

JOINT FACULTY/ADMIN DRAFT

SECTION 1. GENERAL MATTERS

1.1 DESCRIPTION AND PURPOSE OF FACULTY POLICY MANUAL

The Faculty of Simmons College (the "College") ~~is composed~~ consists of the Faculties of the College of Arts and Sciences and ~~Professional Studies~~, the Graduate School of Library and Information Science, the School for Health Sciences, the School of Management, and the School of Social Work as formally designated by the Simmons College Corporation. This *Faculty Policy Manual* (the "*Manual*") is mainly a compilation of the principal policies and procedures concerning the relationship between members of the Faculty and the College as well as a statement of underlying principles that shape our work together. The *Manual* ~~is the result of~~ represents a collaboration between the Faculty and the Administration of the College supported by the Board of Trustees of the College. The Faculty, the Administration, and the Board believe that establishing agreed upon policies will enhance their joint efforts to advance the mission of the College. They also share a belief that "a college . . . in which all the components are aware of their interdependence, of the usefulness of communication among themselves, and of the force of joint action will enjoy increased capacity to solve educational problems." (AAUP, *Policy Documents and Reports*, 9 ed., 2001, p. 218)

~~Much of The Manual sets forth general policies rather than detailed guidelines. In many areas, it is preferable to leave the terms for all faculty of the College. As noted elsewhere in the Manual (Section 1.5), individual Schools may need to develop specific policy implementation guidelines to implement certain provisions of the Manual (referred to as "implementation guidelines"). to the individual Schools. This will enable the Schools to adapt their own circumstances within a fabric of shared principles across the College. In drafting implementation guidelines, Schools shall work within the Manual's framework of shared principles and common standards and balance the need for consistent, college-wide policies with the benefits of guidelines and processes that suit each School's unique circumstances.~~

The Faculty of each School and the Board of Trustees have approved and adopted this *Manual* as proof of the College's commitment to ~~these shared~~ the fundamental principles enumerated below.

To the extent that policies have previously been issued concerning the same subject matters addressed in the *Manual*, the *Manual* and the Schools' implementation guidelines supersede those policies.

As the needs of the College change, the Faculty and the Board may jointly find that this statement of policies should change as well. Therefore, Section 6 of the *Manual* establishes a procedure for amendments, subject to agreement of the Faculty and the Board. To help ensure that the policies contained in the *Manual* remain current, Section 6 also provides for periodic review and consideration of changes.

1.2 FUNDAMENTAL PRINCIPLES

This Manual is grounded in three core principles:

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- a commitment to meaningful participation of faculty in decisions that advance the mission of the College

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Faculty participation promotes and encourages diversity of ideas, a sense of shared responsibility, collegiality, mutual trust and goodwill, and institutional excellence. The foundations of meaningful and effective faculty participation are consultation, collaboration, and communication among themselves— faculty and with the administration. Effective consultation and collaboration require transparency of information and intent, time for informed and thoughtful deliberation and formulation of recommendations, consideration of historical and present contexts, and opportunities for respectful dialogue and input into strategic planning.

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- a commitment to academic freedom

Simmons College is committed to principles of academic freedom for all faculty, whether tenured or untenured, and is committed to maintaining a thriving academic community promoting open, civil dialogue on all matters. Academic freedom and, more generally, freedom of expression are of paramount value in an academic community and are essential for the acquisition and transmission of knowledge, cultivation of the creative and critical faculties, expression of ideas and emotions, and for the promotion of responsible teaching as well as for the accomplishment of unfettered individual writing and research/scholarship. Tenure is one of the means of helping to ensure the protection of academic freedom.

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- a commitment to the pursuit of collective excellence and social justice through teaching, research/scholarship, and service.

From its inception and throughout its history, Simmons College has sought to fulfill its mission and all that it undertakes with high standards and a passion for excellence as well as social justice. The commitment to excellence and equity are also embodied in the policies and procedures of the Manual.

