achieving them. The plan should be conscientiously yet flexibly implemented. Both the faculty member and the department chair should be responsive to developments that suggest reasonable adaptations in the plan as the year progresses.

2.10.3 Leaves.

2.10.3.1 Sabbatical Leave. The university recognizes the value of opportunities for uninterrupted research, writing or new educational experiences and, for this reason, grants sabbatical leaves to contracted, ranked faculty members. Faculty members are eligible for sabbatical leave after completion of seven years of full-time service (or the equivalent) at St. Edward's. See 2.1.2.2 for criteria for calculating length of service.

The sabbatical leave may extend for one semester at full pay or for one academic year at one-half pay. During the period of the sabbatical the university will continue appropriate fringe benefits. Compensation from outside sources for the specific activities of the sabbatical will be included in computing full-and part-time salary from the university. The faculty member will cooperate with the university in seeking support from outside sources. The outside funding to be included in computing an adjustment in university salary will be agreed to in writing prior to the start of the sabbatical or as soon as such outside funding becomes available. The

faculty member on sabbatical is also assured of continuance of rank and contract upon return to the university.

The request for sabbatical leave should be addressed to the provost. Applications should be made by November 1 of the academic year preceding the academic year in which the sabbatical would occur, if granted. The request should include

- A. A definite proposal outlining the applicant's plans for scholarly and creative activity and professional growth for the sabbatical period. (The proposal should also explain the sabbatical's contribution to the individual's professional growth and the benefit to the university.)
- B. A statement mentioning any monetary compensation to be received for activities engaged in during the sabbatical and related to the sabbatical.
- C. A statement of commitment to stay in the employment of the university for at least two consecutive academic years from the date of return from the sabbatical at the same full-time equivalency level as before the leave.
- D. A statement from the applicant's department chair as to how the teaching and advising duties of the applicant could be handled in the absence of the applicant.

Applications for sabbatical leaves will be reviewed by the department chair, the dean, and the provost. Final approval for a sabbatical leave will be made by the provost using the following criteria:

- A. Value of the professional development activities to be undertaken to the faculty member, the discipline, and the university.
- B. Length of time the applicant has been in continuous full-time service beyond the minimum requirement.
- C. Feasibility of the sabbatical within the budget constraints of the university.
- D. Consideration of budgetary and program requirements of the discipline.

Should a faculty member on sabbatical decide not to return to the university, the pay advanced during the sabbatical will be due on demand to the university, except in the case of permanent disability or death. At the conclusion of the sabbatical, the faculty member will make a brief written report of his/her professional development activities to the provost and the appropriate school dean. If the faculty member returns only for part of the two academic years following successively on the sabbatical, payment of a proportional amount of the salary advanced during the sabbatical will be due on demand.

Faculty members may apply for another sabbatical during the seventh additional year of full-time service or its equivalent, the sabbatical to be taken during the eighth year. Time spent on sabbatical leave does not automatically count toward requirements for promotion or tenure. (See section 2.1.2.2.)

- 2.10.3.2 Educational Leave. All ranked faculty are eligible to apply for educational leave of up to two semesters after two years of service to the university. Educational leaves will be granted to faculty members for the purpose of completing doctoral requirements or other formal training needed for professional development or requirements for promotion.

Educational leaves must be mutually agreed upon by the faculty member, the school dean, and the provost. Educational leaves ordinarily do not extend beyond one year. The original request for educational leave must be submitted by March 1 of the preceding academic year. Any extension of the leave must be negotiated with the school dean by the following March 1. The time of the educational leave does not count toward promotion in rank or tenure.

Educational leave is not compensated, and fringe benefits are not provided by the university. However, faculty members may continue such benefits during the period of the leave by paying the university's portion themselves. At the time of the request for leave, the faculty member should also negotiate matters of continuance of contract.

- 2.10.3.3 Other Professional Leaves. Professional leaves are also granted for one or two semesters under special circumstances such as Fulbright teaching grants, teacher exchanges with other universities in the United States or abroad or other opportunities for professional development. The experience gained by the faculty member applying for such leave should clearly benefit the university in terms of increased expertise and/or broadened experience of the St. Edward's faculty member. The absence of the faculty member should not cause serious inconvenience to the applicant's school or major programs of the university. Professional leaves must be mutually agreed upon by the faculty member, the school dean, and the provost.

Faculty members granted this type of professional leave are assured of continuance of rank and contract at the end of the leave period. Time of the leave may count toward promotion and/or tenure if agreed upon in writing. Compensation and/or payment of benefits during the leave period must be arranged and agreed upon in writing prior to the initiation of the leave.

Applicants should notify the school dean of intent to request a professional leave as early as possible and ordinarily by March 1 of the academic year preceding the requested leave.

- 2.10.4 Travel and Professional Conferences.

- 2.10.4.1 Approved Travel. Approved travel to special meetings, workshops and conferences by faculty members representing the university at-large will be paid by the appropriate cost center of the university sponsoring the activity (President's Office, provost, school, etc.). Travel and other expenses

associated with these activities must be approved prior to the trip. Upon return, approved expenses documented with receipts must be reported to the appropriate cost center. Travel to professional conferences is detailed in section 2.10.4.2, below.

- 2.10.4.2 Conferences. The yearly budget for each school includes a specific amount of money for travel and other costs to help defray expenses of faculty members attending state, regional and national professional conferences. The school dean has the responsibility to see that faculty members in the school are made aware of travel/conference funds and that funds are distributed equitably. Because of budget limitations, priority in amount of funding may be given to faculty members participating in the capacity of chairperson of a session, discussion leader or presenter/ speaker.

Faculty members wishing to apply for funds for attendance at professional meetings must present a written estimate of expenses and reach agreement with the school dean on the amount of the school's contribution to expenses before departure. Upon return, approved expenses documented with receipts must be reported to the appropriate cost center. Faculty members may also apply in advance for additional funds by applying for faculty development grants. (See section 2.10.2.4.)

- 2.10.5 Faculty Tuition Remission. The university offers free or reduced tuition for undergraduate and graduate courses to faculty members as a professional development benefit and to family members of faculty as a fringe benefit. See section 2.14.3.1 for detailed information.

## 2.11 WORKLOAD

- 2.11.1 Academic. The diverse nature of the mission and scope of the different schools and programs at this university dictates the development of different workload definitions for different situations. This section provides some general guidelines for the development of written workload policies and/or guidelines by the appropriate school. Policies and/or guidelines will be regularly reviewed by the provost for comparability of workload between schools and programs.

- 2.11.1.1 The Undergraduate Programs: Teaching, Preparations. The standard teaching load for full-time faculty normally consists of 12 credit hours per semester which ordinarily are equal to 12 instructional hours weekly. Additional instructional activities associated with classroom teaching duties include pre- class preparation; the preparation and correction of examination papers, tests and assignments; the development of course syllabi; and the routine counseling of students. Teaching faculty are responsible for providing their students a statement of the applicable Attendance Policy, Grading Policy, and Course Requirements in writing at the beginning of each course.

Workload equivalents for instructional services other than classroom instruction must be determined through a conference with the school dean. Examples where workload equivalents should be determined include

supervision of student teachers and/or field internships, laboratory supervision and supervision of senior research seminar students.

The number of class preparations per year (fall and spring semesters) is recommended to be limited to a maximum of six different courses. School deans should work with faculty and area coordinators to assure that this guideline is followed whenever possible. Equitable adjustments in workloads for full-time faculty should be arrived at through a yearly review of faculty responsibilities with the school dean. Variables which should be taken into consideration for adjustments in teaching loads include class size, number and type of preparations, agreed-upon research commitments, administrative commitments within the faculty member's school, and number of advisees.

