



THOMAS MORE  
UNIVERSITY

# Faculty Policy Manual

Passed FGA: 8 Nov 2024

Approved by the Board of Trustees: 5 Dec 2024

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## Thomas More University Faculty Policy Manual

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Welcome to Thomas More University. We hope your association with the University will be mutually beneficial. This *Faculty Policy Manual* contains information to assist faculty members in learning their rights, duties, and responsibilities and to provide a point of reference for future questions. It contains general policies and procedures of the University as they relate to individual faculty members but is not intended to state all University policies. The individual faculty member is responsible for informing himself or herself of the *Faculty Policy Manual* provisions currently in effect. Moreover, all faculty members are encouraged to review other University, College, and department publications such as the *Constitution of the Faculty of Thomas More University* (“*Faculty Constitution*”), *Employee Personnel Policies*<sup>1</sup>, the *Catalog*<sup>2</sup>, the *Student Handbook*<sup>3</sup>, etc., for a complete orientation on University policies. The institution is accredited by the Southern Association of Colleges and Schools Commission on Colleges (“SACSCOC”) and many of the policies in these manuals have been written to conform to the requirements of this accreditation. In general, the institution maintains policies to be consistent with the current SACSCOC standards; this document was written with reference to the 2018 version of the SACSCOC standards.

Thomas More University is a community of people working together as a team for service to our students. As a faculty member, you will be able to affect the quality of the educational experience we offer to our students. In most cases, your contact with the public will determine how the outside community perceives the University community. As stated in Article I of the *Faculty Constitution*, the Catholic university of the Diocese of Covington, Thomas More University observes the decisions and documents of the Second Vatican Council (*On the Church in the Modern World and the Declaration of Christian Education*) affecting Catholic higher education. The University has the right to expect its employees to respect the teachings and beliefs of the Roman Catholic Church.

The current version of the Thomas More University *Faculty Policy Manual* supersedes all previous versions, and its terms replace the terms contained in previous versions. If any statement in this *Faculty Policy Manual* is found to be inconsistent with the *Faculty Constitution*, then the *Faculty Constitution* takes precedence. Nothing in this *Faculty Policy Manual* shall be interpreted or applied in a manner inconsistent with the Catholic Intellectual Tradition and Catholic Social Teaching. The University expressly reserves the right to change policies, benefits, and procedures, and faculty members shall be bound by changes as they become effective. The Vice President and Chief Academic Officer will maintain the official version of the *Faculty Policy Manual*. The official version shall be maintained on the MyTMU portal but may also be accessed through the *Employee Personnel Policies*<sup>4</sup>.

This *Faculty Policy Manual* may be amended as necessary according to the procedures outlined in 4.0, and substantive revisions become binding after approval by the Thomas More University’s Board of Trustees. The Vice President and Chief Academic Officer shall notify the faculty of any changes by appropriate and expeditious means and the official version of the *Faculty Policy Manual* shall be modified promptly in accordance with Chapter 4 to reflect such changes.

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<sup>1</sup> <https://itwin.thomasmore.edu/Policy/>

<sup>2</sup> <https://www.thomasmore.edu/academics/registrar/registrar-course-catalogs/>

<sup>3</sup> <https://www.thomasmore.edu/student-life/current-students/>

<sup>4</sup> <https://itwin.thomasmore.edu/Policy/>

## Faculty Statement on Values

Thomas More University has a two-fold nature: It is 1) Catholic and 2) an institution of higher learning. It consequently has a two-fold goal: to promote the truth and moral values espoused by the Roman Catholic Church in the context of providing higher education in both the speculative and practical orders and particularly as outlined in *Ex corde Ecclesiae*. The Faculty believes that such a goal can only be achieved when certain values are embraced and conveyed. While an exhaustive listing of these values might be more confusing than helpful, the faculty considers the statement that follows to indicate the way in which these values are interrelated and interdependent within the framework of a truly Christian understanding of faith, hope, and love.

Because the University acknowledges the importance in human life of faith in God, it sees the pursuit of knowledge in all realms as contributing to a deeper understanding of God and God's creation. Knowledge, then, is not merely an end in itself, but a gateway opening to the mystery of reality, of truth. Faith informs the process by which truth is sought and underpins the value we place on the practice of academic freedom. Academic freedom seeks to bear witness to the respect with which God treats individuals in their quest to know and live His Truth.

As a Christian community living in hope, the University attaches particular importance to those qualities that bring the Kingdom of God into the world. The University seeks to develop persons who will be competent in their various fields of endeavor, who will have a respect for all life, and who will have a sense of responsibility toward their fellow human beings, toward all life, and indeed toward all the resources of the earth that God has placed in our care. The University community, therefore, holds out the ideal of a world in which the justice and peace of the Kingdom can be a reality that we bring to life, not simply an image we wish for but do nothing to attain.

In an atmosphere characterized by Christian love, the University promotes respect for the unique talents, self-awareness, self-fulfillment, and freedom of each person together with tolerance and compassion for their weaknesses and limitations. Because love is not just an emotion or a passing fancy, the University community challenges itself to translate love into commitment and service to others.

## Use and Upkeep of this Policy Manual

The cross-referencing within the Manual are all active hyperlinks, which should make using the electronic version more convenient. When references are made to list-items in other sections, the section-links are separate from the item-links. Usually cross-references will be listed according to their section numbering, for the convenience of those reading a print version. In some of these cases the reference will be two links; in this case one link will be for the section and the second link will be to the specific paragraph of enumerated item in a list in that section. Occasionally, when the context needs clarification, the cross-reference will be by section name.

When using the electronic version and you hover over a section number or a word, you should get a pop-up window indicating that you can [Ctrl+Click] to jump to that item; this means that you should press the [Ctrl] button and, while that is pressed, click the left mouse-button. Once there, you should be able to use [Alt+<] (using the [Alt] button and the [left-arrow] button) to return to the location you were previously reading.

**NOTE: It is possible that subsequent edits to the document will not update the section number; however, all active links should still go to the correct location (assuming it has not been deleted).**

There are some references to other documents and sometimes to their electronic (and likely downloadable electronic version). Wherever possible, these will also be active links; but some will require a password to access. All of these external links should have been added to the Index at the end of the document for the convenience of updating any changes to these locations. **In all cases, it is the responsibility of the Office of Academic Affairs to ensure that the references in this document are kept up to date and consistent with the accessibility of the referenced documents.** (The contents of the other documents might be maintained by other offices.) If the user cannot find some information, then the Office of Academic Affairs will be able to direct you to the appropriate location.

If you are editing the document and add-or-remove items to a list or to the sections and subsections, then you will need to update the references. While the table of contents can be updated in its entirety, every individual cross-reference needs to be done as well. In order to update *all cross-references in the entire document*, you can use [Ctrl+a] to select the entire document, then [right-click] to get a pop-up menu, then select [U]pdate field]. It will ask if you want to “Update page numbers only” or “Update entire table”. You should update the entire table. This will update the Table of Contents, all cross-references (including references to footnotes at other locations), and the Index.



## 1.0 Chapter One: Faculty Status

### 1.1 Faculty Classifications

Faculty status at Thomas More University is conferred to those individuals appointed to one of the following faculty classifications: Ranked Faculty, Part-time Faculty, Adjunct Faculty, Special Appointment Faculty, Administrative Officers and Staff Members with Faculty Rank, and Honorific Faculty.

#### 1.1.1 Ranked Faculty

Ranked Faculty are full-time employees of the University accorded one of the following ranks as defined in Section 1.2.1: Instructor, Assistant Professor, Associate Professor, and Professor. When a Ranked Faculty member is hired, the faculty member must meet a minimum one-year residency requirement at the University before applying for promotion to a higher rank (see Section 2.4).

Ranked Faculty members:

1. Are appointed by the President of the University (or the President's designee) pursuant to either an Annual Tenure Track, Non-Tenure Track, or Tenure employment agreement (see Section 1.4.1).
2. Have either:
  - a. Instructional and service responsibilities, which are enriched by scholarly, creative, and professional development activities, in support of the mission of the University (see Section 2.2) equivalent to a full-time teaching load (see Section 2.2.1.1); or
  - b. Instruction and other assigned duties (e.g., reassign time for academic administration, Chaplain, etc.) equivalent to a full-time teaching load (see Section 2.2.1.1);
3. Are full voting members of the Faculty General Assembly and the faculty assembly of the College and department to which they are appointed;
  - a. If a tenured Ranked Faculty member opts for the Phased Retirement Plan (see Section 2.7.2.1), then the faculty member will be provided the option of retaining voting rights in the Faculty General Assembly; and
4. Have all of the rights and responsibilities set forth in the *Faculty Constitution* and in this *Faculty Policy Manual*.

#### 1.1.2 Part-time Faculty

Part-time Faculty participate in one of the University's academic programs, carrying between a 50% and a 75% teaching load with a Term employment agreement (see Section 1.4.2), and usually performs faculty or administrative tasks such as academic coaching, advising, and work with the tutoring centers, in addition to teaching.

The reappointment of Part-time Faculty is at the discretion of the University and any successive reappointments do not confer continuing employment status and imply no employment rights beyond the duration of the term of employment set forth in the employment agreement.

Part-time Faculty who have previously been full-time, Ranked Faculty members at Thomas More University or assigned an academic rank at another regionally accredited institution retain the highest academic rank that they possessed at the University or their prior institution. Other Part-time Faculty are assigned the rank of Instructor. The use of rank designation for Part-time Faculty, however, shall not be construed as eligibility for promotion in rank; Part-time Faculty are ineligible for promotion in rank.

Appointment to a Part-time Faculty position does not confer membership in the Faculty as defined in the *Faculty Constitution*. Accordingly, Part-time Faculty are not members of the Faculty General Assembly. They are, however, invited to attend the meetings of the Faculty General Assembly, with voice, but not vote. In addition, since Part-time Faculty are not full voting members of the Faculty General Assembly, they do not participate as voting members in the Faculty Standing committee structure and are not required to, but may, participate as voting members in either the University committee structure or the Faculty *ad hoc* committees. Part-time Faculty may ask or be asked to attend Faculty Standing Committees as an expert advisor.

A Part-time Faculty member may apply for a posted full-time Ranked Faculty position with the University in accordance with the procedures set forth in Section 1.3. If a Part-time Faculty member applies for a posted Ranked Faculty position and is offered the position, the individual may negotiate credit towards the promotion and tenure requirement of an equivalent number of full-time years of teaching at Thomas More University (see Sections 1.2.1.3, 1.2.1.4, and 2.5.1). In accordance with University policy, the individual must meet the minimum one (1)-year residency requirement as a Ranked Faculty member at the University before applying for promotion to a higher rank (see Section 2.4.1).

See also Sections 3.1 and 3.2 for additional information regarding Part-time Faculty rights and responsibilities.

### **1.1.3 Adjunct Faculty**

An Adjunct Faculty member is one who is paid by the course, and who teaches either one or two courses during any given semester or teaching period, without exceeding the equivalent of six 3-credit-hour courses per calendar year, pursuant to a Term employment agreement (see Section 1.4.2).<sup>5</sup>

Adjunct Faculty who have previously been full-time, Ranked Faculty members at Thomas More University or assigned an academic rank at another regionally accredited institution usually retain the highest academic rank that they possessed at the University or their prior institution subject to the judgment of the College Dean. Other Adjunct Faculty are assigned the rank of Adjunct Instructor. The use of rank designation for Adjunct Faculty, however, shall not be construed as eligibility for promotion in rank; Adjunct Faculty are ineligible for promotion in rank.

Adjunct Faculty are temporary employees of the University. They perform those duties and responsibilities as stated in their respective employment agreements. Reappointment of Adjunct Faculty is at the discretion of the University and successive reappointments do not confer continuing employment status and imply no employment rights beyond the duration of the term of employment set forth in the employment agreement.

Appointment to an Adjunct Faculty position does not confer membership in the Faculty as defined in the *Faculty Constitution*. Accordingly, Adjunct Faculty are not members of the Faculty General Assembly.

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<sup>5</sup> Thomas More College Adjunct/Part-time Faculty Handbook (January 2018).

They are, however, invited to attend the meetings of the Faculty General Assembly, with voice, but not vote. In addition, since Adjunct Faculty are not full voting members of the Faculty General Assembly, they do not participate in the Faculty or University Standing or *ad hoc* committee structure.

An Adjunct Faculty member may apply for a posted full-time Ranked Faculty position with the University in accordance with the procedures set forth in Section 1.3. If an Adjunct Faculty member applies for a posted Ranked Faculty position and is offered the position, the individual may negotiate up to one year of credit towards the promotion requirement as an equivalent number of full-time years of teaching at Thomas More University (see Sections 1.2.1.2, 1.2.1.3, and 1.2.1.4). Any credit that might be granted towards promotion will not be credited towards tenure.

See also Sections 3.1 and 3.2 for additional information regarding Adjunct Faculty rights and responsibilities.

### **1.1.4 Special Appointment Faculty**

Special Appointment Faculty participate in one of the University's academic programs and make a substantial contribution to the academic activities of the University's various Colleges, but whose professional activities do not span the full range of responsibilities of the Ranked Faculty. Academic titles approved by the University include: Clinical Faculty, Faculty-in-Residence, Professor of Practice, Lecturer, and Visiting Faculty.

Special Appointment Faculty are temporary employees of the University and are employed via Term employment agreements (see Section 1.4.2) on either a full- or part-time basis. They perform those duties and responsibilities as stated in their respective employment agreements. Reappointment of Special Appointment Faculty is at the discretion of the University and successive reappointments do not confer continuing employment status and imply no employment rights beyond the duration of the term of employment set forth in the employment agreement.

Special Appointment Faculty shall fulfill those duties and responsibilities related to teaching or clinical instruction, as well as other duties as stated in the faculty member's individual Term employment agreement. Special Appointment Faculty shall be evaluated annually by the Department Chair based on the terms of their employment agreement.

The use of a rank designation for Special Appointment Faculty shall not be construed as eligibility for promotion in rank; Special Appointment Faculty are ineligible for promotion in rank.

Appointment to a Special Appointment Faculty position does not confer membership in the Faculty as defined in the *Faculty Constitution*. Accordingly, Special Appointment Faculty are not members of the Faculty General Assembly. They are, however, invited to attend the meetings of the Faculty General Assembly, with voice, but not vote. In addition, since Special Appointment Faculty are not full voting members of the Faculty General Assembly do not participate in the Faculty Standing committee structure and are not required to participate in the *ad hoc* or University Standing committee structure. See also Sections 3.1 and 3.2 for additional information regarding Special Appointment Faculty rights and responsibilities.

A Special Appointment Faculty member may apply for a posted full-time Ranked Faculty position with the University in accordance with the procedures set forth in Section 1.3. If a Special Appointment Faculty member applies for a posted Ranked Faculty position and is offered the position, the individual may negotiate up to one year of credit towards the promotion requirement as an equivalent number of

full-time years of teaching at Thomas More University (see Sections 1.2.1.2, 1.2.1.3, and 1.2.1.4). Any credit that might be granted towards promotion will not be credited towards tenure.

#### **1.1.4.1 Clinical Faculty**

Normally, Clinical Faculty are appointed on a part-time basis for such tasks as teaching and other duties relating to the education of students preparing for clinical practice. The Clinical designation is used with one of the four academic ranks (see Section 1.2.1) (i.e., Clinical Instructor, Clinical Assistant Professor, etc.). Clinical Faculty must meet minimum qualifications for initial rank designation.

#### **1.1.4.2 Faculty-in-Residence**

The title of Faculty-in-Residence shall be accorded to a person who is associated with the University to perform specific limited duties within an area of special expertise or training. Examples of Faculty-in-Residence include, but are not limited to, Scholar-in-Residence, Writer-in-Residence, and Artist-in-Residence.

#### **1.1.4.3 Professor of Practice**

The title Professor of Practice shall be accorded to a person who is a distinguished practitioner in the individual's profession but does not have a traditional academic background. A Professor of Practice brings knowledge to the University community in the form of teaching and service. A Professor of Practice helps promote the integration of academic scholarship with practical experience.

This role is typically a long-term appointment.

#### **1.1.4.4 Lecturer**

Normally, Lecturers are appointed on a full-time basis with a teaching load at least at the level of a full-time Ranked Faculty and with additional duties as defined in their job description, which may include additional teaching duties, a significant advising load, some administrative expectations, participation in Departmental (or, on rare occasions, College) committees, or other duties assigned by the Department Chair if approved by the College Dean. As a Special Appointment role, Lecturers are normally not expected to participate in the Faculty Committees that report to the Faculty General Assembly.

This role is typically a long-term appointment.

#### **1.1.4.5 Visiting Faculty**

A person who is on leave from the full-time teaching faculty of a regionally accredited college or university in the United States (including its incorporated and unincorporated territories) or from a comparable educational, research, or policy institution may be appointed on an annual, Term employment agreement basis (see Section 1.4.2) as Visiting Professor, Visiting Associate Professor, or Visiting Assistant Professor.

Recommendations for reappointment of Visiting Faculty shall be made annually by the Department Chair to the College Dean and then by the Dean to the Vice President (CAO). A visiting appointment may not be renewed for more than two consecutive years, for a total of three consecutive years.

### **1.1.5 Administrative Officers and Staff Members with Faculty Rank**

Administrative personnel are eligible for academic rank provided that (a) they are tenured Ranked Faculty members at a college or university accredited by one of the regional accrediting agencies at the time

of their appointment to Thomas More University, or (b) their qualifications are consistent with the criteria of their respective rank and are appropriate for appointment to one of the academic departments of the University. The eligibility of some Administrative roles is specified in the *Faculty Constitution*.

Membership in the professional staff of the University, including professional library staff and professional counselors, does not confer membership in the Faculty as that term is defined in the *Faculty Constitution*. A member of the professional staff may hold concurrent faculty rank only if appointed by the Vice President (CAO) in accordance with the procedures governing all Ranked Faculty appointments. A member of the professional staff holding concurrent Faculty rank may apply for tenure and/or promotion in accordance with the University's tenure and promotion policies and procedures.

In some cases, the appointment of an external administrative officer or staff member candidates to a senior faculty rank includes the granting of tenure. In such cases the usual extensive process of probation, evaluation, and recommendation described elsewhere in the *Faculty Policy Manual* does not fit the circumstances of the search and hiring process. Instead, the following conditions apply:

1. The candidate will have already successfully completed a probationary period and have been granted tenure or its equivalent at a regionally accredited post-secondary institution in the United States (including its incorporated and unincorporated territories) or comparable foreign institution.
2. Candidates who make the final round of interviews will have a campus interview, during which they will meet with the available faculty of any academic department for whom they might be teaching a course if hired. The faculty from those departments will have the opportunity to review both the candidate's academic and professional experience credentials and curriculum vitae prior to the campus interview.
3. The academic department in which the candidate will be assigned to teach classes will also have the opportunity to review both the candidate's academic and professional experience credentials and curriculum vitae to offer a timely rank and tenure recommendation utilizing the criteria set forth in Sections 2.4 and 2.5, and/or to raise in a timely fashion any objection or concern that arises from its review of the candidate's credentials. If the recommendation is about a College Dean, Assistant Vice President, or Associate Vice President (or any other administrative position who might include a teaching role and that is not the Chief Academic Officer or the President), then the Department makes the recommendation to the Vice President (CAO). If the recommendation is about a Vice President, then the Department makes the recommendation to the President. If the recommendation is about the President, then the Department makes the recommendation to the Enrollment, Academic & Student Affairs Committee of the Board of Trustees.
4. If the position to be filled is not the Vice President (CAO) or the President, then the Vice President (CAO), after reviewing the department's recommendation, will issue a written recommendation regarding tenure to the President. The President, in turn, will offer a written recommendation to the Enrollment, Academic & Student Affairs Committee of the Board of Trustees.
5. If the position to be filled is the President, then the Vice President (CAO), after reviewing the department's recommendation, will issue a written recommendation regarding tenure to the Enrollment, Academic & Student Affairs Committee of the Board of Trustees.

6. The Board of Trustees will render a final decision on the tenure appointment based upon its review of the candidate's qualifications and the written recommendations of the department, Vice President (CAO) (if appropriate), President, and Enrollment, Academic & Student Affairs Committee of the Board of Trustees.

A member of the Ranked Faculty appointed to an administrative or staff position must clearly understand the dual nature of the relationship with the University. When a full-time member of the Ranked Faculty is appointed to an administrative, counseling, or staff position, it is expected that the individual will retain faculty status and be entitled to consideration for promotion in rank or an appointment with tenure on the same basis as other full-time Ranked Faculty members, provided the individual continues to participate in the affairs of the College in which they teach and provided that the individual consents to teach without compensation one regularly scheduled course each calendar year. Under such conditions, the rates of accrual of credit toward promotion and tenure set forth in Sections 2.4.1 and 2.5.1 apply, respectively. If the above conditions are not met, an administrator or professional staff member may forfeit faculty status and tenure as applicable.

Tenured faculty who have retained their faculty status during an administrative appointment may be reassigned to a tenured faculty position upon cessation of the administrative appointment. Reassignment rights must be determined and specified in writing prior to acceptance of the administrative position. If reassignment to a tenured faculty position does occur, these individuals shall retain their assigned rank. The reassignment of an administrator to a Ranked Faculty position shall not, because of such reassignment, result in a reduction in force of tenure-agreement faculty in the degree or program area to which that individual is being assigned.

### **1.1.6 Honoric Faculty**

#### **1.1.6.1 Emeriti Faculty**

In recognition of meritorious service, individuals who were hired in 1994 or later and who have held full-time Ranked faculty positions at the University for fifteen or more years may be granted emeritus status at the academic rank held at the time of their retirement from full-time teaching from the University. Faculty who were hired before 1994 and who have held full-time teaching positions at the University for eight or more years may be granted emeritus status at the time of their retirement from full-time teaching at the University.

The title emeritus/emerita is an honorary title which does not carry full-time Ranked Faculty teaching responsibilities. Emeriti members may however seek appointment to teach classes on an Adjunct basis. In the event that the institution has temporary need for a faculty member with the credentials that match those of an Emeritus Faculty member in accord with Section 1.2.2, then the Emeritus Faculty member may be considered for a term appointment. In such case, the Emeritus Faculty member will hold the Rank they held at the time of their move to Emeritus status. The position will follow the guidelines of a Special Appointment and the salary, benefits, responsibilities, and term of service will be agreed upon between the individual and the Vice President (CAO) prior to being rehired.

Emeriti members do not receive salary or benefits but may request reasonable use of the library and athletic facilities of the University. Based on availability and the recommendations of the faculty member's College Dean(s), and with the concurrence of the Vice President (CAO), Emeriti members may also be permitted the use of office and/or lab space, equipment, and other campus facilities to support scholarly work and/or educational activities. Emeriti Faculty may request an official Thomas More

email account, but the faculty member's College Dean is responsible for approving this access initially and every subsequent year. They retain non-voting membership in the Faculty General Assembly and their names are included in published faculty listings. If they request and are appointed by the Faculty Coordinating Committee, they may serve on committees and perform such other occasional services service activities as are in keeping with their desires and capabilities and with the needs of the University. Moreover, Emeriti members may so identify themselves in any writings or publications.

Faculty seeking Emeritus status are required to have their current or former Department Chair or College Dean submit a nominating letter to the Faculty Relations Committee. Recommendations for the conferral of this honorary title shall be made by the Faculty Relations Committee to the Vice President (CAO), who recommends to the President, who recommends to the Board of Trustees, which makes the final decision.

Faculty who meet the criteria for consideration of emeritus status may be considered for such even if their retirement involves transitioning to other employment or careers. Emeritus faculty are not permitted to hold full-time academic appointments at other colleges or universities. In the event an emeritus faculty member is appointed to a full-time academic position with another college or university they must resign their emeritus professor appointment at Thomas More University.

Emeriti members are subject to the same code of conduct expectations to which other members of the Ranked Faculty are held. The Board of Trustees reserves the right to rescind an emeritus/emmerita designation should circumstances warrant such an action.

#### **1.1.6.2 Endowed Appointments**

Appointment to either an Endowed Chair or an Endowed Professorship is an honorific distinction conferred by the University upon a current member of the Ranked Faculty or upon an external candidate with distinguished credentials. An Endowed Appointment is for a specified term, which might be renewable. Term length may vary in accordance with donor wishes and program needs. The criteria for the Endowed Position may, with approval by the President and the Board of Trustees, specify the faculty member to be honored.

Criteria for candidates for an Endowed Appointment include:

1. Distinguished contributions to the field designated by the donor; and
2. Normally the rank of Professor and, if an internal appointment, with tenure.

The criteria established by the gift agreement should be consistent with the Rights and Responsibilities of the Ranked Faculty as specified in the *Faculty Constitution*. If the criteria established by the gift agreement is inconsistent with the Rights and Responsibilities of the Ranked Faculty, then the endowed position may create a Special Appointment Faculty position.

If the establishment of the Endowed Appointment does not include a specification for honoring a particular individual, then an *ad hoc* search committee will be created that is comprised of

1. Up to three Faculty members who have previously held an Endowed Appointment,
2. Enough Ranked Faculty who have been employed full-time at Thomas More for over ten years to bring the total number of Faculty to at least two, but not more than four, members,
3. an individual selected by the Vice President (CAO),
4. the Senior Vice President for Mission & University Advancement and

5. a representative from the Enrollment, Academic & Student Affairs Committee of the Board of Trustees.

If the donor designates a discipline for the Endowed Appointment, then the Dean of the College containing that discipline will, in consultation with the faculty members in the discipline, create the search committee and the Faculty members will be in closely-related fields without themselves being candidates for appointment to the endowed position in question. If no discipline is specified, then the Vice President (CAO), in consultation with all of the Deans, will create the *ad hoc* search committee and the Faculty members will provide representation from each of the Colleges. After reviewing the nominees, the search committee makes recommendations to the relevant Dean(s). The Dean(s) will make a recommendation to the Vice President (CAO), who will then relay the final decision to the President, who will appoint the candidate to the endowed position. Appointments of individuals new to the University shall follow all procedures for the appointment of any new Ranked Faculty member (see Section 1.3.2), together with procedures and criteria established by the gift agreement establishing the chair.

At the end of every academic year, the incumbent faculty member will submit a report of their activities during appointment to the Dean(s), VP/CAO, President, and Senior Vice President for Mission & University Advancement, who can decide if it should be provided to the donor unless otherwise agreed upon. If, at any time during the term of the appointment, a review of the incumbent faculty member reveals that the individual is not meeting the criteria for the position, then the Dean may recommend to the VP/CAO that the individual be removed from the position.

Prior to the end of every spring semester of an appointment to the endowed position, the College Dean will notify, in writing, the individual holding the Endowed Appointment that the report is due. This will include, but not be limited to, any activities specifically defined by the terms of the Endowed Appointment and may be included as an addendum to the faculty member's annual self-assessment.

In the fall of the final year of an appointment of an endowed position, a thorough review will be conducted. The annual reports will be reviewed for continued distinguished contributions in the expectations of the role designated by the endowed position. If the endowment calls for the position to be opened for nominations, the procedure for initial appointment will be followed. Otherwise, the Dean overseeing the discipline of the incumbent faculty member will form an *ad hoc* committee to review and make recommendations regarding reappointment of the incumbent faculty member to the Dean, who will make a recommendation to the VP/CAO. The make-up of the *ad hoc* committee will follow the guidelines for the make-up of the search committee. The VP/CAO will then make a final recommendation on reappointment to the President. A denial of reappointment to an endowed position does not affect the faculty member's tenure status. If a reappointment is denied, the Endowed Appointment will be opened for nominations according to the procedure for the initial appointment.

## **1.2 Faculty Ranks and Credentials**

### **1.2.1 Faculty Ranks**

At the time of initial appointment, the Vice President (CAO) shall approve the faculty rank for all Ranked Faculty after receiving and considering the recommendation from the search committee. Change in a Ranked Faculty member's academic rank is assigned as a result of the promotional process (see Section 2.4). In both cases, faculty rank is assigned on the basis of the information below, which indicates the minimum qualifications for appointment to the rank. Section 2.3.1 (General Criteria for



Periodic Evaluation of Ranked Faculty) describes, with examples, the criteria for evaluation of Ranked faculty members in general, including when being considered for promotion or tenure. Section 2.4 (Promotion in Rank) describes the considerations for promotion in rank. Section 2.5 (Tenure) describes the considerations for the awarding of tenure.

#### **1.2.1.1 Instructor**

An appointee to the rank of Instructor must:

1. Possess the Master's degree and satisfy the credentialing requirements of Section 1.2.2.
2. Possess demonstrated ability or evidence of strong potential for effective teaching at the college level (examples as indicated in Sections 2.3.1.2); and
3. Demonstrate a potential for professional growth.

#### **1.2.1.2 Assistant Professor**

An appointee to the rank of Assistant Professor must hold a terminal degree or the Master's degree with substantial additional graduate work or specialization in the appropriate field deemed comparable to the terminal degree consistent with the credentialing requirements of Section 1.2.2.

In addition to the academic credential or exceptional equivalent professional experience qualifications above, appointees must meet the following criteria:

1. Initial appointees to the rank of Assistant Professor must possess:
  - a. Demonstrated ability or evidence of strong potential for effective teaching at the college level (examples as indicated in Section 2.3.1.2); and
  - b. Potential for achievement through scholarly, creative, and professional development activities in the field of specialization (examples as indicated in Section 2.3.1.3).
2. Ranked Faculty seeking promotion to the Assistant Professor rank must:
  - a. Have demonstrated competency in teaching at the college in the field of specialization (examples as indicated in Section 2.3.1.2); and
  - b. Have a developing record of contributions to the University (college, departmental and/or extra-departmental service) and/or wider community (examples as indicated in Section 2.3.1.4).

#### **1.2.1.3 Associate Professor**

An appointee to the rank of Associate Professor **who was hired as a member of the Ranked Faculty prior to the 2025-2026 academic year** must:

1. Hold a terminal degree and satisfy the credentialing requirements of Section 1.2.2;
2. Have a minimum of five (5) years of teaching at the college level, three (3) of which have been in the rank of Assistant Professor.
3. Have demonstrated superior teaching ability at the college level (examples as indicated in Section 2.3.1.2);

4. Show high professional attainment with a demonstrated capability for achievement through scholarly, creative, and professional development activities in the field of specialization (examples as indicated in Section 2.3.1.3); and

In exceptional cases, a faculty member who satisfies the credentialing requirements of Section 1.2.2 with a non-terminal Master's degree and professional achievement comparable to a doctoral degree, may be promoted to this rank after a minimum of ten (10) years of college teaching, five (5) of which must have been in the rank of Assistant Professor. Professional achievement comparable to a doctorate (for this purpose) shall be based upon the following criteria:

1. Professional Development: This includes clinical practice, consultation, continuing education, and reading in one's field;
2. Graduate Coursework toward the Terminal Degree: This refers to doctoral level coursework.
3. Publications, Presentations of Scholarly Papers, or Grants: This refers to work of a scholarly nature, including grants and artistic productions and excluding presentations that fall under "community service" (these are given credit elsewhere);
4. Attendance at National or Regional Meetings: This includes meetings of a scholarly nature both within and without one's discipline. It excludes meetings that are for continuing education within one's profession.

An individual with the non-terminal Master's degree needs to show activity in at least three of the four categories listed immediately above, but activity in all four categories is desirable.

An appointee to the rank of Associate Professor **who was hired as a member of the Ranked Faculty in or after the 2025-2026 academic year** must:

1. Hold a terminal degree and satisfy the credentialing requirements of Section 1.2.2;
2. Have a minimum of five (5) years of teaching at the college level, three (3) of which have been in the rank of Assistant Professor.
3. Have demonstrated superior teaching ability at the college level (examples as indicated in Section 2.3.1.2);

In addition, demonstrate overall high performance through some combination of notable contributions to each of the following:

4. Show high professional attainment with a demonstrated capability for achievement through scholarly, creative, and professional development activities in the field of specialization (examples as indicated in Section 2.3.1.3);
5. Have actively contributed to the University (college, departmental, and/or extra-departmental service) and/or wider community (examples as indicated in Section 2.3.1.4); and

In exceptional cases, a faculty member who satisfies the credentialing requirements of Section 1.2.2 with a non-terminal Master's degree and professional achievement comparable to a terminal degree, may be promoted to this rank after a minimum of 10 years of college teaching, 5 of which must have been in the rank of Assistant Professor. Professional achievement comparable to a doctorate (for this purpose) shall be based upon the following criteria:

1. Professional Development: This includes clinical practice, consultation, continuing education, attendance at international, national, regional, or local scholarly meetings, and reading in one's field;
2. Graduate Coursework toward the Terminal Degree: This refers to doctoral level coursework.
3. Publications, Presentations of Scholarly Works, or Grants: This refers to work of a scholarly nature, including grants and artistic productions and excluding presentations that fall under "community service" (these are given credit elsewhere);

An individual with the non-terminal Master's degree needs to show activity in all three categories listed immediately above.

#### **1.2.1.4 Professor**

An appointee to this rank **who was hired as a member of the Ranked Faculty prior to the 1998-1999 academic year** must:

1. Hold a terminal degree and satisfy the credentialing requirements of Section 1.2.2;
2. Have a minimum of five (5) years in the rank of Associate Professor.
3. Demonstrate superior teaching ability at the college level (examples as indicated in Section 2.3.1.2); and
4. Show professional development through distinguished scholarship or exceptional creativity, which is recognized by substantial contributions in the field of specialization (examples as indicated in Section 2.3.1.3).

In exceptional cases, a faculty member who satisfies the credentialing requirements of Section 1.2.2 with a Master's degree and professional achievement comparable to a doctoral degree may be promoted to this rank after a minimum of ten (10) years of college teaching, five (5) of which must have been in the rank of Associate Professor. Professional achievement comparable to a doctorate (for this purpose) shall be based upon the following criteria:

1. Professional Development: This includes clinical practice, consultation, continuing education, and reading in one's field;
2. Graduate Coursework toward the Terminal Degree: This refers to doctoral level coursework;
3. Publications, Presentations of Scholarly Papers, and Grants: This refers to work of a scholarly nature, including grants and excluding presentations that fall under "community service" (these are given credit elsewhere);
4. Attendance at National or Regional Meetings: This includes meetings of a scholarly nature both within and outside of one's discipline. It excludes meetings that are for continuing education within one's profession.

An individual with the Master's degree needs to show activity in at least three of the four categories listed immediately above, but activity in all four categories is desirable.

An appointee to the rank of Professor **who was hired as a member of the Ranked Faculty between (inclusive) the 1998-1999 and the 2024-2025 academic years**, must:

1. Hold a terminal degree and satisfy the credentialing requirements of Section 1.2.2;
2. Have a minimum of five (5) years in the rank of Associate Professor;
3. Demonstrate superior teaching ability at the college level (examples as indicated in Section 2.3.1.2); and
4. Show distinguished scholarship or exceptional creativity, which is recognized by substantial contributions in the field of specialization, or significant professional development (examples as indicated in Section 2.3.1.3).

There are no exceptions to these criteria.

The appointment to the rank of Professor is recognition of distinction for faculty who have excelled in teaching, scholarship, and service in advancing the mission and the Catholic Intellectual Tradition of Thomas More University. An appointee to the rank of Professor **who was hired as a member of the Ranked Faculty in or after the 2025-2026 academic year**, must:

1. Hold a terminal degree in their field of teaching and satisfy the credentialing requirements of Section 1.2.2;
2. Have completed a minimum of five (5) years in the rank of Associate Professor;
3. Demonstrate superior teaching at the college level (examples as indicated in Section 2.3.1.2);
4. Provide evidence of ongoing and significant scholarly achievement through publications, research, and/or peer-reviewed creative work; through presentations in professional organizations; and through ongoing participation in professional growth and development activities. Faculty considering the rank of Professor must be published in peer-reviewed publications or have their creative work evaluated by a regional and/or national organization recognized by their respective fields while holding faculty rank at Thomas More University as part of their ongoing and scholarly achievement (examples as indicated in Section 2.3.1.3)
5. Ongoing and significant contributions to the academic life of the faculty at the University (college, departmental and/or extra-departmental service) and/or wider community (examples as indicated in Section 2.3.1.4).