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1.3 MISSION OF THE COLLEGE

The Simmons College Mission is rooted in the purpose for which the College was founded and is shaped by the College's evolution since then. Simmons College was founded in 1899 as a College educate women for fulfilling careers and useful, independent lives. Today, the College continues its tradition of excellence through a focus on liberal arts and sciences and professional education in its undergraduate programs for women, and its graduate professional and liberal arts programs for women and men. Faculty and staff in all areas of the College, building upon their own scholarly accomplishment and continuing professional development, provide a student-centered environment and a curriculum that is comprehensive, integrated and constantly renewed.

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1.4 FACULTY [PRIVILEGES?]

1.4.A. Academic Freedom

Academic freedom is the indispensable quality of institutions of higher education.

Academic freedom is essential for the promotion of responsible teaching as well as for the accomplishment of unfettered individual writing and research. Tenure is one of the means of helping to ensure the protection of academic freedom. The College is committed to principles of academic freedom for all faculty, whether tenured or untenured, and is committed to

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maintaining a thriving academic community promoting open, civil dialogue on all matters.
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This *Manual* endorses the following principles from the classic AAUP Statement of Principles on Academic Freedom, which since 1940 has provided a highly respected statement of the professional ethics and standards that guide the academy. (AAUP, *Policy Documents and Reports*, 9 ed., 2001, pp. 3-4).

Institutions of higher education are conducted for the common good and not to further the interest of either the individual teacher or the institution as a whole. The common good depends upon the free search for truth and its free exposition. Academic freedom is essential to these purposes and applies to both teaching and research. Freedom in research is fundamental to the advancement of truth. Academic freedom in its teaching aspect is fundamental for the protection of the rights of the teacher in teaching and of the student to freedom in learning. It carries with it duties correlative with rights...

- 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. 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...
- 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 their institution by their utterances. Hence they should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that they are not speaking for the institution.

Regardless of whether course material is germane to the subject, classroom faculty should not engage in classroom speech or conduct that is personally disrespectful, disparaging, harassing or otherwise contrary to an appropriate learning environment.

Freedom of speech and expression is the right both of members of the Simmons College community and of invited guests. Once the College extends an invitation, then the Simmons community shares the obligation to protect the speakers' freedom of expression even when individual members dislike or oppose the speaker or find her or his ideas noxious. Freedom of speech and expression is the right of opponents of a speaker as well. Opponents may make their views known in a variety of ways so long as they do not thereby interfere with a speaker's ability to make hers or his views known, or with the rights of others to listen.

In the College, as in society as a whole, freedom of speech and expression cannot be absolute. For example, speech that is libelous, slanderous, incites to riot or is unlawfully harassing is not protected, nor does it have educational value; in addition, speech directed at persons with clear intent to cause substantial injury is not protected by academic freedom.

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1.4.B. Intellectual Property Rights of Faculty ~~THIS SECTION NEEDS MORE DISCUSSION - ATTORNEYS DEVELOPING PROPOSAL.~~

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Simmons reaffirms its traditional and historic commitment to the personal ownership of intellectual property rights in works of the intellect by their individual faculty creators, whether the creators work alone or with others, and whether they work privately or as members of the Simmons community.

Simmons may create or commission works in its own behalf, whether as works- for-hire or otherwise; and Simmons may acquire such works from, or develop them in company with, individual authors on mutually agreeable terms.

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A committee on which Faculty representation is at least equal to that of the Administration shall take the above stated principles and develop an Intellectual Property policy intended to apply specifically to the Faculty. Faculty representatives shall be appointed by the Faculty Senate.

1.4.C. Tenure Track Faculty ~~(insert Carol's new sections here?)~~

1.4.C.1 Faculty Development

1.4.C.2 Career Flexibility

1.5 DEVELOPMENT OF IMPLEMENTATION GUIDELINES AND OTHER POLICIES

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As noted above, Each School shall develop implementation guidelines to supplement particular areas of the Manual that require school specific implementation. Implementation guidelines will be developed through a process of collaboration between Voting Faculty and the Dean of the School. In cases where implementation guidelines affect more than one School there shall be collaboration among affected Schools. Implementation guidelines shall be in writing will be written and shall not take effect until they have been agreed upon by a School's Voting Faculty and its Dean, have approved them. The Voting Faculty of each School may determine the manner by which the Voting Faculty may propose and agree to approve implementation guidelines.