- 2.11.1.1.1 Summer Workloads. Faculty members normally are limited to a total of six credit hours of summer session courses (in any combination of 12-week or 6-week sessions). Program requirements may justify exceptions to the 6-credit-hour limitation.
- 2.11.1.1.2 Independent Study Workloads. Students may take a course by independent study when the course is not offered as a scheduled classroom course during a given semester. However, independent study is discouraged as a general rule. Faculty members will never be forced to teach an independent study course. Ordinarily a faculty member may supervise no more than two different independent study courses during a summer term (a maximum of four different courses between long terms).
- 2.11.1.2 Library Faculty. Library faculty fulfill the educational role of the university by selecting appropriate materials to support the curriculum, providing access to the materials, and assisting both faculty and students with research. The professional librarians play different roles in research and, thus, will have workloads and schedules different not only from the teaching faculty, but from each other as well. Generally, full-time librarians are scheduled for 40 hours per week; part-time librarians are scheduled for hours proportional to their appointment.

Library faculty work in three areas: technical processes, reference services, and circulation. Because these areas are closely connected, there is some degree of cross-utilization and rotation of job functions. Specific assignments are made by the library director on an annual basis in consultation with the members of the library faculty to ensure an equitable workload and appropriate allocation of resources.

All library faculty, whether full or part-time, are required to play an active role in library and university matters. Library faculty members are also required to engage in professional development activities on a regular basis and to develop expertise in their area of library work.

- 2.11.1.3 The Graduate Programs. Faculty appointed to teach in graduate programs are responsible for performing the general faculty functions of teaching and counseling students. Their teaching duties include classroom (both on-campus and off-campus) and online/distance education courses. Teaching duties include pre-class preparation; the preparation and

correction of examination papers, tests and assignments; the development of course syllabi; and the routine counseling of students. (Teaching Effectiveness)

The normal workload for a full-time faculty member is four courses during each semester of the appointment. Equitable adjustments in workload based on other assigned responsibilities will be arrived at through a yearly review of faculty responsibilities by the dean of the school in consultation with the supervisor of the graduate program.

Faculty members in graduate programs will make themselves available for university and school committee work as discussed elsewhere in this manual (Service). They are encouraged to pursue professional development as discussed elsewhere in this manual (Professional Development).

#### 2.11.2 Student Advising, Communication with Students Outside of Class.

- 2.11.2.1 Student Advising. The major responsibility for advising undergraduate students with less than 30 credit hours and providing support for students on academic probation rests with Academic Planning and Support Services. However, all full-time faculty members are required to participate in advising upper-division students and be well-informed on university academic regulations and policies affecting lower-division students in their own schools.

Each faculty advisor ordinarily will be assigned a maximum of 20 upper-division student advisees. The faculty advisor is responsible for assisting each of his/her advisees in course selections, preparation of a degree plan, and submission of the necessary documents for graduation. The responsibility for meeting specific requirements and deadlines for academic standing and graduation rests with the student. An advising load of more than 20 students should be taken into account in calculating an equitable instructional workload.

Faculty advising responsibilities in graduate programs will be specified. Advising and mentoring students is a responsibility of all faculty.

All faculty are encouraged to become familiar with career planning information available to students through the university's office of Career Planning in Moody Hall, which also provides information on part-time employment and cooperative education programs and schedules on-campus interviews for prospective graduates, workshops and other career-development activities.

- 2.11.2.2 Faculty Communication with Students Outside of Class Sessions. Members of the faculty must make themselves available outside of class sessions for consultation with students. To this end, each full-time faculty member is required to develop a communication policy describing campus office hours (at least three-hours/week for full-time faculty) and required additional availability through phone, email, text and/or social networking. Faculty members will publish this policy in the syllabus for each course taught, and announce this policy in class. This policy should be specific and foster accessibility and efficient communication between faculty

members and students. Adjunct faculty members are required to publish a similar communication policy and to be available to meet with students a minimum of one hour per week per course.

2.11.3 Committees. Full-time faculty members are required to be available for service on school or university committees during the academic year. Faculty members holding full- or part-time administrative appointments may have an above average number of committee assignments as a result of their administrative duties. Committee assignments are made through school elections, Faculty Senate elections and appointments, administrative appointment, or are ex-officio.

2.11.4 Professional Development. While professional development is encouraged, it should be reaffirmed that the primary focus should be on the improvement of teaching skills and scholarly development of the individual faculty member.

A faculty member desiring to carry out research and/or extended professional development activities, which will take a considerable portion of his/her time and would require a change in the normal faculty teaching load, will submit to the school dean a brief outline of the proposed project for approval. Faculty members are encouraged to apply for external and internal grants to support such professional development projects. (See the section on professional development in this manual.)

2.11.5 Outside Employment, Consulting. St. Edward's University recognizes that consultantships and outside employment in many fields provide experience complementary to that gained through teaching, study, and research which contribute to professional growth and which can contribute to the prestige of the university. However, consultantships and outside employment must not interfere with the performance of academic duties or conflict with the interest of the university (see next section on Conflict of Interest). Full-time members of the faculty may engage in non-university employment only with advance written permission. Full-time faculty members will apply in writing for permission to engage in non-university employment and, in the case of long-term non- university employment, reapply annually.

Tutoring St. Edward's students for a fee is not permitted. Tutoring students of other institutions is allowed only with the express permission of the school dean.

2.11.6 Conflict of Interest. Faculty members of St. Edward's University should be aware of the potential for conflict of interest in teaching, consulting, outside employment and sponsored research which may benefit the research or other needs of an outside firm or organization. Purchase of equipment, materials or services with university funds or use of privileged information concerning medical, personnel or security records of individuals, and/or university plans which may result in financial benefit for self, family members, close acquaintances, firms, or organizations with which s/he is associated must be avoided.

## 2.12 POLICIES AFFECTING CONDITIONS OF EMPLOYMENT

University-wide policies, as adopted from time to time which affect the conditions of employment of the faculty as well as all employees of the university, are included or referenced herein. New Policies as they may be adopted are incorporated by reference into the Faculty Manual.

- 2.12.1 Equal Employment Opportunity. It is the policy of St. Edward's University to ensure equal employment opportunity to all individuals in a positive program of non-discrimination. The Vice-President of Human Resources is responsible for implementing this institution's policies on Equal Employment Opportunity, and any questions on this subject should be addressed to him/her.

The University is committed to adhering to the principles and guidelines outlined in Title VII of the Civil Rights Act of 1964 and Title IX of the Education Amendments of 1972. All employment-related activities and decisions, including recruitment, hiring, assignment, promotion, training, tenure, benefits, use of facilities, and other privileges are made without regard to race, color, religion, sex, national origin, age, handicap or disability (if otherwise qualified), or veteran status.

- 2.12.1.1 US Employment Authorization. The Immigration Reform and Control Act of 1986 requires all employees of St. Edward's University to complete the Employment Eligibility Verification Form (I-9) and to provide proof of identity and eligibility to work in the United States at the time of employment.

The employment verification process must be completed within three working days of the beginning of employment. Employees who do not complete the I-9 within the required timeframe will be subject to dismissal, however, they will be paid for the actual days worked. All schools, offices and departments are prohibited from employing individuals who have not successfully completed the employment verification process within the required timeframe.

If an employee's work authorization expires, they will be terminated as required by law. The university can make no guarantees of future employment in these circumstances.

- 2.12.2 Sexual Harassment: Title IX Policies and Procedures. Sexual harassment is any unwelcome direct or indirect verbal or physical conduct that is made a condition of employment, is a basis for employment decisions, or creates an offensive work atmosphere that inhibits work performance. Such behavior at St. Edward's University is not acceptable and will not be tolerated. It is important that employees be allowed to work in an environment free from this type of objectionable behavior.

Sexual harassment can occur in a variety of circumstances, including but not limited to the following: the victim as well as the harasser may be a woman or a man; the victim does not have to be of the opposite sex; the harasser can be the victim's supervisor, a supervisor in another area, a co-worker, or a non-employee such as a vendor or customer; the victim does

not have to be the person harassed but could be anyone affected by the offensive conduct; and unlawful sexual harassment may occur without economic injury to or discharge of the victim.