There are no exceptions to these criteria.

## **1.2.2 Faculty Credentials**

It is the policy of Thomas More University to ensure that every instructor assigned to teach credit bearing coursework meets or exceeds the minimum faculty credentialing requirements set forth below.

### **1.2.2.1 Instructor of Record**

Thomas More University ensures that all faculty have the appropriate credentials necessary to provide our students with a high-quality education. The university documents the qualifications of instructors consistent with the Principles of Accreditation established by the Southern Association of Colleges and Schools Commission on Colleges, Kentucky Council on Postsecondary Education licensing guidelines, specialized accreditation agencies as applicable, and Thomas More University policy.

The instructor of record is the individual designated by the Department Chair to have the following individual responsibilities within a specific course. The instructor of record:

- has overall responsibility for the course, including:
  - design and implementation of the course,
  - ongoing instruction and day-to-day delivery of the course,
  - the achievement of student learning outcomes included as part of the syllabus, and
  - submission of the final grades according to deadlines established by the Office of the Registrar.
- will be evaluated by students in the course and by the academic department offering the course according to University policy and procedure for teaching evaluation.

The instructor of record is listed as the primary instructor for a course. In the case of team-based courses, in which multiple instructors participate in the design, delivery, and assessment of the course, the Department Chair(s) will identify a team coordinator, who will serve as the instructor of record. Teaching assistants may participate in delivery of instruction, but the instructor of record must maintain primary responsibility and oversight of the course.

The instructor of record must be appropriately credentialed to teach the course, according to SACSCOC guidelines, Kentucky license requirements, and Thomas More University policy.

All courses must have an assigned Instructor of Record before the course begins.

Notable exceptions to situations where the instructor of record may maintain overall responsibility for the course without continuous presence or ongoing instruction include:

- undergraduate laboratories in which teaching assistants may participate in supervision,
- clinical instruction that is (1) supervised by persons experienced in the discipline and (2) focuses on application of concepts and principles in the field,
- field supervision of student teaching, internships, cooperative education, and other experiential learning supervised by persons experienced in the discipline, and
- other situations that (1) the department can demonstrate and document as educationally sound and (2) have received approval of the respective College Dean and Vice President (CAO).

Except as noted above, it is not acceptable for an individual to be listed as the instructor of record while another individual, even when listed as a secondary instructor, carries out the duties of a primary instructor. This policy applies to all courses offered for Thomas More University credit and entered on student transcripts as Thomas More University courses, regardless of location or mode of delivery.

Department Chairs submit the instructor of record for each course to the Office of Academic Affairs and the Office of the Registrar. Department Chairs are responsible for ensuring the instructor of record is the primary instructor.

### **1.2.2.2 Credential Guidelines**

#### **A. Academic Credentials**

When determining acceptable credentials of its faculty and course instructors, the University will generally require the following as evidence of acceptable academic qualifications in accordance with Southern Association of Colleges and Schools Commission on Colleges (“SACSCOC”) academic credentials guidelines<sup>6</sup>:

1. Faculty teaching undergraduate courses must hold a terminal (usually the doctorate) or master’s degree in the teaching discipline or master’s degree with a concentration in the teaching discipline (understood to be a minimum of 18 graduate semester hours in the discipline to be taught).
2. Faculty teaching graduate and post-baccalaureate course work must hold a doctorate or terminal degree in the teaching discipline or a related discipline.
3. Graduate teaching assistants must have a master’s degree in the teaching discipline or 18 graduate semester hours in the discipline to be taught, have direct supervision by a faculty member experienced in the teaching discipline, have regular in-service training, and have planned and periodic evaluations.

The appointee’s degree must be earned from either a regionally accredited institution in the United States (including its incorporated and unincorporated territories) or an internationally recognized institution of higher education.

When determining “in the teaching discipline”, the Vice President (CAO), in consultation with the Dean and Department Chair, will consider disciplines that are recognized within the academy as being closely related. Examples: Pharmacology which engages with Chemistry; Neuroscience or Neurobiology which engages with Biology; Geophysics which engages with Physics; Actuarial Science which engages with Mathematics; Art, Music, or Performance Therapy which engages with the arts. In instances where a question about compatibility arises, the University may use criteria advanced by the appropriate disciplinary accrediting body in which the faculty member is expected to teach.

## **B. Exceptional Alternative Professional Experience Qualifications**

Exceptions may be made for individuals who do not meet the above academic qualifications but who are considered by the University to possess other demonstrated competencies and achievements that provide evidence to support effective teaching and student achievement. Doing so helps to promote the integration of academic scholarship with practical experience and provides faculty and students with an understanding of the practical applications in a particular field of study.

Determining the acceptability of faculty qualifications requires prudent use of professional judgment when persons are qualified based on criteria other than their academic credentials. At minimum, the faculty member must hold a degree at the same level at which the course is being taught. The less related the faculty members’ academic qualifications are from the content area, the more they must demonstrate higher levels of sustained, substantive professional experience that supports relevance for the university mission and program student learning outcomes.

In order to be considered for an exception, instructors must demonstrate that peers recognize them as a respected authority in the field. The fact that an individual has taught a particular subject or field for a number of years does not carry sufficient weight by itself to justify an exception. All faculty are

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<sup>6</sup> <https://sacscoc.org/app/uploads/2019/07/faculty-credentials.pdf>

expected to have a broad base of knowledge in a discipline or field such as knowledge obtained through formal academic training in a graduate degree program. Truly outstanding achievements must exist and must be documented and judged by the Department Chair, College Dean, and Vice President (CAO) to conclude that the individual is exceptionally competent and knowledgeable in the teaching field or discipline. The professional experience must be current, substantial in duration, and clearly linked to the field in which the instructor will teach.

Examples include, but are not limited to:

1. Appropriately related and sustained professional work experiences;
2. Professional licensure and certifications related to the teaching assignment;
3. Research awards, academic fellow status, or related honors and awards;
4. Documented continuing professional education experiences;
5. Leadership positions in recognized, relevant academic societies;
6. Relevant peer-reviewed publications;
7. Service on relevant editorial boards or committees of academic, professional, or other related publications;
8. Development and presentation of education programs in the field in question;
9. Significant participation in related professional associations, standard-setting bodies, or policy-making bodies;
10. Relevant, active service on boards of directors;
11. Continuous documented excellence in teaching; and
12. Participation in professional events or other activities that place the faculty in direct contact with leaders in the related field.

In order to maintain professional qualification, the instructor must remain current in their professional experience. Qualifications will be reviewed annually (e.g., during the annual teaching evaluation of ranked faculty).

### **1.2.2.3 Verification of Credentials**

It is the responsibility of the Department Chairs to certify that the faculty and course instructors of record in their respective department are qualified to teach the courses they are assigned, whether it is through the verification of formal educational credentials or exceptional alternative qualifications. Prior to any current faculty member or course instructor teaching a newly assigned course for academic credit, the procedures outlined below must be followed. For prospective faculty members, the procedures detailed below are followed as part of the recruitment process.

#### **A. Verification of Academic Credentials**

1. The Program Coordinator will collect and examine all documents needed to demonstrate that the current or prospective instructor's academic credentials satisfy the qualification guidelines. This documentation includes, but is not limited to:
  - a. A current curriculum vita;

- b. Official transcripts for all degrees earned;
  - c. Appropriate licenses or certifications; and
  - d. Verification of employment related to teaching experience (as needed).
2. In initially assessing the academic transcript, the Program Coordinator must ensure that the transcript includes the following elements:
    - a. The issuing institution's official seal;
    - b. Signature of the appropriate authorizing agent, preferably the institution's registrar;
    - c. The institution's official letterhead or stationery;
    - d. The institution's watermark or other identifier; and
    - e. The date of issue.
  3. If a transcript is unclear, the Program Coordinator (or a designee) will contact the institution producing the transcript and request additional information regarding the transcript or courses in question. Documentation received in response to such a request will be placed in the instructor's Faculty Record. With the exception of foreign academic credentials, only course work and degrees granted by regionally accredited colleges or universities will be accepted for credentialing purposes. In the event the institution ceases to exist and there are no records or method of verification, references to support academic course work must be provided by the instructor or prospective faculty member.
    - a. **Foreign Academic Credentials:** In those instances where a course instructor holds a degree or graduate credit hours from an institution in another country that is not accredited by regional accrediting agency, it will be necessary for the individual to obtain an independent evaluation of his or her teaching credentials. The evaluation must be completed by an evaluation service acceptable to the University. Costs, if any, associated with this service will be the responsibility of the instructor.
  4. If, as a result of the document review, it is determined by the Program Coordinator that the instructor's academic credentials satisfy SACSCOC academic credentials guidelines, the Program Coordinator will complete the Faculty Credential Analysis Form and forward it to the Department Chair for approval.
  5. If the Department Chair agrees with the Program Coordinator's assessment, the Department Chair will sign the Faculty Credential Analysis Form and forward it to the College Dean.
  6. If the College Dean agrees with the Department Chair's assessment, the College Dean will sign the Faculty Credential Analysis Form.
  7. The Faculty Credential Analysis Form must be signed by the Program Coordinator, Department Chair, and College Dean prior to the instructor being assigned to teach a course or the prospective faculty member receiving a faculty appointment.
  8. Curriculum Vitae, Transcripts, and the Faculty Credential Analysis are kept in the Office of the Academic Affairs.

**B. Verification of Exceptional Alternative Professional Experience Qualifications**



In cases where a current or prospective instructor does not possess the recommended educational credentials, exceptional alternative professional experience qualifications will need to be approved and documented by the Department Chair on the Faculty Credential Analysis Form and then submitted to the College Dean and the Vice President (CAO) for approval in accordance with the following procedures:

1. The Department Chair's documentation must include a copy of the instructor or prospective faculty member's C.V., as well as a written narrative explanation of the individual's exceptional alternative qualifications to teach the specific courses that may be assigned based on:
  - a. The individual's academic and professional preparation;
  - b. Diplomas, certificates, or relevant licensures;
  - c. Publications and presentations in the field; honors, awards, and professional recognitions; or
  - d. Other demonstrated competencies, skills, and experiences which the current or prospective faculty member brings to the University.
2. If it is determined by the Department Chair that the individual's exceptional professional experience qualifications are clearly tied to the specific course(s) to be taught and establish beyond doubt that the individual is exceptionally competent and knowledgeable in the teaching field or discipline, the Department Chair will document the justification on the Faculty Credential Analysis Form and forward it to the College Dean for approval.
3. If the College Dean agrees with the Department Chair's assessment, the College Dean will sign the Faculty Credential Analysis Form and forward it to the Vice President (CAO) for approval.
4. If the VP/CAO agrees with the Chair and the Dean's assessment, the VP/CAO will sign the Faculty Credential Analysis Form.
5. The Faculty Credential Analysis must be signed by the Department Chair, College Dean, and the VP/CAO prior to the individual being assigned to teach a course or the prospective faculty member receiving a faculty appointment.
6. Documentation and the Faculty Credential Analysis are kept in the Office of the Academic Affairs.

Note: The acceptance of exceptional alternative qualifications by the University is contingent upon final review and approval by a visiting committee from SACSCOC. In the event that SACSCOC disagrees with the University's decision to grant an exception to an instructor and an appeal to the accrediting agency is unsuccessful, the instructor will be considered out of compliance with both University and accreditation requirements for minimum qualifications. Such a ruling may result in termination, reassignment, or restriction to teaching courses solely in the discipline in which the faculty member holds at least a master's degree with 18 hours in the discipline to be taught.

### **1.3 Faculty Employment**

#### **1.3.1 Authority for Faculty Employment**

Formal authority for making faculty appointments rests with the President, upon the advice and recommendation of the Vice President (CAO), the College Dean, and Department Chair after these have

consulted with appropriate faculty members. The authority of the President may be delegated to the Vice President (CAO).

### **1.3.2 Faculty Recruitment and Employment Procedures**

#### **1.3.2.1 Hiring Ranked, Part-time, and Special Appointment Faculty**

Every year, as part of the budgeting process, the Vice President (CAO) will put out a call for position requests for the subsequent year. This will include any Ranked, Part-time, and Special Appointment Faculty positions. Department Chairs will submit requests to the Office of Academic Affairs and the list will be reviewed by a committee organized by the VP/CAO to include all College Deans. The committee will prioritize the position requests in tiers of importance and submit the ranking to the VP/CAO as a recommendation. The VP/CAO will then initiate the official requisitions for all Ranked, Part-time, and Special Appointment faculty positions in the development of the budget for the subsequent year. Written authorization from the President must be received by the VP/CAO before hiring a new faculty member or advertising to replace an existing position. The Human Resources Office, in consultation with the search committee, will handle advertising for all positions.

Once a full-time Ranked Faculty position has been approved, a search committee, comprised primarily of faculty and including an appropriate number of individuals in the program, will be formed by the College Dean in collaboration with the Department Chair to interview potential candidates and to nominate them. The voting status of individuals who are on the committee but are not departmental faculty members will also be determined by the College Dean in collaboration with the Department Chair. The top applicants will also be interviewed by the Department Chair, College Dean, VP/CAO, Director of Human Resources, and President. In all cases of potential employment, the Chair of the search committee and the VP/CAO will assist each other in coordinating the schedules of all involved, in order to minimize the number of return trips on the part of the candidate.

Once a Part-time or Special Appointment Faculty position has been approved, the Department Chair and interested departmental faculty will interview potential candidates and select the final candidate. The candidate will then be introduced to the College Dean, who will interview the candidate.

In accordance with the University's *Employee Recruitment and Hiring Policy*<sup>7</sup>, all personnel conducting faculty employment or promotional interviews shall ask only questions which are relevant to the applicant's ability to perform the job.

All candidates selected for interviews will be informed by the administrator extending the final appointment offer (the VP/CAO or the College Dean) that the appointment is contingent upon successful completion of employment eligibility verification and background and reference checks. See the *Employee Recruitment and Hiring Policy*<sup>8</sup> for additional information.

Credentials and references must be verified before a final employment offer is tendered in accordance with the Faculty Credentials Policy (see Section 1.2.2 above) and the University's *Background, Reference, and Verification Screens Policy*<sup>9</sup>. Verification of the candidate's academic credentials or alternative experience qualifications credentials (see Faculty Credentials Guidelines, Section 1.2.2.2 above) must similarly be verified before a final employment offer is tendered.

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<sup>7</sup> <https://itwin.thomasmore.edu/Policy/Home/Policy?policyID=16>

<sup>8</sup> <https://itwin.thomasmore.edu/Policy/Home/Policy?policyID=16>

<sup>9</sup> <https://itwin.thomasmore.edu/Policy/Home/Policy?policyID=12>

For Ranked Faculty candidates, the search committee makes its recommendation to the VP/CAO or their designee who, after receiving the President's approval, tenders the final offer of employment.

For Part-time and Special Appointment Faculty candidates, the Department Chair, in consultation with interested departmental faculty, makes a recommendation to the College Dean who, after receiving the VP/CAO's approval, tenders the final offer of employment.

Upon acceptance of the position, the individual will need to meet with a representative of the Office of Academic Affairs to arrange for the appropriate paperwork. The appointment is finalized through the Office of Academic Affairs with the issuance of the employment agreement, which shall include, but not be limited to, the faculty member's salary, position (including whether the position is Tenure-Track, Non-Tenure Track, or Term), academic rank or title (as applicable), and primary academic unit designation.

Note: Since years in academic rank for purposes of promotion and tenure eligibility are calculated based on full academic years, Full-time Ranked Faculty who join the University after November 1 will have their year in rank calculated starting with the succeeding full academic year.

Prior to the first day of employment, the new faculty member must complete the necessary Human Resources forms. The Director of Human Resources will review the benefit program with each new employee and obtain signatures on benefit waiver forms for those benefits not desired by the employee.

The College Deans are responsible for orienting the new faculty member to the University. Others may assist in this process, such as the members of the Faculty Coordinating Committee, Faculty Relations Committee, and the Department Chair. Ordinarily the Director of Faculty Development, in consultation with the Deans and VP/CAO, organizes a formal orientation for all new faculty at the beginning of the semester. The Department Chair is responsible for orienting the new faculty to the department and for ensuring that the new Faculty member completes the University orientation.

### **1.3.2.2 Hiring Adjunct Faculty**

When an Adjunct Faculty position needs to be filled, the Department Chair will request approval from the College Dean and then advertise the position through the Director of Human Resources or by reaching out to colleagues in the community. If the individual being considered is a member of the Thomas More University Staff, then their supervisor should be consulted in accord with the *Secondary Assignment Policy*<sup>10</sup>, which also clarifies how the employee will be paid for the assignment as well as the courseload limits and the potential restrictions on when the course can be offered.

The responsibilities of the Department Chair listed below may be delegated to another member of the Department.

Once an Adjunct Faculty position has been approved, the Department Chair will inform in writing all Ranked Faculty in the department of the impending opportunity to hire an Adjunct Faculty member. Any Ranked Faculty member in the department may request to participate in the hiring process. The Department Chair and interested departmental faculty will interview the final candidate. If time is a critical factor in the hire, the faculty participation may be electronic or via email. In accordance with the University's *Employee Recruitment and Hiring Policy*<sup>11</sup>, all personnel conducting faculty employment or

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<sup>10</sup> <https://itwin.thomasmore.edu/Policy/Home/Policy?policyID=81>

<sup>11</sup> <https://itwin.thomasmore.edu/Policy/Home/Policy?policyID=16>

promotional interviews shall ask only questions which are relevant to the applicant's ability to perform the job.

All candidates selected for interviews will be informed by the Department Chair (as the administrator who will extend the final appointment offer) that the appointment is contingent upon successful completion of employment eligibility verification (including academic credentialing in accordance with Section 1.2.2 above) and background and reference checks. See the *Employee Recruitment and Hiring Policy*<sup>12</sup> for additional information.

The offer of employment is made by the Department Chair upon the approval of the College Dean. Upon acceptance of the position, the individual will need to meet with a representative of the Office of Academic Affairs to arrange for the appropriate paperwork. The appointment is finalized through the Office of Academic Affairs with the issuance of the employment agreement, which shall include, but not be limited to, the faculty member's salary, class(es) taught, academic rank or title (as applicable), and primary academic unit designation.

The College Deans are responsible for orienting the new Adjunct Faculty member to the University. The Department Chair is responsible for orienting the new Adjunct Faculty to the department and for ensuring that the new Adjunct Faculty member completes the University orientation. Others may assist in this process, such as the members of the Department, the College Dean, or the Office of Academic Affairs.

### **1.3.3 Employment of Relatives**

The appointment of a candidate for a faculty position who is a relative of a current Thomas More University employee is governed by the University's *Employment of Relatives Policy*<sup>13</sup>.

### **1.3.4 Appointment of Foreign Nationals**

The appointment of a foreign national to a faculty position at Thomas More University is contingent upon the appointee's continuing ability to comply with verification requirements of the Immigration Reform and Control Act of 1986. A final determination by the federal government resulting in the loss of appropriate authorization to work in the United States will result in automatic termination of the faculty appointment, regardless of contractual status or type.

Note: Section 2.5.1 lists considerations affecting qualifications for tenure and item 14, in particular, addresses Foreign Nationals.

### **1.3.5 Initial Appointments**

Faculty members are selected upon the basis of their education, experience, scholarship, and teaching competence and in accordance with equal employment opportunity requirements and the Faculty Recruitment and Appointment procedures in Section 1.3.2 above. At all times, the University seeks to employ faculty who will contribute positively to the realization of the University's mission.

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<sup>12</sup> <https://itwin.thomasmore.edu/Policy/Home/Policy?policyID=16>

<sup>13</sup> <https://itwin.thomasmore.edu/Policy/Home/Policy?policyID=18>

Initial appointments to a Ranked Faculty position are usually made for a period of one academic year pursuant to an annual Tenure Track or Non-Tenure Track employment agreement, although variations from this practice are permissible. In exceptional cases, an individual may be hired with a 2- or 3-year employment agreement with the first year being probationary, requiring an evaluation by the Chair and Dean prior to the activation of the additional term of the employment agreement. The exceptional nature of these initial multi-year employment agreements should be judged based on criteria such as years of teaching experience, previous Rank, and the quality of the individual's teaching, service, and scholarship at the prior institution. Appointments to a Part-time, Adjunct, or Special Appointment Faculty position are made for the term specified in the faculty member's employment agreement.

Unless exceptional conditions are stated in the employment agreement (see Sections 1.4 and 2.1.1.1), none of which may limit the rights, privileges, and immunities of the appointee, the conditions of employment are those set forth in the *Employee Personnel Policies* and this *Faculty Policy Manual*, as applicable. Both manuals shall be made available to each new appointee, and acceptance of the appointment means acceptance of these policies.

The rank of a new faculty member is at the discretion of the President and is usually based upon the recommendation of the Vice President (CAO), the College Dean, and the Department Chair. The President must obtain the approval of the Board of Trustees to confer the rank of Professor. See Section 1.1.5 regarding the appointment of an Administrator with Rank or Tenure.

### **1.3.6 Reappointment**

Reappointments of Ranked Faculty are contingent upon the satisfaction of the general criteria for the evaluation of faculty members and upon the specific criteria for particular ranks outlined in this *Faculty Policy Manual*.

Reappointments of Part-time, Adjunct, or Special Appointment Faculty are at the discretion of the University and successive reappointments do not confer continuing employment status and imply no employment rights beyond the duration of the term of employment set forth in the employment agreement.

#### **1.3.6.1 Multi-year Employment Agreement Options**

Ranked Faculty Members who hold Non-Tenure-Track Appointments may be offered multi-year term appointments, based on years of service, ongoing favorable evaluations, and the potential for valuable future contributions.

- After a minimum of three years of service at Thomas More, a Non-Tenure-Track Faculty member is eligible to be considered for a 3-year employment agreement.
- After a minimum of six years of service at Thomas More, a Non-Tenure-Track Faculty member is eligible to be considered for a 5-year employment agreement.

All multi-year employment agreements are contingent on the viability of the academic program(s) in which the individual is eligible to teach based on their credentials. Individuals who hold multi-year employment agreements will be evaluated by their Department Chair in the fall of the final year of their employment agreement. The Chair will make a recommendation to the Dean by Nov 15 regarding the ongoing employment of the Faculty member. The Dean, in consultation with the Chair, will make a recommendation to the VPCAO regarding the length of the next employment agreement.

Renewal of the employment agreement is contingent on satisfactory progress as indicated by the Faculty Member's Rank. If the individual's evaluation indicates that they need improvement, then the next employment agreement length may be shortened while they work on the area(s) indicated.

### **1.3.6.2 Subsequent Employment Agreements for Ranked Faculty**

Typically, an employment agreement will be delivered by the Office of Academic Affairs to each Ranked Faculty member who is to be reappointed for the next academic year by the preceding March 15. Non-Tenured Ranked Faculty members whom the University has decided to not reappoint will be notified of the intent to not renew their employment agreement by the dates listed in Section 2.9.3.

Failure to return a signed employment agreement to the Office of Academic Affairs within fifteen (15) business days of the date the employment agreement was delivered removes all obligations under the agreement (including tenure) between the faculty member and the University, effective at the end of that academic year. Should a faculty member wish to delay acceptance of the employment agreement, the faculty member must file a written request for extension with the Vice President (CAO) prior to the expiration of the aforementioned fifteen (15) business day period. Such requests will automatically extend the time for consideration of the employment agreement by ten (10) business days. The faculty member may, during this period, request a review of the terms of the employment agreement with the Department Chair and appropriate administrative officials. If a modified employment agreement is offered on or before the expiration of the ten (10) business day extension, the faculty member shall have seven (7) business days from the date that the modified agreement was offered for consideration of the new proposal.

If the faculty member has not returned the accepted employment agreement and has not requested an extension within fifteen (15) business days of the date the employment agreement was originally delivered, or, having requested an extension has not returned the accepted employment agreement within the aforementioned ten (10) business day window, if no modified employment agreement is offered, or has not returned the accepted employment agreement as modified within the aforementioned seven (7) business day window, the proffer of reappointment may be withdrawn at the option of the President or the Vice President (CAO).

In all cases, negotiations should be guided by a spirit of good faith and collegiality. In exceptional cases, the Vice President (CAO) may grant an additional extension even if the faculty does not request it. In the other direction, if a Faculty member chooses to break their employment agreement and leave any time after one month prior to the start of the current or upcoming term, then they are expected to provide one month's notice to the College Dean and VP/CAO in order to enable the Department to formulate a plan to cover the assigned courses.

### **1.3.7 Terms of Service**

Ranked Faculty normally receive a nine-month employment agreement (although some receive 10-, 11-, or 12-month employment agreements). All employment agreements include the week before classes begin in the Fall and Spring semesters and may include the week after Commencement so long as it fits within the term of the agreement. Faculty salary, however, is paid twice monthly in 24 equal installments over a twelve-month period from September 15 through August 31. Ranked faculty on nine-month employment agreements have assigned duties during the typical academic year (during the fall and spring semesters).

A variety of essential activities (recruiting, advising, departmental planning, committee work, assessment, governance, etc.) take place during the summer and outside of the term of the employment agreement indicated above. To the extent possible, faculty will be able to choose the schedule and manner in which they contribute to the operation of the institution during the summer. Faculty are encouraged to serve the University in these capacities, if requested by the Program Chair or the College Dean.

Certain leadership roles and membership on selected Faculty Committees or University Standing Committees may also have an explicitly indicated expectation of limited summer obligations. Obligations and expectations during the summer will be kept to a minimum and are subject to Faculty availability. To the extent possible, these expectations will be indicated prior to the acceptance of these roles. All committee or volunteer work during the summer should be documented on Periodic Faculty Evaluations (see Section 2.3.1.4). Faculty members whose committee or governance work requires a significant amount of time during the summer period may, at the discretion of the Vice President (CAO), be compensated in the form of a stipend or reduced service expectations in the following academic year.

Summer teaching is also available on a voluntary basis and compensated per the summer pay scale (see section 2.2.1.3).

Members of religious orders and diocesan priests who are teaching faculty maintain different employment arrangements with the University. The terms of their employment are determined by the Superiors of their religious orders (in the case of members of religious orders) or by the Bishop of Covington (in the case of priests of the diocese of Covington).

## **1.4 Faculty Employment Agreements**

Appointment of a Ranked faculty member shall be through an employment agreement signed by the faculty member and the President of the University or the President's designee. The employment agreement and appendages shall state the rank, salary, duration of the employment agreement, department(s) of appointment, and other conditions of appointment. Detailed duties and responsibilities are listed in Section 2.2; some of these may be itemized in the employment agreement.

Faculty employment agreements at Thomas More University are categorized as either Annual, Tenured, Term, or Terminal. Another distinction that may be made concerning types of faculty employment agreements is between full-time and part-time workloads.

### **1.4.1 Annual Employment Agreements**

An appointment to the full-time Ranked Faculty pursuant to an annual employment agreement is a contractual obligation to the University to serve for the entire academic year, which includes the week before classes begin in the Fall and Spring semesters and may include the week after Commencement so long as this fits within the term of the agreement.

All full-time Ranked Faculty receive one of the following annual employment agreements:

#### **1.4.1.1 Tenure Track Employment Agreements**

The University offers Tenure Track employment agreements to full-time, Ranked Faculty appointed to positions that are tenure eligible. Such employment agreements place faculty in a probationary period leading to application for and evaluation for tenure. A full-time, Ranked Faculty member with a Tenure

Track employment agreement may expect the agreement to be renewed unless notified otherwise in accordance with the Non-Renewal of a Non-Tenured Faculty Member Employment Agreement Policy (see Section 2.9.3).

### **Transfer from Tenure Track to Non-Tenure Track**

Transfers from a Tenure Track appointment to a Non-Tenure Track appointment are administrative decisions that will be considered on a case-by-case basis in accordance with the following procedure:

1. Upon the Tenure Track Faculty member's request, the Department Chair will submit a written request to the College Dean and Vice President (CAO) along with the candidate's curriculum vita;
2. The VP/CAO, after consultation with the College Dean and President, may approve, disapprove, or defer a decision on the change of employment agreement status;
3. If granted, the change in appointment takes effect on the date specified in the written approval from the VP/CAO; and
4. All changes in tracks are subject to final approval by the President.

#### **1.4.1.2 Non-Tenure Track Employment Agreements**

The University offers annual employment agreements to Ranked Faculty members appointed to Non-Tenure Track positions. Individuals receiving a Non-Tenure Track employment agreement are not eligible to apply for tenure status. A Ranked Faculty member with an Annual Non-Tenure Track employment agreement may expect the employment agreement to be renewed unless notified otherwise in accordance with the Non-Renewal of a Non-Tenured Faculty Member Employment Agreement Policy (see Section 2.9.3).

### **Transfer from Non-Tenure Track to Tenure Track**

Transfers from a Non-Tenure Track appointment to Tenure Track appointment are administrative decisions that will be considered on a case-by-case basis. To be considered for a transfer to a Tenure Track appointment, a Non-Tenure Track faculty member will be required to provide at least three (3) years of full-time service at Thomas More University in the Non-Tenure track with favorable annual evaluations. In exceptional cases, such as but not limited to having tenure at a previous institution, a non-tenure track faculty member may be considered for tenure track after one year of full-time service at Thomas More University. If a transfer is granted, the faculty member must apply for tenure when he or she becomes eligible as stipulated in the faculty member's initial tenure-track employment agreement (see Sections 1.3.5 and 2.5.1).

The Department Chair initiates the process for transfer after the request is made by the faculty member in accordance with the following procedures:

1. Upon the faculty member's request, the Department Chair will submit a written request to the College Dean and Vice President (CAO) along with the candidate's curriculum vita;
2. The VP/CAO, after consultation with the College Dean and President, may approve, disapprove, or defer a decision on the change of appointment status. The VP/CAO's decision is based on:
  - a. the faculty member's qualifications and potential for accomplishments required for tenure as evidenced by favorable annual evaluations,



- b. the likelihood for the foreseeable future that there will continue to be a demand for the particular department of the faculty member and that University resources are sufficient to support continued reappointment in the department; and
  - c. consideration of the current University policy on the percentage of full-time faculty who may be tenured at any one time;
3. If granted, the change in appointment takes effect on the date specified in the written approval from the VP/CAO; and
4. All changes in tracks are subject to final approval by the President.

#### **1.4.1.3 Tenure Employment Agreements**

Tenure employment agreements are issued to full-time, Ranked Faculty who have attained tenured status (see Section 2.5). A Tenure employment agreement is subject only to annual modifications pertaining to academic rank, salary, and academic assignments in accordance with the provisions of this *Faculty Policy Manual*. A tenured faculty member has the contractual right to continuous appointments until the faculty member resigns, retires, is dismissed for adequate cause, or is terminated as a result of a reduction in faculty appointments due to either a financial exigency or a program reduction or discontinuation (see Section 2.9.5).

#### **1.4.1.4 Terminal Employment Agreements**

An annual employment agreement with the descriptor “Terminal” is the final appointment agreement issued to certain Ranked Faculty whose appointments will not be renewed.

### **1.4.2 Term Employment Agreements**

The University offers Term employment agreements to Part-time and full- and part-time Special Appointment Faculty that are limited to the term of employment outlined in the employment agreement. Term employment agreements are not Tenure Track and do not confer upon a faculty member an expectation for continued employment after the term specified in the employment agreement expires. No notice or action by the University is required to effectuate such expiration. Re-employment of the faculty member after expiration of the term of the appointment is solely within the discretion of the University and no other procedures apply.

### **1.4.3 Location of Appointment**

All faculty employment agreements designate a department as the faculty member’s primary faculty appointment location. It is from this department(s) that recommendations for appointment, promotion, tenure, and other actions concerning a Ranked Faculty member are initiated.

A Ranked Faculty member’s primary faculty appointment may be changed to meet the curricular and organizational needs of the University. In such circumstances, the new department must vote on the proposed appointment. Following the vote, the department will issue a written report to the faculty member’s College Dean and the Vice President (CAO) detailing the department’s majority and minority views regarding the proposed appointment. Taking into consideration the department’s report, the Vice President (CAO) in consultation with the College Dean, will then decide whether to approve the appointment.

#### **1.4.4 Joint Appointments**

A joint appointment exists when a Ranked Faculty member is appointed to a primary department but has a secondary appointment to another department. In making a joint-appointment offer, a primary and secondary department will be clearly designated by the Vice President (CAO) in the faculty member's employment agreement. If the appointment is Tenure-Track, the department in which tenure the faculty member plans to apply for appointment will be designated as the faculty member's primary department.

The nature of a joint appointment varies and the assignment of duties in the secondary department will differ by department and candidate. The details of the assignment of duties, the allocation of salary, departmental and collegiate governance rights, and provision for office and laboratory space (as required) as applicable to both the primary and secondary departments will be communicated in a signed written memorandum of understanding signed by the College Dean(s), the two Department Chairs and the faculty member detailing the faculty member's voting rights in the academic departments, assignments of duties, etc. Additionally, negotiated changes to those details will be evidenced in a signed memorandum of understanding.

The Department Chair of the secondary department must provide input for every evaluation for a jointly appointed faculty member. In the case of tenure review, the secondary Department Chair must provide a written evaluation describing the nature and extent of the candidate's involvement in, and contribution to, the secondary department. In the faculty member's tenure application, it is important to document how the candidate's time is being spent, and contributions to each department need to be clearly documented. The locus of tenure, if awarded by the Board of Trustees pursuant to the procedures set forth in Section 2.5 below, is in the University as a whole.

### **1.5 Organizational Structure of the Faculty Programs**

An academic program<sup>14</sup> is a coherent course of study leading to a for-credit credential including a degree, diploma, certificate or other generally recognized credential and is overseen by a program coordinator. A program or group of programs is housed in a Department, overseen by Department Chairs, who are, in turn, housed in one of the colleges overseen by Deans. Additional units such as Centers and Institutes that are interdisciplinary and share faculty with multiple colleges are typically led by Directors.

#### **1.5.1 The Roles of Program Coordinators, Departmental Chairs, and College Deans**

As for all faculty members, rights and responsibilities of Program Coordinators, Department Chairs, and those College Dean who have maintained their faculty status are included under Rights and Responsibilities of Faculty Members in the *Constitution of the Faculty of Thomas More University*, as well as the applicable policies and procedures of this *Faculty Policy Manual*. In their administrative role, College Deans, Department Chairs, and Program Coordinators have additional duties, which are described in detail in the job descriptions, which are available in the Office of Academic Affairs. These positions are included in the academic organizational chart maintained by the Office of Academic Affairs.

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<sup>14</sup> Defined by the Substantive Change Policy: <https://itwin.thomasmore.edu/Policy/Home/Policy?policyID=85>.

**Program Coordinators:**

Program coordinators are responsible for curriculum development and review to ensure the program contains essential curricular components, has appropriate content and pedagogy, and maintains discipline currency. Program coordinators must be credentialed to teach curricular content at the appropriate degree level. Program coordinators are appointed by the College Dean in consultation with the Department Chair and by approval from the Vice President (CAO).

**Department Chairs:**

Department Chairs assist in the fulfillment of administrative, budget, and human resource management and leadership within his or her department. Typically, Department Chairs are credentialed to teach curricular content in one program in the department at the appropriate degree level and preference in their selection is given to Faculty who are tenured or have significant experience at Thomas More. In a Department with a single Program, the Department Chair would also function as the Program Coordinator. Department Chairs are appointed by the College Dean in collaboration with the Department and in consultation with the Vice President (CAO). Ordinarily appointments are for four years with the possibility of two additional years. The individual cannot serve multiple terms back-to-back. To ensure continuity and leadership development within the department, Faculty in the Department are encouraged to work with the Dean to develop a succession plan. At the discretion of the Dean in consultation with the Department and the Vice President (CAO), exceptions may be made to any of these expectations.