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Implementation guidelines may concern any subjects addressed in the Manual. The guidelines may not, however, conflict with any provisions of the Manual or any governing documents of the Corporation (e.g., the By-Laws of the Simmons Corporation). Prior to each Faculty's vote, the School's respective implementation guidelines must be reviewed by the Provost for clarity, consistency with best practices, and alignment with the Manual and then either approved or returned to the Faculty for revisions and re-submission.

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Similarly, various provisions of the Manual indicate that the Schools may or should take certain actions (e.g., Sections 2.2.A, 2.2.B and 2.4.D.2.b). Whether undertaken as part of the process of developing implementation guidelines or through establishing *ad hoc* policies, such actions by the Schools should follow a collaborative process as described above.

Existing School policies and practices that are consistent with this Manual may continue in effect, until or unless changed by the adoption of implementation guidelines or other policies concerning the same subject. The availability of procedures to develop implementation guidelines or other policies does not mean that Schools must change or formally adopt existing policies or practices that are consistent with this Manual.

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Once the revised Faculty Policy Manual is approved by votes of the Faculties and the Board of Trustees, existing implementation guidelines will no longer be in effect as of eight months after the date on which the Manual is approved. Therefore, revised implementation guidelines must be developed and approved for each School within that time frame. School specific implementation guidelines for the following areas will be required:

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Workload

Voting Faculty

Promotion and Tenure

Reviews of Faculty

1.6

1.7 FACULTY FISCAL AFFAIRS COMMITTEE

1.8

SECTION 2. APPOINTMENT, RETENTION AND LEAVES

2.1 TYPES OF FACULTY LEAVES

A full time or proportional faculty member may hold a tenured, tenure track, or contract appointment. An adjunct faculty member is contracted on a course by course basis. ~~As with other aspects of this Faculty Policy Manual, the implementation of this policy may vary among the Schools.~~

2.1.A Tenured Appointment

An appointment of a faculty member who has been granted tenure is a tenured appointment. A faculty member may be granted tenure only by the decision of the Board of Trustees following review by the appropriate School's Committee on Tenure and Appointments, the appropriate Dean, the Provost and the President in accordance with the Policies Pertaining to Promotion and Tenure (see Section 2.4), following the completion of a probationary period. (See Section 2.4.D.2.b.)

A tenured appointment carries with it the College's commitment to offer a faculty member a full-time teaching load and a bona fide salary and benefits. Although a tenured appointment is generally full-time, the Dean, the Provost, and the President may, in ~~rare~~ certain circumstances and at the request of the faculty member, approve a transfer to proportional status with no loss of tenure for a limited period, which may be renewed. The maximum time for a proportional appointment of a tenured faculty member is five years.

2.1.B Tenure Track Appointment

A tenure track appointment is an appointment that is part of a probationary period of a faculty member who has not been granted tenure. (See Section 2.4.D.2.) A tenure track appointment may be for one year or for any other limited period of time. ~~Each School is responsible for establishing guidelines concerning the initial appointment of tenure track~~

~~Faculty. A tenure track appointment may be renewed or extended~~ is granted by the President Provost upon the recommendation of after consultation with the Dean, and after consultation with the appropriate Faculty in the School. Tenure track appointments are renewed by the Provost upon the recommendation of the Dean. A tenure track appointment may only be a full-time appointment. Generally, a tenure track appointment is a full-time appointment, but the Provost may, in certain circumstances and at the request of the faculty member and upon the recommendation of the Dean, approve a transfer to proportional status for a limited period up to three years. The probationary period for tenure may be adjusted accordingly upon the recommendation of the Dean and with the approval of the Provost.