Examples of behaviors prohibited under this policy include, but are not limited to (1) physical assaults or other physical conduct of a sexual nature, including unwanted touching; (2) unwanted sexual advances, propositions, or other sexual comments; (3) displays or publications of a sexual nature anywhere in the workplace; or (4) retaliatory action taken against an employee for making a sexual harassment complaint.

Any employee who, in good faith, believes that s/he has been subjected to sexual harassment \ report the incident promptly to the Vice President of Human Resources or to one of the Administrative Officers. It is the employee's responsibility to bring complaints to the attention of the appropriate administrators, so that they can help resolve them.

In the event that any employee wants to file a formal complaint, s/he may submit the complaint in a written statement to the Vice President of Human Resources or an Administrative Officer. The written statement should be dated and include a description of the situation and inappropriate behavior, the name of the person being accused, the date of the occurrence, and the signature of the person who is making the complaint. To the greatest extent possible, confidentiality will be maintained.

The Vice President of Human Resources will coordinate the investigation of the formal complaint. In determining whether alleged conduct constitutes sexual harassment, the totality of the circumstances, the nature of the conduct complained of, and the context in which the alleged conduct or incident occurred will be considered. If it is determined that sexual harassment did occur, appropriate disciplinary action will be taken by the appropriate Administrative Officer, consistent with the degree of seriousness of the harassment; however, the Administrative Officer or the Vice President of Human Resources will not be involved in the investigation or decision if the complaint is against that administrator.

Administrative decisions made regarding sexual harassment complaints may be appealed in writing to the President by either the person making the complaint or by the person against whom the complaint is being made.

Sexually harassing behavior is a serious matter. Filing a complaint against someone for such inappropriate behavior is equally serious. All St. Edward's University's directors, managers, supervisors, deans and others in authority have the responsibility to remedy discriminatory harassment. The university's objective in these situations is to resolve the matter with care and concern for the best interests of the person filing the complaint, the person against whom the complaint is filed, and the university as a whole.

- 2.12.3 Smoking. In accordance with the City of Austin ordinance, smoking is prohibited in all university buildings and within 15 feet of the entrances into all buildings. This includes e-cigarettes and vaping. Changes in the ordinance may impact this policy.

#### 2.12.4 Drugs, Narcotics, and Alcohol.

2.12.4.1 Philosophy. The abuse of drugs is inconsistent with the university's mission and will not be tolerated in the workplace. At the same time, the university stands ready to help the employee who is willing to seek counseling and rehabilitative therapy. The following policy and procedures are consistent with this philosophy and with the Drug-Free Workplace Act of 1988 (DFWA).

2.12.4.2 Definition. For the purposes of the policy, "drugs" is defined to include illegal drugs and narcotics. Alcoholic beverages and prescription drugs are included when abused (used illegally or in an unauthorized or unprescribed manner). Additionally, legal or prescription drugs which may impair a faculty member's ability to perform his/her job are covered under this policy.

2.12.4.3 Policy. It is the policy of St. Edward's University to prohibit the unlawful manufacture, distribution, dispensation, possession or use of drugs in the workplace. Violations of this policy will result in disciplinary action which, at the university's discretion and depending upon the seriousness of the violation, may range from required participation in and successful completion of a rehabilitation program to termination of employment.

2.12.4.4 Employee-Initiated Assistance. A faculty member experiencing problems from drug abuse or dependency should seek information on resources and referral from his/her school dean, the provost, the Office of Human Resources, and the Health and Counseling Center. Such assistance will be kept confidential and will not influence performance appraisals. Job performance alone, not the fact that a faculty member seeks help, is the basis of all performance evaluations.

2.12.4.5 Employer-Initiated Assistance. A faculty member demonstrating unusual behavior, performance deterioration, increased absenteeism, etc. may be referred for outside evaluation at the university's expense. The faculty member will give the appropriate university administrator permission to confer with health care providers. If drug abuse or dependency is not indicated, then the faculty member may return to work with a physician's release indicating work restrictions (not drug-related), if any. The concerns that caused the evaluation will then be handled in accordance with the Faculty Manual, if appropriate, and standard university practice.

If drug, narcotic, or alcohol abuse or dependency is indicated, the faculty member must cooperate with the treating physician's prescribed rehabilitation program. Such cooperation is a condition of continued employment. Cooperation includes

- A. Signing a release giving the appropriate university administrator permission to confer with health care providers.
- B. Complying in a substantial way with all aspects of the prescribed rehabilitation program (good faith effort).

C. Becoming and remaining drug/alcohol free.

Expenses incurred in the treatment of substance abuse are the responsibility of the employee. As usual, performance, attendance, tardiness and behavior issues will be handled in accordance with the Faculty Manual, if applicable, and standard university practice.

The university's health plan has some benefits for the treatment of drug and/or alcohol abuse for covered employees and their covered dependents. Detailed information may be obtained by calling the health plan provider or reading the plan booklet(s) available in the Office of Human Resources.

- 2.12.4.6 Sanctions. A faculty member who refuses to cooperate with the evaluation and/or a prescribed rehabilitation program will be handled in accordance with the Faculty Manual, if applicable, and standard university practice. Disciplinary action is to be considered primarily preventative or corrective; however, the university has a broad range of possible sanctions it may apply. Sanctions for drug-related infractions may range from required participation in a rehabilitation program to termination of employment.
- 2.12.4.7 Legal Sanctions. The unlawful possession, use, or distribution of illicit drugs and alcohol constitutes a violation of local, state and/or federal law. Offenses and penalties for conviction are in accordance with current law.
- 2.12.4.8 Workplace Criminal Drug Convictions. In accordance with the Drug-Free Workplace Act (DFWA) of 1988, faculty members convicted of any criminal drug violation occurring in the workplace who notify the Office of Human

Resources within five days of conviction and who are not incarcerated or are permitted to work under a work-release program will be required, as a condition of continued employment with the university, to participate in a drug abuse assistance or rehabilitation program to be undertaken at the expense of the faculty member. The satisfactory participation in the drug abuse assistance or rehabilitation program includes cooperating with the treating physician's prescribed rehabilitation program as set forth above in the Employer Initiated Assistance provision of this policy. Faculty members who choose to participate in a drug abuse assistance or rehabilitation program will be given a leave of absence, without pay, for the time necessary to complete the program and, upon satisfactory completion, will be returned to the same or similar position which the faculty member occupied before the conviction. Rehabilitation is offered only for a faculty member's first conviction. Subsequent convictions will result in termination from employment with the university.

- 2.12.4.9 Treatment. The university's health plan has some benefits for the treatment of drug and/or alcohol abuse for covered employees and their covered dependents. Detailed information may be obtained by calling the health plan provider or by reading the plan booklet(s) available in the Office of Human Resources.
- 2.12.5 Intellectual Property Policy. This policy addresses the issues set forth in Texas House Bill 1401 and is on file with the Texas Higher Education

Coordinating Board as required for eligibility for state-run competitive grants programs. (See Appendix)

2.12.6 Consensual Relationship/Conflict of Interest Policy. (Please see Employee Handbook.)

Philosophy

St. Edward's University promotes excellence in teaching and learning in an environment which encompasses the campus classroom, student life programs, and the broader community. As articulated in our Mission Statement, our belief in the dignity of each human person is the heart of our Catholic character as expressed in our educational and human resource philosophy. Considering the trust accorded a faculty or staff member by a student and a supervisor by a supervisee, the university's faculty and staff members recognize that they are expected to make decisions regarding their relationships with students and supervisees which will promote this atmosphere of mutual trust and avoid both conflict of interest and the appearance of conflict of interest.