**College Deans:**

College Deans provide leadership and overall direction for the academic curricula within his or her college, oversee the enrollment (in the college programs), retention (at the institution), and graduation rates (for the college programs), and represent both college and institutional needs and priorities. They supervise the operations of the departments within the college, support program and curriculum development, and oversee departmental budget development and expenditures. Each College Dean is authorized and directed to further the interests of Academic Affairs and the University and to advocate for the academic mission of the institution. Typically, each College Dean is credentialed to teach curricular content in one program in their college at the appropriate degree level. College Deans are appointed by the Vice President (CAO).

**1.5.2 Academic Receivership**

Academic receivership occurs when control of an academic Program or Department is removed from the faculty within that unit and an outside Program Coordinator or Department Chair is entrusted by the College Dean or Vice President (CAO), as applicable, to lead the unit, or when the College Dean or the Vice President (CAO) undertakes direct leadership of the unit.

Academic receivership represents an extraordinary rather than typical situation because it runs counter to the Faculty's responsibility for self-governance, and it is frequently preceded by warning signs that an academic unit is either becoming dysfunctional or lacks personnel who can successfully lead it.

**Warning Signs**

Valid reasons for recommending or activating receivership may include, but are not limited to, cases where a unit is unable or unwilling to govern itself in accordance with the principles of shared governance, where it is in noncompliance with the University's Program Review process, where it is failing to fulfill its teaching mission, where disregard for student and faculty welfare is evident and documented, or where it is unable to deliver its programs to current or prospective students.

### **Initiation of Receivership**

A recommendation to place a Program or a Department in academic receivership may be made by faculty within that Department or by the College Dean. Recommendations by the Faculty will be sent to the Dean, who will consult with the faculty about possible solutions, including who might administer the department while in receivership, and inform the Vice President (CAO) about the recommendation with their insight. Recommendations by the Dean, including a plan for receivership, will be sent to the VP/CAO.

When the VP/CAO receives such a recommendation, they will interview the current Coordinator or Chair (as applicable), representatives from the recommending group, and the faculty in the unit being considered for receivership. Since the governance of the unit may well impact other units, the VP/CAO may also interview other such units as appropriate.

If the VP/CAO believes that receivership of a Program or Department is warranted, they will approve the Dean's plan for a one-year receivership that must include an annual review of the function of the unit, and a return to self-governance within, at most, three years.

Once the plan is developed, the VP/CAO and Dean will present the plan to the unit which is being considered for receivership and gather their feedback. At the discretion of the VP/CAO, the plan may at this point be revised and presented again. When the receivership is ready for implementation, the VP/CAO will inform FCC within five business days of the final notification of the unit.

The VP/CAO, in consultation with FCC, may then place the Program or Department in receivership by appointing an external Director, Chair, or Dean to oversee the unit for a defined period of time, typically one year, to be followed by a review of the situation.

### **Ending the Receivership**

At the end of each year, the Dean may return the unit to self-governance or on the basis of a further review of the situation, consult with the VP/CAO to continue the unit in receivership for an additional academic year but cannot extend beyond three total years. In either of these cases, the VP/CAO will inform FCC of this decision within five business days of making the decision.

### **Consequences of an Unresolved Receivership After Three Years**

If, at the end of the three years, the Dean determines that the Program or Department in receivership has proven to be unwilling, unable, or incapable of adequately addressing the issues then additional actions may be necessary. The Dean will inform the VP/CAO. The VP/CAO will notify FCC within five business days and will consult with them. The FCC will then review the situation.

On the basis of this review and if the situation for a Program or Department persists, the VP/CAO may suspend admissions to the unit, may transfer or consolidate Faculty members among other Programs or Departments – with the approval of those units – or may disestablish or discontinue academic programs within the unit. (Note that such actions are separate from similar actions that may occur as a consequence of declining enrollments in the program or financial stress at the University level).

In any event, every attempt will be made by the University in the spirit of good faith and collegiality to relocate all tenured Faculty affected by the decision to close a unit into related departments or into other positions within the University. Positions in organizations owned by or affiliated with Thomas More University, as opposed to within the University itself, may be considered and discussed, but will only be considered if there are no options available within the University or by mutual consent of the Faculty member and the University Administration.

## **2.0 Chapter Two: Ranked Faculty Personnel Policies**

This Chapter, in conjunction with the *Faculty Constitution*, is the official statement of policies, responsibilities, duties, and rights pertaining to the Ranked Faculty. Official statement of policies, responsibilities, duties, and rights pertaining Part-time, Adjunct, and Special Appointment Faculty are set forth in Chapter 3.0, as well as the *Part-time/ Adjunct Faculty webpage*.

### **2.1 Faculty Rights and Professional Conduct Responsibilities**

Each Ranked Faculty member shall have those rights and responsibilities set forth in Article II, Section 2 of *the Faculty Constitution*. These rights and responsibilities are augmented by the following policies:

#### **2.1.1 Faculty Rights**

##### **2.1.1.1 Policies and Procedures Related to the Constitutional Rights of Faculty Members**

Some of the rights outlined in the *Faculty Constitution* do not come without limitation or consequence. In particular:

1. While Faculty Members have the right to invite guest speakers to lecture in class, if doing so will involve additional institutional costs or added security, inviting that particular guest speaker requires the approval of an appropriate university representative.
2. If a Faculty Member enacts their right to refuse to offer a course for appropriate reasons, then the Department Chair, the Dean of the College, or the Vice President (CAO), as appropriate to the context, bears the responsibility for meeting a subsequent student need. The Vice President (CAO) retains the ultimate authority in determining how that need should be met.
3. See section 2.6.3 for clarification on the right to membership in professional societies.

##### **2.1.1.2 Academic Freedom at Thomas More University**

The following statement on academic freedom, as formulated in the 1940 Statement of Principles endorsed by the Association of American Colleges and the American Association of University Professors, and amended by the governing bodies of these associations in November, 1989 and January, 1990, has been accepted as policy by the Board of Trustees at Thomas More University and is applicable to all individuals granted faculty status at Thomas More University, regardless of classification.

- (a) “Teachers are entitled to full freedom in research and in the publication of the results, subject to the adequate performance of their other academic duties; but research for pecuniary return should be based upon an understanding with the authorities of the institution.
- (b) “Teachers are entitled to freedom in the classroom in discussing their subject, but they should be careful not to introduce into their teaching controversial matter which has no relation to

their subject. Limitations of academic freedom because of religious or other aims of the institution should be clearly stated in writing at the time of the appointment.

- (c) “College and university teachers are citizens, members of a learned profession, and officers of an educational institution. When they speak or write as citizens, they should be free from institutional censorship or discipline, but their special position in the community imposes special obligations. As scholars and educational officers, they should remember that the public may judge their profession and institution by their utterances. Hence they should at all times be accurate, should exercise appropriate restraints, should show respect for the opinions of others, and should make every effort to indicate that they are not speaking for the institution”<sup>15</sup> without previous authorization from the President or Vice President (CAO).

The AAUP statement includes three notes for clarification, which may be found in the citation for the quote.

The terms used in and the context for this statement are understood in the following way at Thomas More University: “Teachers” are both the Ranked and Special Appointment Faculty. “Officers of an educational institution” is understood to mean “members of” and “representatives of” rather than “administrators of” the academic institution. The first point will especially apply to the Ranked Faculty, but also to any Special Appointment Faculty who are contributing to scholarly and creative works. The second point applies to all Ranked and Special Appointment Faculty, who are expected to have an awareness of Thomas More being a diocesan institution that is aligned with the Catholic Intellectual Tradition, with Catholic Social Teaching, and with *Ex corde Ecclesiae*. The third point extends the AAUP quote with a caveat that does not exist in the original but does apply at Thomas More University.

*Ex corde Ecclesiae* also speaks to this concept, indicating that, “The Church, accepting the ‘legitimate autonomy of human culture and especially of the sciences’ recognizes the academic freedom of scholars in each discipline in accordance with its own principles, and within the confines of the truth and the common good.” (ECE section 3, 29). Later, the document differentiates between the obligations of Catholic faculty, especially in theology, who are to be “faithful to” doctrine, and non-Catholic faculty, who should “respect Catholic doctrine.”

### **2.1.1.3 Intellectual Property Rights**

Faculty are encouraged to engage in the scholarly pursuit of knowledge, artistic and creative production, and research. The results of such pursuits sometimes lead to the development of material that may be copyrighted or patented. The University’s *Intellectual Property Policy*<sup>16</sup> serves to inform all Thomas More University employees and students of their rights and responsibilities whenever the results of their research or creative endeavors are patentable, copyrightable, or commercially marketable.

### **2.1.1.4 Documentary Support for Faculty Personnel Actions**

An individual faculty member is responsible for updating the faculty member’s own vita annually. Every faculty member has a right to expect that all the appropriate documents the faculty member has supplied will accompany the faculty member’s promotion or tenure file as it is sent through the appropriate process.

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<sup>15</sup> <https://www.aaup.org/report/1940-statement-principles-academic-freedom-and-tenure>

<sup>16</sup> <https://itwin.thomasmore.edu/Policy/Home/Policy?policyID=82>

### **2.1.1.5 Right to be Informed of Personnel Action Recommendations**

Every faculty member shall be informed promptly in writing of any faculty personnel actions recommended by the Chair of the faculty member's department, the Faculty Relations Committee, the College Dean, the Vice President (CAO), or the President. Faculty members have the right to respond in writing to any adverse faculty personnel action. Such written response, if submitted, will accompany all corresponding documents as they are sent through the appropriate process, which is understood to indicate that as long as the adverse action exists, it shall be accompanied by the response.

### **2.1.1.6 Right to Review Personnel Records**

Faculty Employee Personnel Files are stored in the Office of Human Resources. These include the Job advertisement for the position, the employment application and cover letter to the University, resume submitted at point of hire, employment agreements, benefit and payroll information, new hire documents, and all documents that impact (or could potentially impact) a Faculty member's employment at Thomas More University. The latter includes investigations and resulting actions involving federal, state, or University policy violations. The process and conditions of access to this file are defined in the employee Personnel Files Policy<sup>17</sup>.

Faculty Records, which relate to a Faculty member's record of academic activities and related contexts while at Thomas More University, are maintained in the Office of Academic Affairs. These may include copies of employment agreements, copies of letters of appointment, academic kudos or complaints by students or colleagues, documents pertaining to advancement in rank or tenure, investigation records relating to academic issues such as grade challenges, copies of resumes, account of reassignments for academic functions, etc. Faculty may access their personal Faculty Records through the Office of Academic Affairs. Requesters must provide reasonable notice in seeking such access. Faculty Records may be perused but only in supervised conditions determined by the Vice President (CAO). The contents of the Record may not be removed from the Office of Academic Affairs space, and no materials may be added or removed except through a formal written request to the Vice President (CAO).

## **2.1.2 Professional Conduct Responsibilities**

### **2.1.2.1 Statement on Professional Ethics**

The principles of professional engagement can be characterized with the following quote from *Ex corde Ecclesiae* (paragraphs 21 and 22): “[The university community] is animated by a spirit of freedom and charity; it is characterized by mutual respect, sincere dialogue, and protection of the rights of individuals. It assists each of its members to achieve wholeness as human persons; in turn, everyone in the community helps in promoting unity, and each one, according to his or her role and capacity, contributes towards decisions which affect the community, and also towards maintaining and strengthening the distinctive Catholic character of the Institution. University teachers should seek to improve their competence and endeavour to set the content, objectives, methods, and results of research in an individual discipline within the framework of a coherent world vision.”

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<sup>17</sup> <https://itwin.thomasmore.edu/Policy/Home/Policy?policyID=43>

In addition to following the principles of *Ex corde Ecclesiae*, the University affirms and supports the following principles of professional ethics, which has been adopted from the 1990 edition of the American Association of University Professors (AAUP) Policy Documents and Report<sup>18</sup>:

Professors, guided by a deep conviction of the worth and dignity of the advancement of knowledge, recognize the special responsibilities placed upon them. Their primary responsibility to their subject is to seek and to state the truth as they see it. To this end professors devote their energies to developing and improving their scholarly competence. They accept the obligation to exercise critical self-discipline and judgment in using, extending and transmitting knowledge. They practice intellectual honesty. Although professors may follow subsidiary interests, these interests must never seriously hamper or compromise their freedom of inquiry.

As teachers, professors encourage the free pursuit of learning in their students. They hold before them the best scholarly and ethical standards of their discipline. Professors demonstrate respect for students as individuals and adhere to their proper roles as intellectual guides and counselors. Professors make every reasonable effort to foster honest academic conduct and to ensure that their evaluations of students reflect each student's true merit. They respect the confidential nature of the relationship between professor and student. They avoid any exploitation, harassment or discriminatory treatment of students. They acknowledge significant academic or scholarly assistance for them. They protect their academic freedom.

As colleagues, professors have obligations that derive from common membership in the community of scholars. Professors do not discriminate against or harass colleagues. They respect and defend the free inquiry of associates. In the exchange of criticism and ideas professors show due respect for the opinions of others. Professors acknowledge academic debt and strive to be objective in their professional judgment of colleagues. Professors accept their share of faculty responsibilities for the governance of their institution.

As members of an academic institution, professors seek above all to be effective teachers and scholars. Although professors observe the stated regulations of the institution, provided the regulations do not contravene academic freedom, they maintain their right to criticize and seek revision. Professors give due regard to their paramount responsibilities within their institution in determining the amount and character of work done outside it. When considering the interruption or termination of their service, professors recognize the effect of their decision upon the program of the institution and give due notice of their intentions.

As members of their community, professors have the rights and obligations of other citizens. Professors measure the urgency of these obligations in the light of their responsibilities to their subject, to their students, to their profession and to their institution. When they speak or act as private persons they avoid creating the impression that they speak or act for their college or university. As citizens engaged in a profession that depends upon freedom for its health and integrity, professors have a particular obligation to promote conditions of free inquiry and to further public understanding of academic freedom.

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<sup>18</sup> <https://www.aaup.org/report/statement-professional-ethics>



### 2.1.2.2 Statement on Plagiarism

The University affirms and supports the following precepts regarding plagiarism as stated below, which is based on a "Statement on Plagiarism" published<sup>19</sup> by the American Association of University Professors' Committee B on Professional Ethics, adopted by the Council in June 1990.

Every faculty member must be guided by the following:

1. In his or her own work, the faculty member must scrupulously acknowledge every intellectual debt for ideas, methods, and expressions - by means appropriate to the form of communication.
2. Any discovery of suspected plagiarism should be brought at once to the attention of the affected parties and, as appropriate, to the profession at large through proper and effective channels - typically through reviews in or communications to relevant scholarly journals.
3. Faculty members should work to ensure that their universities and professional societies adopt clear guidelines respecting plagiarism, appropriate to the disciplines involved, and should insist that regular procedures be in place to deal with violations of those guidelines. The gravity of a charge of plagiarism, by whomever it is made, must not diminish the diligence exercised in determining whether the accusation is valid. In all cases the most scrupulous procedural fairness must be observed, and penalties must be appropriate to the degree of offense.
4. Scholars must make clear the respective contributions of colleagues on a collaborative project, and professors who have the guidance of students as their responsibility must exercise the greatest care not to appropriate a student's ideas, research, or presentation to the faculty member's benefit; to do so is to abuse power and trust.
5. In dealing with graduate students, faculty members must demonstrate by precept and example the necessity of rigorous honesty in the use of sources and of utter respect for the work of others. The same expectations apply to the guidance of undergraduate students, with a special obligation to acquaint students new to the world of higher education with its standards and the means of ensuring intellectual honesty.

### 2.1.2.3 Conflict of Interests – Faculty-Specific Activities

Individuals granted faculty status at Thomas More University must be sensitive to situations involving an actual or apparent conflict of interest on their part and must comply with the University's *Conflict of Interest Policy*<sup>20</sup>.

Whenever a member of the faculty is in doubt about whether a conflict of interest exists, the faculty member must provide written notification of the circumstances and any proposed resolution to the College Dean. Following consultation, the College Dean will render a judgment regarding how best to resolve the conflict. A statement of the conflict of interest as well as the College Dean's proposed resolution will be provided in writing and entered into either the Faculty Record or the Employee Personnel File according to the determination of the Vice President (CAO) and the Director of HR. A faculty member may appeal the College Dean's judgement in accordance with the Faculty Grievance Policy (see Section 2.10).

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<sup>19</sup> <https://www.aaup.org/report/statement-professional-ethics>

<sup>20</sup> <https://itwin.thomasmore.edu/Policy/Home/Policy?policyID=34>

In addition to the University's *Conflict of Interest Policy*<sup>21</sup>, faculty should be aware of the following faculty-specific activities that may give rise to an allegation of a conflict of interest:

1. Teaching, supervising, and/or participating in decisions affecting an immediate family member;
2. Casting a vote in committee deliberations regarding proposals or actions which lead to a direct personal benefit, as in awarding faculty development funds;
3. Accepting remuneration for consulting services or conducting clinics while representing the University in an official capacity;
4. Adopting one's own book or other teaching aids which would entail accepting royalties as personal income;
5. Making personal use of University resources and facilities for the creation of copyrightable or patentable materials without prior written authorization from the Vice President (CAO);
6. Requiring students, without recompense of salary or academic credit, to work on behalf of an outside agency;
7. Using the University's name, facilities, or equipment for personal purposes, or for which the faculty member receives remuneration for private gain;
8. Making personal use of University resources to support political candidates or non-profit organizations even though not for remuneration;
9. Purchasing major equipment, instruments, or supplies for University teaching or research from a private firm with which the employee is affiliated or receives personal benefits or rewards.

This listing is not intended to be exhaustive.

#### **2.1.2.4 Outside Employment**

Thomas More University recognizes that faculty members are sometimes called to teach and provide consulting and other professional services by outside agencies, institutions, professional groups, and industries. Faculty members are uniquely qualified to assist in meeting a variety of society's needs by way of sharing their knowledge and expertise outside the University. However, a full-time faculty member's obligation to the University must take priority over any such outside activity and must comply with the University's policy on conflict of interest (see Section 2.1.2.3). As such, there should be an ongoing discussion regarding the amount and nature of any outside employment.

Any outside employment that is directly related to the faculty member's area(s) of expertise and that the faculty member reasonably expects to accept during the time that the faculty member will be under agreement at Thomas More must be reported in writing annually to the faculty member's College Dean, who will keep the Vice President (CAO) informed. The report of such expectations for the upcoming year should be included in the previous year's self-assessment and may, at the discretion of the Faculty member, be updated at any time during the term of the employment agreement. If the actual outside work was substantially different from the reported expectations, then this may be noted in the subsequent self-assessment. While the report should contain a general outline of the expectations for the type of work and a rough estimate of the time-impact of any outside employment, the level of detail is left to the discretion of the Dean. In addition, if the outside employment (teaching, consulting, or

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<sup>21</sup> <https://itwin.thomasmore.edu/Policy/Home/Policy?policyID=34>

providing other professional services) is to be at, for, or on behalf of another institution of higher education, the Dean may request significant additional detail regarding the nature and extent of the work. Further, when the outside employment involves teaching at another institution any course that has a course description and syllabus similar to one taught at Thomas More University, then the reporting extends through the entire calendar year, independent of being under agreement at Thomas More.

Outside employment not directly related to the faculty member's area(s) of expertise may not in any way interfere with the faculty member's regular presence at the University and availability for consultation or interchange with students and colleagues. Nor may the outside activity constitute a conflict of interest. If the outside activity is an actual or apparent conflict of interest, the faculty member must consult with the College Dean (see the *Employee Personnel Policies*<sup>22</sup>). Time spent on such outside activities must be in addition to, rather than a part of, normal full-time effort expected of members of a full-time faculty member for university work. Any and all forms of outside activity must in no way interfere with University work. If there is a possibility of interference with University obligations, consideration should be given to transitioning to less than full-time status with Thomas More University.

In both cases, if the College Dean subsequently determines that the activity is adversely impacting the faculty member's professional responsibilities to the University, the Vice President (CAO) in consultation with the College Dean may require that the activity be terminated or limited.

The use of University facilities for remunerative employment is prohibited, except upon the written recommendation of the College Dean and with the written approval of the Vice President (CAO).

Note: The University assumes no responsibility for the competence or performance of outside employment or activities engaged in by University employees, nor may any responsibility be implied in any advertising with respect to such activities.

## **2.2 Duties and Responsibilities of Ranked Faculty Members**

This section describes the duties and responsibilities associated with Ranked Faculty appointments. Thomas More University is a teaching institution and expects and encourages its Ranked Faculty members to maintain high academic standards.

A full-time Ranked Faculty member is contractually obligated to teach or render service equivalent to 12 credit hours of instruction for each of two academic semesters in a given academic year, to participate in scholarly, creative, and professional development activities, to contribute to the University or community through service activities, and to meet all other obligations as specified in the *Constitution of the Faculty of Thomas More University* and *Faculty Policy Manual*.

Full-time Ranked faculty of Thomas More University will normally maintain the following minimum workload:

1. A teaching load equivalent to 12 semester hours (see Section 2.2.1.1 below) for the Fall and Spring terms
2. Participation in scholarly, creative, and professional development activities (see Section 2.2.2 below) and service activities (see Section 2.2.3 below) as applicable to the faculty member's discipline.

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<sup>22</sup> <https://itwin.thomasmore.edu/Policy/Home/Policy?policyID=34>

In addition to the above, the full-time workload also encompasses the professional responsibilities enumerated under Section 2.1.2 Professional Conduct Responsibilities of this *Faculty Policy Manual* (above), as well as those listed in the *Faculty Constitution*.

Departures from the workloads described above require the prior written permission of the College Dean, in consultation with the Department Chair.

### **2.2.1 Teaching Responsibilities**

Members of the Ranked Faculty facilitate the intellectual growth and development of Thomas More University students through teaching. In fulfilling assigned teaching duties, Ranked Faculty are expected:

1. To have a firm command of their subjects and to keep abreast of new developments in the teaching discipline;
2. To plan and organize course/laboratory materials;
3. To begin and end their classes on time;
4. To notify the Department Chair and the College Dean's Office when emergencies prevent them from meeting their classes;
5. To adhere to the *Credit Hour Policy* of the University<sup>23</sup>;
6. To provide sufficient testing through examinations and other assignments to evaluate the student's command of the material and to encourage a regular pattern of study. Good pedagogy demands that tests be graded and returned to students as soon as possible, preferably within a week;
7. To retain copies of all tests, assignments and final examinations until the students have had an opportunity to see them. Final exams and unreturned assignments should be retained in accordance with the University's Record Retention schedule (available in the Appendix to *University Record Retention Policy*<sup>24</sup>);
8. To submit grades to the Registrar within the deadlines established by that office, including mid-semester grades during both the fall and spring semesters;
9. To adhere to the Grading Policy established in the Thomas More University Catalog;
10. To be available in their office for a minimum of five hours each week at times convenient for the majority of their students. All faculty are required (1) to electronically submit their office hours to the Dean and Department Chair and (2) make easily available an awareness of the time for office hours to all of their students at the beginning of each course.
  - a. All faculty teaching courses on the University's campus are required to post office hours on their office door at the beginning of each semester, showing clearly the faculty member's class time and office hours;

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<sup>23</sup> <https://itwin.thomasmore.edu/Policy/Home/Policy?policyID=1086>

<sup>24</sup> <https://itwin.thomasmore.edu/Policy/Home/Policy?policyID=47>

- b. Faculty teaching online courses must post and hold their virtual office hours via the University's online communication tool. In selecting the virtual office hours, such faculty must recognize that most distance learners work on their courses in the evenings and on weekends.
11. To work with their departmental Faculty to meet the educational needs of their Academic program(s);
  12. To choose and to order course materials early enough for availability when the semester begins;
  13. To create a syllabus for each course taught, each term the course is taught, and to submit them electronically to the Department Chair who makes them available to the Office of Academic Affairs (The VP/CAO makes available a list of items required to be included in every syllabus); and
  14. To utilize the selected Learning Management System (LMS) and student/faculty portal (i.e., MyTMU) within all assigned courses in a manner that facilitates effective teaching and learning, such as providing timely feedback (for student development) and posting grades, enabling students and advisors to maintain an ongoing discussion of adequate progress towards success.

Teaching duties and responsibilities must be performed in accordance with the academic policies and procedures established by the University (including, but not limited to, those below), as well as any supplemental policies and procedures promulgated by the faculty member's College, and department. Such activities are evaluated pursuant to evaluation criteria set forth in Section 2.3.1.2.

#### **2.2.1.1 Workload Equivalencies**

Full-time Ranked faculty of Thomas More University will normally maintain a teaching load equivalent to 12 semester hours for the Fall and Spring terms. The Department Chair, as overseen by the College Dean, is expected to maintain a reasonable balance across their faculty (including full-time and adjunct) in terms of workload beyond merely credit hours, considering factors such as enrollment in each course, time outside of class (such as certain experiential learning courses), evening or weekend courses, and faculty expertise.

1. In the case of faculty in the departments of Biology, Chemistry, Physics, Natural Sciences, and Information Systems, faculty members may choose to substitute 12 contact hours for 12 semester hours under the condition that these contact hours be distributed over a period of not less than three (3) class days per week. For this purpose, a contact hour is defined to be a credit hour except for lab courses which will count as 3 contact hours.
2. In the case of studio courses taught by faculty in the Art Department, 1 contact hour will be counted as 2/3 credit hour.
3. Departments offering substantial clinical or field experience may calculate equivalencies based on student enrollment, contact hours, or other justification as approved in writing by the appropriate College Dean in consultation with the Vice President (CAO). This approval is granted for the department, not for individual faculty members.
4. For credit-bearing courses that are not described above, equivalencies for workload and compensation are determined according to policies and procedures established by the Vice President (CAO), in consultation with the College Dean and Department Chairs.

5. Faculty workload time may be reassigned to other duties at the discretion of the Dean and Vice President (CAO). If this is larger than 50% of the teaching load, then this may affect the faculty's membership in the Faculty General Assembly (Constitution Article III, Section 2, Items 2 and 3).

College Deans in consultation with Department Chairs will ensure all faculty are meeting the teaching workload expectations.

#### **2.2.1.2 Overloads**

The University discourages teaching assignments beyond the usual course load, with or without compensation, during the Fall and Spring terms. Overloads are limited to 7 credit hours per Fall and 7 credit hours per Spring terms. Faculty loads will be reviewed in light of both Fall and Spring semesters of the academic year, as an overload in one semester may be compensated by an underload in the previous or following semester, at the discretion of the Department Chair and the College Dean.

Faculty may assume teaching overloads only with the prior permission of the College Dean (who will consult with the Department Chair). Additional compensation is available for overloads according to the number of hours, the class size, and the compensation scale, which is available from the Office of Academic Affairs.

Faculty overloads are calculated on the same basis as are normal loads. In most departments, this means 1 contact hour for 1 credit hour of load. Refer to Section 2.2.1.1 above for contact/credit hour ratios applicable to studio Art courses (item 2) and Biology, Chemistry, Physics, Natural Science, and Information Systems courses with laboratories (item 1).

College Deans, in consultation with Department Chairs, will ensure that no faculty member exceeds the overload limit of 14 credit hours per year (Fall and Spring terms). Exceptions may be granted in very unusual circumstances by the Vice President (CAO).

#### **2.2.1.3 Summer Session Teaching Opportunities**

The departments of the University give preference to full-time members of their faculties who have requested a summer teaching assignment when selecting the instructional staff for the summer sessions. Summer teaching load is typically limited to 12 credit hours. Seven (7) additional hours may be approved by the College Dean in consultation with the Department Chair. Additional hours above 19 credit hours are permitted in very unusual circumstances and must be approved by the Vice President (CAO). Whether an individual faculty member can be assigned to courses in any specific summer is determined by the Department Chair and/or College Dean. The decision must be made on the basis of the program planned, the probable student enrollment, and the available faculty. The offering of summer courses is dependent on satisfactory enrollments, and it is sometimes necessary to cancel such courses or to change teaching assignments because of insufficient enrollments. The summer pay scale is available in the Office of Academic Affairs.

#### **2.2.1.4 Study Abroad Teaching Opportunities**

The Study Abroad program is managed in conjunction with external agencies and has its own manual, the Faculty-Led Study Abroad Policy Manual<sup>25</sup>, which is implemented by Thomas More University's Global Initiatives Office (GIO). Thomas More University Study Abroad Programs are defined as

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<sup>25</sup> At the time of the approval of this Faculty Policy Manual, the Faculty-Led Study Abroad Policy Manual could be found on the Faculty Portal (myTMU) at the following location: on MyTMU > Resources > Faculty Resources > Global Initiatives Office (if you are logged in, the hyperlink to it is: [https://mytmu.thomasmore.edu/ICS/Resources/Faculty\\_Resources/Handouts.inz?portlet=Handouts\\_1](https://mytmu.thomasmore.edu/ICS/Resources/Faculty_Resources/Handouts.inz?portlet=Handouts_1)).

Thomas More credit and non-credit programs that include student travel outside the United States conducted by Thomas More faculty and other appropriate Thomas More employees. The GIO facilitates the process of creating, managing, and marketing study abroad and global learning opportunities.

### **2.2.2 Scholarly, Creative, and Professional Development Activities**

All Ranked Faculty members have the responsibility to continue their professional development through research, publications, creative works, or professional activities as appropriate to their disciplines.

Scholarship and creative work duties and responsibilities must be performed in accordance with policies and procedures established by the University (including, but not limited to, those below), as well as any supplemental policies and procedures promulgated by the faculty member's College and department as may be applicable.

Such activities are evaluated pursuant to evaluation criteria set forth in Section 2.3.1.3.

### **2.2.3 Service**

All Ranked Faculty members have a duty to contribute to the general development of the University (College, departmental and/or extra-departmental service) and/or wider community.

At a minimum, Ranked Faculty are expected:

1. To contribute to academic advising (regarding curricular and professional plans during and beyond college) as requested by the Department Chair and the College Dean;
2. To attend and participate in departmental meetings and in meetings of the Faculty General Assembly;
3. To attend as many University functions as appropriate and possible. Attendance is required at academic convocations, graduation, and faculty development days/events;
4. To serve on at least one University committee when requested and on other standing *or ad hoc* committees as feasible; and
5. To maintain proficiency in technologies that ease communication and shared governance.

Service activities are evaluated pursuant to the criteria set forth in Section 2.3.1.4.

## **2.3 Periodic Evaluation of Ranked Faculty for Annual Improvement**

To supply continuous and useful means to assist faculty members to improve their teaching, their professional contribution through scholarly, creative, and professional development activities, and their service, and to give evidence of such improvement, each faculty member will be evaluated by the Department Chair according to the criteria of Section 2.3.1 and the procedure in Section 2.3.2.

In turn, the administrative performance of the Department Chair will be evaluated by the department faculty (see Section 2.3.3). The College Dean (or a designee) and Department Chairs will evaluate one another's administrative performance in accordance with Sections 2.3.3 and 2.3.4, respectively. The

College Dean's performance will be evaluated by the Vice President (CAO) according to the guidelines in Section 2.3.4.

Department Chairs that maintain Ranked faculty status are evaluated annually on their role as Faculty by the College Dean (or designee). In conducting this annual evaluation, the College Dean (or designee) evaluates the Department Chair's teaching; scholarly, creative, and professional development activities; and service pursuant to the criteria outlined in Section 2.3.1. In performing the evaluation, the College Dean (or designee) will be substituted for the role of the Department Chair but otherwise adhere to the procedures set forth in Section 2.3.2.2.

College Deans that maintain Ranked faculty status are evaluated annually on their role as Faculty by the Chair of the department in which the individual has teaching responsibilities. In conducting the annual evaluation, the Department Chair evaluates the College Dean's teaching; scholarly, creative, and professional development activities; and service pursuant to the criteria outlined in Section 2.3.1. In performing the evaluation, the Department Chair will adhere to the procedures set forth in Section 2.3.2.2.

The schedule on which these evaluations will take place according to Table 2.5.1. All evaluations are done annually except the Dean's evaluation of the Faculty, which occur on a schedule.



Table 2.5.1: Schedule of Evaluations

<b>Evaluation</b>	<b>Due to</b>	<b>Due Date</b>	<b>Section(s)</b>
Faculty Self-Assessment & CV	Department Chair	June 1	2.3.1, 2.3.2, 2.3.2.2(3)
Chair Evaluation of Faculty (1 <sup>st</sup> Draft)	Faculty	June 15	2.3.1, 2.3.2.2(4.a)
Chair Evaluation of Faculty (Final version)	Faculty	June 21	2.3.1, 2.3.2.2(4.a)
Chair Evaluation of Faculty (Final version with possible Faculty comments)	College Dean	July 1	2.3.1, 2.3.2.2(4.a)
Dean Evaluation of Faculty (1 <sup>st</sup> Draft)	Faculty	July 15	2.3.1, 2.3.2.2(4.b)
Dean Evaluation of Faculty (Final version)	Faculty	---	2.3.1, 2.3.2.2(4.b)
Dean Evaluation of Faculty (Final version with possible Faculty comments)	College Dean	---	2.3.1, 2.3.2.2(4.b)
Faculty Evaluation of Chair	Anonomizable survey	June 1	2.3.3(1)
Department Chair Self-Assessment	College Dean	July 1	1.5
Dean Evaluation of the Chair (1 <sup>st</sup> Draft)	Department Chair	July 15	2.3.3(2)
Dean Evaluation of Chair (Final version)	Department Chair	---	2.3.3(2)
Dean Evaluation of Chair (Final version with possible Chair comments)	VP/CAO	Aug 1	2.3.3(2)
Faculty Evaluation of Dean	Anonomizable survey	June 1	2.3.4(1)
Chair Evaluation of Dean	Anonomizable survey	June 1	2.3.4(2)
VP/CAO Review Available Data	Self	Aug 1	2.3.4(3)
VP/CAO Evaluation of Dean (1 <sup>st</sup> Draft)	College Dean	Aug 15	2.3.4(3)
VP/CAO Evaluation of Dean (Final version)	College Dean	---	2.3.4(3)
VP/CAO Evaluation of Dean (Final version with possible Dean comments)	(not specified)	Sep 1	2.3.4(3)

These evaluations are not intended to be punitive, but rather is a collaborative process that seeks to collegially assist the participant to develop and succeed. Confidentiality, pursuit of the instructional mission of the University, the professional development of the individual being evaluated, and collegiality are to be kept at the heart of the evaluation procedures.

All evaluations will be placed in the Faculty Record of the evaluated individual in the Office of Academic Affairs. At that time, a copy of the evaluation will be forwarded to the individual evaluated.

### **2.3.1 General Criteria for Periodic Evaluation of Ranked Faculty**

The evaluation of a member of the Ranked Faculty (“faculty member(s)”) at the time of initial appointment, at each periodic faculty evaluation for annual improvement, and on the occasion of promotion in rank or appointment with tenure, is based upon the faculty member’s actual and potential contribution to the general community of scholars, to students, to the faculty of which the member is a part, and to the University.

The criteria set forth in this section are intended to guide the Department Chair, College Dean, Vice President (CAO), and all other applicable evaluators in the evaluation of faculty members. Their purpose is to call attention to the overall contribution and performance of the faculty member without necessarily implying that equal weight need be assigned to the separate criteria. Individual Colleges and departments may establish and publish criteria more specific than those set forth herein.

In order that the application of the criteria within a particular College and/or department be clearly understood by all of its faculty members, each College and/or department should engage in a full discussion of the criteria used for the appointment, periodic review, retention, tenure, and promotion of its Ranked faculty. Such discussions should involve both the criteria as specified in this *Faculty Policy Manual*. Moreover, such discussions should occur at least once each academic year before the FRC begins its recommending procedures.

The activities listed below may overlap multiple categories. In the self-assessment, Faculty may connect activities to whichever category is relevant to emphasize the contribution to the institution.