2.1.C Contract Appointment

~~A contract appointment is an appointment that is not tenured and is not part of a probationary period. Contract appointments serve in professional practice appointments, non-tenure track academic appointments, or instructor appointments (see Section 2.3). A contract appointment may be full-time, part-time, or proportional at half-time or greater. A contract appointment may be for any limited period of time up to three years and is renewable by the Provost upon the recommendation of the Dean. Except in unusual circumstances, contract appointments are subject to the hiring procedures outlined in Section 2.1.E. The Provost approves the terms and conditions of the contract appointment upon the recommendation of the appropriate Dean and after his or her consultation with the appropriate Faculty in the School or College. Each School is responsible for establishing policies concerning the initial appointment of contract faculty. These policies may include, but are not limited to, policies addressing the circumstances in which the School, to help it fulfill its mission, may retain contract Faculty with full-time or proportional College service exceeding the length of a normal probationary period. Each School should consider such matters in light of its educational mission and other factors, such as the market for employment of highly qualified clinical instructors or other practitioners in the School's fields of instruction. On the recommendation of the appropriate Dean and after consultation with appropriate Faculty, the President may recommend to the Board of Trustees that a contract faculty member be offered one or more successive contracts.~~

~~As a general matter, a contract appointment is not a substitute for a tenure track appointment. The College makes contract appointments only for specific reasons, such as to satisfy the need for special expertise; to respond to a special institutional, departmental, or program need; to fulfill a project that is contingent on funding; or to retain a professional who does not otherwise meet the terminal degree requirement criteria for a tenure track appointment. Upon the recommendation of the appropriate Dean and appropriate Faculty, the President determines the terms and conditions of a contract appointment. In some cases, however, the Dean in consultation with the appropriate Faculty, may propose offering a tenure-track position to an incumbent contract or visiting faculty member. In such circumstances, the Provost will generally invite the candidate to participate in an advertised competitive search process. In certain circumstances, the Provost may choose to waive the search requirement and offer the tenure track position directly to the contract employee or visiting faculty member based on the quality of past performance and the needs of the School and the College. In cases where a contract appointment is converted to a tenure-track appointment, the period under which the faculty member held a contract appointment or visiting professorship does not count towards the probationary period for tenure.~~

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2.1.D Adjunct Faculty Appointment

Adjunct faculty are faculty members hired by the Dean of a School to teach specific courses. Adjunct faculty members' primary responsibility is teaching, but, where appropriate, they may be asked to assume additional responsibilities such as advising. Adjunct faculty are not eligible for tenure and time spent teaching as an adjunct faculty member does not count towards the probationary period of a tenure-track faculty member. Adjunct faculty are not voting members of the faculty.

2.1.E Faculty Hiring

Except in rare circumstances and with the approval of the Provost, tenured and tenure-track faculty, as well as contract faculty with multi-year appointments, are hired through a competitive search process. The Provost must approve the search, the position description, composition of the search committee, the search process, the short list, selection of the final candidate and the terms of the offer. Deans are responsible for coordinating the recruitment and hiring process within their School.

Contract faculty members are hired by the Dean with the approval of the Provost after consultation with appropriate Faculty in the School. Hiring of contract faculty with multi-year, rather than single year, appointments requires the approval of the Provost. If the contract is for a single academic year, approval from the Provost prior to an extension of an offer is not required. If the contract extension is for more than a single academic year, the Dean must seek the approval of the Provost prior to making the offer. When a contract faculty member receives two consecutive annual contracts, renewal for a third year may be reviewed at the discretion of the Provost.

2.1.F Appointment Letter

An appointment letter states must be approved by the Provost and it must state certain standard terms and conditions of every initial appointment common to such a letter: base salary, other financial considerations or incentives agreed to between a faculty member and the School, rank, appointment to status (i.e., full-time, part-time, or proportional or part-time), Faculty, type of appointment (i.e., tenured, tenure track, or contract), its expected duration of appointment, year of mid-point review if applicable, the initial teaching load and other performance expectations, start date and the portion of the year during which the faculty member has active responsibilities to the College, and,

The appointment letter will also stipulate the time period for which the stated terms and conditions will endure and indicate that terms and conditions may be revised in subsequent annual appointment letters following the expiration of the initial appointment.