Care must be exercised to ensure that personal relationships do not result in situations that might interfere with objective judgment. Faculty and others in positions of authority are accorded a great amount of respect and exercise power in giving feedback, recommendations, grades, etc. Because of this, a student's actual freedom of choice may be greatly diminished should a request for a romantic relationship be made. Should the request come from the student, the employee's freedom of choice may also be diminished for fear of a charge of sexual harassment. Therefore, employees are cautioned that a romantic relationship with a student has the significant potential of interfering with a student's ability to learn and inquire freely, and could create unwanted consequences for the employee, even though the relationship appears to be consensual. The same caution is offered for relationships involving supervisors and those whom they supervise.

The inherent power differential between persons in positions of authority, and students, especially undergraduate students is of special concern. Because of the unique susceptibility of these young men and women, employees who are in positions of authority are under a special obligation to preserve the integrity of their relationships in situations involving undergraduate college students. Moreover, undergraduate college students may not be developmentally (cognitively and emotionally) prepared to make decisions regarding romantic relationships where there is potential for unforeseen consequences.

Definitions

1. Conflict of interest -
  - when faculty or others in a position of authority have a romantic relationship with an undergraduate student, or
  - when any St. Edward's University employee has a romantic or outside relationship with any student or employee with whom an evaluative relationship exists.
2. Positions of authority include all employees in the following types of jobs even when employees in these jobs are also taking classes
  - Faculty – includes contracted and adjunct faculty

- Campus leadership – includes president, assistants to the president, provost, all vice presidents, associate provost, department directors, associate directors, department managers, cost center managers, all deans, faculty associates
  - Counselors, Coaches and Advisors – includes academic counselors, academic advisors, tutors, career counselors, campus ministers, financial aid counselors
  - Others with similar levels of responsibility and scope as Campus leadership and Counselors, Coaches and Advisors
  - All staff employees within the division of Student Affairs
  - All commissioned peace officers or candidates within the University Police Department
3. Outside relationship - any relationship outside the university educational context which might create a conflict of interest, including but not limited to roommates, tenant-landlord, and vendor-client.
  4. Evaluative relationship – includes relationships such as supervisor/supervisee, counselor/client, advisor/advisee, teacher/student in teacher's class, coach & assistant coach/athlete, residence hall director/resident and others with a similar level of responsibility and scope.
  5. Romantic relationship - any consensual romantic or sexual relationship of any type, including a domestic partnership or marriage. (Note: Non-consensual relationships are covered by the university's Sexual Harassment Policy).
  6. Recent romantic/outside relationship - one which is ongoing or has been in existence at any time within the six (6) months immediately preceding the assignment of the student or supervisee to the faculty or staff member or within six (6) months prior to this policy going into effect.
  7. A currently enrolled student is any student who is registered for the current semester. Undergraduate students are considered to be currently enrolled if they were in attendance during the immediately preceding spring semester.
  8. Appropriate Administrative Officer refers to the most senior administrator (vice president, provost, or president) heading the division in which the employee about whom a decision is being made is employed.

### Policy

1. Employees who are in positions of authority are prohibited from having a romantic relationship with any student to whom they are not married who is currently enrolled in the traditional undergraduate school.
2. All employees (excluding those on the student payroll) are prohibited from having a romantic or outside relationship or permitting one to develop with any student who is enrolled in that person's class or is subject to that person's evaluation, even when both parties appear to have consented to the relationship.
3. All employees are prohibited from having a romantic or outside relationship or permitting one to develop with any other employee who is subject to that person's supervision, directly or indirectly, even when both parties appear to have consented to the relationship.
4. Romantic relationships between any employee and any student are strongly discouraged, even if not expressly prohibited by this policy.
5. The university recognizes that consensual romantic and other outside relationships may exist prior to the time an evaluative relationship begins. When an employee has a recent romantic or outside relationship with a student or supervisee, the following guidelines will be followed:

- a. The employee in an evaluative role must report the relationship to his/her school dean or manager so that the student or supervisee can be reassigned if at all possible.
  - b. If it is not possible to reassign the student or supervisee, the school dean or manager will make arrangements for another appropriately qualified employee to grade, counsel, advise, evaluate work, establish salary, control working conditions and other similar responsibilities.
  - c. All conflicts or potential conflicts must be reported to the appropriate administrative officer.
6. This policy is not intended to limit romantic or outside relationships among peers or colleagues; however, employees involved in such relationships are cautioned to avoid situations which may contribute to a hostile environment for other employees or students.

### Policy Violations

Exceptions to any of these prohibitions (other than the reporting requirement which is absolute) will be considered by the appropriate administrative officer in conjunction with the Office of Human Resources on a limited, case-by-case basis. It is the duty of employees to consult with the appropriate administrative officer or the Office of Human Resources if there are questions about the application or effect of this policy to an existing or potential relationship,

Suspected policy violations may be reported by anyone to the Vice President of Human Resources, dean of students, the provost, or any other administrative officer. The Vice President of Human Resources will coordinate the investigation of the complaint in conjunction with the appropriate administrative officer and either the school dean or department manager. If any of these people are included in the complaint, they will not be involved in the investigation or decision.

If charges of sexual harassment are made, compliance with this policy shall not be a defense in any proceeding under the university's Sexual Harassment Policy. If the investigation concludes that sexual harassment did occur, disciplinary action will be taken in accordance with the university's Sexual Harassment Policy.

If the investigation concludes that a violation of the Consensual Relationship Policy did occur, disciplinary action, which may include immediate termination of employment, will be taken by the appropriate administrative officer.

Note: Other relevant policies include Nepotism, Sexual Harassment and Outside Activities. Effective Date of Policy: June 1, 2008

## 2.13 LEAVES

### 2.13.1 With Pay.

- 2.13.1.1 Sick Leave. First-year, full-time benefits-eligible faculty members (see 2.14) are eligible for one week (five days) of sick leave on the first day of the contract period for the fall semester and one additional week (five days) on the first day of the contract period for the spring semester. Second-year, full-time ranked faculty members are eligible for one calendar month of sick leave during the annual contract period. After the first full contract year is completed, faculty members accumulate one calendar month of paid sick leave for the second and each successive year under contract at the university credited on the first full day of the contract period for the second and each successive year. The maximum that can be accumulated is six calendar months. For part-time ranked faculty members, sick leave is calculated at the same percentage as the contract. For lecturers during all terms, the university will pay for the percentage of the contract completed. For other faculty teaching courses not covered by their contract (e.g., summer terms, administrators or librarians teaching as lecturers) or for librarians assigned extra hours of work, the university will ordinarily pay only for the percentage of the contract completed.

It is the responsibility of the individual faculty member to report absences due to illness to the appropriate school dean or head librarian. It is the responsibility of each school dean and the head librarian to keep accurate and timely records for faculty in the area.

- 2.13.1.2 Military Reserves. Regular employees will be granted a leave of absence with differential pay\* not to exceed ten working days in any one calendar year when, as a member of the National Guard or any of the Reserve Components, they are ordered or authorized by competent authority to engage in military training or duty. Proof of authorization of duty will be satisfied by attaching a copy of the employee's military orders to the timesheet on which the absence is reflected.

*\* Differential Pay is designed to make up the difference between the salary the employee would normally receive and his/her military salary (if the latter is smaller).*

- 2.13.1.3 Active Duty. Regular employees who are drafted or who volunteer for service in any branch of the Armed Forces of the United States will be placed on military leave of absence without pay. Regular employees who elect to return to work following extended military active duty are granted full rights and benefits in accordance with applicable laws regulating such matters. Participation in the university health plans may be continued for up to 24 months of leave with timely receipt of the faculty premium contribution. Participation in the University Retirement plans is suspended during active duty leave; however, there are reinstatement rights. At the time the leave commences, the unused, accrued sick leave balance would be frozen. The period of military leave of absence will be added to any length-of-service credit that a regular employee may otherwise have.