#### **2.3.1.1 Educational and Professional Credentials**

All Ranked Faculty are expected to maintain up-to-date records in the Office of Academic Affairs that indicate their educational and professional credentials appropriate to the position held. The record should show:

1. the completion of requisite academic work and possession of recognized earned degrees attesting to educational background.
  - i. These must be consistent with the University’s *Faculty Credentials Policy* (see Section 1.2.2 above).
  - ii. These are usually in the form of official transcripts from the institutions of higher education that the individual has attended.
2. an employment and professional history relevant to the teaching field and of sufficient duration to satisfy the requirements of the rank held or sought.
  - i. This is usually in the form of a *curriculum vitae*.

These documents should be updated annually and are kept in the Office of Academic Affairs.

### 2.3.1.2 Effective Teaching

The quality of teaching is a primary consideration in the selection, retention, and promotion of faculty members.

Effective teaching includes superior classroom performance, organization, development, articulate presentation of subject matter, involvement of the student in the learning process with due concern for motivation, and an appropriate respect for the intellectual needs of students. The conduct of seminars, colloquia, or other forms of planned faculty-student interaction, and the supervision of papers, student projects, and independent study, when these are appropriate to the faculty member's duties, shall be considered an important part of effective teaching.

Evidence of effective teaching may be demonstrated by the following observable qualities in the faculty member as is reasonable and appropriate for the discipline or program area:

1. Fulfilling instructional responsibilities:
  - a. Showing up to scheduled courses regularly and on-time;
  - b. The timely reading, grading, and return of papers and examinations;
  - c. Establishing appropriate office hours or otherwise making themselves available outside of classroom hours to meet student needs;
  - d. Providing instructional time and quality that fulfills all regulatory and accreditation requirements for the credit hours earned in a course or learning activity;
  - e. Keeping appointments with students;
  - f. Revising course syllabi to reflect changes in topic sequence, examination dates, reading, etc.; and
  - g. The timely and successful fulfillment of all faculty responsibilities including, but not limited to, adherence to University, College and department instructional policies, procedures and guidelines.
2. Clearly and enthusiastically communicating special knowledge and expertise based on an understanding of curricular objectives and the student's needs and abilities;
3. Ability to draw different aspects of the subject together in a meaningful, coherent way;
4. Innovative and creative approaches to communicating disciplinary knowledge, including, but not limited to, the utilization of technology;
5. Instructional methods that demonstrate an understanding of how students learn and utilize evidence-based practice documented in refereed research journals, books and professional conferences;
6. Clarity and precision in the presentation and analysis of complex and/or technical subject matter in the classroom;
7. Versatility of teaching strategies for solving problems, transmitting facts, developing concepts, and instilling principles;
8. Inclusion of current research, information, practical experience, and examples in lecture, learning activities, and discussion;

9. Familiarity with and ability to incorporate current discipline developments and requirements into course content;
10. Testing and evaluation methods appropriate to both the subject matter and the academic level of the course;
11. Ability to model for students the standards of performance and professionalism expected of them;
12. Ability to assess student learning outcomes of the course programs and University and to use assessment results to improve student learning;
13. Ability to develop course syllabi, readings lists, and assignments that are helpful to students and colleagues and participate productively in instructional planning and organization;
14. Creating experiential learning experiences for students, such as service-learning and travel study courses.

Note that the above listing is not intended to be exhaustive.

Student evaluations of teaching effectiveness (Section 2.3.2.2, item 1) are useful tools in ascertaining teaching effectiveness and will be used in evaluation and review of faculty members at all levels. Departments are also encouraged to supplement the student evaluations with other forms of evaluation of teaching. In addition, a faculty member may document teaching effectiveness by the following sources of evidence: faculty self-assessments (Section 2.3.2.2, item 3), faculty peer teaching evaluations, College Dean and Department Chair evaluations of teaching effectiveness (Section 2.3.2.2, items 2 and 4), and teaching awards and honors.

### **2.3.1.3 Scholarly, Creative, and Professional Development Activities**

A broad scholarly knowledge of the field in which one teaches is requisite for effective teaching at all levels. Creative work and production of significant scholarship are essential to effective teaching. The University is committed to support and assist in the development of scholarly research. The University also recognizes that professional activities may often constitute a contribution of importance similar to scholarly publications.

While the departments may adopt or emphasize activities particular to their discipline, commonly recognized evidence of professional development, scholarship, and creativity consistent amongst all disciplines and the institutional promotion and tenure expectations includes, but is not limited to, the following activities:

1. **Scholarly and Creative Activities** (include citations where relevant):
  - a. Publication of Articles;
  - b. Publication of Book Reviews;
  - c. Publication of Books;
  - d. Publication of teaching methodology and materials;
  - e. Presentation of Scholarly Works;
  - f. Conference Proceedings;
  - g. Commentator on papers of others;

- h. Offices held in professional societies;
- i. Consultation for which one is compensated (indicate how this relates to your professional development, provide general description without violating confidence);
- j. Public lectures, talks, or addresses to professional or non-professional audience;
- k. Member of review panel for grant proposals, scholarships, etc.;
- l. Participation as a panelist (subject, place, date);
- m. Serving as a faculty peer evaluator and mentoring a colleague's teaching development;
- n. Editorship of journals or other publications;
- o. Service on an editorial board;
- p. Publisher's consultant for book revisions;
- q. Cited as reference by other authors, or requests for reprints;
- r. Exhibitions of art works;
- s. Performance of dramatic or musical productions;
- t. Biographical listings;
- u. Authoring or contributing to grant proposals outside the University;
- v. Pedagogical and scholarly achievements recognized by external and internal grants, awards, patents, prizes, or commendations;
- w. New inventions, products, processes, computer software, or significant education media, regardless of whether patents or copyrights are applied for/awarded;
- x. Service as a principal investigator of externally funded research;
- y. Creation of peer-reviewed, research-oriented websites or publications; and
- z. Other professional activity that demonstrate concern with the advancement of the faculty member's discipline.

**2. Professional Development Activities:**

- a. Attendance at conferences, institutes, conventions;
- b. Participation in seminars or workshops;
- c. Travel of educational value;
- d. Membership in societies;
- e. Professional journal(s) read regularly;
- f. Participation in formal course work beyond the doctorate or terminal degree, special courses, and/or workshops to improve upon or acquire professional competencies in content-pedagogy, including emerging technologies;
- g. Activities to acquire or maintain certification/licensure for disciplinary specialties as outlined by the respective professional organization; and

- h. Other professional development activities that demonstrate concern with the advancement of the faculty member's discipline.

Note that the above listing is not intended to be exhaustive.

#### **2.3.1.4 Service**

A member of the faculty is responsible for actively contributing to the general development of the University, (College, departmental and/or extra-departmental service) and/or wider community (hereinafter “service”). Participation in faculty meetings and committees and in student organizations and activities constitutes such contribution, as does the use of the member's professional skills and training in the affairs of the communities which the University serves and of society at large.

Second to teaching, academic advising most affects a student’s educational outcomes. As such, it should be an integral part of a faculty member’s duties and responsibilities. An effective academic advisor goes beyond the resources in the catalog when answering students’ questions and makes effective use of students’ records. Effective academic advising starts with the exploration of life goals and of personal values and involves helping the student realize how a Catholic, liberal arts education can help them accomplish their goals.

Indications of service include, but are not limited to, activities such as:

##### **1. Involvement in the Departmental or College:**

- a. Serving in an Administrative role within the Department or College, such as Department Chair or Content Coordinator;
- b. Attendance and participation at departmental and College meetings;
- c. Collegial collaboration with other faculty members, as well as the faculty member’s Department Chair and College Dean;
- d. Curriculum development and Assessment;
- e. Departmental and/or College projects;
- f. Developing or managing core curriculum contributions;
- g. Mentoring departmental faculty (including adjunct and dual credit faculty)
- h. Advising departmental and/or College student organizations.

##### **2. Involvement in Academic Advising**

Providing a stimulating atmosphere within which students can learn and grow intellectually is a major professional contribution the faculty member can make to the development of students. This includes frequent and active presence on campus, guiding students and academic advising, and participation in activities that promote interaction between student life and the academic environment. The following list of activities provide examples that may be cited in a Faculty member’s self-assessment as an indication of fulfilling academic advising responsibilities:

- a. Maintaining office hours, covering at least five hours per week;
- b. Knowing program requirements and academic regulations;

- c. Proactively contacting students prior to advising week for appointments;
- d. Responding in a timely manner to all communications or questions either from a student or from faculty or staff about a student;
- e. Meeting with each advisee during advising week to discuss degree progress via degree audits, to approve course schedules, and to consider course prerequisites and degree requirements;
- f. Keeping notes on each advisee and to work with subsequent advisors when applicable;
- g. Building an advising relationship with each advisee and to maintain documentation of communication;
- h. Granting registration clearance each semester after a student's schedule is agreed upon;
- i. Approving various academic forms for advisees, including registration and graduation applications;
- j. Meeting with each advisee to discuss academic and personal issues separate from course selection issues named above (plans for summer, internships, study abroad, career aspirations, liberal arts);
- k. Referring students to appropriate staff for issues outside the advisor's competence (counseling, financial aid, etc.);
- l. Monitoring academic progress, particularly for incoming students and students on academic warning or probation, and supervising the completion of Academic Plans for those students on academic warning or probation.

Faculty in departments with a low number of majors can enhance their academic advising responsibilities by working with the FYE program, with students still exploring their major, or with students who have been dropped from a major.

### **3. Involvement in the University:**

- a. Participation in intercollegiate programs, such as FYE;
- b. Participation in meetings of the Faculty General Assembly;
- c. Grant proposal writing for the University;
- d. Membership on Faculty, University, and Board of Trustees standing or *ad hoc* committees;
- e. Chairing a Faculty or University standing or *ad hoc* committee;
- f. Serving as an officer of the Faculty General Assembly;
- g. Serving in an Administrative role beyond the Department, such as College Dean or Director of FYE;
- h. Recruiting for the University;
- i. Participating in University fundraising and marketing activities;
- j. Involvement in student activities at the University;
- k. Working with students in a variety of capacities;

- l. Service to educational accrediting agencies;
- m. Writing accreditation reports;
- n. Mentoring colleagues in research, service and/or teaching, including but not limited to serving as a peer classroom observer;
- o. Organizing University events such as student symposia, drama productions, concerts, show-cases, competitions, conferences, guest speakers, etc.
- p. Attendance at as many University functions as appropriate and possible. Attendance is required at academic convocations, graduation, faculty and employee development days, and assessment days;
- q. Acting as representative of the University to the larger community;
- r. Leading faculty development activities;
- s. Engaging in leadership or active participation in development of research programs;
- t. Serving as a team leader on assigned projects; and
- u. Participating in service-learning, travel study, etc.

**4. Involvement in the Community:**

- a. Member of church, civic organization, or charitable organization;
- b. Public addresses to audiences beyond the campus;
- c. Service to the community as an unpaid consultant in one's professional area;
- d. Volunteer service to the community in civic, cultural, and charitable endeavors;
- e. Civic achievements or awards;
- f. Service related to service-learning activities; and
- g. Serving in military through active reserve.

Note that the above listing is not intended to be exhaustive.

Although service is required of all Ranked Faculty, service alone is not sufficient for reappointment, promotion, or tenure in the absence of satisfactory performance in the areas of teaching or scholarly, creative, and professional development activities.

**2.3.2 Policies and Procedures for Periodic Evaluation of Ranked Faculty**

The periodic evaluation of Ranked Faculty members of Thomas More University will be consistent with the purpose of the University. The evaluation process, therefore, is designed chiefly to: 1) recognize excellence in faculty work, 2) provide information for the improvement of teaching, of scholarly, creative, and professional development activities, and of service, and 3) provide data to the Department Chair, College Dean, and Vice President (CAO) for curricular and personnel planning.



### **2.3.2.1 Policy for Periodic Evaluation of Ranked Faculty**

All Ranked Faculty (hereinafter “faculty member”) are to have their professional performance evaluated on a periodic basis as follows:

1. Evidence: The evaluation will rest on data compiled from the following sources:
  - a. End of course student evaluations;
  - b. Periodic Teaching Evaluation (see Section 2.3.2.2(2));
  - c. Annual self-assessment by each faculty member;
  - d. Annual department evaluations;
  - e. Periodic review and written comprehensive evaluation by the faculty member’s College Dean or Vice President (CAO); and
  - f. Any other methods of evaluation that may be approved by the Faculty General Assembly and the President of the University.
2. Instruments: These instruments are considered to fall under the primary faculty responsibility defined in the Constitution (Article II, Section 3, item 2g: Faculty Evaluation) and require an appropriate vote for substantive (significant or broad) changes. Changes to these assessment tools should be brought to the attention of the Academic Assessment Committee. It is the responsibility of the Vice President (CAO), however, to coordinate the annual review and summation according to objective criteria listed in the *Faculty Policy Manual* (see Section 2.3.1).
3. Function: This set of evaluations will act as the primary source of information for:
  - a. Recommendations about the improvement of teaching, of professional contributions through scholarly, creative, and professional development activities, and of service;
  - b. Awarding of rank, promotion or tenure (as applicable); and
  - c. Curricular planning including hiring, non-renewal, and terminal employment agreements.
4. Records: Results of the evaluation procedure, together with any annotations, challenges, or appeals made by the respective faculty member, will remain in the Faculty Record in the Office of the Academic Affairs. Each faculty member has the right to review their Faculty Record according to Section 2.1.1.6.

### **2.3.2.2 Procedures for Periodic Evaluation of Ranked Faculty**

Individuals who hold Ranked Faculty status are expected to follow the procedures in this section. Those who have reassigned time for administrative duties beyond those listed in this section will be evaluated by the Vice President (CAO) or their designee.

Based on the schedule established in Section 2.3 and in order to best serve the purposes for which faculty evaluations are used at Thomas More University, the process may extend beyond the academic year. Faculty are encouraged to include evidence for work conducted beyond the term of their employment agreement. This will provide a current twelve-month data base for use in issuing employment agreements annually.

#### **1. End of Course Student Evaluations**

End of course evaluations are completed by students and managed by the Office of Institutional Research. Faculty, Department Chairs, College Deans, and the Office of Academic Affairs have access to aggregate results.

The faculty of Thomas More University intend for the results of the End of Course Student Evaluation to benefit academic programs of the University. This will require the consistent interpretation of the form's results by Department Chairs, College Deans, and the Vice President (CAO). The Faculty recognize that there is no relevance to a "grand total" of the responses on the form. Only line averages are to be reported. The statements on the assessment form are too general to have all statements apply to all faculty and all courses. At the beginning of the academic year, each Department is responsible for identifying the aspects of the student evaluation that are most relevant to the Department's mission, goals, and curriculum and for sharing these with their College Dean. Department Chairs will review the forms for their faculty each semester, focusing on the statements that are most applicable. Findings from these areas may be used to strengthen the academic programs in each department. Item summaries may also be included in departmental Annual Reports.

The results of End of Course Student Evaluations, in combination with other measures of effective teaching, are considered as a point of reference to assist University evaluators participating in comprehensive evaluations of a faculty member's overall teaching effectiveness. Evaluators will take due consideration in interpreting trends across multiple courses/terms when referencing student evaluation scores during the teaching evaluation process, including but not limited to student evaluation scores that are unusually high or low in his or her professional judgment as a result of the faculty member's grading standards.

## **2. Annual Teaching Evaluation**

A teaching rubric has been developed for use by the Department Chairs and the College Deans. The schedule for how often a Faculty member is reviewed by the Department Chair and by the College Dean is listed below. During a teaching evaluation, the evaluator should make clear to the Faculty member the basis of their evaluation and should review the evaluation after the observation of their teaching.

## **3. Annual Self-Assessment**

Each Spring semester, faculty members (except faculty on approved leave), utilizing the *Faculty Self-Assessment Form*, assess their performance in the areas of teaching, of scholarly, creative, and professional development activities, and of service pursuant to the criteria outlined in Section 2.3.1. In addition, the faculty member is expected to address the faculty member's progress toward achieving the goals identified in the faculty member's prior *Faculty Self-Assessment Form*, as well as to propose goals for the following academic year. The report must address the period from June 1 to May 31.

The completed, signed, and dated *Faculty Self-Assessment Form*, as well as a copy of the faculty member's current curriculum vitae, and any documentation submitted by the faculty member in support of the faculty member's *Faculty Self-Assessment Form*, must be submitted by the faculty member to the Department Chair and College Dean on or before June 1.

## **4. Evaluation of Ranked Faculty by Department Chair and College Dean**

Insofar as Department Chairs, College Deans, any other Administrator with Faculty responsibilities, including the Vice President (CAO), retain Faculty responsibilities, their role as a Ranked Faculty member will be evaluated using the same criteria as a Ranked Faculty member without administrative duties. When the evaluation is of the Department Chair, the role specified for the Department Chair will be performed by the College Dean.

**a. Annual Department Chair Evaluation of Departmental Faculty**

The Department Chair's evaluation focuses upon the faculty member's performance in the areas of teaching, of scholarly, creative, and professional development activities, and of service pursuant to the criteria outlined in Section 2.3.1. In addition, the Department Chair will consider the faculty member's progress of achieving the goals identified during the prior annual evaluation process. The evaluation will address the period from June 1 to May 31.

*Items Reviewed:* The following items are reviewed by the Department Chair as part of the annual evaluation of departmental faculty:

1. The faculty member's current *Faculty Self-Assessment Form*;
2. The faculty member's current curriculum vitae;
3. The rubric for the Teaching Evaluation by the Department Chair (Section 2.3.2.2(2));
4. Any documentation submitted by the faculty member in support of the faculty member's *Faculty Self-Assessment Form*; and
5. End of course evaluation summaries since the faculty member's last annual evaluation.

After completing the review of the submitted materials and utilizing the aforementioned evaluation criteria, the Department Chair will document his or her preliminary evaluation of the faculty member's professional performance during the evaluation period on the *Faculty Evaluation: Department Chair Summary Form* and submit it electronically to the faculty member on or before June 15. The draft of the evaluation will include

1. a brief written discussion of the faculty member's strengths and potential areas of improvement in the following areas: teaching; scholarly, creative, professional development activities; and service
2. comments on the faculty member's progress towards promotion or tenure, if the faculty member is eligible for either (i.e., has the credentials for a subsequent promotion or is tenure-track), and
3. an indication of whether the faculty member is either (a) meeting expectations for maintaining standards appropriate to their Rank in their faculty role (which includes effective teaching; scholarly, creative, professional development activities; and service) or (b) not meeting expectations and needs assistance through the development of a Plan for Growth. If a Plan for Growth is required, the evaluation will only indicate this requirement and will not contain the Plan itself, which will be created on the schedule below.

In the spirit of collegiality, the Department Chair may decide to indicate that the faculty member is meeting expectations while still documenting advice and opportunities for growth in the future.

This situation should be handled in a mentoring environment, rather than through a formal Plan for Growth as indicated below.

Within 5 business days of receiving the draft report, the Department Chair and faculty member will discuss the draft evaluation. Following the discussion, the Department Chair will finalize his or her evaluation of the faculty member's professional performance and submit electronically to the faculty member, on or before June 21<sup>st</sup>, the final version of *Faculty Evaluation: Department Chair Summary Form*. The faculty member will then be requested to sign the final version of the form, signifying that the form has been read. The faculty member's signature, however, does not indicate agreement with the Department Chair's final evaluation. If the faculty member disagrees with the evaluation, the faculty member may submit a written objection to the evaluation, which will be appended to the *Faculty Evaluation: Department Chair Summary Form* by the Department Chair. The faculty member's objection must be filed with the Department Chair within 5 business days of electronic receipt of final version of the form. Evidence of the faculty member's opportunity to review the final version of the evaluation, together with any written comment the faculty member might choose to file, will be attached by the Department Chair to the *Faculty Evaluation: Department Chair Summary Form*. The Department Chair will then submit the evaluative file, including the *Faculty Evaluation: Department Chair Summary Form*, to the College Dean on or before July 1st.

#### **Plan for Growth in Cases of Ratings of “Does Not Meet Expectations”**

Faculty members who receive a rating of “does not meet expectations” for work performance at the faculty member's Rank as documented on the *Faculty Evaluation: Department Chair Summary Form* must meet with the Department Chair to develop a Plan for Growth addressing what is needed for improvement. This discussion should (a) take place within 30 business days of the upcoming academic year, (b) address the concerns documented in the *Faculty Evaluation: Department Chair Summary Form*, (c) clearly outline goals for improvement and relevant benchmarks, and (d) identify the resources needed for success (e.g., an investment on the part of the University for attendance at regional workshops/conferences), if any, that will be allocated for this purpose. The timeline for the Plan for Growth should be long enough to allow for meaningful improvement and short enough that subsequent evaluations can comment on the progress of such improvement. Moreover, the timeline should account for the possibility that the individual might be approaching the evaluation for promotion and tenure.

While this process is intended to be collegial, if the Department Chair and the faculty member do not agree with regard to the need for or the criteria for the areas of improvement, then the faculty member may request that a third-party aid in the resolution of the situation. This may be a senior faculty member in the department who can mediate the discussion but, in this case, the Department Chair will make the final decision about the Plan for Growth. Alternatively, the College Dean may be asked to mediate the discussion and will carry the authority to make the final decision about the Plan for Growth. In either case, the Department Chair will typically be the person to oversee the implementation of the Plan for Growth and the Faculty member is expected to meet with the Department Chair multiple times through the year to discuss progress towards those improvements and must also report on his or her progress on the improvements when submitting the *Faculty Self-Assessment Form* the following academic year. In that following academic year, the Department Chair's evaluation should (a) indicate if the Faculty member has satisfactorily enacted the Plan for Growth and does not need further monitoring, or (b) indicate if the Faculty member should continue with the Plan for Growth with any relevant modifications introduced on the same

schedule as indicated above for the original Plan, or (c) recommend that the College Dean do a further review of the Faculty member's progress regarding the Plan for Growth.

**b. Periodic Evaluation of Ranked Faculty by the College Dean**

Non-tenured, Ranked Faculty in their first 6 years of service at Thomas More University will be evaluated annually by the College Dean or the Dean's designee (hereinafter "College Dean"). Beyond six (6) years or after tenure, Ranked Faculty will be evaluated by the College Dean every three (3) years. Beyond fifteen (15) years (independent of tenure), Ranked Faculty will be evaluated by the College Dean every five (5) years. More frequent evaluations by the College Dean may occur if requested by the individual or the individual's Department Chair.

For tenure-track faculty and faculty who are considering an upcoming promotion, the Dean's evaluation is intended to help faculty understand their progress towards promotion and tenure from a perspective beyond their department. As indicated in Section 2.5.5 for tenured faculty, the Dean's evaluation is intended to encourage and support the success and professional growth of the University's faculty and not to be a re-evaluation of one's tenure status.

Normally the College Dean will use the student-, departmental-, and self-evaluations and a current curriculum vitae as primary data to prepare a written summary/review of the professional performance of each faculty member based on the promulgated University-wide objective criteria set forth in Section 2.3.1. If a Department Chair has requested a review of an individual's Plan for Growth, then the College Dean will also consider the Faculty member's progress towards those goals and benchmarks and will follow the guidelines described in the next subsection.

A draft of the College Dean's written summary/review will be submitted electronically in draft form to the faculty member on or before July 15<sup>th</sup>. Within 5 business days of receiving the draft evaluation, the College Dean and faculty member will discuss the draft evaluation. Following the discussion, the College Dean will finalize the summary/review and submit it electronically to the faculty member. The faculty member will then be requested to sign the final version of the summary/review, signifying that the document has been received and read. The faculty member's signature, however, does not indicate agreement with the College Dean's summary/review.

If the faculty member disagrees with any aspect of the College Dean's written summary/review, the faculty member shall have 5 business days to submit to the College Dean a written response to the report. Evidence of the faculty member's opportunity to review the evaluation, together with any written comment the faculty member might choose to append, must be attached by the College Dean to the evaluation and submitted to the Vice President (CAO) to be included in the faculty member's Faculty Record.

**If the Department Chair Requests the Dean review the Plan for Growth**

If a Department Chair has requested a review of an individual's Plan for Growth, then the College Dean will also consider the Faculty member's progress towards those goals and benchmarks. In this case, the College Dean's review should

- a. indicate if the Faculty member has satisfactorily enacted the Plan for Growth and does not need further monitoring, or
- b. indicate if the Faculty member should continue with the Plan for Growth monitored by the Department Chair with any relevant modifications introduced on the same schedule as indicated above for the original Plan, or

- c. take further action depending on the Faculty member's current status.
  - i. If the Faculty member is tenured, then the College Dean may add their comments to those of the Department Chair and recommend to the Vice President (CAO) that the Faculty member develop an Improvement Plan as described below. The VP/CAO will then review the situation of the tenured Faculty member in accordance with the guidelines in the next subsection to determine if an Improvement Plan should be implemented by the Dean.
  - ii. If the Faculty member is untenured and tenure-track, then the College Dean should meet with the Faculty member to discuss how this situation may affect future evaluations and recommendations for promotion and tenure. If the Dean and the Faculty member agree, then the Dean will inform the VP/CAO that the Faculty member will develop an Improvement Plan as described below. If the Dean and the Faculty member do not agree that an Improvement Plan is necessary, then the Plan for Growth will be the basis for further review by the Dean as outlined under "**Completion of the Plan**" at the end of this section.
  - iii. If the Faculty member is untenured and not tenure-track, then the College Dean should meet with the Faculty member to discuss how this situation may affect future evaluations, recommendations for promotion, and possibly prospects for future employment. If the Dean and the Faculty member agree, then the Dean will inform the VP/CAO that the Faculty member will develop an Improvement Plan as described below. If the Dean and the Faculty member do not agree that an Improvement Plan is necessary, then the Plan for Growth will be the basis for further review by the Dean as outlined under "**Completion of the Plan**" at the end of this section.

The result of the Dean's Review should be included in the summary/review on the schedule provided above. If an Improvement Plan is being implemented, the summary/review will only indicate this requirement and will not contain the Plan itself, which will be created on the schedule below.

**The VP/CAO's Consideration of the Improvement Plan for Tenured Faculty** At the recommendation of the College Dean, tenured Faculty members who do not complete a Plan for Growth to the satisfaction of both their Department Chair and their College Dean may be required by the VP/CAO to participate in an Improvement Plan.

Within 15 business days of receiving the Dean's recommendation, the VP/CAO will review the following materials:

1. *Faculty Self-Assessment Forms* and supporting documents submitted by the faculty member for the preceding five (5) years;
2. The faculty member's current *curriculum vitae*;
3. The *Faculty Evaluation: Department Chair Summary Forms* for the preceding five (5) years;
4. Plans for Growth developed as part of the Annual Evaluation process and related follow-up documentation; and
5. Any evaluations by the College Dean that have occurred during the preceding five (5) years.

The VP/CAO shall evaluate the faculty member's performance in the performance category (i.e., teaching; scholarly, creative, and professional development activity; or service) identified by the Plan for Growth pursuant to the applicable criteria outlined in Section 2.3.1.

In addition, the VP/CAO may conduct interviews with the faculty member undergoing review, the Department Chair, or the College Dean(s). The unavailability of the faculty member or administrator for an interview during the review period does not constitute grounds for an extension.

If the VP/CAO determines that an Improvement Plan should be initiated, he or she will notify in writing the relevant faculty member.

### **The Procedure for Carrying out an Improvement Plan**

If it is determined, according to the process above, that an Improvement Plan should be initiated, the Plan shall be developed by the faculty member and the Department Chair. It must be tailored to meet University, College, and department objectives, as well as the faculty member's individual circumstances. The Department Chair must consult with the Director of Human Resources to ensure that the Plan is consistent with institutional policies. Specifically, the plan must include:

1. Specific goals and objectives that addresses the performance category identified by the Plan for Growth and Department Chair as not meeting expectations. In developing the goals and objectives, the parties will account for why the previous Plans for Growth were insufficient;
2. An outline of the necessary activities that must take place to achieve the goals and objectives;
3. Set timelines for the accomplishment of the identified activities. The timeline for the Improvement Plan should be long enough to allow for meaningful improvement and short enough that subsequent evaluations can comment on the progress of such improvement. Moreover, the timeline should account for the possibility that the individual might be approaching the evaluation for promotion and tenure;
4. A listing of University resources available to support the plan and an identification of how, and when, such resources will be made available to the faculty member; and
5. A definite means of measuring progress in achieving the identified goals and a specification of how, and how frequently, progress will be monitored by the College Dean.

Within 15 business days written notification to the faculty member of the necessity to develop the plan, the faculty member will submit the Plan to the College Dean. If the Plan is accepted by the Dean, the faculty member, the Department Chair, and VP/CAO are informed. If the Improvement Plan is not accepted by the College Dean, the faculty member and Department Chair will modify and resubmit the Plan to the Dean within five (5) business days. If the Plan is then accepted by the Dean, the faculty member, the Department Chair, and the VP/CAO are informed.

Once the Plan is formally approved, the College Dean will have primary responsibility for monitoring the progress of the faculty member. To permit the Dean to monitor the progress of the faculty member, the faculty member is expected to submit periodic updates on progress towards the goals and benchmarks established in the Plan, in the form and at the times requested by the College Dean.

**Completion of the Plan:** Once approved, the Improvement Plan will serve as the basis for the subsequent review by the College Dean. At the end of the time allotted for the Improvement Plan, the Dean

shall review performance under the Plan, and decide whether the faculty member is “meeting expectations” or “not meeting expectations” in the performance category identified under the Plan.

1. If the Dean finds that the faculty member is “meeting expectations” after the Improvement Plan, the Dean shall explain that finding in a written report submitted to the faculty member, the Department Chair, and the VP/CAO.
2. If the Dean finds that the faculty member is on track to meet expectations, but has not yet done so, the Dean may extend the Improvement Plan and provide any relevant recommended modifications to the faculty member and the Department Chair, who will have five (5) business days to submit a revised Plan, which must be approved by the College Dean. The VP/CAO will be notified of any changes to the Plan.
3. If the Dean finds that the faculty member is “not meeting expectations” after the Improvement Plan, the Dean shall explain that finding in a written report submitted to the faculty member, the Department Chair, and the VP/CAO. The College Dean, in consultation with the Department Chair, will then choose to either modify the Improvement Plan or explore other possibilities, including but not limited to a mutually agreeable reassignment of duties as related to addressing the expectations that are not being met. If these are not practicable, or if no other solution acceptable to the parties can be found, then the College Dean, in consultation with the VP/CAO, may invoke other sanctions as appropriate to the character and the severity of the expectations not being met (see the list of possible sanctions in Item 4 of Evaluation of Corrective Measures in Section 2.9.4.1).

### **2.3.3 Periodic Evaluation of the Department Chair**

The administrative performances of Department Chairs are evaluated after their first year and in every other subsequent year. (See Section 1.5.1 regarding the typical term of a Department Chair.) The evaluation includes a survey of the departmental Ranked Faculty regarding the administrative effectiveness of the Department Chair, respectively. Ranked Faculty in the department are expected to participate and Adjuncts and Special Appointment Faculty are invited to participate. In addition, the periodic evaluation includes a written evaluation of the Department Chair’s administrative performance by the College Dean, which shall, in part, examine the results of the departmental faculty survey.

#### **1. Faculty Evaluation of Department Chair**

The Ranked Faculty of the department evaluate the Department Chairs, respectively, focusing upon the Department Chair’s administrative performance in the areas outlined in their job description. Faculty members will submit their evaluation according to current procedures on or before June 1. The anonymized composite results are provided to the College Dean to inform their evaluation of the Department Chair.

#### **2. College Dean Evaluation of Department Chair**

The College Dean’s evaluation of the Department Chair focuses upon the chair’s performance in the areas outlined in their job description. The College Dean’s evaluation is separate from and in addition to the periodic evaluation (see Section 2.3.2.2 4.b for the schedule of evaluation) of the Department Chair as a Ranked Faculty member.

*Items Reviewed:*

1. The Department Chair’s written *Department Chair Self-Assessment* and



2. The anonymized composite results of the department Ranked Faculty evaluations.

After completing the review of the items above and taking into account the College Dean's observations of the Department Chair's administrative performance, the College Dean will document his or her preliminary evaluation of the Department Chair's administrative performance during the evaluation period on the *Department Chair Evaluation: Dean's Summary* and submit it electronically to the Department Chair on or before July 15.

Within 5 business days of receiving the draft report, the College Dean and Department Chair will discuss the draft evaluation and establish goals to help strengthen the department or improve its administration.

Following the discussion, the College Dean will finalize the evaluation and submit electronically to the Department Chair, who will then be requested to sign the final version of the form, signifying that the form has been read. If the Department Chair disagrees with the evaluation, the Department Chair may submit a written objection to the evaluation, which will be appended to the *Department Chair Evaluation: Dean's Summary*. The Department Chair's objection must be filed with the College Dean within 5 business days of electronic receipt of final version of the form. Evidence of the Department Chair's opportunity to review the final version of the evaluation, together with any written comment the Department Chair might choose to file, will be attached by the College Dean to the *Department Chair Evaluation: Dean's Summary*. The College Dean will then submit the *Department Chair Evaluation: Dean's Summary* to the VP/CAO by August 1, a copy of which will be made available to the Department Chair.

### **2.3.4 Periodic Evaluation of the College Dean**

College Deans are evaluated annually. The evaluation includes: (1) a formal survey of the College Ranked Faculty (excluding Department Chairs) regarding the administrative effectiveness of the College Dean; (2) a formal survey of the College's Department Chairs regarding the administrative effectiveness of the College Dean; and (3) a written evaluation of the College Dean's administrative performance by the VP/CAO, which shall, in part, examine the results of the College Ranked Faculty and Department Chairs' survey.

#### **1. College Faculty Evaluation of College Dean**

The College faculty evaluation of the College Dean focuses upon the Dean's administrative performance in the areas outlined in their job description. Each Ranked Faculty member in the College, excluding Department Chairs, will document the results of the evaluation on the *College Dean Evaluation by Ranked Faculty Form* by June 1 according to current procedures. The anonymized composite results are provided to the VP/CAO to inform the VP/CAO's evaluation of the College Dean.

#### **2. Department Chair Evaluation of College Dean**

The Department Chairs in the College evaluate the College Dean annually, focusing upon the Dean's administrative performance in the areas outlined in Section 1.5. Each Department Chair in the College will document the results of the evaluation on the *College Dean Evaluation by the Department Chair Form* by June 1 according to current procedures. The anonymized composite results are provided to the VP/CAO to inform the VP/CAO's evaluation of the College Dean.

#### **3. VP/CAO Evaluation of College Dean**

The VP/CAO's evaluation of the College Dean focuses upon the Dean's performance in the areas outlined in Section 1.5. The VP/CAO's evaluation is separate from and in addition to the annual evaluation of the College Dean as a Ranked Faculty member.

*Items Reviewed by August 1:*

1. The College Dean's written *College Dean Self-Assessment*;
2. The composite results of the College Ranked faculty evaluations; and
3. The composite results of the College Department Chairs' evaluations.

After completing the review of the items above and taking into account the VP/CAO's observations of the College Dean's performance, the VP/CAO will document his or her preliminary evaluation of the Dean's administrative performance during the evaluation period on the *College Dean Evaluation: VP/CAO Summary* and submit it electronically to the College Dean on or before August 15.

Within 5 business days of receiving the draft report, the VP/CAO and College Dean will discuss the draft evaluation and establish goals to help strengthen the College or improve its administration.

Following the discussion, the VP/CAO will finalize the evaluation and submit electronically to the College Dean, who will then be requested to sign the final version of the form, signifying that the form has been read. If the College Dean disagrees with the evaluation, the College Dean may submit a written objection to the evaluation, which will be appended to the *College Dean Evaluation: VP/CAO Summary*. The College Dean's objection must be filed with the VP/CAO within five (5) business days of electronic receipt of final version of the form. Evidence of the College Dean's opportunity to review the final version of the evaluation, together with any written comment the College Dean might choose to file, will be attached by the VP/CAO to the *College Dean Evaluation: VP/CAO Summary*. The VP/CAO will then submit on or by September 1 the *College Dean Evaluation: VP/CAO Summary*.