After the initial hire, the Dean The College shall also offer his or her faculty members re-appointment letters each year after the initial appointment. Such letters set forth the base salary, any stipends or other financial commitments to the faculty members and any other appointment letter terms or conditions of the faculty members' appointment that have changed will change since the in the upcoming academic year compared to the current or previous year's appointment letter.

In the case of a tenure track appointment, the appointment letter must indicate the amount of prior service at other institutions, if any, that will be credited toward the probationary period at the School and the academic year when the faculty member would normally be

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eligible for tenure consideration. When a faculty candidate has held a tenured position in a prior institution, the Provost, in consultation with the Dean and the appropriate committee on promotion and tenure, will determine the number of years, if any, credited toward the probationary period.

2.2 FACULTY RESPONSIBILITIES

2.2.A Full-Time Faculty

~~Each School may define its own teaching workload or equivalent responsibilities necessary for a faculty member to have full-time status. Any change in a School's policies or practices concerning such a measure must be recommended by the Dean after consultation with the appropriate faculty school and approved in writing by the President.~~

Whether serving in tenured, tenure track, or contract appointments, full-time faculty members have responsibilities that include teaching, supervising, and advising students; reviewing and developing existing and new programs and curricula; participating in College events; participating and assisting in faculty governance and departmental and administrative matters; providing service to the College; and contributing to the College's pursuit of its mission. (See Section 1.3.) In addition, full-time tenure track faculty members ~~should~~ shall be involved in scholarly and professional activities, which ordinarily would include research, publications, professional presentations, and/or other appropriate professional activities. (See Section 2.4.C.2.) The workload of contract faculty members may be apportioned differently over the three areas (teaching; research, scholarship, and creative activities; and service), as defined in their contracts. ~~Faculty members should generally be available to meet with students and participate in the academic life of their respective Schools during the academic year.~~

The Provost, working with the Deans and in consultation with appropriate faculty, shall be responsible for establishing and maintaining consistent expectations across academic units for teaching; research, scholarship and creative activities; and service workloads, or equivalent responsibilities necessary for a faculty member to have full-time status. The standard teaching load for the College is six courses per full-time faculty member per year. Deans, after consultation with the appropriate faculty, shall propose to the Provost, for approval, equivalent workload requirements based on the college-wide standards and the particular needs of School or disciplinary area.

Course releases for substantive administrative service or research and scholarship may be granted by the Dean in accordance with guidelines [note: insert these once finalized] established by the Provost in consultation with the Deans and appropriate faculty in the Schools. Each School's implementation guidelines shall specify, as necessary, the process by which such releases may be granted.

~~Each School may have its own academic year during which faculty should be participating in the academic life of their respective Schools. After consultation with each School's Dean and appropriate Faculty and upon their recommendation, the President determines the academic year for each school.~~

Each School may have its own academic year during which, in general, faculty should be available to meet with students and to participate in the academic life of their respective Schools. The academic year is ~~not limited to when classes are in session in the faculty~~

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~~member's School, but is defined by the terms of the faculty member's appointment.~~

2.2.B Faculty Who Work Less Than Full Time

~~The College also has faculty members who work less than full time. Some of these faculty are expected to engage in the full range of duties of a full-time faculty member at a level in proportion to a full-time faculty member's performance of such duties. Such faculty members who work at least half time are "proportional Faculty." The remaining Faculty are "part-time Faculty." Part-time Faculty are expected to fulfill only those duties that are directly related to the courses they teach, and will receive compensation on a per-course basis.~~

~~Each School is responsible for establishing guidelines concerning the workload and responsibilities of proportional and part-time Faculty. These guidelines shall ensure that faculty who work less than full time are treated consistently within Schools~~

2.2.B.1 Proportional Faculty

The Provost, working with the Deans and in consultation with appropriate faculty, shall be responsible for establishing and maintaining consistent workload standards across academic units for teaching; research, scholarship and creative activities; service; or equivalent responsibilities necessary for a faculty member to have proportional or part-time status. Faculty with proportional appointments are expected to work at least half-time and carry out the full scope of faculty responsibilities, though at a level consistent with the faculty member's proportional status. Deans, after consultation with the appropriate faculty, may propose to the Provost for approval equivalent workload requirements based on the particular needs of School or disciplinary area.