- 2.13.1.4 Civic Duty. Faculty who are called for jury duty or subpoenaed as witnesses in cases to which they are not a party when they are required by contract to be present will be granted leave with pay for a maximum of ten days. A copy of the subpoena and/or a statement from the court showing the date(s) the employee served may be requested.
- 2.13.1.5 Bereavement. Faculty members experiencing a death in their immediate family (spouse, faculty member's or spouse's children, parents, siblings, grandparents and grandchildren) will need time off to meet family obligations. As the university realizes the amount of time off that may be needed varies greatly in individual cases, arrangements should be made with the appropriate academic administrator, vice president and provost.
- 2.13.1.6 Maternity (See Sick Leave 2.13.1.1 and Medical Disability 2.13.2.2)  
Note: See also FAMILY LEAVE and PARENTAL LEAVE policies in Appendix B. The policies specify when paid and/or unpaid leave is applicable.

## 2.13.2 Without Pay

- 2.13.2.1 Leave of Absence. A ranked faculty member may be granted a Personal Leave of Absence Without Pay when it serves the best interests of both the faculty member and the university. Leaves without pay may be granted for urgent personal reasons other than illness and for research, etc. (See Faculty Development, 2.10). A written request specifying the beginning and ending dates of the leave must be submitted prior to the beginning of the leave. The request must clearly state the reason for the leave and its inclusive dates. The request must be approved by the school dean.

A faculty member in a Personal Leave of Absence Without Pay status is entitled to remain in the group insurance, with the exception of Long Term disability insurance, without using COBRA (Consolidated Omnibus Budget Reconciliation Act, 1986, as amended) as long as the full premium is paid by the faculty member in a timely fashion. Arrangements for paying such premiums should be made with the Office of Human Resources prior to the leave's beginning.

In addition to allowing a faculty member to remain in the group insurance plan without using COBRA time, a Personal Leave of Absence Without Pay also permits the faculty member to retain access to other benefits upon his/her return to active duty. At the time the leave commences, the unused, accrued sick leave balance would be frozen. The time missed counts as time worked for the purpose of satisfying waiting periods for retirement benefits.

- 2.13.2.2 Medical Disability Leave. Any benefits-eligible faculty member (see 2.14) who becomes temporarily disabled as a result of injury, illness or pregnancy may request a Medical Disability Leave without pay for up to six months, depending upon the extent of the disability.

The faculty member must provide a physician's certification which should establish the medical disability and the anticipated period of disability. If the faculty member is released to return to work with limitations, such limitations must be itemized and specific. Limited releases do not guarantee a right to

return to work. A review of the position requirements and the work limitations will be made and decisions rendered on a case-by-case basis by the provost in consultation with the appropriate academic administrator.

Medical Disability Leave without pay shall be authorized only after the benefits- eligible faculty has exhausted all sick leave. In the event of a Workers' Compensation Insurance (WCI) disability, a benefits-eligible faculty member may choose to utilize accrued benefit time or be placed on leave without pay and receive WCI weekly disability compensation if eligible.

During an approved Medical Disability Leave without pay, a faculty member remains eligible to continue in the medical, life, accidental death and dismemberment and long-term disability plans. Continued eligibility is contingent upon timely receipt of the faculty premium contribution. The university will continue to contribute its portion of the total premium. Arrangements for paying such premiums should be made with the Office of Human Resources prior to the leave's beginning. See the Medical Disability Leave section of the Employee Handbook for further information and requirements.

## **2.14 FRINGE BENEFITS**

Fringe Benefits are extended to benefits-eligible faculty, that is, faculty members generally appointed on contract for the academic year (two academic year semesters) at three-fourths time or greater. These academic year contracts may be full or pro-rata term or tenure track. Faculty appointed on per course term contracts, that is, those faculty generally appointed on a semester-by-semester and/or class-by-class basis, are not eligible for fringe benefits and accordingly are not benefits-eligible faculty. See the Employee Handbook for current and detailed information on benefits.

2.14.1 Mandatory. These must be extended to all benefits-eligible faculty.

2.14.1.1 Worker's Compensation.

2.14.1.1.1 Benefits. At no cost to the faculty, Workers' Compensation Insurance (WCI) will pay all reasonable medical expenses incurred as a direct result of injuries sustained during the normal course and scope of a faculty member's job. In addition, WCI provides weekly compensation for faculty who lose time from work and death benefits for a faculty member who dies as a result of on-the-job injuries.

2.14.1.1.2 Treatment. Faculty with serious on-the-job injuries should be taken to the nearest emergency facility (probably St. David's, South Austin or Brackenridge Hospital) as quickly as possible. An ambulance should be called if necessary. Faculty with minor injuries are encouraged to use the St. Edward's University designated treatment facilities: Concerta Medical Centers, 10001 S. IH-35 Building 3, Suite 300 Austin, Texas 78747 (512) 440-0555 or Nova Medical Center 2171 Woodward, Austin, TX 78744, (512) 610-3001. For additional information contact the office of Human Resources. Faculty seeking outside medical treatment may be required to submit to a drug screening.

- 2.14.1.1.3 Reporting. All on-the-job injuries, no matter how trivial, must be reported to the appropriate academic administrator and to the Office of Human Resources, X8587 (448-8587). Supervisory personnel who are aware of injuries must also notify the Office of Human Resources. Failure to report injuries in a timely fashion may result in a delay of or ineligibility for benefits.
- 2.14.1.1.4 Absences. When a faculty member is able to return to work on or before the next regularly scheduled workday after the on-the-job injury was sustained, the faculty member will not lose any pay or benefit time as a result of the injury. Any benefits-eligible faculty who incur additional absences as a result of their on-the-job injury may elect to use benefit time or be placed on leave of absence without pay. Under no circumstances will faculty be permitted to draw WCI weekly benefits at the same time s/he is drawing sick leave pay.
- 2.14.1.1.5 Extended Absences. Generally, faculty members who are unable to return to work, with or without reasonable accommodation, because of medical limitations, within one year of the work-related injury/illness, will have access to apply for Long Term Disability benefits.
- 2.14.1.2 Health Insurance Continuation (COBRA). A faculty member covered by an SEU health insurance plan has the right to choose to continue coverage if s/he will lose coverage because of a reduction in hours of employment or the termination of employment for reasons other than gross misconduct.
- The spouse or dependent child of faculty covered by the plan has a right to choose continuation coverage for her/himself if s/he will lose coverage for any of the following four "qualifying events" or reasons specified in the law:
- A. The death of faculty member.
  - B. A termination of faculty member's employment for reasons other than gross misconduct or a reduction in faculty's hours of employment.
  - C. Divorce or legal separation from faculty member.
  - D. The child(ren) ceases to meet the definition of a "dependent child" under the plan.
- More information about coverage continuation is available in the Office of Human Resources.
- 2.14.1.3 Social Security. All lay members of the faculty are covered by provisions of the Social Security Act. The university and the faculty member are required to contribute an equal amount as determined by the Act. The law requires that a member's contribution be deducted from each salary payment. This entitles the faculty member to retirement benefits and his/her survivors to death and/or survivors' benefits.
- 2.14.2 Health Protection Plans. Participation in the following benefits programs is voluntary.

- 2.14.2.1 Medical Plans. The university provides benefits-eligible faculty member's medical protection through two preferred provider organization (PPO) plans and a high deductible health plan (HDHP) with a health saving account (HSA).

Interested faculty members should contact the Office of Human Resources within their first month of eligibility for more information. Failure to enroll in a timely fashion may result in ineligibility for benefits until the annual enrollment period.

- 2.14.2.2 Dental and Vision Plans. All regular employees are eligible to enroll in the dental insurance plan. This plan offers employees the ability to see the dentist of their choice or a network dentist. Interested faculty members should contact the Office of Human Resources for a list of plan dentists, services and their costs.