## **2.4 Promotion in Rank**

### **2.4.1 General Considerations**

Academic rank exists to recognize academic qualifications, professional growth and academic effectiveness in those who undertake the essential work of the University and the College. Rank, therefore, is granted to Ranked Faculty members (hereinafter "faculty member") according to their level of academic qualification, achievement, and advancement as educators and professionals in their academic disciplines.

Promotion in rank cannot be considered an automatic procedure, or simply the result of loyal service to the University for a number of years; rather, a person who is recommended for promotion in rank must meet the eligibility standards and criteria, which are based on an increasing level of development and overall performance, in effect for the initial appointment to that rank. In rare circumstances, the Faculty Relations Committee or the Vice President (CAO) may wish to recommend promotion for a candidate who does not fulfill all the criteria for the rank involved. Any recommendations based on exceptional conditions must be justified on the basis of the exceptional merits of the case and its relation to the mission of the College and/or department.

When a faculty member is hired, the faculty member must meet a minimum one-year residency requirement at the University before applying for promotion to a higher rank. For a faculty member whose term of appointment begins after the commencement of the Spring semester, the residency requirement commences with the beginning of the following academic year. Also, for purposes of promotion, a year of academic service is defined as two regular full-time semesters (exclusive of summer sessions) entailing academic duties and responsibilities over the period stipulated in the employment agreement. New faculty members may negotiate with the Vice President (CAO) either to be hired at a rank commensurate with their rank earned at another regionally credited college or university or to reduce the time before they are eligible for promotion in rank at Thomas More University. In the latter case, the reduced time toward promotion will not be less than the one-year residency requirement listed above. The negotiation of credit towards tenure is described in Section 2.5.1.

For eligible faculty members who are engaged partly in administrative functions or other activities usually performed by a staff member or who do not work full-time in scholarship and teaching, a rate of not less than one-half of the regular rate of accrual of credit toward promotion applies, provided that the rate is agreed upon in writing. See Section 1.1.5 for additional information. The accrual of credit towards tenure is described in Section 2.5.1.

On satisfying the University's criteria for advancement, an Instructor may be recommended for promotion to the rank of Assistant Professor after one academic year. Other faculty members must serve the requisite number of years in rank, as specified in this *Faculty Policy Manual* (Section 1.2.1). Ordinarily, when an Assistant Professor on the tenure-track applies for promotion to Associate Professor, that individual would also apply for tenure. When the individual applies for both promotion and tenure, the procedures set forth in the Tenure section will be followed. Sabbatical leave (see Section 2.6.7) is considered part of this consecutive service for eligibility for promotion. Administrative leave may be so considered upon request of the faculty member when the VP/CAO and the College Dean judge such consideration to be in the best interest of the University (see Section 2.8.1).

All recommendations in the promotion review process must be made in writing. Every faculty member may demand and is entitled to know exactly what recommendations have been made for the faculty member by a committee or individual (the appropriate administrative person) acting as part of the promotion review process. Notification of such recommendations must be made in writing to the faculty member by the VP/CAO. All questions related to the recommendation should be addressed to the VP/CAO. Every faculty member has the right to expect that all the appropriate documents the faculty member has supplied will accompany the promotion file as it is sent through the promotion review process.

When an adverse recommendation has been made by a committee or an individual at any stage in the promotion review process, the faculty member shall be informed promptly in writing by the VP/CAO. Should the faculty member choose to write a response to that adverse recommendation, the faculty member has five (5) business days from the date of the notification by the VP/CAO to submit a response. This response will become a part of the promotion file (as defined above) and is the only type of change that can be made to the file after review has begun (see Section 2.4.3).

Unless the promotion file is withdrawn by the candidate or final action on the application is discontinued for any reason by agreement between the candidate and the VP/CAO, the application will be passed on to the next level. A grievance may not be submitted until the process has been completed and a final decision has been submitted by the President or, if applicable, the Board of Trustees.

It is the intention of the University that every faculty member shall be advised by letter as early as possible regarding promotion in rank. Promotions are granted at the discretion of the President and, in the case of promotion to the rank of Professor, at the discretion of the Board of Trustees.

### **2.4.2 Areas of Review in Promotion Considerations**

Promotion in rank is made on the basis of the fulfillment of the qualifications and criteria for the faculty rank being sought (see Section 1.2.1, see also Section 2.4.1 for accrual rate for full-time Ranked faculty members who are engaged partly in non-teaching duties). In addition to standards such as possession of the appropriate degree and serving the stated time in rank prior to promotion, decisions to advance a faculty member in rank are based on the faculty member's teaching effectiveness; scholarly, creative, and professional development activities; and service as evaluated in accordance with the evaluation criteria set forth in Section 2.3.1. The level of performance in these areas depends on the rank for which the faculty member is being considered.

### **2.4.3 Promotion File Contents**

The promotion file is the basis for all promotion evaluations conducted at Thomas More University. The promotion file is cumulative and representative of a faculty member's performance over the period under review. It is the responsibility of the faculty member submitting the promotion file to ensure its completeness and accuracy. Once the review of the file has begun, the candidate may not modify the file, except in the case of an adverse recommendation, in which case the candidate may submit a response letter regarding the negative recommendation.

In the promotion file, the faculty member describes and documents significant accomplishments in the areas of teaching effectiveness, of scholarly, creative, and professional development activities, and of service for the period under review. Quality over quantity should be emphasized. Note, however, that all relevant accomplishments should be listed in the faculty member's Curriculum Vitae.

The promotion file is expected to include the following:

1. A completed *Application for Promotion and Tenure* found on the LMS;
2. A cover letter requesting promotion consideration that includes the candidate's statement supporting the promotion application, presenting his or her accomplishments and achievements which, in the opinion of the faculty member, satisfy the rank qualifications set forth in Section 1.2.1 and any supplemental evaluation criteria established by the faculty member's department for the granting of promotion;
3. A report on Educational and Professional Background to include your professional credentials, professional history, and a current Curriculum Vitae (see Section 2.3.1.1);
4. A report on Effective Teaching to include sample syllabi, a summary of end-of-course student evaluations, and a thoughtful analysis/assessment of your teaching based in part on student, peer, Chair, and/or administrative evaluations (see Section 2.3.1.2);
5. A report on Creative, Scholarly, and Professional Development, to include documentation of published work, conference presentations, grants, research projects, professional development activities, workshops, certifications, licenses, awards or recognitions earned, and other representative evidence of scholarship or creative work (see Section 2.3.1.3);

6. A report on contributions to the department, College, University, and community, to include student advising; student mentoring; support of research, internship, and career opportunities for current and former students; collaborations with colleagues; efforts to recruit and retain students; service on departmental, collegiate, and University committees; and involvements with the professional and academic community (see Section 2.3.1.4);
7. Letters of Recommendation:
  - a. Department Chair (even if this person is a member of FRC) recommendation letter:
    - i) If the Department Chair is being considered for promotion, the College Dean or a senior faculty member in the applicant's department is responsible for writing a letter of recommendation and submitting it to the Office of Academic Affairs.
    - ii) The Department Chair (or substitute, as indicated in 7.a.i) is expected to deliver the recommendation letter by the date specified in the *Guidelines for Application for Promotion and Tenure* found on the MyTMU portal;
  - b. Letters of support from peers and colleagues, both within Thomas More University and from the academic and professional community, reflecting on the candidate's abilities, accomplishments, and promise:
    - i) The candidate may elect in writing to waive the right to see these letters to encourage candor and protect confidentiality;
    - ii) Members of the FRC, the Vice President (CAO), and the President of the University cannot write letters of recommendation for applicants. They all have a role in the application process and each has an opportunity to speak on behalf of an applicant as part of the review;
8. Any additional information to support the promotion application.

Please scan and upload all your submissions as a pdf to the designated LMS site. If this is not possible, then please submit items in special folders or boxes with relevant labels to the Office of Academic Affairs. See the *Application for Promotion and Tenure* for detailed information.

The candidate's promotion file will be supplemented with the recommendations from each review level and any documentation relied on as part of those recommendations. In accord with Section 2.1.1.5, if the candidate submits a response to any recommendation, it is to be added to the promotion file.

#### **2.4.4 Review Procedures for Promotion in Rank**

##### **1. Intent to Apply:**

The Faculty member should express their intent to apply for promotion early in the fall term and according to the instructions in the *Guidelines for Application for Promotion and Tenure* found on myTMU portal and in the *Application for Promotion and Tenure*, available on the LMS.

##### **2. The Department Review:**

- a. The Department Chair (even if this person is a member of FRC) ordinarily shall initiate the recommendation for promotion in rank by the date specified in *Guidelines for Application for*

*Promotion and Tenure* and submit that recommendation to the Office of Academic Affairs. Faculty members may choose to initiate the process on their own behalf. The faculty member is responsible for submitting the promotion file and all accompanying documentation to the Vice President (CAO) by the date specified in *Guidelines for Application for Promotion and Tenure*.

- b. If the Department Chair is being considered for promotion, a senior faculty member in the department is responsible for initiating the recommendation to the FRC.
- c. This letter should reflect the views of the Department overall not solely the view of the Chair. If the VP/CAO or President of the University teach in the department, their views should not be included at this stage. They have a role in the application process, and each has an opportunity to speak on behalf of an applicant as part of the review.
- d. The Department Chair recommendation must include a summary of the individual's qualifications as set forth in Section 1.2.1 of this *Faculty Policy Manual* as evaluated pursuant to the criteria set forth in Section 2.3.1. All faculty members are responsible for the periodic updating of their curricula vitae.
- e. A copy of the recommendation is to be sent to the faculty member.

### 3. **The Promotion File:**

- a. The promotion file should emphasize relevant materials since the faculty member's last promotion (but may include all material) and be organized to cover each area of the promotion criteria, including a summary of the applicant's case for promotion. See Section 2.4.3 above for an outline of what is to be included. The details of those inclusions are in the *Application for Promotion and Tenure* on the LMS.
- b. The promotion file is retained in the Office of Academic Affairs.
- c. By the date specified in *Guidelines for Application for Promotion and Tenure*, the VP/CAO will submit the faculty member's promotion file to the FRC for review.

### 4. **The Faculty Relations Committee (FRC) Review:**

- a. Considers the request for promotion;
- b. Reviews the promotion file, as described in Section 2.4.2, using the criteria described in Section 2.3.1; in this review, the members of FRC, especially if they wrote the letter from the department, should review from the perspective of the College they represent, rather than from the perspective of the Department or themselves.
- c. Submits a written recommendation utilizing the evaluation criteria in Sections 1.2.1 and 2.3.1 to the VP/CAO and faculty member on or before December 22<sup>nd</sup> regarding whether the faculty member has met the guidelines for the rank being sought;
  - i. For a positive recommendation, the majority of the FRC members must affirmatively vote for the candidate to be promoted at a meeting in which a super-majority (2/3rds) of the FRC's membership is present.
  - ii. The written recommendation will include a summary of the FRC's findings and final recommendation as well as any dissenting opinions and a record of each vote without the name of the specific committee member attached to it. In addition, if the FRC did not accept the

department's recommendation, the written recommendation will delineate the reasons and rationale for not accepting the recommendation.

**5. The VP/CAO's Independent Review:**

- a. Reviews the promotion file;
- b. Considers the written recommendations of the Department Chair and the FRC;
- c. Makes an independent decision on the recommendation;
- d. Submits a written recommendation to the President, College Dean(s), FRC, and Faculty member on or before January 15th. This recommendation will address the evaluation criteria in Sections 1.2.1 and 2.3.1 regarding whether the faculty member has met the guidelines for the rank being sought and all relevant documentation from the faculty member's promotion file to support the decision. Especially if the VP/CAO's recommendation is different than any previous recommendations, the rationale for that recommendation should be made clear in the letter.

**6. The President's Review:**

- a. Considers the written recommendations of the Department Chair, FRC, and VP/CAO. During these considerations, the President will consult with the VP/CAO and, if the VP/CAO and FRC recommendations are not the same, with the FRC;
- b. Has access to the faculty member's promotion file;
- c. Submits a written notification of the decision or the written recommendation to the VP/CAO, College Dean(s), FRC, and Faculty member on or before February 1st. Especially if the President did not agree with any previous recommendations, the rationale for disagreeing with the recommendation(s) will be made clear in the written notification.
  - i. In the case of an application for promotion to a Rank other than Professor, the President makes the final decision and notifies the appropriate people of this decision.
  - ii. In the case of an application for promotion to Professor,
    1. if the President recommends the granting of promotion, the President submits the recommendation, along with the promotion file, to the Enrollment, Academic & Student Affairs Committee of the Board of Trustees on or before February 1<sup>st</sup> (see paragraph 7 below);
    2. If the President decides against the recommending promotion to Professor, the promotion review procedures end at this step. However, if the faculty member desires to appeal the promotion denial, the formal grievance process is available to the extent provided in Section 2.10. See Section 2.4.5 for additional information.

**7. The Enrollment, Academic & Student Affairs Committee of the Board of Trustees' Review:**

- a. In the case of a positive recommendation for promotion to Professor, reviews the entire file, including the recommendations of the Department Chair, FRC, VP/CAO, and President; and

- b. Makes a recommendation by simple majority vote for consideration at the next meeting of the Board of Trustees.

#### **8. The Board of Trustees' Review:**

- a. Discusses and votes on the recommendation of the Enrollment, Academic & Student Affairs Committee of the Board of Trustees;
- b. The President, acting for the Board of Trustees, informs in writing the VP/CAO, who informs in writing the College Dean(s), FRC, and the faculty member of the Board of Trustees' decision.
- c. The Board of Trustees does not review or recommend or in any way participate in the decision on the promotion of a faculty member to ranks other than Professor. The Board of Trustees, its individual members, and its Enrollment, Academic & Student Affairs Committee neither considers nor reviews a negative recommendation by the President on promotion to Professor unless the faculty member believes he or she has a grievance with respect to a recommendation or decision made on his or her behalf and files a formal grievance and proceeds through the grievance process to the Board of Trustees. See the Faculty Grievance Policy (see Section 2.10).

#### **9. Effective Date of Promotion:**

If promotion is awarded, the promotion becomes effective on the first day of the employment agreement of the following academic year.

#### **2.4.5 Denial of Promotion in Rank**

If the faculty member desires to appeal a promotion denial, the faculty grievance procedure is available to the extent provided in Section 2.10. Section 2.10.1 defines what does and does not constitute a grievance. Any such appeal must be filed within ten (10) business days of being notified in writing from the President of the final decision.

The Faculty Coordinating Committee ("FCC") will not substitute its judgment on the merits of the case for promotion but rather determine whether the decision was the result of adequate consideration regarding University criteria and policies. If the FCC believes that adequate consideration was not given to the faculty member's qualifications, it will recommend reconsideration by the body or individual that made the decision, indicating the respects in which it believes the consideration may have been inadequate. It will provide copies of its findings to the faculty member, the body or individual that made the decision, and the President.

#### **2.5 Tenure**

In accordance with University By-laws, tenure criteria are set by the Board of Trustees and are used to enter into a long-term professional relationship with an eligible faculty member who meets the qualification for tenure (Section **Tenure File Contents** 2.5.1). Tenure implies a mutual commitment on behalf of the University and the faculty member. While academic freedom and security are the most recognizable features of that commitment to most faculty members, the acceptance of tenure by a faculty member is a strong life-long commitment to the University's mission, its educational goals and objectives, and the Catholic Intellectual Tradition. It further implies a strong commitment and willingness



to work jointly with faculty, students, administrators, and members of the University staff for the advancement and welfare of the University and student learning. Consequently, acceptance of tenure is a commitment by a faculty member to continue to devote energies towards the pursuit of excellence in teaching, in scholarly and/or creative activities and professional development activities, and in service to the University. Tenured and tenure-track, and all full-time faculty are limited to 20% time on compensated work commitments they undertake elsewhere during the regular semesters of the academic year. There are no restrictions on outside work during the period when faculty are not under agreement with the University.

1. Tenure is a privilege of a faculty member to continue to be employed by the University in the field of his or her specialization at the College within the University in which tenure is attained.
  - a. Tenure is granted in the field of specialization at the College level, not the University.
  - b. Thomas More University will strive to maintain a minimum Tenure Track/Tenured percentage of not less than 60% of full-time faculty assigned to a particular College. The University will strive to maintain this ratio of Tenure Track/Tenured faculty to Term appointments, understanding that this percentage might be affected by sudden departures or retirements in any year. The Provost's Office will ensure that a return to this normative institutional ratio is activated as soon as possible thereafter through searches and hires.
2. Faculty are judged on the quality of their performance in each of the three areas (a faculty member must satisfy expectations of all three areas for tenure consideration):
  - a. Teaching.
  - b. Scholarly or Creative Accomplishment and attention to ongoing Professional Development.
  - c. Service to the College and University with a consistent pattern of support for the University's mission and values along with a commitment to the Catholic Intellectual Tradition.
3. Tenure and promotion to Associate Professor.
  - a. Tenure-track faculty holding the rank of Assistant professor must apply for tenure and promotion to the rank of Associate professor simultaneously when they are eligible. If the candidate's promotion from Assistant to Associate is declined, then the individual is automatically declined tenure, and the individual will be granted a one-year terminal, non-renewable, employment agreement for the following year.
  - b. A Ranked Faculty member on the Tenure Track granted tenure may continue in the rank to which the faculty member has been appointed with tenure, or at a higher rank, until retirement, unless the University finds it necessary; to invoke its right to terminate the association at an earlier date (see Section 2.9.4.2).

Tenure is granted by the affirmative action of the Board of Trustees upon the recommendation of the Enrollment, Academic & Student Affairs Committee of the Board and the President and is based on the eligibility conditions listed below. *De facto* tenure is not recognized at Thomas More University. The Board of Trustees has the ultimate authority to grant tenure and to revise the criteria for tenure.

### 2.5.1 Qualifications for Tenure

The granting of tenure is a positive judgment based on the criteria set forth in Section 2.3.1. In the capacity of a full-time, Ranked Faculty member appointed pursuant to a Tenure-Track employment agreement, qualifications for tenure include:

1. A terminal degree (usually the doctorate) from either a regionally accredited institution in the United States (including its incorporated and unincorporated territories) or an internationally recognized institution of higher education. Professional terminal degrees, such as the MFA, DNP, and JD, qualify. From time to time, the University may approve post-Master's professional certifications, such as CPA and CFA, to qualify. The latter will be determined at the time of hire by the Vice President (CAO) and President.
  - a. If no previous full-time teaching experience time is granted in the first year of the full-time employment agreement, the Tenure Track candidate
    - i. must complete a period of five years of full-time post-terminal degree teaching at the University to be eligible to apply for tenure in the fall of the sixth year of full-time teaching.
    - ii. must complete six years of full-time post-terminal degree teaching at the University to achieve tenure.
2. A candidate who worked previously at a regionally accredited college or university in a tenure-track position (post terminal degree) may be credited with a maximum of two years of full-time post-terminal degree teaching at the University. If the tenure-track candidate has shown verification of tenure from another regionally accredited college or university, then in exceptional circumstances, one additional year of teaching credit may be granted;
  - a. If one year of service is credited, the candidate
    - i. must complete a period of four years of full-time post-terminal degree teaching at the University to be eligible to apply for tenure in the fall of the fifth year of full-time teaching.
    - ii. must complete five years of full-time post-terminal degree teaching at the University to achieve tenure.
  - b. If two years of service is credited, the candidate
    - i. must complete a period of three years of full-time post-terminal degree teaching at the University to be eligible to apply for tenure in the fall of the fourth year of full-time teaching.
    - ii. must complete four years of full-time post-terminal degree teaching at the University to achieve tenure.
  - c. If three years of service is credited, the candidate
    - i. must complete a period of two years of full-time post-terminal degree teaching at the University to be eligible to apply for tenure in the fall of the third year of full-time teaching.
    - ii. must complete three years of full-time post-terminal degree teaching at the University to achieve tenure.

3. Full-time faculty who are approved to convert from a non-tenure-track appointment at the University to a tenure track appointment may be granted a maximum of three years of full-time post-terminal degree teaching credit towards tenure, providing they have held a terminal degree in their non-tenure track position for the number of years for which they are granted credit towards tenure. (The candidate must complete a minimum of three additional years in the tenure track.) If full-time post-terminal degree teaching is credited, the procedure for achieving tenure will be the same as outlined in item 2.c above. Approval to convert from a term to tenure track is granted by the Provost and President.
4. For full-time Ranked faculty members appointed to a tenure track employment agreement whose term of appointment begins after the commencement of the Spring semester, the probationary period commences with the beginning of the following academic year;
  - a. For purposes of tenure, a year of academic service is defined as two regular full-time semesters (exclusive of summer sessions) entailing academic duties and responsibilities over the period stipulated in the employment agreement.
5. The tenure clock is not interrupted by approved course releases/reassignment times. (Examples include Departmental Chair, FGA Chair, Directors).
6. A candidate who is granted teaching credit may choose to delay their application for tenure until the fall of their sixth year at Thomas More University;
7. If a candidate chooses to pause tenure track status for extenuating circumstances, this may be granted by the Vice President (CAO) in writing for one time only and must include a mutually agreed upon time that the candidate would return to tenure track. No credit toward tenure is granted for the time away from full-time teaching at Thomas More University.
8. Extending the Probationary Period
  - a. Faculty holding a Tenure-Track position may, under certain circumstances listed below, formally request a delay of application for tenure. The length of the extension, when granted, is one (1) academic year. A faculty member may extend the probationary period two (2) times, which need not be consecutive, resulting in no more than a two (2)-year extension of the probationary period, except as indicated explicitly below with appropriate documentation submitted to the Vice president (CAO).
    - i. For the birth of a child.
    - ii. For the placement of a child with the candidate through adoption or foster care, to care for the newly placed child.
    - iii. To care for a spouse/partner, dependent child, or parent with a serious health condition.
    - iv. To care for the candidate's own health conditions.
    - v. Resident status issues.
  - b. Tenure expectations for a faculty member who extends the probationary period are under the same as the expectations for a faculty member who has not extended the probationary period.
  - c. A faculty member who desires an extension of the probationary period shall:

- i. Submit a letter to the VP/CAO requesting the amount of time to be excluded from the probationary period.
- ii. Provide evidence that readiness for tenure has been negatively impacted by special circumstances.
- iii. Document the delay of the tenure clock.
- iv. Submit the letter prior to final year of the probationary period.

The decision to extend the tenure probationary period rests with the approval of the VP/CAO. The VP/CAO's decision shall be final and binding. For approved extensions, the specific details, conditions, and time period will be stated in writing in the candidate's annual appointment letter or in an addendum thereto.

In addition to the above, a Tenure-Track candidate who is also a member of the U.S. military and is called to active duty will be entitled to an automatic extension of the probationary term in which she or he is currently employed in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA). The extension will last for the duration of the active-duty assignment, rounded to the nearest year. This may be beyond the two-year limit above, but will not exceed the extension period provided by USERRA. Therefore, for example, an active-duty assignment lasting between four (4) through fifteen (15) months will earn a one-year extension, sixteen (16) through twenty-seven (27) months will earn a two (2)-year extension. This extension will be granted automatically upon the candidate's notifying in writing the VP/CAO. The candidate should make the request as far as possible prior to entering active duty and prior to April 1 of the academic year in which the tenure decision would have been made or as soon as reasonably possible. A tenure-track candidate who is also a foreign national may, if appropriate, apply for a separate extension from the VP/CAO if a tenure decision is required before permanent resident status is obtained. The approval rests with the VP/CAO, after seeking advice from the candidate's Department Chair, College Dean, and the FRC. If approval is given, it is understood by the parties that service beyond the candidate's probationary period shall not be grounds for a claim of *de facto* tenure. Since decisions about permanent residency are beyond the purview of the institution, the VP/CAO may grant this extension beyond the usual two-year limit based on the recommendations of the Department Chair, College Dean, and the Faculty Relations Committee.

An extension to the probationary period shall neither increase the tenure expectations for the candidate nor be grounds for a claim of *de facto* tenure by the candidate.

A previously granted extension will be reversed upon the candidate's request. Such a request must be made in writing to the VP/CAO preceding the requested tenure consideration date. Once such a reversal is requested in writing by the faculty member, the extension will be automatically reversed.

9. If a candidate who had previously earned tenure at Thomas More University resigns, and subsequently wishes to return, then criteria outlined in item 2.c above will be applicable.
10. Administrators who have not attained tenure or held faculty positions are not eligible to apply for tenure at Thomas More University. Tenured faculty members of Thomas More University retain their departmental tenure when they accept administrative positions at the University.
11. The President, Provost and Deans of Colleges may be granted tenure by the Board of Trustees. While these individuals serve in their administrative capacities, any tenure and faculty appointment

that are made will not count towards the minimum percentage of tenure-track/tenured faculty in that Department or in that College.

12. In exceptional circumstances, a candidate who has been tenured at a regionally accredited college/university or an academic leader holding faculty rank at Thomas More University, may be recommended by the President to the Enrollment, Academic & Student Affairs Committee of the Board of Trustees for tenure. The President will consult the Provost and the Dean of the appropriate College and collaborate with the Departmental Chair in making the appointment.
13. Part-Time, Adjunct, and Special Appointment Faculty are not eligible for tenure.
  - a. Years of service as a Part-Time, Adjunct, and Special Appointment Faculty member will not be credited towards tenure.
14. Foreign nationals (those holding non-immigrant status) appointed to a Tenure Track faculty position, for whom the University has initiated sponsorship, undergo the standard process to attain tenure, irrespective of the status of their immigration paperwork. If the immigration process results in a denial of the right to work in the United States, the individual's employment (including all associated rights, such as tenure) at the University will end in accordance with applicable federal and state laws.

## **2.5.2 Tenure Review File**

### **2.5.2.1 Tenure File Contents**

The tenure file is the basis for all tenure evaluations conducted at Thomas More University. The tenure file is cumulative and representative of a faculty member's performance over the period under review. It is the responsibility of the candidate submitting the tenure file to ensure its completeness and accuracy.

In the tenure file, the candidate describes and documents significant accomplishments in the areas of teaching effectiveness, of scholarly and/or creative work, and of service for the period under review. Quality over quantity should be emphasized. Note, however, that all relevant accomplishments should be listed in the candidate's curriculum vitae. The candidate's tenure file is retained in the Office of Academic Affairs.

The tenure file is expected to include the following:

1. A completed *Application for Promotion and Tenure*.
2. A cover letter requesting tenure consideration that includes the candidate's statement supporting the tenure application, presenting his or her accomplishments and achievements which, in the opinion of the candidate, satisfy the qualifications set forth in Section 2.5.1, and any supplemental evaluation criteria established by the candidate's department for the granting of tenure.
3. A report on Educational and Professional Background to include your professional credentials, professional history, and a current curriculum vitae (see Section 2.3.1.1).
4. A narrative that in a systematic, yet concise way demonstrates the applicant's accomplishments in the areas of teaching, scholarly and/or creative activities, and service to the University with

a consistent pattern of support for the University's mission and values along with a commitment to the Catholic Intellectual Tradition. The narrative should include the following:

- a. A report on Effective Teaching to include sample syllabi, a summary of end-of-course student evaluations, and a thoughtful analysis/assessment of teaching based in part on student, peer, Chair, and/or administrative evaluations (see Section 2.3.1.2).
  - b. A report on Scholarly and/or Creative activity, to include documentation of published work, conference presentations, grants, research projects, professional development activities, workshops, certifications, licenses, awards or recognitions earned, and other representative evidence of scholarship or creative work (see Section 2.3.1.3).
  - c. A report on contributions to the department, College, University, and community, which may include student advising; student mentoring; support of research, internship, and career opportunities for current and former students; collaborations with colleagues; efforts to recruit and retain students; service on departmental, collegiate, and University committees; and involvements with the professional and academic community (see Section 2.3.1.4);.
5. Letters of Recommendation:
- a. Department Chair (unless serving on FRC) recommendation letter:
    - i. If the Department Chair is applying for tenure, the College Dean is responsible for writing a letter of recommendation and submitting it to the Office of Academic Affairs.
    - ii. The Department Chair (or substitute, as indicated in 5.a.i) is expected to deliver the recommendation letter by the date specified in the *Guidelines for Application for Promotion and Tenure*.
    - iii. If the Department Chair is serving on FRC, the candidate may request a letter of recommendation from the College Dean or a senior faculty member holding the rank of at least Associate Professor in the applicant's college.
  - b. Letters of support from peers and colleagues, both within Thomas More University and from the academic and professional community, reflecting on the candidate's abilities, accomplishments, and promise:
    - i. The candidate may elect in writing to waive the right to see these letters to encourage candor and protect confidentiality.
    - ii. Members of the FRC, the VP/CAO, and the President of the University cannot write letters of recommendation for applicants. They all have a role in the application process, and each has an opportunity to speak on behalf of an applicant as part of the review.
    - iii. The candidate must provide a minimum of two (2) letters of support from peers at Thomas More University, with at least one coming from a tenured faculty member outside of the candidate's department. One of these evaluations must include a teaching observation as part of the letter.
    - iv. A letter from an external disciplinary peer to address the scholarly or creative work applicant's accomplishments.

6. Any additional information to support the tenure application.

The tenure file will be supplemented with the recommendations from each review level and any documentation relied on as part of those recommendations. In accord with Section 2.1.1.5, if the candidate submits a response to any recommendation, it is to be added to the tenure file.

#### **2.5.2.2 Assessment of Tenure**

Tenure review requires that a candidate, through past activities, demonstrates the potential to make a continuing contribution to the University.

1. Teaching Effectiveness: An applicant must demonstrate and be able to document development of excellence in Teaching Effectiveness.
2. Scholarly/Creative Achievements: Candidates shall demonstrate and be able to document appropriate contributions to their discipline. Such contributions should enhance the candidate's professional development, contribute to the candidate's discipline, increase recognition of the University as a center of knowledge or culture in the academy and the community at large.
3. University Service: Service to the University is expected of all candidates. It shall be clearly understood that a candidate must be able to identify and document service that contributes directly or indirectly to the University, profession, and/or the community to qualify for tenure. The candidate shall demonstrate how their service has contributed to the mission and Catholic Intellectual Tradition at the University.
  - a. College expectations for service aim at a balance between protecting faculty from overextending themselves, thus impeding the development of their careers, and encouraging all faculty to contribute to the advancement of the department, the University, the academy, and civic society. They are intended to promote a culture that both encourages a sense of community among faculty and protects the conditions for excellence in teaching and research. Obligations will vary according to individual interests and as faculty advance through the ranks.
  - b. It is important for assistant professors to demonstrate that they are committed to the construction of a healthy and vibrant department and to the respective discipline as a whole. In addition, service contributions help socialize assistant professors into the roles that they will play to a greater extent later in their academic careers. However, their contributions should be relatively modest in scale.<sup>26</sup>

##### **2.5.2.2.1 Documentation of Teaching Effectiveness**

To be an effective teacher, a faculty member must demonstrate and be able to document that they are competent with respect to not only course content but also the delivery of that content to students. Documentation for these two areas may include the following:

1. *Content Expertise* – body of skills, competencies, and knowledge in one or more subject areas in which the candidate has advanced training, clinical practice, or education.
  - a. Evaluation by Department Chair, Dean and/or peers, who can speak to a candidate's expertise.
  - b. Evidence of professional development.

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<sup>26</sup> Taken from Notre Dame University: <https://alfacultyreference.nd.edu/policies/service-expectations-for-tenure-track-faculty/>

- c. Other evidence of utilizing and updating content expertise (e.g., mentoring student research in the faculty's discipline, amending course content and/or materials to reflect current discipline-specific theory/information, or serving on discipline-related committees that are addressing current issues).
2. *Content Delivery* – competency in content delivery includes the skills required to design effective instructional experiences which contribute to clear communication of information, to sequence and present those experiences in a way that facilitates student learning by creating a positive learning environment, and to design and implement valid means to assess student learning.
- a. Annual evaluations by Department Chair.
  - b. Documentation through such supporting materials as: course outlines and objectives, course materials, planned learning exercises, evaluative strategies, and modifications to courses.
  - c. Pedagogical research that enhances a faculty's instructional design skills.
  - d. Evidence of offering experiential learning opportunities.
  - e. Unique teaching/learning experiences, including service-learning components, digital learning, or other validations of pedagogical expertise.

#### **2.5.2.2.2 Documentation of Scholarly and Creative Activities**

Production of significant scholarship and/or creative work ensures a broad scholarly knowledge of the candidates' field of expertise and is essential to effective teaching. Therefore, the candidate must demonstrate and be able to document that they are competent with respect to scholarly/practice-change research and/or creative activities in their field of expertise.

1. *Peer-reviewed Activities*. This is a required criterion.  
A candidate must demonstrate scholarly and/or creative activity as recognized by their academic discipline by exhibiting competency in one of the following categories:
  - a. Scholarship/Research: Peer-reviewed post-doctoral publications or equivalent. Candidates may fulfil this criterion by successfully completing one or more of the following:
    - i. Peer-reviewed journal articles
    - ii. Scholarly Books and/or book chapters
    - iii. Peer-reviewed monographs appropriate to one's professional community on topics in one's area(s) of research, scholarship, and/or teaching
    - iv. Externally funded, peer-reviewed academic grants
    - v. Patents
  - b. Creative Activity: Production of creative work by faculty to include not only the creation of a product, but the subjection of that creative piece to judgement by the public and peers through performance/shows, presentations, show publication, display/exhibits, and/or publication of creative work.
  - c. Evidence-based, Implemented Practice-Change Research: Application of research that results in documented change. The goal of evidence-based practice is to review, analyze and translate research into improved clinical practice.
2. *Additional Scholarly and Creative Activities*. These may include but are not limited to the following list:
  - a. Extramural Funding Applications.



- b. Presentations to one's professional community on topics in one's area(s) of specialty, teaching, and/or research.
- c. Invited presentations to one's professional community on topics in one's area(s) of specialty, teaching, and/or research.
- d. Collaboration with or participation in the on-going scholarship or research of colleagues (internally or externally).
- e. Development of new and creative instructional materials that are disseminated for use by one's academic peers beyond Thomas More University.
- f. Formal or informal work with community partners and/or students on research, including, but not limited to theses and dissertations.
- g. Published citations of work.
- h. Publications that raise the profile of the university through thought leadership in esteemed publications on issues of national and international importance.
- i. Creation of documents within open Educational Resources included in national collections.

#### **2.5.2.2.3 Documentation of University, Professional, and Community Service**

There shall be evidence of a candidate's contribution to the mission and effective functioning of the University. Documentation of this evidence may include the following:

1. Service to the University, college, department, and program.
2. Service to the Profession and/or one's academic discipline.
3. Service to the community at large.

In addition, there will be evidence of service to the College and University in keeping with a consistent pattern of support for the University's mission and values, along with a commitment to the Catholic Intellectual Tradition.

College expectations for tenure track faculty in the area of Service should be relatively modest in scale (see Section 2.5.2.2).

### **2.5.3 Tenure Review Process**

#### *1. Pre-Tenure Procedure*

- a. Upon appointment to a tenure-track position, the Provost will issue an employment agreement that contains the dates the candidate is eligible to apply for and receive tenure and eligible to apply for mid-tenure review.

#### *2. Mid-Tenure Review*

- a. A mid-tenure review process is completed by the Dean of the College; documentation regarding the outcome of this review is submitted to the Provost's Office and will become part of the candidate's application for tenure. A mid-tenure review process will contribute to the goal of mentoring and advising tenure-track faculty.
  - i. Each faculty member on tenure track will be required to submit a mid-tenure review file.
  - ii. The tenure track faculty member should submit to the Dean of the College the following:
    1. Annual performance reviews, including self-evaluations.