2.2.B.2 Adjunct Faculty

Adjunct Faculty are expected to fulfill duties as specified in their appointment letter.

2.2.C Teaching and Professional Activities Outside of Simmons College

While the primary occupation responsibility of any full-time or proportional faculty member is his or her service as a faculty member of the College, there are times when faculty members may engage in external professional activities providing that they do not create a conflict of commitment or a conflict of interest with the faculty members' responsibilities and duties to Simmons College.

A conflict of commitment occurs when, in the course of performing external activities, a faculty member's capacity to meet her/his obligations to Simmons College relative to workload, quality norms of teaching and advising, research and scholarship, and/or service is adversely affected. A conflict of interest occurs when a faculty member has a personal or professional external interest or obligation that compromises or interferes with his/her faculty duties and responsibilities and/or directly competes with the business of Simmons College or the faculty member's respective School.

2.2.C.1 Teaching

Full-time faculty members may, however, accept part-time teaching appointments at other institutions during the academic year if they obtain the prior written approval of the appropriate Dean. The Dean will assess such requests for conflicts of interest and conflicts

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of commitment. A faculty member should consult with his or her Department Chair or Program Head before seeking the Provost's and Dean's approval. Any such approval is limited to a maximum period of one year, subject to renewal.

2.2.C.2 Other Professional Activities

When a faculty member engages in outside non-teaching activities (whether remunerated or voluntary) related to the faculty member's area of expertise at Simmons, the faculty member is responsible for informing the Dean in writing. Notification of such activities should occur prior to engaging in the outside activity. The faculty member and the Dean share responsibility to ensure that such external activities do not create conflicts of interest or conflicts of commitment as outlined above.

~~It is not necessary for a faculty member to request permission to engage in outside employment other than a teaching appointment. However, such outside activity must not create a conflict of interest or interfere with or detract from the faculty member's attendance or the proper conduct of his or her duties to the College. A faculty member's outside teaching appointment and/or other employment may not exceed twenty percent of the responsibilities of a full-time faculty member.~~

A faculty member's outside teaching appointment and/or other professional activity may not exceed twenty percent (20%) of the responsibilities of a full-time faculty member. Each School may have its own academic year during which faculty should be participating in the academic life of their respective Schools. After consultation with each School's Dean and appropriate Faculty and upon their recommendation, the Provost ~~President~~ determines the academic year for each School.

2.3 APPOINTMENT TO ACADEMIC RANKS

In general and subject to guidelines established by the Schools, a full-time or proportional member of the Faculty may be appointed to any one of the tenure track academic ranks at the College (Professor, Associate Professor, Assistant Professor, or Instructor); ~~The guidelines established by the Schools may include further criteria for appointment to a clinical position (Professor of Practice or Associate Professor of Practice); or to a non-tenure track academic ranks such as, but not limited to, criteria applicable to appointment of position (Senior Lecturer or Lecturer).~~ Part-time faculty hired to teach individual courses are considered to be adjunct faculty. Proportional appointments are at least half-time and ~~other contract faculty to particular~~ require full participation in the academic ranks. ~~life of the School or College at a level consistent with the faculty member's proportional status.~~

2.3.A Tenure Track Academic Appointments

2.3.A.1 Distinguished Professor

For appointment as a Distinguished Professor, a candidate must have held the rank of Full Professor for a minimum of six years and completed successfully at least one post-tenure review. The candidate must have made outstanding contributions in terms of scholarship within his or her field, or achieved literary or artistic distinction, and earned national

and/or international recognition for his or her contributions. However, an outstanding scholarly artistic, or literary record is not enough to merit this appointment; outstanding abilities in teaching must always complement scholarship. This is a meritorious appointment which is only awarded to exceptional faculty members. Only 5 individuals may hold the title at any one time, exclusive of retired members who retain Emeriti/ae status for life. The rank of Distinguished Professor is a career appointment and is held for the remainder of the recipient's active service at Simmons College. At the time of promotion, the Distinguished Professors will receive a salary adjustment, a research award, and a medallion to wear with their academic regalia signifying this distinction. Distinguished Professors will also serve as an informal advisory group to the Provost.