All regular employees are eligible to enroll in an optional vision plan. This plan offers regular examinations, as well as co-payments and discounts on glasses and contact lenses.

Interested faculty members should contact the Office of Human Resources within their first month of eligibility for more information. Failure to enroll in a timely fashion may result in ineligibility for benefits until the annual enrollment period.

- 2.14.2.3 Retirement Plan. All benefits-eligible faculty are eligible to participate in the university's retirement plan on the first day of the month following the completion of one year of eligible service.

Benefits-eligible faculty will be automatically enrolled into the retirement plan after one year of service. Faculty will contribute 5% of their monthly salary and the university will contribute an amount equal to 7% of their monthly salary. Vesting is immediate. Under the guidelines established by IRS Code Section 403(b) and 403 (b) (7), faculty's annual salaries are reduced by the amount of their contributions for income tax purposes. The combined contributions earn interest on a tax-deferred basis.

- 2.14.2.4 Supplemental Retirement Plan. All faculty are eligible to participate in Supplemental Retirement Plan through payroll reduction. This program may be of special interest to the faculty not eligible to join the contributory retirement plan or for the faculty wishing to contribute more than 5%. Under the guidelines established by IRS Code Section 403(b) and 403(b)(7), the faculty's annual salary is reduced by the amount of his/her permitted contribution for income tax purposes.

Faculty may select investment choices via TIAA-CREF, our retirement record keeper. Although St. Edward's University does not restrict access to this money, IRS regulations and contract provisions may restrict access, even after termination of employment.

- 2.14.2.5 Long-Term Disability Insurance (LTD). All benefits-eligible faculty members are automatically enrolled in a Long-Term Disability (LTD) insurance plan on their eligibility date. This benefit is provided to the faculty

at no cost. Coverage is effective on the first day of the month following the regular employment date.

- 2.14.2.6 Life Insurance. The university provides Basic Life and Accidental Death and Dismemberment (AD&D) insurance coverage to all benefits-eligible faculty at no cost. The university-paid life insurance coverage (up to age 65) is 1x annual base salary, rounded up to the nearest \$1,000. The maximum amount of coverage is \$250,000. The university also provides an equivalent amount of AD&D coverage. The coverage amount is reduced by 35% when the faculty member reaches age 65 and by 50% at age 70.

In addition, all benefits-eligible faculty members may purchase supplemental term life insurance coverage for themselves, and also their spouse and eligible children.

Interested faculty should contact the Office of Human Resources within their first month of eligibility for more information. Failure to enroll in a timely fashion may result in the need to prove good health and the possibility of being denied coverage.

- 2.14.2.7 Flexible Spending Account. The Flexible Spending Account (FSA) Plan enables benefits-eligible faculty to pay for many of their current benefit-related expenses with tax-free dollars. This tax-savings benefit allows employees to establish up to two accounts – medical reimbursement and dependent care reimbursement for eligible expenses. The medical FSA Plan cannot be used in conjunction with the High Deductible Health Plan (HDHP).

- 2.14.2.8 Health Savings Account. Faculty who participate in the High Deductible Health Plan will have a Health Savings account established for them. St. Edward's will make non-taxable contributions to the HSA, and participating faculty members can add pre-tax contributions to the HSA through payroll deductions. HSA funds accumulate indefinitely and available funds may be used to pay for the cost of medical expenses, including prescription coverage.

More information is available in the Office of Human Resources about this program and all benefits programs.

- 2.14.3 Institutional. Institutional benefits are gratuities made available by St. Edward's University to benefits-eligible faculty members.

- 2.14.3.1 Tuition Remission. Ranked full-time and pro rata faculty must complete one or two semesters respectively of continuous eligible employment by the first class day to be eligible for tuition remission. Because tuition remission is an employee benefit, part-time faculty who are enrolled in classes for more than one-half of the standard load are considered students and are not eligible for this benefit. Part-time faculty hired or re-hired on or after December 1, 2002 are not eligible for tuition remission. Part-time faculty hired prior to December 1, 2002 will be grandfathered.

Eligible faculty and their spouses and children must be admitted to the university, be in good academic standing and make satisfactory progress before they may use this benefit. There is no enrollment deposit for faculty, their spouses and their children. There is no application or audit fee for faculty; however, spouses and children will be charged the usual university admissions and audit fee. The faculty member or dependent pays all other fees (student insurance, lab fees, parking permits, etc.).

Spouse is defined as the current spouse. Child(ren) is/are defined as the natural or legally adopted child(ren) of the faculty member or his/her current spouse. Although the living arrangements and marital status of a child(ren) are not an eligibility factor, the child(ren) must be less than 25 years old on the first class day of the term in which s/he is enrolling.

It should be noted that IRS guidelines might dictate different tax treatment for the value of tuition benefits provided to children age 24 and older than for children 23 and younger. Faculty members are encouraged to discuss the tax implications with their accountant or tax advisor.

Tuition remission benefits are available for all terms (fall, spring and summer). Benefits may be used for undergraduate and/or graduate courses for the faculty, spouse and child(ren). Because of IRS rulings, tuition remission benefits for graduate courses may increase the faculty's total annual salary for income tax purposes. Faculty members are encouraged to discuss the tax implications with their accountant or tax advisor.

Benefits-eligible full-time faculty may enroll in six credit hours per semester and receive 100% remission of tuition. The faculty member pays all required fees. The remission is valid only if the faculty member is in an eligible employment status through the first day of class.

The spouse and child(ren) of benefits-eligible full-time faculty may take courses at a 50% reduction in tuition during the faculty member's first 3 years of eligible employment. Effective the first of the semester following the completion of three years of regular, full-time service, the dependent benefit increases to a 100% reduction in tuition.

#### Grandfathered Tuition Remission Benefit

Benefits-eligible pro rata faculty hired prior to December 1, 2002, who continue such employment, and have completed six months of eligible service may enroll in three (3) hours per semester and receive 100% remission of tuition. Undergraduate students may take up to an additional three (3) hours at a 25% reduction in tuition. All fees are paid by the faculty member. After completing ten years of benefits-eligible employment, pro rata faculty may enroll in up to six (6) tuition-free hours per semester (see section on scheduling classes). The waiver is valid only if the faculty member is in an active employment status through the first day of class.

Because tuition remission is a benefit, pro rata faculty who are enrolled at St. Edward's for more than six undergraduate hours or three graduate hours per semester are not eligible for this benefit.

The spouse and child(ren) of benefits-eligible pro rata faculty may take courses at a 25% reduction in tuition only. Benefits increase by 10% remission per year of completed eligible service by the faculty member beyond five years up to 100% remission. The faculty member's adjusted employment date must not be later than the first class day of the term in which the spouse/child(ren) wishes to enroll to be eligible for additional remission.

Grandfathered status for tuition remission for benefits-eligible pro rata faculty and their eligible dependents ends at:

1. The faculty member's termination date;
2. The date the faculty member loses eligibility for benefits; or
3. December 31, 2007, whichever is earlier.

### Student Financial Aid for Adult Children of Regular Employees

Adult children, 25 years of age or older, of regular employees and retirees who apply for financial aid and demonstrate need, are eligible for favorable treatment in the packaging of financial aid to meet that need. The grant component of the aid package will be calculated as follows:

1. For needy adult children of full-time regular employees with 5 or less years of service the aid package will include an SEU grant of 50% of tuition, not to exceed need.
2. For each year of service thereafter, the SEU grant portion of the aid package will increase 10% to a maximum of 75% of tuition at year eight.

Definitions of eligibility, regular employment, children, etc. appear elsewhere in the Employee Handbook.

Note: Full-time regular employees with children under the age of 25 should review the Tuition Remission Benefits policy for eligibility and benefits information.