2. A current curriculum vitae.
3. Teaching observations by a senior faculty member outside the Department and the tenure track faculty member's Department Chair.
4. Student evaluations.
5. A record as well plan for professional growth.
  - a. Teaching/Student Advising/Curricular Development.
  - b. Juried Scholarship/Creative Work/Research.
  - c. Professional Development.
  - d. Service to the University.
  - e. Evidence of commitment to the University's mission and Catholic Intellectual Tradition.
- iii. The Dean will convene and chair a review committee composed of three faculty members within the College from outside the candidate's home Department; the Dean completes a report summarizing the review. The result of the mid-tenure review process is not a guarantee of tenure but is intended as a path to help produce well-prepared tenure-track faculty and well-rounded tenured faculty. The tenure track faculty member has 14 days after meeting with the Dean to submit a response, corrections, or additions to the report. A copy of the revisions and the report will be included in the tenure track faculty member's file in the Provost's Office and will be shared with FRC at the time of the applicant's tenure application.
- iv. Upon completion of the mid-tenure review process, the faculty member will qualify for \$1,000. This is in addition to Faculty Development Funds and can be used to assist in furthering scholarship and research opportunities. Faculty are also eligible for a one-course release in the following academic year to be determined by the Provost in consultation with the Dean of the College and the faculty member's Department Chair.
- v. If the faculty member does not participate in the mid-tenure review process, the Provost will convert the faculty member from a tenure-track position to a term position for the upcoming academic year or will provide a one-year terminal appointment.

#### **2.5.4 Tenure Evaluation Procedures**

The candidate may choose to withdraw their application at any point prior to the President's review of the application. If the candidate chooses to withdraw their application, then they have the opportunity to consult the VP/CAO about switching to a non-tenure-track position. Unless the tenure file is withdrawn by the candidate or final action on the application is discontinued for any reason by agreement between the candidate and the VP/CAO, the application will be passed on to the next level. A grievance may not be submitted until the process has been completed and a final decision has been submitted by the President or, if applicable, the Board of Trustees.

##### **1. Intent to Apply**

- a. The candidate should express their intent to apply for tenure early in the appropriate fall term and according to the instructions in the *Guidelines for Application for Promotion and Tenure*.

## 2. The Department Review:

- a. The Department Chair (even if this person is a member of FRC) ordinarily shall initiate the recommendation for tenure by the date specified in *Guidelines for Application for Promotion and Tenure* and submit that recommendation to the Office of Academic Affairs. Tenure candidates may choose to initiate the process on their own behalf. The tenure candidate is responsible for submitting the tenure file and all accompanying documentation to the VP/CAO by the date specified in *Guidelines for Application for Promotion and Tenure*.
- b. If the Department Chair is being considered for tenure, a senior faculty member in the department is responsible for initiating the recommendation to the FRC.
- c. This letter should reflect the views of the Department overall not solely the view of the Chair. If the VP/CAO or President of the University teach in the department, their views should not be included at this stage. They have a role in the application process, and each has an opportunity to speak on behalf of an applicant as part of the review.
- d. The Department Chair recommendation must include a summary of the individual's qualifications as set forth in Section 2.5.1 as evaluated pursuant to the criteria set forth in Section 2.3.1.
- e. A copy of the recommendation is to be sent to the faculty member.
- f. By the date specified in *Guidelines for Application for Promotion and Tenure*, the VP/CAO in review with the Dean of the College will provide FRC:
  - i. The candidate's file
  - ii. A copy of the mid-tenure review report completed by the Dean of the College.
  - iii. A copy of the annual evaluations completed by the candidate's Department Chair.
  - iv. A copy of the evaluation completed by the candidate's Dean (when applicable).
- g. FRC may request additional information or clarification from the candidate regarding details in the tenure file, with the following stipulations:
  - i. All edits to the tenure file must be received by FRC from the candidate by December 10 of the relevant year.
  - ii. No changes to a candidate's tenure file will be permitted after December 10 of the relevant year.

## 3. The Faculty Relations Committee (FRC) Review:

- a. Reviews the tenure file, as described in Section 2.5.2, using the qualification criteria for tenure set forth in Section 2.5.1, as evaluated pursuant to the criteria set forth in Section 2.3.1;
- b. FRC may ask candidate to clarify content, if necessary; candidate cannot alter file contents after submission of application to the VP/CAO.
- c. Submits a written recommendation to the VP/CAO on or before December 22 regarding whether the candidate has met the qualification for tenure as stated in Section 2.5.1.
- d. For a positive recommendation, the majority of the FRC members must affirmatively vote for the candidate to be granted tenure at a meeting in which a super-majority (2/3rds) of the FRC's membership is present.

- e. The written recommendation will include a succinct summary of the FRC's findings and final recommendation as well as any dissenting opinions and a record of each vote without the name of the specific committee member attached to it. In addition, if the FRC did not accept the department's recommendation, the written recommendation will delineate the reasons and rationale for not accepting the recommendation.

**4. The VP/CAO's Review:**

- a. Reviews the candidate's tenure file.
- b. Considers the written recommendations of the Department Chair (if applicable) and FRC.
- c. Makes an independent decision on the recommendation;
- d. Submits a written recommendation to the President, College Dean(s), FRC, and Faculty member on or before January 15th. This recommendation will address the qualification criteria in Section 2.3.1 and 2.5.1. The recommendation will address whether the candidate has met the qualification for tenure and include all relevant documentation from the faculty member's tenure file to support the decision. Especially if the VP/CAO's recommendation is different than any previous recommendations, the rationale for that recommendation should be made clear in the letter.

**5. The President's Review:**

- a. Has access to the candidate's tenure file and its supporting documentation.
- b. Considers the written recommendations of the Department Chair, FRC, and VP/CAO and may consult any of these stakeholders, as necessary.
- c. Submits a written notification of the decision or the written recommendation to the VP/CAO, College Dean(s), FRC, and Faculty member on or before February 1. Especially if the President did not agree with any previous recommendations, the rationale for disagreeing with the recommendation(s) will be made clear in the written notification.
  - i) If the President recommends the granting of tenure, the President submits the recommendation, along with the tenure file, to the Enrollment, Academic & Student Affairs Committee of the Board of Trustees on or before February 1 (see paragraph 6 below); If the President recommends against the granting of tenure, the tenure review procedures end at this step. However, if the candidate desires to appeal the tenure denial, the formal grievance process is available to the extent provided in Section 2.10.

**6. The Enrollment, Academic & Student Affairs Committee of the Board of Trustees' Review:**

- a. In the case of a positive recommendation for tenure, reviews the entire tenure file; including the recommendations of the Department Chair, FRC, VP/CAO, and President; and
- b. Makes a recommendation by simple majority vote for consideration at the next meeting of the Board of Trustees.

**7. The Board of Trustees' Review**

- a. Discusses and votes on the recommendation of the Enrollment, Academic & Student Affairs Committee of the Board of Trustees;
- b. The President, acting for the Board of Trustees, informs in writing the VP/CAO, the College Dean(s), FRC and the candidate of the Board of Trustees' decision;

- c. If tenure is awarded, the award becomes effective on the first day of the employment agreement of the following academic year.

## **8. Denial of Tenure**

If tenure is not to be granted, a terminal one-year employment agreement must be offered to the candidate. The President has the authority to buy-out the one-year employment agreement for the value of its current salary at the time that the one-year terminal employment agreement is presented to the candidate.

If the candidate desires to appeal a tenure denial, the faculty grievance procedure is available to the extent provided in Section 2.10. Any such appeal must be filed within ten (10) business days of being notified in writing from the President of the final decision.

The Faculty Coordinating Committee (“FCC”) will not substitute its judgment on the merits of the case for tenure but will determine whether the decision was the result of adequate consideration regarding University criteria and policies. If the FCC believes that adequate consideration was not given to the candidate’s qualifications, it will recommend reconsideration by the body or individual that made the decision, indicating the respects in which it believes the consideration may have been inadequate. FCC will provide copies of its findings to the candidate, the body or individual that made the decision, and the President.

### **2.5.5 Developmental Evaluation for Tenured Faculty**

In addition to the annual evaluation by the Department Chair [see Section 2.3.2.2 (4.a)], the College Dean will do a periodic evaluation of all Ranked Faculty, including a formative evaluation of tenured faculty, on the schedule described in Section 2.3.2.2 (4.b). The purpose of this formative evaluation is to encourage and support the success and professional growth of the University’s tenured faculty and to promote and maintain professional and institutional effectiveness. While the evaluation is post-tenure, this formative evaluation is not a re-evaluation of tenure and is not undertaken for the purposes of discipline or dismissal. Tenured faculty members shall be subject to dismissal only for adequate cause (see Section 2.9.4.1) or as a result of a reduction in faculty appointments due to either a financial exigency or a program reduction or discontinuation (see Section 2.9.5).

## **2.6 Faculty Professional Development**

Thomas More University recognizes the need for all Faculty to keep current with the expansion of knowledge in the faculty member’s specialty. It is the policy of the University to encourage and assist eligible faculty members in individual professional development through financial support and leaves of absence.

### **2.6.1 Faculty Development Opportunities**

The University will provide multiple opportunities on or off campus throughout the year for faculty to develop their knowledge, skill, and familiarity with various aspects of the teaching profession, regarding topics that may range across the classroom, interactions with and oversight of students, and the broader context of higher education. In some instances, faculty may be asked to present their expertise as an opportunity for others, especially if the faculty member has recently returned from a conference or workshop and a portion of the travel or registration was paid for by the University.

## **2.6.2 Faculty Development Funds**

To encourage faculty development, the University maintains an annual faculty development fund which is distributed by the Faculty Relations Committee (“FRC”). Proposals are requested three (3) times a year, with one third of the funds made available per period.

All proposals for funding must be submitted to the Vice President (CAO) and the Chair of FRC for consideration by FRC. Proposals should include the information asked for in the *Guidelines for Submitting a Faculty Development Proposal* published by FRC. Upon completion of the activity, a travel expense form must be submitted for approval to the Chair of FRC, who will submit it to the Business Office. A report of professional and scholarly activity must also be submitted to the FRC upon completion of the faculty development project.

Funds that have not been allocated are rolled over into the next funding cycle within the current fiscal year.

## **2.6.3 Membership in Professional Societies**

The University supports membership in professional academic societies. During the annual budget process, a Department Chair may include a request for funding of membership fees for members of the department.

## **2.6.4 Academic Leave**

Academic leaves are unpaid leaves which provide Ranked Faculty members the opportunity to participate in development activities or programs which enhance their knowledge, skills, and experience. Academic leaves may be granted under the following conditions:

1. For study in institutions of higher learning for the purpose of completing requirements for a higher degree or for postdoctoral studies;
2. For research and writing, scholarly and creative activities;
3. For teaching as a visiting member of a faculty of another college or university; and
4. For service in government and other public or private agencies, and such services clearly related to the teaching assignment or research interests of the faculty member.

Faculty members retain their rank and tenure status upon return from an approved leave. If a Faculty member is on a Tenure-Track employment agreement, an extension of the probationary period may be sought in accordance with the procedures of Section 2.5.1.

### **2.6.4.1 Procedures for Taking Academic Leave of Absence**

As an agreement between the University and the applicant for an Academic Leave, the following conditions provide the procedural framework for leaves of absence. Faculty should consult with the Chair, Dean, or Vice President (CAO) early in the process when they apply for such a leave in order to facilitate planning by the faculty member and the program in which they teach.

1. The individual must request leave from the Vice President (CAO). The period of the academic leave must be specified and shall not normally exceed one (1) calendar year; however, the leave may

be extended by the Vice President (CAO) for a second year. The Faculty Relations Committee serves “as an advisory board to the VP/CAO for applications by individual faculty members for sabbaticals and other leaves.” [FRC Charge]

- a. When considering taking an academic leave, Faculty members are encouraged to meet with the Director of Human Resources to discuss the impact of an unpaid leave on their benefits, such as healthcare and retirement programs.
2. In applying for leave, the individual must state in writing the following criteria to be used in evaluating the application:
  - a. The purpose and length of the leave;
  - b. What is to be accomplished;
  - c. How the leave will enhance professional development; and
  - d. The value of the leave to the University.
3. Approved academic leaves are unpaid (Section 2.8 provides further information regarding faculty leave without pay):
  - a. If a faculty member is approved for an unpaid academic leave, they will be offered continued coverage for medical, dental, vision benefits under COBRA, at the full COBRA rate.
  - b. Retirement benefits (such as TIAA) are not matched during academic leave.
  - c. Faculty members approved for academic leave are expected to meet with the Director of Human Resources to fill out and review any relevant paperwork.
4. Upon returning to the University after completing the leave, the individual should file a brief report with the Vice President (CAO), stating the degree to which goals were attained (with tangible evidence, if feasible) and how the University and the individual might build upon the leave experience in continuing to enrich both the scholar and the University.

### **2.6.5 Academic Leave Taken through an Award**

The University supports faculty in seeking national and international teaching and research awards which may involve commitments away from campus for a year or a semester. If the award is less than the compensation normally allocated to the Faculty member for the period of the award, the University will top-up the compensation by supplementing the awards from the granting agency. The University will also continue providing health and medical benefits for the Faculty member – so long as the Faculty member continues to pay their usual contribution – and compensate round-trip travel to and from the destination in which the award is to be executed, if these are not part of the award. The contribution to retirement benefits that is matched by the University will retain the usual restrictions and will be as a percentage of the University contribution to faculty compensation during the period of the award, not a percentage of the award money. Examples of granting agencies include the Fulbright Commission, the National Endowment for the Humanities, and the American Council of Learned Societies.

Faculty are encouraged to consult with the Chair, Dean, or Vice President (CAO) early in the process when they apply for these awards in order to facilitate planning by the faculty member and the program in which they teach.

The University may place annual limits on the number of such co-funded possibilities, based on available finances.

Tenure track Faculty members who are awarded these externally-funded research or teaching opportunities may elect to retain their original tenure clock or request an extension to the probationary period in accordance with the procedures in Section 2.5.1 (Item 8).

Faculty intending to teach or conduct research at other institutions of higher learning without such a grant will not be supported through top-up contributions by Thomas More and must apply for unpaid leaves of absence to fund these (see Section 2.6.4); that is, the University will not, for example, fund a faculty member's plans to teach elsewhere while under agreement at Thomas More except through an unpaid leave of absence.

#### **2.6.6 Faculty Exchange Program Leave**

Ranked faculty shall be eligible to participate in faculty exchange programs as these may be arranged. Recommendations regarding faculty participation in an exchange program shall be prepared by the Department Chair and Vice President (CAO); these shall be submitted to the President who gives final approval to participation in a program exchange. Arrangement of exchanges shall be made with due consideration for reasonable planning and preparation of teaching schedules and other duties performed by the faculty member involved.

Faculty members participating in exchange programs receive the salary and fringe and professional benefits of the home institution, and rights to leaves, time accumulated toward tenure, promotion, etc. shall continue uninterrupted. If a Faculty member is on a Tenure-Track employment agreement, an extension of the probationary period may be sought in accordance with the procedures of Section 2.5.1 (Item 8). Exchanged faculty members retain academic rank and are designated as Visiting Professor, Visiting Associate Professor, etc. at the host institution.

Work assignments will be determined by the host institution and agreed to in writing by all parties in advance of the exchange.

#### **2.6.7 Sabbatical Leave**

A full-time Ranked Faculty member who has been a Ranked faculty member for a period of at least six (6) years and has taught at the University for a period of at least six (6) years, excluding periods during which the faculty member is on any other approved type of leave of absence, may apply for sabbatical leave of absence by addressing a written request to the Faculty Relations Committee ("FRC") and the Vice President (CAO). A VP/CAO, Associate Vice President, or Dean who leaves their position to become a full-time Ranked Faculty member may apply, possibly out of the normal timeline, for a one-term sabbatical during the transition to reorient their perspective towards teaching and scholarship. In the case of the VP/CAO, the President would take the role of the VP/CAO in this section and would determine the approval of the sabbatical leave.



A general statement of the educational program to be pursued during the sabbatical must be made at the time of the original request. According to the schedule provided by the Faculty Relations Committee, the applicant must outline in detail the educational program which the faculty member intends to pursue by filling out the *Application for Sabbatical* available from the Faculty Relations Committee. This program must be approved by the VP/CAO and the Faculty Relations Committee as feasible and consistent with the applicant's professional capabilities and professional responsibilities.

Sabbatical leaves are granted by Thomas More University for a period of one or two regular academic semesters to promote the professional growth and effectiveness of the faculty. These leaves are granted by the University with the approval of the VP/CAO and the Faculty Relations Committee for meritorious projects in which the recipients devote full-time to scholarly activity and research, advanced study, or artistic performance in pursuit of academic objectives. Except for fellowships, scholarships, grants-in-aid, and nominal salary received as a visiting professor at another college or university or artistic performance, a faculty member on sabbatical leave may not accept remunerative employment during such leave unless specific arrangements have been made and approved in advance by the VP/CAO.

The granting of sabbatical leave is dependent in part on the financial condition of the University at the time of the request for sabbatical. If the sabbatical leave is granted, the faculty member will be paid the faculty member's budgeted salary during the sabbatical leave of one semester or one half the budgeted salary during a sabbatical leave of two semesters.

In unusual cases, sabbatical leaves may be authorized for two summers for members of the faculty appointed for service on a twelve (12)-month basis. The faculty member on such a sabbatical leave receives the faculty member's usual budgeted salary during two summers and the leave is recorded as a sabbatical leave for one semester. The two (2) summer sabbatical leave is authorized primarily for the benefit of persons with administrative duties which make it difficult to release them for purposes of their own research and study during the Fall and Spring semesters.

The fact that a faculty member has fulfilled the stated requirements for a sabbatical leave, or that the application is strongly supported, does not guarantee that the leave can be scheduled at the time preferred by the applicant. In general, there will be (no more than) the equivalent of four one-semester sabbaticals awarded for a given academic year. There should not be two people from the same department on sabbatical leave in the same academic year. All sabbaticals require written support from the individual's academic department prior to final recommendation by the FRC to the VP/CAO, who makes the final decision. The needs of the University and both budgetary and administrative considerations are important factors in the final determination. In addition, the following criteria are considered by the FRC:

1. The faculty member's years of full-time service and number of previous sabbaticals;
2. The faculty member's tenure status, with priority given to those who have tenure;
3. The faculty member's past performance and the likelihood of significant professional development during and because of the sabbatical; and
4. Direct or indirect benefit to the University community.

A sabbatical leave cannot be extended beyond the period for which it was originally granted. A faculty member on sabbatical leave who wishes to extend the faculty member's leave may, however, apply for leave without pay and if that can be granted, the faculty member will be subject to all conditions governing such leave.

A member of the faculty in accepting a grant of sabbatical leave is obligated not only to pursue the educational program for which the leave was granted but also to continue in the service of the University for at least one academic year following the leave period, unless other arrangements are agreed to by the University. If this commitment is not fulfilled due to some action of the Faculty member, it is expected that the faculty member will then refund the salary received from the University during the leave, in full in case of no return, or in part according to negotiated, pro-rated basis for shorter periods.

Within thirty (30) days of completing of the sabbatical leave, the faculty member is expected to submit to the VP/CAO and FRC a written report on the work accomplished during the period and present a plan and timeline, if appropriate, for implementing ideas and plans resulting from the faculty member's work.

After completing a sabbatical leave, a faculty member will not be eligible to apply for a second leave until the faculty member has returned from the first sabbatical and has completed three successive years of full-time service, excluding the periods during which the faculty member is on administrative or other types of leaves of absence. The faculty member will not be eligible to take the second sabbatical leave until the faculty member has completed six successive years of full-time service from the time of returning from the first sabbatical.

In order to define clearly the University's position and to protect the interests of faculty members who are asked, because of exceptional circumstances, to defer sabbaticals, the VP/CAO must approve and confirm agreements for deferral of sabbaticals for the convenience of the University. Requests for deferral should be directed to the VP/CAO with documentation including a statement of the sabbatical leave project of the faculty member and a statement by the appropriate administrative offices of the reason for the request for deferral.

Faculty members, regardless of the total number of years of their service, who elect not to take sabbatical leaves of absence, are at no time entitled to other types of leaves or payments in place of a sabbatical not taken or granted.

## **2.7 Faculty Compensation and Benefits**

### **2.7.1 Faculty Compensation**

Pay periods, payroll deductions and other compensation policies applicable to all employees of Thomas More University are set forth in the *Employee Personnel Policies*<sup>27</sup>.

Current summer pay rates for faculty are available from the Office of Academic Affairs.

### **2.7.2 Faculty Benefits**

Policies addressing benefits available to all eligible employees of Thomas More University are set forth in the *Employee Personnel Policies*<sup>28</sup>.

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<sup>27</sup> See <https://itwin.thomasmore.edu/Policy/> in general and <https://itwin.thomasmore.edu/Policy/Home/Policy?policyID=77> in particular.

<sup>28</sup> See <https://itwin.thomasmore.edu/Policy/> in general and <https://itwin.thomasmore.edu/Policy/Home/Policy?policyID=73>, <https://itwin.thomasmore.edu/Policy/Home/Policy?policyID=74>, and <https://itwin.thomasmore.edu/Policy/Home/Policy?policyID=75> in particular.

### **2.7.2.1 Tenured Faculty Voluntary Phased Retirement Program**

All tenured full-time Ranked Faculty having 15 or more years of full-time service at Thomas More University are eligible to participate in the Tenured Faculty Voluntary Phased Retirement Program (“VPRP”).

#### **Program Features**

By voluntarily electing to enter into the VPRP, the faculty member understands that a terminal employment agreement will be offered for a period of one year in duration, renewable for a second year at the sole discretion of the University, provided the faculty member completes all teaching obligations and maintains professional behavior during the course of the first VPRP academic year.

The faculty member agrees to teach twelve (12) credit hours during the academic year selected and will in turn receive an annual salary equal to one half of the base salary received in their employment agreement for the period of the VPRP and paid in equal semi-monthly payments over the period selected. The faculty member will not be assigned any mandatory responsibilities related to student advising, committee assignments, or departmental meetings. The faculty member is invited to attend graduation, General Assembly Day, orientation, and recruiting events. At the time of entering into the VPRP, the Faculty member will be given the choice of opting in or opting out of Faculty General Assembly, as indicated by Article III of the Constitution. Those faculty who elect to retain Faculty General Assembly membership may request that the Faculty Coordinating Committee assign them to a committee.

The faculty member accepting this plan will be eligible for all benefits with the exception of continued contributions by the University to the University’s retirement plan. See the Director of Human Resources to learn about the details of the retirement fund.

Acceptance of the plan is entirely voluntary and open only to qualified faculty members as stated above. The faculty member understands that when voluntarily agreeing to enter into this program, the faculty member is relinquishing all tenure rights with the University, is permanently forfeiting his or her status as a tenured professor, and is voiding his or her pre-existing employment agreement with the University.

The University reserves the right to accept or deny any request for participation in the Thomas More University VPRP due to budgetary reasons or allocation of departmental faculty resources.

In exchange for the payments under the plan, a faculty member expressly agrees not to apply for unemployment compensation. A VPRP participating faculty member also waives and releases all claims against the University existing prior to the date of the faculty member’s entrance into the program, including but not limited to claims for breach of contract.

A VPRP agreement is offered as a final employment agreement with no guaranteed offer of full-time or continued part-time re-employment at the end of its term.

Any faculty member interested in the VPRP should send a request to the Vice President (CAO). It is preferred that this request be submitted by August preceding the final year of full-time employment to allow departments to accommodate the transition. If approved, the VP/CAO will generate an agreement for participation in the VPRP. The faculty member has seven days from the date of signing to revoke the agreement by informing the Administrative Assistant to the VP/CAO in writing of such revocation.

## 2.8 Faculty Leaves of Absence

Information about various leaves available to all eligible employees of the University, including faculty are set forth in the *Employee Personnel Policies* as follows:

- *Bereavement Leave*<sup>29</sup>
- *Family and Medical Leave*<sup>30</sup>
- *Holiday Leave*<sup>31</sup>
- *Jury Duty and Witness Leave*<sup>32</sup>
- *Parental Leave Policy*<sup>33</sup>
- *Military Leave Policy*<sup>34</sup>

The University will endeavor, to the extent possible and practical, to grant leave to Ranked Faculty members for other reasons not specified in the *Employee Personnel Policies*. Leaves of absence may be granted if consistent with the business needs of the University. Some factors which may inform the decision to grant or deny leave include the expense to the University, the effect on the University's programs, and the ability of the University to organize coverage during the faculty member's absence. Leaves requested for academic reasons are described in Section 2.6.4. Leave for personal reasons may be granted at the sole discretion of the University and may include a renegotiation of the employment agreements. The Vice President (CAO), in consultation with the President, will make such decisions.

If a faculty member's absence is not expected to exceed one (1) month, the Department Chair shall ask colleagues in the department to cover the courses of the absent faculty member. If the faculty member's absence exceeds one (1) month, the faculty member should request a formal leave of absence for personal reasons and the Department Chair shall proceed to have the faculty member's courses covered by either a member of the department or by a Part-time or Adjunct instructor. Full financial compensation, including compensation for the classes covered prior to the formal request for leave, shall be awarded to any faculty member who covers the classes of a colleague whose absence has exceeded the one (1) month time period.

### 2.8.1 Application for Faculty Leave of Absence Without Pay

A full-time, ranked member of the faculty who has completed at least three (3) academic years of service may submit a written request for complete or partial leave of absence without pay to the College Dean(s) and Vice President (CAO) describing in detail the purpose and duration of the leave and the activities in which the faculty member will be engaged. Requests by full-time, ranked faculty members who have not completed three (3) academic years of service may be submitted, but will be discouraged and such faculty might not retain the benefits listed below.

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<sup>29</sup> <https://itwin.thomasmore.edu/Policy/Home/Policy?policyID=63>

<sup>30</sup> <https://itwin.thomasmore.edu/Policy/Home/Policy?policyID=64>

<sup>31</sup> <https://itwin.thomasmore.edu/Policy/Home/Policy?policyID=65>

<sup>32</sup> <https://itwin.thomasmore.edu/Policy/Home/Policy?policyID=66>

<sup>33</sup> <https://itwin.thomasmore.edu/Policy/Home/Policy?policyID=67>

<sup>34</sup> <https://itwin.thomasmore.edu/Policy/Home/Policy?policyID=68>

### **2.8.2 Limitations and Conditions**

The duration of such leaves will ordinarily not exceed the current term of the employment agreement, but may be renewable at the discretion of the Vice President (CAO), in consultation with the President, up to a maximum of three years.

The University cannot permit any member of the Ranked Faculty to be away from the faculty member's duties on any type of leave (or combination of types of leave) for more than three consecutive years at a time except in the cases of serious illness or required active military service. Other than in these two cases, a faculty member who chooses to extend a leave beyond three years will forfeit the faculty member's existing position at the University even if the faculty member has not given formal notice of resignation.

When a leave of absence is granted, an agreement signed by both the applicant and the appropriate University officer shall set forth the precise terms of the leave. The faculty member's name and position will continue to appear in faculty listings printed in catalogs and other official publications during the period of the faculty member's leave.

### **2.8.3 Faculty Leave Related Benefits**

In addition to any benefits mentioned above, when the University grants official leave to a faculty member who has been a member of the Ranked faculty for three (3) years and who has expressed intent to return (the usual conditions of service being applicable), such a member retains faculty status and faculty rights and the following benefits:

1. A commitment by the University in writing to be rehired at the termination of the faculty member's leave (the usual condition of notice being applicable), assuming the faculty member can meet assigned professional duties and obligations upon returning to the University; and
2. Right to have voice (make motions, offer second, and participate in the discussion) and, if regularly attending, vote in faculty meetings and to represent faculty.

The University cannot continue its contributions to the retirement annuity and other employee benefits of a faculty member who is on leave of absence without pay and, therefore, not also contributing to these programs. The individual may arrange with Human Resources for the continuation of such plans as will permit participation by faculty members on the active rolls of the University; tuition privileges, however, will be continued, but only in those cases where faculty members certify their intention to return to the University after the leave has terminated. If the faculty member does not return to the institution after their leave, the faculty member will repay the University for the tuition paid. See the *Employee Personnel Policies*<sup>35</sup>.

The applicability of leave time to promotion, tenure, and salary increases (credit not to exceed three consecutive years) shall be negotiated by the faculty member and Vice President (CAO), after consultation with the FRC, prior to the leave and documented in the letter granting the leave of absence.

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<sup>35</sup> <https://itwin.thomasmore.edu/Policy/Home/Policy?policyID=9>

## **2.9 Faculty Separation**

The employment agreement is a bilateral obligation, and both faculty and the University shall adhere to proper procedures in its termination.

### **2.9.1 Separation by Mutual Consent**

A faculty employment agreement with Thomas More University may be terminated at any time by mutual agreement in writing between the faculty member and the University.

### **2.9.2 Separation by a Faculty Member**

A faculty member may terminate the faculty member's appointment effective at the end of the academic year by giving notice on or before the dates that the employment agreements are due (see Section 1.3.6.2). Employment agreements for the next academic year are issued in accordance with Section 1.3.6.2. Failure to return a signed employment agreement to the Office of Academic Affairs by the date that the employment agreement is due removes all obligations under the agreement including tenure between the faculty member and the University effective at the end of that academic year unless an extension of the deadline has been secured in accordance with Section 1.3.6.2.

In the spirit of good faith and collegiality, Faculty who are expecting to break their employment agreement shortly before the beginning of an academic term should make all reasonable efforts to consult with the College Dean 30-days prior to the likely date of departure in order to allow for institutional planning and academic continuity.

### **2.9.3 Non-Renewal of a Non-Tenured Faculty Member Employment agreement**

Non-renewal is a means of separation by which the University severs its employment relationship with a non-tenured Ranked Faculty member at the end of an employment agreement's term. In the final instance, the decision not to renew the appointment of a non-tenured Ranked Faculty member rests with the President, after receiving and considering recommendations from the Vice President (CAO), College Dean, and Department Chair.

If Thomas More University does not intend to renew the employment agreement of a non-tenured Ranked faculty member for the following academic year, it shall notify such member in writing:

1. Not later than February 15th of the current academic year of service for individuals who have been employed at the institution as full-time Faculty for less than two full years if the appointment expires at the end of that year or, if the appointment ends during or after the normal academic year, at least three months prior to the termination.
2. Not later than December 15th of the current academic year of service for individuals who have been employed at the institution as full-time Faculty for more than two full years if the appointment expires at the end of that year.
3. Not later than December 15th of the final academic year of the multiyear employment agreement for those full-time Faculty members with such an agreement.

A faculty member who has entered the final year of probationary service without being earlier notified of a decision on the grant of tenure will, in the event that tenure is not awarded, be entitled to at least a terminal year's employment agreement for the ensuing year.

Except for cases of dismissal for cause, financial exigency, or a reduction or discontinuation of an academic program or department, a faculty member who has not been informed by the appropriate date specified above that the faculty member is to be recommended for non-renewal may assume that the faculty member will be reappointed for the following academic year.

Non-renewal is not a dismissal for cause, and non-tenured Ranked Faculty have no contractual right to employment beyond the expiration of their current appointment term. When a decision not to renew an appointment has been reached, the faculty member will be informed of that decision in writing by the Vice President (CAO). Upon the faculty member's request, the faculty member will be advised of the reasons which contributed to that decision. If the faculty member so requests, the reasons given in explanation of the nonrenewal will be confirmed in writing by the Vice President (CAO).

Note: The notice provisions set forth above do not apply to non-tenured Ranked Faculty that have been issued a Terminal Appointment Letter.

#### **2.9.3.1 Criteria for Non-Renewal of a Non-Tenured Faculty Member**

Criteria for non-renewal may include, but are not necessarily limited to, the following:

1. Unsatisfactory performance of the faculty member's appointment responsibilities and duties as evaluated according to the Faculty Evaluation procedures;
2. Changes to an academic program;
3. Full staffing in the areas of the candidate's principal competence or specialty;
4. Budgetary constraints such as declining enrollment, changes in enrollment patterns, or overstaffing; and
5. Financial exigencies (see Section 2.9.5.1).

Non-Tenured Ranked Faculty are also subject to consequences described in Section 2.9.4.

### **2.9.4 Corrective Measures and Dismissal for Cause**

#### **2.9.4.1 Corrective Measures**

The University encourages a supportive problem-solving approach to workplace problems. The process in this section will be implemented when a faculty member exhibits behaviors that impose an allegedly significant adverse impact on members of the Thomas More community, on the institutional educational goals, or on the mission of Thomas More University. Corrective measures are intended to provide faculty with notice of deficiencies and an opportunity to improve. Some violations of University policies and procedures, or continued negative behavior, may be of such serious nature that suspension or dismissal pursuant to Section 2.9.4.2 may be appropriate. The University reserves the right to proceed with dismissal for cause proceeding, without corrective measure, even if the action constitutes a first offense.

1. Any member of the Ranked Faculty, including any serving as an academic administrator, who violates a published University, College, or departmental policy or is in violation of the faculty member's responsibilities under the employment agreement may be subject to corrective action.
2. The procedures specified in this policy are not intended to cover:
  - a. Consideration and determination of disciplinary actions that may result in a proposed suspension or dismissal of a tenured faculty member, or suspension or dismissal of an untenured Ranked Faculty member prior to the expiration of the term of his or her employment agreement. These are governed by Section 2.9.4.2.
  - b. Allegations against a faculty member that appear to be within the scope of another specific University policy that has its own procedures for investigation and resolution (e.g., discrimination or sexual misconduct, etc.). In these situations, the Department Chair, College Dean(s), or Vice President (CAO) as applicable shall forward such allegations to the appropriate person or department for handling pursuant to the applicable policy.
3. In all cases other than those set forth in paragraph 2 above, when evidence of a faculty member's actions suggest that uncorrected behavior may ultimately lead to grounds for suspension or dismissal, the following procedures shall take place:
  - a. The College Dean(s) and Department Chair shall discuss the perceived shortcomings with the faculty member. The meeting is intended to be collegial and may result in a resolution mutually acceptable to the parties, of which written documentation shall be placed in the faculty member's Faculty Record.
  - b. If matters are not resolved as a result of the meeting, the College Dean(s) after consultation with the faculty member's Department Chair, as well as the VP/CAO and Director of Human Resources, shall provide the faculty member with written notification of needed improvement that:
    - i. Identifies the problem area(s), with specific evidence of the conduct in question;
    - ii. Identifies the corrective action to be taken within a specified time period, at the discretion of the College Dean, in consultation with the VP/CAO and Director of Human Resources;
    - iii. Identifies a clear timeline for periodic reviews and evaluations prior to the expiration of the corrective action period with written records of such to be maintained by the VP/CAO; and
    - iv. Indicate that if the problem is not corrected, suspension or dismissal for cause may result.
  - c. Copies of the notification in paragraph 3.b above shall be placed in the faculty member's Faculty Record with a copy provided to the Director of Human Resources for the Employee Personnel File. The faculty member has the option of providing a written response for the Faculty Record with a copy provided to the Director of Human Resources for the Employee Personnel File.

## **Evaluation of Corrective Measures**



1. After the specified period for corrective action expires, the faculty member shall meet with the faculty member's College Dean(s), Department Chair, and the Director of Human Resources to discuss performance during the period.
2. If the College Dean(s), after consultation with the Department Chair and the Director of Human Resources, determines that the problem has been resolved, notification will be provided to the faculty member and kept in the faculty member's Faculty Record with a copy provided to the Director of Human Resources for the Employee Personnel File.
3. If the College Dean(s), after consultation with the Department Chair and the Director of Human Resources, determines that the faculty member will be provided further opportunity to complete corrective measures, the expectations regarding the corrective measures will be conveyed to the faculty member in writing by the College Dean and placed in the faculty member's Faculty Record with a copy provided to the Director of Human Resources for the Employee Personnel File.
4. If the College Dean(s), after consultation with the Department Chair and the Director of Human Resources, determines that corrective efforts were not successful and a sanction short of dismissal or suspension is warranted (e.g., demotion in rank; ineligibility for promotion in rank; ineligibility for salary increase for an academic year; fines; teaching modifications; limitations in teaching, etc.), the College Dean(s) will forward a written recommendation of such sanction to the VP/CAO.
5. If the VP/CAO, after consultation with the College Dean(s), Department Chair, and the Director of Human Resources, agrees with the recommendation of the College Dean(s), notification will be provided to the faculty member and kept in the faculty member's Faculty Record with a copy provided to the Director of Human Resources for the Employee Personnel File.
6. If the VP/CAO, after consultation with the College Dean(s), Department Chair, and the Director of Human Resources, determines that corrective efforts were not successful and suspension or dismissal is necessary, the VP/CAO in coordination with the Director of Human Resources will transfer the documents relevant to the situation to the Employee Personnel File. The VP/CAO will also forward a written letter of recommendation for suspension or dismissal to the President and faculty member.
  - a. The letter from the VP/CAO shall include a full and complete statement of the charge(s) upon which suspension or dismissal recommendation is based. Both the faculty member's Faculty Record and the faculty member's Employee Personnel File will be forwarded to the President for any necessary review.
  - b. The faculty member shall be afforded five (5) business days to file a written response with the President to the VP/CAO's recommendation.

## **Grievance Rights**

Any faculty member whose rights as specified in the *Faculty Policy Manual*, have allegedly been violated as a result of the above process may file a formal grievance to the extent provided in Section 2.10.

### **2.9.4.2 Dismissal for Cause**

Once a faculty member has had the opportunity to modify their behavior as indicated in Section 2.9.4.1 then dismissal for cause proceedings may begin. Subject to the procedures set forth below, the University reserves the right to terminate an employment agreement of a tenured faculty member or a non-

tenured Ranked Faculty member during the term of the faculty member's employment agreement for adequate cause.

Dismissal, suspension, or the threat thereof, for adequate cause may not be used by the University to restrain faculty members in their exercise of academic freedom. Moreover, the conduct at issue must be related, directly and substantially, to the fitness of a faculty member to continue in his or her professional capacity with Thomas More University.

Examples of conduct that may give rise to suspension or dismissal for cause includes, but is not limited to, the following:

1. Failure to complete or adhere to an imposed corrective measure(s) plan;
2. Demonstrable incompetence in teaching; in scholarly, creative, and professional development activities; or in service;
3. Violation of the faculty member's responsibilities under the employment agreement which include, but are not limited to, fulfillment of the duties emanating from the educational commitment of the University;
4. Admission or conviction of a crime that directly and substantively impacts the fitness of the faculty member in the discharge of professional responsibilities;
5. Continued serious disrespect for the Catholic character or mission of the University;
6. Flagrant violations of or persistent neglect to comply with University, College, and/or department policies, procedures, rules, or regulations;
7. Causing deliberate and serious violation of the rights and academic freedom of fellow faculty members, administrators, or students;
8. Intentional obstruction of University functions or deliberate disruption of the life of the University;
9. Inability to perform an essential function of the faculty position (as described in the Faculty Job Description, available from the Office of Academic Affairs), given reasonable accommodation if requested pursuant to the University's *Reasonable Accommodations Policy*<sup>36</sup>;
10. Loss of professional licensure if licensure is required for the performance of the faculty member's duties;
11. Engaging in academic dishonesty (i.e., plagiarism, research misconduct, falsification of research or scholarship, etc.) or other serious violation of professional ethics;
12. Falsification of credentials and experience or a University record, including but not limited to information concerning the faculty member's qualifications for a position or promotion;
13. Disregard of safety and security policies and practices.

Note: This listing is not intended to be exhaustive.

## Resolution Procedures

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<sup>36</sup> <https://itwin.thomasmore.edu/Policy/Home/Policy?policyID=46>

In the case of a Ranked Faculty member who has tenure or whose term of appointment has not expired and when reason arises to question the fitness of the faculty member, the following procedures and guidelines will be utilized.

The President or designated other administrator may modify the timelines set forth below in extraordinary circumstances and for good cause shown in order to achieve full and fair evaluations or resolution of disputes.

## **I. Informal Resolution/Preliminary Stage**

A. The appropriate administrative officers (typically the College Dean(s) and the VP/CAO) will discuss the matter with the faculty member in personal conference, which will normally be conducted in a face-to-face meeting.

1. In the rare case in which the faculty member is not able to attend a face-to-face meeting, then a video conference may be utilized at the discretion of the VP/CAO;
2. The meeting is intended to be collegial and may result in a resolution mutually acceptable to the parties;
3. While an advisor of the faculty member's choice may be present at the meeting, the advisor may not directly participate;

B. After the faculty member has had the opportunity to meet the administrative officer, the VP/CAO may decide:

1. That the matter be dismissed entirely. If the VP/CAO dismisses the matter, the VP/CAO will notify the faculty member and the College Dean in writing and the matter will be considered closed;
2. That discipline short of dismissal or suspension should be imposed. If discipline short of suspension or dismissal should be imposed, the VP/CAO will notify the faculty member and the College Dean in writing and the Corrective Measures Policy will be implemented, starting at Step 4 [see Section 2.9.4.1(4)]; or
3. That the faculty member should be suspended or dismissed for cause. If the VP/CAO decides suspension or dismissal for cause is warranted, the VP/CAO will forward to the President of the University, with a copy to the faculty member and the College Dean, a written recommendation outlining the basis for the recommendation, any applicable documentation in support of the recommendation, the faculty member's Faculty Record, and the faculty member's Employee Personnel File.

## **II. President's Preliminary Review**

After reviewing the recommendation of the VP/CAO, supporting documentation, the faculty member's Faculty Record, and the faculty member's Employee Personnel File, the President has the option to meet individually with the faculty member and separately the appropriate University administrators in a final attempt at informal resolution. With or without such meetings, the President may decide:

A. To dismiss the matter. If the President dismisses the matter, the President will notify the faculty member, the College Dean, and the VP/CAO in writing and the matter will be considered closed;

B. That discipline short of dismissal or suspension should be imposed. If discipline short of suspension or dismissal should be imposed, the President will notify the faculty member, the College Dean, and the VP/CAO in writing and the Corrective Measures Policy will be implemented, starting at Step 4 [see Section 2.9.4.1(4)]; or

C. That the faculty member should be suspended or dismissed for cause. If the President decides suspension or dismissal for cause is warranted, the President shall commence formal proceedings.

### III. **Commencement of Formal Proceedings**

A. To commence formal proceedings, the President will notify the faculty member, the College Dean, and the VP/CAO in writing of the dismissal or suspension, including an offer to accept a voluntary resignation. Tendering a resignation precludes subsequent use of the Faculty Grievance Policy (see Section 2.10).

B. The President's notice of suspension or dismissal will at a minimum include:

1. A full and complete statement of the charge or charges upon which suspension or dismissal is based;
2. The details of the suspension or dismissal, including
  - a) For suspensions, the effective date, the length, the terms, if it is a paid or unpaid suspension, and if benefits continue;
  - b) For dismissal, the effective date and conditions, if any;
3. A statement that, within ten (10) business days from the receipt of the notice of suspension or dismissal, the faculty member may, in writing to the President, request a formal hearing by a faculty hearing committee [see Stage VI] or a formal review by a faculty review committee [see Stage VII]; and
4. Notification of the procedural rights that will be accorded the faculty member during the formal hearing or formal review by reference to this section of the *Faculty Policy Manual*.

C. Written notification of dismissal or suspension will be deemed to have been received when any one of the following has occurred:

1. When delivered, if the notice is sent by personal delivery; or
2. When acknowledged by signature on a receipt, if the notice is sent by certified or registered mail, return receipt requested, or by alternative delivery service, with signature required for delivery.

An email will also be sent to the faculty member's University email address notifying the faculty member of the fact that a notice required by this Policy has been sent by one of the methods described above. If the faculty member refuses to acknowledge the personal delivery or certified mailing by signature, the University will email the notice to the faculty member's University email address, which shall be considered receipt of the notice. In the event the University has suspended a faculty member's access to his or her University email address, the University will make a second attempt of notice by certified or registered mail, return receipt requested, or by

alternative delivery service, with signature required for delivery, which shall be deemed notice regardless of whether return receipt or signature is received.

For purposes of this Dismissal for Cause section, all references to written notice shall follow the procedures set forth in this section.

D. The faculty member has ten (10) business days from receipt of the notice in which to request a formal hearing, formal review, or accept voluntary resignation;

E. If the faculty member declines to accept a voluntary resignation, request a formal hearing or formal review on or before the ten (10) business day deadline, or subsequently fails to attend the formal hearing or participate in the formal review process without reasonable cause, then the suspension or dismissal action shall proceed in accordance with the terms specified in the notice, the formal hearing will not take place or the formal review process shall cease, and the faculty member will have waived all grievance rights pertaining to the action;

F. Within five (5) business days of receipt of the faculty member's request for a formal hearing or formal review, the President shall transmit in writing to the Faculty Coordinating Committee, with copies to the faculty member and VP/CAO, the full and complete statement of the charge or charges upon which the suspension or dismissal is based. Those charges will constitute the subject of the formal hearing or formal review.

G. If any member of the Faculty Coordinating Committee has a conflict of interest, they must recuse themselves from this process. If the Chair of the Faculty Coordinating Committee is the person with a conflict, then the Vice Chair of the Faculty Coordinating Committee will assume the role of the Chair in this process.

#### **IV. Interim Suspension of Faculty Member**

At any time prior to the outcome of a formal hearing or formal review regarding the suspension or dismissal for cause, a faculty member may be summarily suspended for the duration of the formal hearing or formal review process plus up to 10 business days upon a finding of the President that there is good cause to believe that:

A. The continued presence of the faculty member on campus would endanger the safety or well-being of the faculty member or other members of the University community; or

B. The continued functioning of the faculty member in the position would substantially impair or disrupt the regular functions of the University.

Before suspending a faculty member on this interim basis, the President will consult with the VP/CAO and the chair of the Faculty Coordinating Committee regarding the propriety, length, and other terms of the suspension. Terms may include, but are not limited to, suspended University email and limited campus access, especially in work-related spaces such as one's office, classrooms, and labs.

The faculty member's salary and benefits shall continue during any such interim suspension.

#### **V. Appointment of Faculty Hearing Committee or Faculty Review Committee**

The committee of faculty members to conduct the formal hearing or formal review and to reach findings of fact and to make recommendations to the President shall be appointed by the Faculty Coordinating Committee within five (5) business days of the President's submission of charges. The committee shall consist of five (5) impartial senior members of the faculty. When the Faculty Coordinating

Committee selects these five members, they will also name two alternate members who will only serve if one of the original members is challenged as outlined in Stage VI.A.2.b) or VII.B. The choice of members of the hearing committee or review committee shall be on the basis of their objectivity and competence and of the regard in which they are held in the academic community. The committee, in either formal hearing or formal review, shall elect its own chair at an initial meeting of the Faculty Hearing Committee, which will be called by the Chair of the Faculty Coordinating Committee.

In the event a faculty member asked to serve by the Faculty Coordinating Committee is aware of a bias or conflict of interest that would prevent him or her from serving on the committee, the faculty member should notify the Chair of the Faculty Coordinating Committee at the time the request for appointment is being made, and the Chair of the Faculty Coordinating Committee shall make a determination with respect to that faculty member's appointment prior to notice being provided to the parties of the makeup of the Faculty Hearing Committee or Faculty Review Committee. Prior acquaintance or knowledge of the facts of the matter does not necessarily constitute a conflict of interest absent a showing of an actual conflict of interest.

## **VI. Formal Hearing Process**

### **A. Pre-Hearing Meeting**

The committee shall schedule and commence a pre-hearing meeting no less than fifteen (15) and no more than twenty (20) business days of being initially populated.

1. Purpose: The purpose of the pre-hearing is to:
  - a) Simplify the issues;
  - b) Finalize witness lists and provide for the exchange of documentary or other information;
  - c) Achieve such other appropriate pre-hearing objectives as will make the hearing fair, effective, and expeditious; and
  - d) Schedule the hearing date in accordance with Stage VI.B.1.
2. During the period between the appointment of the Faculty Hearing Committee and the pre-hearing meeting, the following schedule shall be followed:
  - a) Notice: Within three (3) business days of the appointment of the Faculty Hearing Committee, all parties and the Chair of the Faculty Coordinating Committee shall be notified of the pre-hearing meeting date, and such notice shall include:
    - (1) A statement as to the appointment and members of the committee, including the name of the Chair of the Faculty Hearing Committee, in accordance with Stage V;
    - (2) A statement outlining the timeline and process for formal hearing; and,
    - (3) A statement of the time, place, and nature of the pre-hearing.
  - b) Challenges to Members of Faculty Hearing Committee:

(1) At the conclusion of the three (3) business day period Stage VI.A.2.a)] to provide notice of the pre-hearing meeting, the parties shall have three (3) business days to submit to the Chair of the Faculty Coordinating Committee a challenge regarding the disqualification of committee member(s) or alternate committee members for bias or a conflict of interest.

(a) A challenge must be submitted in writing with a statement of the reasons for the challenge.

(b) Any documents submitted or provided with respect to a challenge shall become part of the record.

(c) Prior acquaintance or knowledge of the facts of the matter does not, necessarily, constitute a conflict of interest absent a showing of an actual conflict of interest.

(2) At the conclusion of the three (3) business day period Stage VI.B.2.a)] for challenging the appointment of a committee member, the Chair of the Faculty Coordinating Committee shall have three (3) business days to grant or deny on the basis of bias or conflict of interest any challenge(s) regarding the disqualification of committee member(s) made by a party. Such decision to grant or deny the challenge shall be delivered in writing to all parties.

(a) If the request for challenge is denied, the appointment of committee members process is complete.

(b) If the request for challenge is granted, the Chair of the Faculty Coordinating Committee shall in its written decision designate one of the alternate members to act in the challenged committee member's place.

(c) In the event, the initially elected Chair of the Faculty Hearing Committee is challenged and replaced during this period, the Faculty Hearing Committee will reappoint a new chair from one of the members not challenged and notify the parties of its decision to grant the challenge.

(d) If, after the challenge process, the total number of committee members is less than five (5), the Chair of the Faculty Coordinating Committee shall appoint a replacement member and additional alternate member.

(3) In a situation where the Chair of the Faculty Coordinating Committee has to appoint a replacement member and additional alternate member [Stage VI.A.2.b)(2)(d)], the parties shall have two (2) business days to file a challenge regarding the disqualification of the replacement committee member(s) for bias or conflict of interest, subject to the same provisions listed in Stage VI.A.2.b)(1). The parties are limited

to challenging only the replacement member or additional alternate member.

(4) At the conclusion of the two (2) business days [Stage VI.A.2.b(3)] replacement member and additional alternate member challenge period, the Chair of the Faculty Coordinating Committee shall have two (2) business days to grant or deny on the basis of bias or conflict of interest any challenge(s) regarding the disqualification of replacement member and alternate member made by a party.

(a) If the request for challenge is denied, the appointment of committee members process is complete.

(b) If the request for challenge is granted, the Chair of the Faculty Coordinating Committee shall in its written decision designate the alternate member to act in the challenged committee member's place. This decision for a replacement is final.

(c) Any individual remaining as an alternative committee member at this stage will be dismissed.

c) Position Statements and Witness Lists:

(1) Within ten (10) business days of the initial population of the Faculty Hearing Committee and running concurrently with the challenge periods stated above, the parties shall submit to the committee through its chair a brief, not to exceed five (5) pages, position statement summary of its case. Additionally, the parties shall submit a list of potential witnesses to call, a brief synopsis (short paragraph) of their expected testimony [not to exceed three (3) pages in total], and a list of documents expected to be presented at the hearing (documents will be exchanged at the pre-hearing conference).

## **B. Consideration by Hearing Committee**

### **1. Scheduling and Notice**

a) The committee shall schedule and commence the hearing no less than ten (10) and no more than fifteen (15) business days from the pre-hearing meeting.

b) The hearing date shall be scheduled by the parties at the pre-hearing meeting. A notice of the meeting shall be personally delivered in writing to the parties at the pre-hearing meeting and shall include a statement of the time, place and nature of the hearing.

### **2. Nature of the Hearing; Attendance at the Hearing**

a) It is not intended that the hearing shall adhere to the procedures of a legal court. The intent is to ensure an appropriate professional atmosphere at Thomas More University. Accordingly, it is necessary that the procedures followed by the committee be administratively feasible and permit the expeditious



adjudication of the case. Hence, the committee shall not be bound by legal rules of evidence and procedure.

b) The faculty member may elect to be accompanied by an advisor. The President will appoint an administrator to present the case for suspension or dismissal, who may be accompanied by an advisor. The University administrator may not be an attorney on behalf of the institution, nor the President of the University. Neither advisor is permitted to speak during the hearing.

c) Attendance at the hearing is otherwise closed to everyone not participating in the proceedings. This includes, but is not limited to, the President of the University.

3. Role of the Chair; Submission of Evidence

a) The chair of the committee shall conduct the proceedings and rule on all objections.

b) The committee shall not be bound by the strict rules of evidence in court trials. Nonetheless, the chair of the committee shall exclude evidence upon objection that is irrelevant, immaterial, untrustworthy, privileged, or unduly repetitious. The Chair is the one who makes this decision but may, prior to the hearing, consult the committee for their opinion.

4. Record of the Hearing

a) The committee chair shall arrange for an audio recording of the hearing; however, recording failures that occur notwithstanding good faith attempts shall not require a delay or affect the validity of the proceedings, but in such event the committee chair will prepare a written summary of the hearing.

b) In the event that a deaf or hard of hearing person is involved in the hearing, presenting the case, or is a witness, the University will provide and arrange for a sign language interpreter with comprehensive skills certification, if requested by the faculty member(s) or other participants who are deaf or hard of hearing.

c) The Office of Human Resources shall be the repository of the audio recording to which the parties shall have access.

d) Transcription of the recording is not required, but either the University or the faculty member may arrange transcription at the requesting party's own expense.

5. Witnesses

a) Five (5) business days prior to the date of the hearing, witnesses for the respective parties shall submit a notarized written statement to the chair of the committee, who shall distribute to the parties. These written statements shall form the basis for questioning from the committee.

b) Within three (3) business days of receipt of the written witness statements, each party shall submit to the committee, through the chair, potential

questions relevant and material to the witness's statement clarifying or rebutting information within the statement. The chair of the committee may refuse to ask any question he or she deems in his or her discretion to be irrelevant, immaterial, untrustworthy, or unduly repetitive.

6. Hearing Process and Procedures

a) **Call to Order:** The Chair of the committee will call the hearing to order, introduce the members of the hearing committee, introduce the parties, and review the hearing procedures. Witnesses must be sequestered outside the hearing room until they are called to testify.

b) **Opening Remarks:** Starting with the University administrator appointed by the President to present the University's case, each party will be given the opportunity to make opening remarks limited to 10 minutes each. The purpose of opening remarks is to orient the committee to the nature of the case and to the facts the parties intend to establish. Opening remarks shall not be considered evidence. There will be no opportunity for follow-up questioning by the members of the committee at the conclusion of opening remarks.

c) **Witness Testimony:** Starting with the University witnesses, the committee will call each party's witnesses to answer questions from the committee with respect to the witness's previously submitted notarized written statement. The cross examination of witnesses is permitted through the submission of questions to the chair of the committee prior to the hearing in response to the witness statements. Questions should be limited to the scope of the witness's statement and seek to provide clarity and context to the witness's statement. The committee shall be limited to a total of two (2) hours to question the witnesses. At the discretion of the committee, additional time may be extended. Conversely, the committee, at its discretion, may impose reasonable limits on the number of witnesses that may be introduced. Such limits, if necessary, shall be discussed at the pre-hearing meeting. After all witnesses have been questioned, the chair of the committee will call for a short break, after which the University will begin its oral argument.

d) **University Oral Argument:** At the conclusion of witness testimony, the designated University administrator shall present its case in support of the University's suspension or dismissal for cause in oral argument style. The designated University administrator shall present its reasons for justification of the suspension or dismissal of the faculty member, direct the committee to evidence in the record to support its rationale, and answer questions from the committee members. Questions from the committee may occur throughout the presentation of the University's case, or committee members may wait until the end to ask their questions. The designated University administrator will be limited to a total of forty-five (45) minutes to present the University's case, including questions from the committee. At the discretion of the committee, additional time may be extended. After the University concludes its oral argument, the chair of

the committee will call for a short break, after which the faculty member will present the faculty member's case.

e) **The Faculty Member's Case:** The faculty member shall present their case in support of the faculty member's position in oral argument style. The faculty member shall present the reasons he or she believes the University cannot justify suspension or dismissal, direct the committee to evidence in the record to support his or her rationale, and answer questions from the committee members. Questions from the committee may occur throughout the presentation of the faculty member's case, or committee members may wait until the end to ask their questions. The faculty member will be limited to a total of forty-five (45) minutes to present his or her response, including questions from the committee. At the discretion of the committee, additional time may be extended. After the faculty member concludes his or her oral argument, the chair of the committee will call for a short break prior to the parties' closing remarks.

f) **Closing Remarks:** At the conclusion of all the arguments, the designated University administrator may make closing remarks to the committee, followed by the closing remarks of the faculty member. Closing remarks shall not exceed ten (10) minutes each. Because the University has the burden of proof, the University representative may also make final remarks in response to the faculty member's closing. Such final remarks may not exceed five (5) minutes.

7. Adjournments; Extensions of Time; Timeframe for Completion of Hearing

a) The chair of the committee has discretion to grant adjournments to enable either party time for discovery, so long as such requests are reasonable and relate substantively to the hearing proceedings.

b) Although the committee may grant either an extension of time or adjournment to enable either party time for additional discovery, the hearing must be resumed and completed no later than five (5) business days from the start of the original proceeding.

8. Faculty Hearing Committee Report to the President

a) Within five (5) business days of conclusion of the hearing, the Chair of the committee shall present to the President written findings of fact and recommendations as to the review of the faculty member's suspension or dismissal; copies must at the same time be sent to all parties.

b) The committee report must contain written findings of fact and a recommendation whether the suspension or dismissal for cause action was warranted based on the preponderance of the evidence standard in light of the documented evidence.

c) The committee's written findings of fact and recommendation shall be based on a simple majority vote and shall record the vote count.

d) Any dissenting opinions will be included in the written findings of fact and recommendation.

- e) A complete copy of the record in its entirety shall be maintained by the Office of Academic Affairs.

## VII. Formal Review Process

### A. Pre-Review Notice

Within three (3) business days of the appointment of the Faculty Review Committee, all parties and the Chair of the Faculty Coordinating Committee shall be provided a written notice of the formal review process, and such notice shall include:

1. A statement as to the appointment and members of the committee, including the naming of the Chair of the Faculty Review Committee, in accordance with Stage V; and,
2. A statement outlining the timeline and process for formal review, which shall include deadlines for submission of materials.

### B. Challenge to Members of Faculty Review Committee

1. At the conclusion of the three (3) business day period to provide pre-review notice, the parties shall have three (3) business days to submit a challenge regarding the disqualification of committee member(s) or alternate committee members for bias or conflict of interest to the Chair of the Faculty Coordinating Committee.

- a) A challenge must be submitted in writing with a statement of the reasons for the challenge.
- b) Any documents submitted or provided with respect to a challenge shall become part of the record.
- c) Prior acquaintance or knowledge of the facts of the matter does not necessarily constitute a conflict of interest absent a showing of an actual conflict of interest.

2. At the conclusion of the three (3) business day period for challenging the appointment of a committee member, the Chair of the Faculty Coordinating Committee shall have three (3) business days to grant or deny on the basis of bias or conflict of interest any challenge(s) regarding the disqualification of committee member(s) made by a party. Such decision to grant or deny the challenge shall be delivered in writing to all parties.

- a) If the request for challenge is denied, the appointment of committee members process is complete, and the challenge period ends.
- b) If the request for challenge is granted, the Chair of the Faculty Coordinating Committee shall in its written decision designate one of the alternate members to act in the challenged committee member's place.
- c) In the event, the initially elected Chair of the Faculty Review Committee is challenged and replaced during this period, the Faculty Review Committee will reelect a new chair from one of the members not challenged and notify the parties its decision to grant the challenge.

d) If, after the challenge process, the total number of committee members is less than five (5), the Chair of the Faculty Coordinating Committee shall appoint a replacement member and additional alternate member.

3. In a situation where the Chair of the Faculty Coordinating Committee has to appoint a replacement member and additional alternate member (see Stage V), the parties shall have two (2) business days to file a challenge regarding the disqualification of the replacement committee member(s) for bias or conflict of interest, subject to the same provisions listed in Stage VII.B.1. The parties are limited to challenging only the replacement member or additional alternate member.

4. At the conclusion of the two (2) business days replacement member and additional alternate member challenge period, the Chair of the Faculty Coordinating Committee shall have two (2) business days to grant or deny on the basis of bias or conflict of interest any challenge(s) regarding the disqualification of replacement member and alternate member made by a party.

a) If the request for a challenge is denied, the appointment of committee members process is complete, and the challenge period ends.

b) If the request for challenge is granted, the Chair of the Faculty Coordinating Committee shall in its written decision designate the alternate member to act in the challenged committee member's place. This decision for a replacement is final.

#### C. Witness Approval and Document Exchange

1. Within five (5) business days of the conclusion of the three (3) business day period to provide the pre-review notice, the parties shall submit a list of potential witnesses to call and a brief synopsis (short paragraph) of their expected testimony (not to exceed three (3) pages in total). The parties shall submit all relevant documentation to the Faculty Review Committee through the Chair of the Faculty Review Committee.

2. Within five (5) business days of the conclusion of the witness list and document submission period, the Chair of the Faculty Review Committee shall provide a finalized approved witness list to each of the parties. In the event that a witness has not been approved, the Chair of the Faculty Review Committee shall provide a brief reason for the witness' exclusion. Any and all relevant documentation that has been submitted shall be provided to the parties through the Chair of the Faculty Review Committee.

#### D. Witness Statements

At the conclusion of the challenge period or witness approval and document exchange period, whichever is longer, the parties shall within five (5) business days provide to the Faculty Review Committee through the chair of the committee a notarized written statement. The chair of the committee will distribute the witness statements to the parties.

#### E. Party Written Statements

1. University Brief: Within five (5) business days after the deadline for submission of the parties' witness statements, the University shall submit to the Faculty Review Committee through the chair of the committee a brief (not to exceed ten (10) pages,

which shall not include attachments of documentation submitted as evidence) outlining its arguments in support of its position for suspension or dismissal. Upon receipt, the chair of the committee shall forward a copy to the faculty member.

2. Faculty Member Brief: Within five (5) business days after the deadline for submission of the University's brief, the faculty member shall submit to the Faculty Review Committee through the chair of the committee a brief (not to exceed ten (10) pages, which shall not include attachments of documentation submitted as evidence) outlining his or her arguments against suspension or dismissal. Upon receipt, the chair of the committee shall forward a copy to the University.

3. University Rebuttal: Within five (5) business days after the deadline for submission of the faculty member's brief, the University shall submit to the Faculty Review Committee through the chair of the committee a brief (not to exceed five (5) pages, which shall not include attachments of documentation submitted as evidence) in rebuttal of the position of the faculty member. Upon receipt, the chair of the committee shall forward a copy to the faculty member.

F. Faculty Review Committee Report to President

1. Within five (5) business days after the deadline for submission of the University's rebuttal brief, the chair of the committee shall present to the President written findings of fact and recommendations as to the review of the faculty member's suspension or dismissal; copies must at the same time be sent to all parties.

2. The committee report must contain written findings of fact and a recommendation whether the suspension or dismissal for cause action was warranted based on the preponderance of the evidence standard in light of the documented evidence.

3. The committee's written findings of fact and recommendation shall be based on a simple majority vote and shall record the vote count.

4. Any dissenting opinions will be included in the written findings of fact and recommendation.

5. A complete copy of the record in its entirety shall be maintained by the Office of Academic Affairs.

**VIII. President's Independent Review and Decision**

A. Within ten (10) business days after receipt of the committee's findings and recommendations, the President, using the preponderance of the evidence standard in light of the documented evidence, shall issue an independent written decision on the faculty member's formal hearing or formal review, with copies to the committee, the faculty member, and the VP/CAO.

1. If the President determines that a suspension or dismissal for cause is not warranted, the President may still decide to demote the individual's Rank or remove the granting of tenure. If the Faculty member has been granted tenure or holds the Rank of professor, then this decision will go to the Board according to Step IX below. Otherwise, if the demotion in Rank is not from the Rank of Professor, then the President's decision is final. The written decision shall state the effective date of the faculty member's return to work and the faculty member will be returned to the status originally

held without any prejudice. Upon request of the faculty member, a statement by the President will be provided to the Faculty General Assembly;

2. If the President concludes that the administration has established adequate cause for a suspension or dismissal by a preponderance of the evidence, but that a sanction(s) less than suspension or dismissal would be more appropriate, the sanction(s) and effective date of the faculty member's return to work and sanction(s) will be stated in the President's letter with supporting reasons;

3. If the President sustains the faculty member's suspension or dismissal, the President's letter will state the details of the suspension or dismissal, including

a) For suspensions, the effective date, the length, the terms of the suspension, the terms of the return to employment, if it is a paid or unpaid suspension, and if benefits continue;

b) For dismissal, the effective date and terms of the dismissal;

4. If the President determines that additional consideration by the committee is necessary, the President will remand the case back to the committee with specifications for further findings and recommendations.

**B.** The President shall render the final institutional decision on the review of suspension for all Faculty members and on the review of dismissal for Faculty members who do not hold the Rank of Professor or have been granted tenure. If the faculty member has been granted tenure or holds the Rank of Professor, then the President's decision regarding dismissal will be reviewed by the Enrollment, Academic & Student Affairs Committee of the Board of Trustees.

#### **IX. Board Review of Dismissal of, Demotion in Rank of, or Removal of Tenure from Faculty Members holding the Rank of Professor or Tenure**

The Board of Trustees will make a final decision about dismissal only if the faculty member has been granted tenure or holds the Rank of Professor, about demotion only if the Faculty member holds the Rank of Professor.

The President must file his or her written decision with the chair of the Enrollment, Academic & Student Affairs Committee (EASA) within five (5) business days of making his or her decision, copying the faculty member, and including the record of the formal hearing or formal review, the Hearing or Review Committee's written findings of fact and recommendations, and the President's independent written decision.

The review by EASA of the Board of Trustees will be based on the record of the formal hearing or formal review, the Hearing or Review Committee's written findings of fact and recommendations, and the President's independent written decision. The Enrollment, Academic & Student Affairs Committee of the Board of Trustees, at its discretion, may meet with the faculty member or other persons, if needed. Advisors are not permitted to address EASA.

Note: The President and VP/CAO, as ex-officio members of EASA, shall evaluate the possibility of a conflict of interest and, according to Article VIII of the *Bylaws of Thomas More University*, determine if they should abstain from voting on the matter. Similarly, the Faculty General Assembly Chairperson and the Faculty Representative to the Board of Trustees should consider the possibility of a conflict of

interest and, according to Article VIII of the *Bylaws of Thomas More University*, determine if they should abstain from voting on the matter.

The Enrollment, Academic & Student Affairs Committee of the Board of Trustees may approve, reject, or amend such findings and recommendations and must state the grounds for its action in writing to the Hearing or Review Committee, VP/CAO, faculty member, and President. If EASA decides to amend the recommendation, the amendment may reflect a lessening or a strengthening of the recommended action. Upon deciding, EASA will refer the issue to the full board, who in its sole discretion will make a final determination in accordance with the procedures outlined in this section.

### **2.9.5 Reduction of Faculty Appointments**

A reduction in faculty appointments, resulting in the termination of an appointment with tenure or of an untenured ranked faculty member prior to the expiration of an appointment term, may occur as a result of financial exigency or the formal reduction or discontinuance of an academic program or department of instruction.

#### **2.9.5.1 Financial Exigency**

The Board of Trustees has the responsibility for determining when a state of financial exigency exists at Thomas More University.

The University defines financial exigency as a serious financial condition that threatens the survival of the University or of one of its academic programs or departments of instruction.

In the event the Board of Trustees finds financial exigency and the President is directed to develop a plan for remedying the condition, the protection of viable academic programs and of tenured faculty appointments shall be a strong priority. Elimination of an academic program will follow the established program review process through the Academic Affairs Committee of the Faculty. When, in the sole discretion of the President, alternative means of addressing the exigency have been exhausted or are not practicable, the University may terminate the appointments of tenured or ranked faculty member with a non-tenured appointment prior to the expiration of an appointment term.

The Vice President (CAO) will ask the Faculty Coordinating Committee to create a task force charged with advising the Vice President (CAO) and President on the guidelines and criteria, with due consideration of the priorities in Section 2.9.5.3, for recommendations regarding the termination of faculty appointments due to financial exigency.

#### **2.9.5.2 Reduction or Discontinuance of an Academic Program or Department of Instruction**

A decision to formally discontinue an academic program or department of instruction will be based both on historical success as well as future (strategic) opportunities. The Academic Affairs Committee of the Faculty will review program discontinuation based on a recommendation by the Department that hosts the program, by the Academic Assessment Committee following a formal program review, or by the Vice President (CAO) if the program is not financially viable, persistently lacks academic viability, or persistently lacks assessment. The recommendations of the Academic Affairs Committee of the Faculty will follow the procedures of Article II Section 5 of the Constitution of the Faculty.



If a formal reduction or discontinuance requires a reduction in faculty, the President will charge the Vice President (CAO), in consultation with the Faculty Relations Committee, to recommend reductions in personnel, in accordance with the priorities specified in Section 2.9.5.3.

### **2.9.5.3 Priorities**

In developing guidelines and criteria that will guide administrative decision regarding the termination of faculty appointments due to a financial exigency or a reduction or discontinuance of an academic program or department of instruction, program integrity (including institutional or programmatic accreditation considerations) will be considered paramount in determining termination actions. Thereafter, the following priorities will be considered:

1. Given equal qualifications to teach the department's courses, a tenured faculty member in the department being reduced or discontinued will receive priority in retention during reductions in faculty appointments.
2. After consideration of appropriate teaching expertise and tenure, faculty members receive priority for retention based on criteria including but not limited to the following. The criteria are not listed in priority order and shall all be considered.
  - a. Broad excellence of performance;
  - b. Faculty rank within a given program and seniority within the rank; and
  - c. Possession of appropriate skills and credentials (such as a terminal degree) that enable the individual to be employed in another department, program, or position at the institution.

### **2.9.5.4 Notification**

If the University determines to terminate the appointment of a Ranked Faculty member due to a reduction in force, written notification of termination for reduction in force will be sent from the President to the faculty member. The notification may be delivered personally to the faculty member or will be considered to have been communicated if delivered to the faculty member's University address and home address on file with Human Resources. The notice will specify the reasons for such termination, the effective date of termination, the faculty member's right to reinstatement, or retraining (if applicable), and the right to file an appeal.

In cases of termination of appointment because of financial exigency or reduction or discontinuance of a program, Ranked Faculty members will be given written advanced notice or equivalent salary and benefits in lieu of notice (or a combination thereof) as University resources permit as follows:

1. Three (3) months, if the final decision is reached by March 1 (or three (3) months prior to the expiration) of the first year of probationary service;
2. Six (6) months, if the decision is reached by December 15 of the second year (or after nine (9) months, but prior to eighteen (18) months) of probationary service;
3. One (1) year, if the decision is reached after eighteen (18) months of probationary service, or if the faculty member has tenure.

#### **2.9.5.5 Transfer Eligibility**

Upon termination, the University will make every effort, consistent with its educational mission, to relocate tenured faculty to other academic departments within the University, where available. The faculty member must be able to meet the requirements for the position, be appropriately credentialed, and approved in accordance with Section 1.2.2 above.

#### **2.9.5.6 Commitment to Reinstate Terminated Ranked Faculty Members**

The place of the faculty member concerned will not be filled by a replacement within a period of two (2) years unless the released faculty member has been offered reinstatement (at no less than the prior rank, salary, and tenure status) and at least thirty (30) days in which to accept or decline it.