### Procedure to Apply for Tuition Remission

Tuition remission is administered similarly to other university grants. Students complete a financial aid application form available in Student Financial Services. The form requires the student to indicate the courses in which s/he plans to enroll. The form must be returned to Student Financial Services at least a month prior to registering.

Just as with any other form of institutional assistance, tuition remission will be recorded on the student's financial record. Good standing and satisfactory policies for students receiving tuition remission are the same policies used in awarding any other form of financial assistance.

## Miscellaneous Information

If a faculty member registers for credit hours and withdraws after the 12th class day (or its short semester equivalent), the dropped credit hours will count toward the maximum tuition remission benefit for that term.

Tuition remission is a fringe benefit, but if a faculty member, spouse, or child(ren) is applying for financial assistance, any tuition remission received is considered as part of the financial assistance package.

Dependents may be eligible for other university scholarship and grant awards. The combination of tuition remission and these awards will not exceed the annual cost of full-time undergraduate tuition by more than \$2,000 per academic year (\$1,000 per semester). This amount will be pro-rated for part-time students.

Tuition remission applies only to courses at St. Edward's University.

## Scheduling Classes

Faculty are not permitted to take classes during their normal working hours.

## Tuition Remission After Termination of Employment

Retired faculty and their spouses are entitled to unlimited free courses. The tuition remission policy in effect at the time of retirement will apply to the child(ren) of an eligible retiree.

Permanently and totally disabled faculty, their spouses and eligible children are entitled to receive the same tuition remission benefits for which they were eligible at the time the faculty member separated service because of the disability.

Unmarried spouses and eligible children of deceased faculty are entitled to receive the same tuition remission benefits for which they were eligible at the time of the faculty member's death while in active employment.

Disabled faculty and the eligible dependents of disabled/deceased faculty must show written evidence of their eligibility for tuition remission at the time of registration. This statement of eligibility will be in a letter format signed by the Vice President of Human Resources or one of the Administrative Officers.

Employees who become ineligible for tuition remission after the first class day may complete the course(s) for which they registered without a loss in benefits.

## Tuition Exchange Benefit for Children of Regular Employees

Tuition Exchange is open to children of full-time, benefits-eligible faculty who have at least 3 years continuous service. Children interested in participating in this benefit during the fall semester must make application to St. Edward's Office of Student Financial Services by December 1 of the preceding year.

There are only a very limited number of slots each year and participants will be selected based on their parents' regular seniority. Eligibility for the program ceases at the end of a semester in which the faculty member separates service or changes to a non-benefits eligible status.

Please contact the Office of Student Financial Services or log on to the WEB at <http://www.tuitionexchange.org> for more information.

- 2.14.3.2 Parking. Annual parking permits are purchased by faculty members. Special parking places have been designed for the handicapped.
- 2.14.3.3 Student Labor. Paid student labor to assist with grading and other tasks is available with the authorization of the school dean and as resources permit. The program is administered in compliance with university policy and federal law. The Vice President of Human Resources and the director of Student Financial Services periodically issue memoranda on current wages, hiring and payroll procedures, criteria for employment, and other data. Student labor is allocated on a school-by-school basis. The faculty member must clear a request for student labor with the school dean before completing an application in the Student Financial Services Office.
- 2.14.3.4 Tickets/Discounts. Members of the faculty and their families are admitted without charge to many events sponsored by the university. Where events are sponsored jointly by the university and outside organizations, an exception to the rule may be made. Faculty members will receive passes to all home-game athletic contests. Tickets for dramatic productions are offered to the faculty at reduced rates.
- 2.14.4 Retirement.
- 2.14.4.1 Definitions.

Regular Retiree – Employee whose adjusted employment date is on or after 11/1/93, and whose combined age and regular service equals or exceeds 80 with a minimum requirement of 55 years of age and 15 years of regular service. Ex: age 60 + years service 20 = 80

Grandfathered Regular Retiree I – Employee who is at least 55 on 10/31/93 and whose adjusted employment date is on or before 10/31/93 and who has 15 or more years of regular service on the last day of active employment.

Grandfathered Regular Retiree II – Employee who is less than 55 on 10/31/93 and whose adjusted employment date is on or before 10/31/93 and who has 15 or more years of regular service and who is age 55 or older on the last day of active employment.

Disabled Retiree – Employee receiving Long Term Disability insurance benefits who is expected to be permanently and totally disabled is treated as the appropriate Retiree above as long as the fifteen-year minimum service requirement is satisfied. Minimum age requirements are waived.

Surviving Dependent – The spouse and/or child(ren) of a retiree who dies while in retirement or the spouse and/or child(ren) of a regular employee eligible for retirement who dies while in active service.

#### 2.14.4.2 Retirement Benefits.

##### 2.14.4.2.1 All Regular retirees are eligible for the following benefits:

- A. Retirement plan payout (see carrier(s) for more detailed list of options).
- B. University email account.
- C. Retiree identification card which serves to establish eligibility for d, e, and f below.
- D. Free pass for retiree and spouse to athletic events. E. Faculty discounts at Mary Moody Northen Theatre. F. Continued library privileges for retiree and spouse.
- G. SEU newsletters and other University Advancement mailings.
- H. Continued access to the Employee Assistance Program.
- I. Unlimited free courses for retiree and spouse
- J. Space to work when on campus (faculty retirees only)
- K. Medical continuation plan as provided by the Consolidated Omnibus Budget Reconciliation Act (COBRA), 1986, as amended.

In addition, Regular and Grandfathered Regular Retirees are eligible for the following benefits:

- A. The same tuition remission benefit for children as any similarly situated active faculty.

In addition, the following categories of Retirees are eligible to continue in the St. Edward's University group medical plan as indicated below:

A Regular Retiree may continue in the appropriate SEU retiree group medical plan by paying the entire premium.

A Grandfathered Regular Retiree I may continue in the appropriate SEU retiree group medical plan at retirement time. Prior to age 65, the retiree must pay the entire premium. Beginning with the first of the month following the month in which the retiree attains age 65, the retiree is eligible to receive the same employer-paid premium sharing as a similarly situated active faculty member.

A Grandfathered Regular Retiree II may continue in the appropriate SEU group medical plan at retirement time. Prior to age 65, the retiree must pay the entire premium. Beginning with the first of the month following the month in which the retiree attains age 65, the retiree is eligible to receive employer premium sharing up to \$200 per month, as adjusted, not to exceed the employer-paid premium sharing for Grandfathered Regular Retirees I.

A Disabled Retiree may continue in the appropriate SEU retiree group medical plan. The amount, if any, of employer-paid premium sharing is determined by the disabled retiree's adjusted employment date.

A Surviving Dependent may continue in the appropriate SEU group medical plan by paying the whole premium. (Surviving child(ren) must meet the definition of dependent under the medical plan.)

Adult children of regular retirees who apply for financial assistance and demonstrate need may be eligible for favorable treatment in the packaging of financial assistance to meet that need. See Student Financial for Adult Children elsewhere in this manual.

Please note that as other policies and benefits, retiree benefits may be amended by the university at any time.

2.14.4.2.2 An emeritus professor or associate professor is entitled to the same benefits as those available to a regular retired faculty member according to the category to which s/he had at the time of retirement. In addition, holders of emeritus titles will be accorded the following privileges and prerogatives:

- A. Membership without vote in the General Faculty and in school faculties in which membership was held at the time of retirement.
- B. Listing in appropriate university bulletin(s).
- C. Use of campus mail services.
- D. Faculty parking permit.
- E. Participation in appropriate university events, e.g. commencement exercise, convocations, academic processions and the like.
- F. Use of St. Edward's name on publications.

## **2.15 COMPENSATION POLICIES**

2.15.1 Salary Schedule. Faculty members are paid twice a month – on the last working day closest to the 15<sup>th</sup> and on the last working day of the month.