The criteria for prioritizing reinstatement are the same as set forth in Section 2.9.5.3.

#### **2.9.5.7 Appeal**

A tenured faculty member may appeal a proposed termination resulting from a reduction or discontinuance pursuant to the Faculty Grievance Policy in Section 2.10. In such a hearing, the University's determination that a financial exigency exists or that an academic program or department is to be reduced or discontinued for the reasons listed in Section 2.9.5.2 will be considered presumptively valid; but unlike a typical grievance hearing where the burden of proof rests with the grievant, the burden of proof on whether the Reduction of Faculty Appointments Policy and procedures were adhered to will rest on the University.

### **2.9.6 Exit Interview**

All resigning or retiring faculty members will be asked to complete an exit interview with the Director of Human Resources prior to leaving and return all University property prior to leaving. At that time, the faculty member will be informed of any benefit rights and continuation to which he or she is entitled.

The individual should notify the Director of Human Resources if his or her address changes during the calendar year in which the faculty member leaves so that tax information will be sent to the proper address.

### **2.10 Faculty Grievances**

The University recognizes and endorses the importance of academic fair process and of internal resolution of disputes without fear of prejudice or reprisal. The grievance procedure that follows offers a process for Ranked Faculty members to resolve concerns in a non-legal environment. To that end, neither the grievant nor the administration shall be permitted to have legal counsel or advisors actively participate in the grievance proceedings.

Faculty members are encouraged to exhaust all internal processes to resolve their disputes with the institution or individuals at the institution; therefore, any Faculty member who takes legal action against the institution or individuals at the institution waives their right to follow the grievance procedure on matters related to that suit.

Unless stated elsewhere in this *Faculty Policy Manual*, a member of the Ranked Faculty shall have the burden of proving the case by a preponderance of evidence.

No grievant will be penalized, disciplined, or prejudiced for filing a grievance in good faith or for aiding another faculty member in the presentation of a grievance. Faculty members filing grievances with reckless disregard for the truth or in willful ignorance of the facts, as determined by the Faculty Coordinating Committee in the Preliminary Inquiry (Section 2.10.3.2), are excluded from protection and may be subjected by the Vice President/CAO to disciplinary action, up to and including dismissal.

Acts or threats of retaliation, threat, or intimidation in response to the filing of a grievance may subject the person engaging in such conduct to disciplinary action. When an episode of such a nature is charged by the Grievant, the Faculty Coordinating Committee shall investigate the merits of the allegation. If the committee concludes that an infraction has occurred, it shall forward its findings and recommendations to the President.

### **2.10.1 Definition of a Grievance**

A grievance is defined as:

1. An allegation by a Ranked Faculty member (or a group of Ranked Faculty members) that there has been a breach, misinterpretation, or misapplication of a University policy or procedure as set forth in this *Faculty Policy Manual*; or
2. A claimed infringement through administrative actions of the rights of a faculty member as set forth in the *Faculty Constitution*, which include claims pertaining to reappointment, sabbatical, promotion, tenure, corrective measures, suspension or dismissal, termination, and academic freedom.
  - a. Grievances Alleging Inadequate Consideration: The term “inadequate consideration” refers to procedural rather than substantive issues related to the evaluation process. In specifying inadequate consideration as grounds for a grievance, the faculty member may argue, for example, that the decision was not arrived at conscientiously, that all evidence which the grievant submitted was not considered, that relevant sources of evidence were not identified in this *Faculty Policy Manual* and considered by the evaluators, or that irrelevant and improper standards were included in the consideration.
  - b. Insofar as a faculty member alleges that a decision was based on inadequate consideration, the Faculty Coordinating Committee will determine whether the decision was the result of adequate consideration in terms of the relevant standards of the University, College, or department as applicable. If, as a result of the grievance hearing, the committee believes that adequate consideration was not given to the faculty member’s qualifications, the committee will not substitute its judgment on the merits in favor of the applicable body or individual that addressed the matter in the first instance, but instead will request reconsideration by the body or individual that made the decision, indicating the respects in which it believes the consideration may have been inadequate.

This grievance procedure, however, does not apply to the following:

1. Matters falling within the jurisdiction of other University policies and procedures (i.e., harassment and discrimination claims, etc.);
2. Decisions regarding suspension or dismissal under Section 2.9.4;

3. The determination or content of a policy, procedure, rule or regulation appropriately promulgated by the administration or governance system;
4. The routine assignment of University resources (e.g., space, operating funds, parking, etc.);
5. Normal actions taken or recommendation made by the administration or committee members acting in an official capacity in the grievance process; and
6. The failure to satisfy the grievant after the grievance process has been completed.

The present policy is for grievances only within the academic affairs area. On those occasions when a faculty member believes that he or she has been treated unfairly by persons exercising authority in some other area of the University or by a fellow employee or student, the faculty member is encouraged to use whatever complaint process is available in that other area. For example, a grievance against a student is normally brought pursuant to the Saints Community Standards. A grievance against a staff member is normally brought to the employee's supervisor or Human Resources through the Staff Disciplinary Action and Termination Policy. Moreover, the domain of faculty grievances should be understood to specifically exclude particular instances of interpersonal conflicts in the workplace; issues of interpersonal conflict should be addressed through the faculty member's supervisor or the Office of Human Resources.

The term grievant shall mean a Ranked Faculty who was, at the time the action giving rise to the grievance arose, employed by the University.

### **2.10.2 Initiation of Grievance Complaint**

If the subject of the grievance involves a faculty personnel action matter, the matter shall proceed directly to the Faculty Coordinating Committee.

When the alleged grievance concerns matters other than a recommended faculty personnel action (promotion, tenure, termination, suspension, dismissal, corrective measures), the aggrieved party should first try to resolve the matter through informal discussions with the person seen as causing the grievance and then, if that does not resolve the matter, the aggrieved party should bring the matter to that person's most direct supervisor as follows:

#### **2.10.2.1 Referral to the Department or Program Chair**

1. A written complaint must be filed with the faculty Department or Program Chair.
  - a. In no case shall the request be filed later than ninety (90) calendar days from the time the grievant discovers such issues(s).
  - b. The written complaint shall include a description of the perceived grievable issue(s).
2. A written answer to the complaint must be forthcoming from the Department or Program Chair within five (5) business days.
  - a. If the matter is satisfactorily resolved at this level, copies of the complaint and the answer shall be furnished to the faculty member and retained in the Faculty member's Faculty Record. No further action will be necessary.

- b. If the matter is not resolved at this level, the faculty member shall have the right to file, within five (5) business days of receipt of the Chair's response, the written complaint and the Chair's answer with the Dean of the respective College.

#### **2.10.2.2 Referral to the Office of the Dean of the College**

1. Within five (5) business days after the filing of the complaint with the Office of the Dean of the College in question, a written answer shall be given to the faculty member.
  - a. If the matter is satisfactorily resolved at this level, copies of the complaint and the answer shall be furnished to the faculty member and retained in the Faculty member's Faculty Record. No further action will be necessary.
  - b. If the matter is not resolved at this level, the faculty member shall have the right to file, within five (5) business days of receipt of the Dean's response, the complaint and the answers with the chair of the Faculty Coordinating Committee.

#### **2.10.3 Referral to the Faculty Coordinating Committee**

##### **2.10.3.1 General Guidelines**

A grievance referred to the Faculty Coordinating Committee will be addressed by the committee in executive session. Non-voting members will not be present or participate in the committee's deliberations.

A grievance shall not be discussed by the party who files the grievance or by any other person directly or indirectly involved while it is in the hands of the committee and until the committee has completed its work and issued its report.

If a member of the Faculty Coordinating Committee is a party in any respect to, any complaint that comes before the committee, that committee member will remove himself or herself from the consideration of that matter and be replaced by another faculty member chosen by the committee.

##### **2.10.3.2 Preliminary Inquiry**

1. Upon receipt of the complaint and answers, the chair of the Faculty Coordinating Committee, within five (5) business days of the receipt of the documents, shall convene the committee for a preliminary inquiry. The purpose of this inquiry is to determine whether there are reasonable grounds to believe that a grievance may exist. The chair of the committee may call any persons who are directly related to or can provide clarification about the grievance to this preliminary inquiry for individual questioning by committee members only. Each party interviewed will be given an opportunity to make a final statement after the questioning by the committee is completed.
2. Within five (5) business days following the concluding day of the preliminary inquiry, the committee chair shall send written notification of the committee's decision to the grievant(s), the appropriate department, College Dean(s), Vice President (CAO), and President.
3. If the committee unanimously agrees that there are insufficient grounds to believe that a grievable issue may exist, the request for a formal hearing will be denied and the grounds for the denial shall be included in the written notification of the committee's decision. The committee's decision is final and concludes the grievance process.

4. If one or more voting members of the committee believe that a grievable issue may exist within the scope of the complaint, the chair of the committee shall arrange steps for a formal hearing before the committee.

### **2.10.3.3 Hearings Procedures**

Within three (3) business days of deciding that a formal hearing is to be held, dates for the pre-hearing and hearing of the grievance before the Faculty Coordinating Committee shall be given to the concerned parties. The hearing shall be scheduled and commence between 8 to 15 business days from the date of notice that a formal hearing is to be held.

The President or designated other administrator may modify the timelines set forth in below in extraordinary circumstances and for good cause shown in order to achieve full and fair resolution of the grievance.

#### **A. Pre-Hearing Meeting**

The committee shall schedule and commence the pre-hearing at least three (3) business days prior to the formal hearing.

1. Purpose: The purpose of the pre-hearing is to:
  - a. Simplify the issues;
  - b. Effect stipulations of facts;
  - c. Provide for the exchange of documentary or other information;
  - d. Arrange for appropriate accommodations to be provided by the University for the duration of the hearing;
  - e. Achieve such other appropriate pre-hearing objectives as will make the hearing fair, effective, and expeditious; and
  - f. Hear any challenges brought by the parties regarding the disqualification of a committee member for bias or a conflict of interest.
2. Notice: All parties shall be notified of the pre-hearing date and such notice shall include:
  - a. A statement as to the appointment and members of the committee; and
  - b. A statement of the time, place, and nature of the pre-hearing.
3. Committee Member Challenges:
  - a. A challenge brought by a party to the grievance regarding the disqualification of a committee member for bias or a conflict of interest must be submitted on or before 5 business days of the pre-hearing date.
  - b. The Chair of the Faculty Coordinating Committee shall decide any such challenge, and the Faculty Coordinating Committee will appoint replacements for each member so excused in advance of the hearing date.
    - i. If the Chair of the Faculty Coordinating Committee is the individual being challenged, they can choose to recuse themselves and the Vice Chair will take over. If the Chair does not recuse themselves, then the Faculty Coordinating

Committee shall decide on the challenge to the Chair. If they decide there is a conflict, then they will appoint a replacement and the Vice Chair will take the role of the Chair. If they decide there is not a conflict, then the Chair will remain as Chair.

- c. Prior acquaintance or knowledge of the facts of the matter does not, necessarily, constitute a conflict in interest absent a showing of an actual conflict of interest.

## **B. Consideration by Faculty Coordinating Committee**

The hearing shall be conducted in executive session pursuant to the following procedures:

1. It is not intended that the hearing shall adhere to the procedures of a legal court. The intent is to ensure an appropriate academic and social atmosphere. Accordingly, it is necessary that the procedures followed by the committee be administratively feasible and permit the expeditious adjudication of the case. Hence, the committee shall not be bound by formal rules of evidence and procedure.
2. The chair of the committee shall conduct the proceedings.
3. The parties to the grievance may elect to be accompanied by one advisor, who may be legal counsel; however, that advisor is not permitted to participate in the proceedings or address the committee,
4. The hearing is closed. Witnesses are permitted only when called.
5. At least three (3) business days in advance of the hearing, the respective parties shall notify in writing the committee and each other of the list of witnesses to be called.
6. The committee chair shall arrange for an audio recording of the hearing; however, recording failures that occur notwithstanding good faith attempts shall not require a delay or affect the validity of the proceedings, but in such event the committee chair will prepare a written summary of the hearing. The Office of Human Resources shall be the repository of the audio recording, to which the parties shall have access.
7. The burden of proof rests with the grievant by a preponderance of evidence. The exception is when an appeal is filed by a faculty member whose appointment has been terminated due to financial exigency or a reduction or discontinuance of an academic program or department (see Section 2.9.5). In such cases, the University's determination that a financial exigency exists or that an academic program, or department is to be reduced or discontinued due to educational considerations or insufficient enrollment will be considered presumptively valid; however, the burden of proof on whether the Reduction of Faculty Appointments Policy and procedures were adhered to will rest on the University by a preponderance of the evidence.
8. At the hearing, the following process and procedures will be observed:
  - a. **Call to order:** The Chair of the Faculty Coordinating Committee shall call the hearing to order and explain the hearing process.
  - b. **Opening Remarks:** Starting with the grievant, each party will be given the opportunity to make opening remarks limited to ten (10) minutes each. The purpose of opening remarks is to orient the Faculty Coordinating Committee to the nature of the case and to the facts the parties intend to establish.

- c. **Grievant's Presentation:** At the conclusion of opening remarks, the grievant shall present evidence (witnesses and documents, etc.) in support of his or her grievance. The grievant, as well as the committee members, may question the grievant's witnesses. The cross examination of witnesses, however, is not permitted. The committee expects that the grievant present the case within two (2) hours, although the chair may grant additional time in their discretion. Conversely, the committee, at its discretion, may impose reasonable limits on the number of factual witnesses and the amount of cumulative evidence that may be introduced. The grievant may reserve a portion of the two (2)-hour presentation time and use it for rebuttal time at the conclusion of the respondent's evidence. If the grievant wishes to reserve rebuttal time, the grievant must notify the committee of that fact at the beginning of the Grievant's Presentation.
  - d. **Respondent's Presentation:** After the grievant concludes his or her presentation, the chair of the committee will call for a short break, after which the respondent will present a rebuttal to the grievant's case. The respondent may present evidence (witnesses, documents, etc.) in support of his or her allegations. The respondent, as well as the committee members may question the respondent's witnesses. The cross examination of witnesses, however, is not permitted. The Committee expects that the respondent will present his or her case within 2 hours, although the committee may grant additional time in its discretion. Conversely, the committee, at its discretion, may impose reasonable limits on the number of factual witnesses and the amount of cumulative evidence that may be introduced.
  - e. **Grievant's Case in Rebuttal:** If the grievant has reserved rebuttal time as provided above, at the close of the respondent's case the grievant may submit evidence limited to rebuttal of the respondent's evidence.
  - f. **Closing Remarks:** At the conclusion of all the evidence, the grievant may make closing remarks to the committee, followed by the closing remarks of the respondent. Closing remarks shall not exceed fifteen (15) minutes per side. Since the grievant in most circumstances bears the burden of proof, the grievant may also make brief final remarks in response to the respondent's closing, not to exceed five (5) minutes.
9. Within five (5) business days of conclusion of the hearing, the Chair of the committee shall present to the Vice President (CAO) written findings of fact and recommendations as to the grievance; copies must at the same time be sent to the faculty member, the faculty member's Department Chair, and the College Dean(s).
- a. The committee's written findings of fact and recommendation shall be based on a simple majority vote.
  - b. Any dissenting opinions will be included in the committee's written findings of fact and recommendation.

#### 2.10.3.4 VP/CAO's Independent Review and Decision

The Vice President (CAO) will make a decision within five (5) business days of the receipt of the committee's report. The VP/CAO's decision will be stated in writing and distributed to the grievant, committee members, appropriate Department Chair, and College Dean(s).

The VP/CAO shall have the options of:

1. Accepting the recommendations of the committee;



2. Remanding the case back to the committee with specifications for further findings and recommendations; or
3. Reversing or modifying the recommendations of the committee.

With the exception of complaints involving the VP/CAO as a party to the grievance, the decision of the VP/CAO is final and ends the grievance process.

#### **2.10.3.5 President's Independent Review and Decision**

If the action taken by the VP/CAO does not resolve the grievance to the satisfaction of the aggrieved faculty member and the VP/CAO was a party to the grievance, the faculty member may appeal the action taken by the VP/CAO to the President.

The President will make a decision within five (5) business days of the receipt of the committee's report. The President's decision will be stated in writing and distributed to the grievant, committee members, appropriate Department Chair, College Dean(s), and VP/CAO.

The President shall have the options of:

4. Accepting the recommendations of either the hearing committee or the VP/CAO;
5. Remanding the case back to the committee with specifications for further findings and recommendations; or
6. Reversing or modifying the recommendations.

With the exception of complaints involving the President as a party to the grievance, the decision of the President is final and ends the grievance process.

#### **2.10.3.6 Appeal to Board of Trustees**

If the action taken by the President does not resolve the grievance to the satisfaction of the aggrieved faculty member and the President was a party to the grievance, the faculty member may appeal the action taken by the President to the Enrollment, Academic & Student Affairs Committee (EASA) of the Board of Trustees. Such written appeal must be delivered via certified mail or electronic-mail to the Chair of EASA of the Board of Trustees within five (5) business days of receipt of the President's written decision. The faculty member's written appeal must include a brief explanation of why the President's decision was in error.

The review by EASA will be based on the record of the Faculty Coordinating Committee hearing, the committee's written findings of fact and recommendations, the President's independent written decision, the faculty member's written appeal, and the President's response to the Faculty member's written appeal. EASA, at its discretion, may meet with the faculty member or other persons if needed. Advisors are not permitted to address EASA.

Note: The President and VP/CAO, as ex-officio members of EASA, shall evaluate the possibility of a conflict of interest and, according to Article VIII of the *Bylaws of Thomas More University*, determine if they should abstain from voting on the matter. Similarly, if the Faculty General Assembly Chairperson and the Faculty Representative to the Board of Trustees are directly connected to the grievance, they too should consider the possibility of a conflict of interest and, according to Article VIII of the *Bylaws of Thomas More University*, determine if they should abstain from voting on the matter.

EASA may approve, reject, or amend such findings and recommendations and must state the grounds for its action in writing to the Faculty Coordinating Committee, VP/CAO, faculty member, and President. If EASA decides to amend the recommendation, the amendment may reflect a lessening or a strengthening of the recommended action. EASA's decision is final. EASA may, at its discretion, elect to refer the issue to the full board to make a final determination.

#### **2.10.3.7 General Provisions**

1. The filing or pendency of any grievance under the provisions of this Policy shall not prevent the University from taking the action complained of, subject, however, to the final decision on the grievance.
2. In recognition of the fact that the commitment of the University and the grievant to this process is necessary in order to achieve its designed objectives, if the grievant seeks resolution of the subject matter of a pending grievance in any external forum other than those established in this section, the University shall be under no obligation to continue with the process outlined in this Policy.
3. Failure at any step of this procedure to appeal a grievance to the next step within the specified time limits, or such additional period of time as may be mutually agreed upon in writing between the grievant and VP/CAO, shall be deemed to be acceptance of the decision rendered at that step.
4. That, during all stages of these procedures, all parties involved will respect the confidentiality of the matter in so far as this is possible and consistent with the proper determination of the matter.
5. That any hearing conducted as part of these procedures will be conducted informally, but with the utmost regard for the obtaining of fair and just results.
6. If answers are not forthcoming within the stipulated time, the faculty member may move to the next step in the procedure without further delay.

### 3.0 Chapter Three: Part-time, Adjunct, and Special Appointment Faculty Personnel Policies

This Chapter is the official statement of policies, responsibilities, duties, rights, and privileges pertaining to Part-time, Adjunct, and Special Appointment Faculty. Part-time, Adjunct, and Special Appointment are subject to the provisions of Chapter Three of this *Faculty Policy Manual* only as indicated herein. Moreover, all Part-time, Adjunct, and Special Appointment Faculty members are encouraged to review other University, College, and department publications such as the *Employee Personnel Policies*<sup>37</sup>, the *Catalog*<sup>38</sup>, the *Student Handbook*<sup>39</sup>, etc., for a complete orientation on University policies.

#### 3.1 Part-time, Adjunct, and Special Appointment Faculty Rights and Privileges

Part-time, Adjunct, and Special Appointment Faculty have the rights and privileges as specified below:

1. Right to attend Faculty General Assembly meetings, as well as College, and department faculty meetings, with voice but without vote;
2. Right to academic freedom (Section 2.1.1.2), including:
  - a. Right to teach;
  - b. Right to invite guest speakers to lecture in class in accordance with university policy and procedures;
  - c. Right to intellectual property unless otherwise contracted as set forth in the University's *Intellectual Property Policy*<sup>40</sup>; and
3. Provision for rank designation (see Section 1.1.2, 1.1.3, or 1.1.4), but not promotion in rank;
4. Right to attend University ceremonies;
5. Right to work in a collegial and professional work environment;
6. Right to maintain order in the classroom, laboratory, or clinical setting as applicable;
7. Right to apply for external grants to support scholarship.
8. Right to have professional performance evaluated on the basis of clearly defined and properly promulgated criteria.
9. Right to refuse to teach for appropriate reasons in consultation with the Chair and Dean (appropriate reasons include such factors as evidence that a class cannot be taught in a format that does not afford sufficiently frequent student-faculty interaction, inadequate facilities at a site, e.g. lack of laboratory equipment needed to support a course, lack of suitable background on the part of the faculty member to provide a high quality learning experience for the students, or a work load that is already full and cannot absorb additional teaching responsibilities without damaging the quality of instruction. This list is not meant to be exhaustive, but simply to provide some specifi-

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<sup>37</sup> <https://itwin.thomasmore.edu/Policy/>

<sup>38</sup> <https://www.thomasmore.edu/academics/registrar/registrar-course-catalogs/>

<sup>39</sup> <https://www.thomasmore.edu/student-life/current-students/>

<sup>40</sup> <https://itwin.thomasmore.edu/Policy/Home/Policy?policyID=82>

cation to an otherwise vague phrase.) in such contexts, the responsibility to determine if arrangements need to be made to meet student needs rests with the Chair or Dean, in consultation with the Vice President (Chief Academic Officer).

10. Right to redress according to Section 3.5.
11. Right to attend Faculty Development opportunities at Thomas More University
12. Right not to be removed from one's position except in accordance with established procedures (See Section 3.4).
13. Right to notification of reasons for dismissal, if dismissed prior to the termination date of their employment agreement;
14. Right to compensation and eligible benefits.
15. Right to have any work requested by the institution be covered by an employment agreement subject to the workload restrictions described in the relevant subsection of Section 2.2.1.1.

In addition, Part-time Faculty have the right to apply to the Faculty Relations Committee for faculty development funds made available to the Part-time Faculty by the Office of the Academic Affairs. Those Part-Time Faculty who are on phased retirement (VPRP) from Full-Time Ranked status should see Section 2.7.2.1 for their right to participate in the committee structure.

### **3.2 Part-time, Adjunct and Special Appointment Faculty Responsibilities**

In addition to those duties and responsibilities related to teaching or clinical instruction as stated in the faculty member's individual term employment agreement, Section 2.2.1 of *the Faculty Policy Manual* and its subsections, and the *Part-time Adjunct Faculty Handbook*, Part-time, Adjunct, and Special Appointment Faculty shall fulfill the following responsibilities<sup>41</sup>:

1. To offer courses within the faculty member's area of professional competence unless there is an (are) appropriate reason(s) not to offer such courses (see Section 3.1, item 9);
2. To foster the aims and objectives of the mission of Thomas More University;
3. To work in a collegial and professional manner, which includes but is not limited to civility, mutual respect, common courtesies, personal accountability;
4. To utilize the selected Learning Management System (LMS) and student/faculty portal (i.e., MyTMU) within all assigned courses in a manner that facilitates effective teaching and learning;
5. To maintain proficiency in and use the Institution's official means of communication;
6. To be fair and impartial in evaluating and grading students;
7. To engage in performance evaluation of academic and professional duties;
8. To be present at those official University activities and functions that one is contractually obligated to attend;
9. To maintain and assess student learning in accordance with current policies and procedures;

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<sup>41</sup> This list is a modification of the list that full-time Faculty are held to by the Faculty Constitution.

10. To make reasonable accommodations for students relating to religious observances and disabilities disclosed in accordance with the University's policies;
11. To abide by the policies, procedures, and standards of conduct of the University as applicable to the faculty member's appointment and assigned duties and responsibilities, including, but not limited to, those published in the *Faculty Policy Manual*, the *Employee Personnel Policies*, the University Catalog, and any applicable College or department policy publications;
12. To cooperate, within the domain of the faculty member's responsibility, with all University authorities in the enforcement of University, College, and department policies and regulations, as well as participate in any associated compliance training provided or sponsored by the University;
13. To adhere to the prevailing ethical standards of the faculty member's discipline(s) or professional organization(s); and
14. To comply with Section 2.1.2
15. Professional Conduct Responsibilities except Section 2.1.2.4 Outside Employment.

### **3.3 Part-time, Adjunct, and Special Appointment Faculty Evaluations**

End of course evaluations are completed by students and managed by the Office of Institutional Research [see Section 2.3.2.2 (1)]. Any other evaluation selected by either the department or the individual instructor may likewise be done (and the results may be included in the evaluation and are welcome in the Office of Academic Affairs).

Department Chairs, or their designee, will perform annual evaluations of teaching effectiveness for Part-time, Adjunct, and Special Appointment faculty utilizing the teaching effectiveness criteria set forth in Section 2.3.1.2. Special Appointment faculty will also be evaluated on any additional responsibilities outlined in their employment agreement. Continuation of faculty status and employment is contingent upon the evaluation and Department Chair recommendation. After reviewing course evaluations, course observations, and any materials submitted by the faculty member and after conducting an interview with the faculty member if appropriate, the Department Chair or designee shall provide the faculty member with a signed and dated evaluation. Adjunct faculty should receive the Department Chair evaluation immediately after their first course. Thereafter, the annual evaluations should be completed in the semester the faculty member typically teaches. All evaluations must be completed by June 1. The evaluation is included in the faculty member's Faculty Record.

### **3.4 Dismissal of Part-time Adjunct, and Special Appointment Faculty Before End of Term**

The University reserves the right to dismiss Part-time, Adjunct, and Special Appointment Faculty ("faculty member") before the end of the period of appointment based on the College Dean's determination of unsatisfactory performance. Prior to making this decision, the Dean will consult with the department head and may request a class observation with feedback from students. The Dean will notify the Faculty member in writing of the reasons for dismissal and the date of this notice is used to calculate the amount of salary to be paid as proportionate to the time actually taught.

The Dean's decision may be appealed by the faculty member to the Vice President (CAO). Within 3 business days of the Dean's notice of dismissal, the faculty member must initiate the appeal with a written statement of complaint forwarded through the Dean to the VP/CAO. The VP/CAO will

consider the appeal and make a decision within seven (7) business days of the date of the faculty member's letter of appeal. The VP/CAO's decision is final and no further appeal at the University is available.

Note for Adjunct Faculty: Because student enrollment and Ranked Faculty loads may not be determined until after the date that an Adjunct Faculty member signs an employment agreement, an Adjunct Faculty member's Term agreement is contingent upon sufficient student enrollment for the course to be taught and upon that course not being reassigned as part of a Ranked Faculty member's required teaching load. If there is insufficient course enrollment, the University reserves the right to void the Adjunct Faculty member's employment agreement. Similarly, if the course is reassigned to a Ranked Faculty member to meet that faculty member's required teaching load, the University reserves the right to void the Adjunct Faculty member's employment agreement.

### **3.5 Part-time, Adjunct, and Special Appointment Faculty Complaint Procedure**

A Part-time, Adjunct, or Special Appointment Faculty member who believes the faculty member's academic freedom or other rights delineated in Section 3.1 above have been violated by the administration or another faculty member may appeal to the College Dean for resolution of the matter. Such appeal must be filed with five (5) business days of the event giving rise to the appeal. The Dean's decision, which must be rendered in writing within five (5) business days of receipt of the appeal, may be further appealed by the faculty member in writing to the Vice President (CAO). The appeal to the VP/CAO must be filed within three (3) business days of receipt of the Dean's reply. The VP/CAO will consider the appeal and notify the faculty member in writing with five (5) business days of receiving the appeal of the Dean's decision. The VP/CAO's decision is final and no further appeal at the University is available.

## 4.0 Amendments to the Faculty Policy Manual

The policies contained in this *Faculty Policy Manual* are approved by the Board of Trustees of Thomas More University.

The procedures for amending this *Faculty Policy Manual* will follow the procedures described in Article II Section 5 of the *Faculty Constitution*. A “substantive revision or change” is defined as an addition, deletion, or revision of a policy or procedure set forth in the *Faculty Policy Manual*. When revisions to the *Faculty Policy Manual* involve simple editing for clarity (e.g., updating a change to an administrative title or administrative office), the Faculty Coordinating Committee will incorporate the revisions in the *Faculty Policy Manual* and notify the Faculty General Assembly, Vice President (CAO), and President.

The Board of Trustees, recognizing the inherent right of the faculty to express opinions on potential changes in policies relating to professional life and conditions of employment, has agreed to submit in writing to the Faculty General Assembly the specific wording of any and all substantive revisions that the Board of Trustees itself may propose or endorse. Any such new proposals will be forwarded to the Faculty General Assembly, inviting its response by the second regularly scheduled meeting of the Faculty General Assembly or other deadline agreed upon by both FCC and the Board of Trustees and approved in writing by the Board of Trustees.

A proposed substantive revision referred by the Board of Trustees (or their designee) that is not responded to by the Faculty General Assembly within the time prescribed above may, at the discretion of the President, move forward to the Board of Trustees without a formal Faculty General Assembly recommendation. In such a case, both the Faculty General Assembly and the President shall have the right to provide the Board of Trustees with a written report setting forth their respective positions regarding the proposed change or modification.

Changes in this *Faculty Policy Manual* do not become effective until the beginning of the next academic year, with the exception of amendments approved on an interim basis by the Board of Trustees to address a provision of the *Faculty Policy Manual* identified to be in conflict with federal, state, or local law or ordinance or otherwise illegal, invalid or unenforceable (see the Expedited Amendment Procedures below).

### **Expedited Amendment Procedure**

If any provision of the *Faculty Policy Manual* is identified to be in conflict with federal, state, or local law or ordinance or is otherwise illegal, invalid or unenforceable to any extent, the remainder of the *Faculty Policy Manual* and the application of the provision in question to persons or circumstances other than those to which the provision is improper, shall not be affected. In addition, the Board of Trustees shall act in accordance with the *Bylaws of Thomas More University* to bring the University into compliance with such law, ordinance, or invalidity and the *Faculty Policy Manual* providing none of these laws are in conflict with the mission of the University.

In those cases, the Board of Trustees shall act in accordance with the *Bylaws of Thomas More University* to bring the University into compliance with such law, ordinance, or invalidity and the *Faculty Policy Manual* providing none of these laws are in conflict with the mission of the University and applicable changes will go into effect immediately on an interim basis. Once revised, the Board will submit the changes to

the Faculty Coordinating Committee for review by the Faculty General Assembly. Any suggested revisions recommended by the Faculty General Assembly following its review shall adhere to the amendment procedures above.

The President or designated administrator and a faculty member or faculty standing committee as may be applicable to the situation may agree to modify the timelines or procedures set forth in this *Faculty Policy Manual* in extraordinary circumstances and for good cause shown, in order to achieve full and fair evaluations or resolution of disputes. This may include situations in which new information arises during a process or procedure, where the designated timelines cannot be met, where modification is required to comply with federal, state, or local law, or other extraordinary circumstances. The President or designated administrator and a faculty member may also agree to mutually resolve any disputes about which internal process or procedure applies in a particular case. Any such modifications to process or procedures or resolutions of disputes about applicable process shall be final and communicated to the parties in writing.



## 5.0 Appendix A: Glossary

**AAUP:** American Association of University Professors<sup>42</sup>

### **Assessment:**

**Formative:** Assessment of performance that provides feedback during the process of development with the intention of allowing for growth without punishment for failure. This is intended to occur in a safe space with somewhat private feedback that will not impact the “permanent record”. (Contrast with “Assessment, summative”.)

**Summative:** Assessment of performance that is judged against a standard intended to be set in a “permanent record”. (Contrast with “Assessment, formative”.)

### **Computer:**

**Learning Management System (LMS):** The learning management system is the online location where the course interface is located. For Thomas More University, the current system is Canvas:

<https://www.thomasmore.edu/academics/canvas-launchpad/>  
<https://thomasmoreky.instructure.com/>

**Portal:** The computer portal is the online location where faculty, staff, and students can access the resources available to them, such as their account, reports, documents and forms, advisee information, etc. For Thomas More University, the current system is MyTMU run by Jenzabar:

<https://mytmu.thomasmore.edu/ics>

**Student Dashboard:** The student dashboard is a website where faculty and staff can access student (especially advisees) information and can communicate and coordinate action regarding students. Information available includes transcripts, schedules, Early Alerts, comments by the Office of Retention and Financial Aid. This software accesses the MyTMU portal and was written in-house:

<https://apps.thomasmore.edu/StudentDashboard/>

**Contact Hour:** The descriptions for how to count lab courses and studio courses in the faculty load are defined in Section 2.2.1.1

**Employee Personnel File:** This file is kept by the Office of Human Resources, is defined in Section 2.1.1.6, and is distinct from the Faculty Record, the Promotion File, and the Tenure File.

**Faculty Record:** This file is kept by the Office of Academic Affairs, is defined in Section 2.1.1.6, and is distinct from the Employee Personnel File, the Promotion File, and the Tenure File.

**FCC:** Faculty Coordinating Committee. This Faculty Committee represents the Faculty opinion when FGA is unavailable and decides what gets on the agenda of the FGA meetings.

**FGA:** Faculty General Assembly. This is the governing body of the Faculty, overseeing the Faculty Committees and comprised of the full-time, Ranked Faculty as defined in the *Faculty Constitution*.

**Formative Assessment:** See “Assessment, Formative”

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<sup>42</sup> <https://www.aaup.org/>

**FRC:** Faculty Relations Committee. This is the Faculty committee that evaluates promotion and tenure as well as directing the faculty development opportunities.

**Dashboard:** See “Computer, Student Dashboard”

**LMS:** See “Computer, Learning Management System”

**Personnel File:** While the Department Chair and College Dean may keep personal notes on individuals, the only official files on a faculty member are kept (1) by the Office of Academic Affairs (See “Faculty Record”) and (2) by the Office of Human Resources (See “Employee Personnel File”). The contents of these files are defined in Section 2.1.1.6. These files are distinct from the application file submitted for promotion and tenure. (See also “Promotion File” and “Tenure File”.)

**Portal:** See “Computer, Portal”

**Promotion File:** When a faculty member applies for promotion, their promotion file contains their application as well as any subsequent recommendations as the file is passed up through the chain of reviewers (including the Faculty Relations Committee, the Vice President (CAO), and the President, and possibly including others as well). (See also “Tenure File”.)

**Reassigned Time:** When a full-time (usually in the category of Ranked Faculty, but possibly in the other category of Faculty) would normally be spending time teaching, they may agree to an administrative (or other) work assignment that can be negotiated as equivalent to a specific number of courses. For example, a Department Chair might be granted the equivalent of one course per academic year of reassign-time in lieu of a stipend for their work as Department Chair.

**SACSCOC:** Southern Association of Colleges and Schools Commission on Colleges<sup>43</sup>. This is the body that grants accreditation to Thomas More University.

**Student Dashboard:** See “Computer, Student Dashboard”

**Summative Assessment:** See “Assessment, Summative”

**Tenure File:** When a faculty member applies for tenure, their tenure file contains their application as well as any subsequent recommendations as the file is passed up through the chain of reviewers (including the Faculty Relations Committee, the Vice President (CAO), and the President, and possibly including others as well). (See also “Promotion File”.)

**Terminal degree:** Highest degree available in the discipline of specialty. Usually this is the Ph.D., but it varies by discipline.

**VP/CAO:** Vice President and Chief Academic Officer. Also written “Vice President (CAO)”.

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<sup>43</sup> <https://sacscoc.org/>

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