Direct deposit is available to all faculty. Pay can be directly deposited in most banks and savings and loans. Faculty members on direct deposit save time and effort and have their pay available at the opening of business on payday. If a faculty member does not elect direct deposit, a pay card will be issued. More information about direct deposit and pay cards is available in Human Resources or online, at the HR Forms page under Resources. All faculty members are strongly encouraged to enroll in direct deposit.

2.15.2 Salary Distribution. Faculty members on academic year contracts may distribute the annual salary over nine or twelve months. The distribution is determined by the faculty member annually.

2.15.3 Payroll Deductions. The university must deduct from the faculty member's wages Federal Income and Social Security (OASI) taxes. St. Edward's University matches the faculty contribution to the Social Security fund.

Deductions that affect the faculty member's salary and the amount taxed will be taken out of each paycheck. These include income tax, social

security, salary advances, U.S. Savings Bonds, salary reductions for retirement, and flexible benefit plan (FSA Plan) spending accounts.

Other deductions such as health insurance and charitable contributions are withheld from each paycheck. Insurance deductions pay for the following month's coverage.

- 2.15.4 **Advances.** Salary advances are available only in extreme emergency situations. The amount of the advance cannot exceed 75% of earned but unpaid wages as of the date of the salary advance. Salary advances may be requested on the Salary Advance Request Form which is available in the Business Office. The academic administrator to whom the faculty member reports and an administrative officer must approve the advance. Repayment through payroll deduction must be made in total on the next available paycheck. Due to the emergency nature of salary advances, the Business Office will, when possible, provide a check within two working days of the receipt of the Salary Advance Request.

## **2.16 COMPLAINT RESOLUTION**

If any faculty member alleges cause for complaint in any matter not covered by an appeal process already provided for in other sections of the Faculty Manual, the faculty member may follow the complaint resolution policy established herein. The informal resolution and complaint resolution procedures provided below are not applicable in situations, namely promotion, tenure, and separation, for which a specific appeal process is provided elsewhere in the Faculty Manual. In all such instances the resolution provided by the specific appeal process is final.

- 2.16.1 **Informal Resolution.** Every effort will be made to settle the complaint at the level of its occurrence, that is, within the discipline or specific academic area. Complaints are usually resolved through informal communication with the faculty member or academic administrator immediately responsible for the project, area, office or school involved. If a satisfactory resolution is not made at this level then the faculty member may contact the next higher academic administrator. The administrator contacted has a responsibility to resolve the situation as quickly as possible. Faculty will ordinarily seek resolution of complaints within the academic administration. Complaints may also be brought to the Vice President of Human Resources, who, with the assistance of the appropriate academic administrator, has a responsibility to resolve the situation as quickly as possible.
- 2.16.2 **Complaint Resolution.** If the faculty member does not feel comfortable with the process outlined in the informal resolution (2.16.1) or if the faculty member has utilized this process and is not satisfied with the resolution, the faculty member may petition the provost in writing for a review of the perceived complaint. The provost will review the complaint and provide for its resolution as quickly as possible. If the response offered is unsatisfactory, or if the provost was a party to the complaint, an appeal may be filed with the president. Prior to rendering a decision, the university president will inform the faculty member in writing of the option of requesting the Senate Executive Committee to appoint a three member Ad Hoc

Committee to review the matter and express a non-binding opinion to the university president. The faculty member will inform the university president within five working days of his/her decision to include or exclude this option in the process. If included, the university president and the Collegium president will agree on a reasonable time by which the opinion of the Ad Hoc Committee of the Senate will be forwarded for the consideration of the university president in rendering a final decision. If the Ad Hoc Committee operates in this way, it would have access to the materials ordinarily available to an appeal committee and would be bound by the same requirements of confidentiality. In all circumstances, the president's decision is final.

## **2.17 REVISION OF THE FACULTY MANUAL**

2.17.1 Authority for Revision of the Faculty Manual. The revision procedures are adopted as an orderly process for the initiation and consideration of amendment to all of Section 2, namely of the Faculty Manual.

The university and the faculty commit their good faith efforts to the process of achieving agreement on policy issues concerning faculty employment. That commitment will not prejudice the responsibility and authority of the Board of Trustees to exercise its prerogatives to govern and administer the university. All substantive revisions of the Faculty Manual require the approval of the Board of Trustees. The president's determination regarding the substantive nature of a revision and the corresponding requirement for Board approval is final.

2.17.2 Proposed Amendments/Revisions. Proposals for revising Section 2 of the Faculty Manual can be made by the Board of Trustees, the president, the Faculty Manual Committee, the Faculty Senate, or any person or quasi-person (i.e., committee, council) related to the academic area of the university. Proposals will meet the following criteria:

- A. Proposals will be made in the form of texts intended to replace, in whole or in part, some current requirement of the Faculty Manual.
- B. A particular proposal will contain no more than one alteration of substance.
- C. Each proposal will give a brief explanation of the reason(s) for proposing the revision.

2.17.3 Faculty Manual Committee.

2.17.3.1 Committee Membership. Membership of this academic area committee consists of the following: The chair of the committee who will be a faculty member appointed by the provost; two faculty members nominated by the FEAC for Senate approval; and the provost. The faculty members are post-probationary faculty with full-time contracts. The terms are staggered and are for two years.

2.17.3.2 Committee Responsibilities. The committee is charged with processing updates and revisions of the Faculty Manual and with involving the faculty in considering proposed revisions.

#### 2.17.3.2.1 Processing Updates and Revisions of the Faculty Manual.

- A. The committee will recommend annual updates of the text of the Faculty Manual. Satisfying this responsibility should ensure that the Faculty Manual will remain current in all non-substantive matters and substantive matters formally approved by the Board of Trustees.
- B. The committee will monitor discussion within the university community that necessitates substantive changes in the Faculty Manual. Such changes will be formulated as proposals for revision and processed accordingly.
- C. The committee will receive and process proposals for revision from the academic community.
- D. The committee, every five years, will review Section 2 of the Faculty Manual for the express purpose of proposing any revisions indicated by the review. Such revisions will be formulated as proposals and processed accordingly.

#### 2.17.3.2.2 Involving the Faculty in Considering Proposed Revisions.

- A. Proposals for revision will be submitted to the entire faculty and to the president for consideration.
- B. Written response will be invited on all proposals for revision.
- C. Hearings will be held on proposed revisions at the discretion of the Faculty Manual Committee or, if requested in writing, by at least five faculty members.
- D. Proposed revisions will be reviewed by the committee in light of faculty response and the final wording of the revision released to the faculty prior to formal submission to the president for action.

2.17.4 The Role of the President. If the president accepts the proposed revision, the president will forward it to the Board of Trustees for action. If the proposed revision is unacceptable to the president, it may be returned to the Faculty Manual Committee for reconsideration or forwarded to the Board of Trustees with the reasons for the president's objections attached. In the latter case the president will inform the Faculty Manual Committee and the faculty of the objections communicated to the Trustees.

2.17.5 Board of Trustees' Action. The Institutional Oversight and Academic Affairs Committee of the Board of Trustees will receive and review all proposals for revision of the Faculty Manual. The Institutional Oversight and Academic Affairs Committee may either forward the proposal for revision with its recommendation to the full Board for action or return the proposal to the Faculty Manual Committee for further consideration. It is within the prerogatives of the Board to amend the proposal submitted. Board actions include approval, rejection, or amendment and subsequent approval. If approved, the revision becomes part of the Faculty Manual. Revisions become effective with the subsequent contract year.

- 2.17.6 Availability of the Faculty Manual. All new members of the faculty shall receive access to the Faculty Manual at the time of their initial appointment as a faculty member. Such copy must contain all of Section 2 in the form that will apply during the offered contract term. Continuing members of the faculty receive notification with their annual letters of appointment or salary notification that the current Faculty Manual, including revisions, applies.

A copy of the Faculty Manual with current revisions is available on the university website.