A candidate for Distinguished Professor may be nominated by his or her Dean, after consultation with the appropriate Faculty, through a confidential process. Candidates will be asked to compile a portfolio of their contributions to their field and of their success in teaching. The contribution to the field will be determined by soliciting confidential letters from recognized experts in the field who are "arms length" from the candidate and are in a position to offer an objective assessment of the scholarly contributions of the candidate. The committee to review candidates will be chaired by the Provost, and will be comprised of at least two Deans, and at least two other tenured full professors at large, preferably other Distinguished Professors. The Committee will recommend candidates to the President who will then bring the candidates to the Board of Trustees for approval.

2.3.A.2 Professor

For appointment as a Professor, a candidate ~~normally~~ must have earned an appropriate terminal degree in his or her academic discipline, as determined by the Dean after consultation with the School's appropriate Faculty, and have achieved distinction and continued accomplishment in the full range of his or her professional and academic activities. Promotion to a Professorship is the highest distinction normally awarded at the College. Normally, the recognized terminal degree will be a doctorate. A Professor is ~~normally~~ tenured.

2.3.A.3 Associate Professor

For appointment as an Associate Professor, a candidate ~~normally~~ must have earned a an appropriate terminal degree in his or her academic discipline, as determined by the Dean after consultation with the School's appropriate Faculty, and have demonstrated a record of excellence in his or her professional and scholarly development and achievements. Normally, the recognized terminal degree is a doctorate.

An Associate Professor may or may not be tenured. Associate professors without tenure are typically those hired in at this rank from other institutions.

Normally, if on a tenure-track line, a candidate shall teach a minimum of three years as an Associate Professor at the College before consideration for promotion to Professor. However, an Associate Professor may be considered for promotion to Professor in any year in which he or she holds ~~that the~~ rank of Associate Professor. Before the end of the sixth year of an Associate Professor's appointment as Associate Professor, the appropriate Dean and the faculty member should discuss his or her progress toward promotion to Professor.

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2.3.A.4 Assistant Professor

For appointment as an Assistant Professor, a candidate ~~normally~~ must have earned a an appropriate terminal degree in his or her academic discipline and field in which she or he is teaching, as determined by the Dean after consultation with the School's appropriate Faculty, and have demonstrated the potential for professional and scholarly development and achievements. Normally, the recognized terminal degree is a doctorate. An Assistant Professor is not ~~normally~~ tenured.

Normally, ~~if on a tenure-track line~~, a candidate shall teach at the College a minimum of five years as an Assistant Professor ~~at the College~~ before consideration for promotion to Associate Professor. However, an Assistant Professor may be considered for promotion to Associate Professor in any year in which he or she holds that rank. An Assistant Professor must be considered for promotion to Associate Professor during the sixth year of his or her appointment as Assistant Professor unless, due to exceptional circumstances, a deferment of consideration is requested by the Assistant Professor and granted by the President Provost after consultation with the appropriate Dean.

2.3.A.5 Instructor

An Instructor is a full-time or proportional faculty member receiving an academic appointment who is not appointed to the rank of Assistant Professor, Associate Professor, or Professor. shall be appointed an Instructor. An Instructor may not be tenured. Typically, Instructors are in the process of earning the terminal degree appropriate for their academic field or discipline and are preparing for a tenure-track appointment. An Instructor may be considered for promotion to Assistant Professor in any year in which he or she holds that rank, once the terminal degree is obtained. An Instructor may not be tenured.

Lecturer

~~A Lecturer is a member of the part-time Faculty. A Lecturer is not eligible for the academic rank of Professor, Associate Professor, Assistant Professor, or Instructor.~~

2.3.A.6 Emerita/us Status

~~On grounds of age and length of service, A~~ tenured faculty member who leaves Simmons in good standing to retire or to assume a non-teaching position at another institution, or a part-time adjunct teaching position at another college or university, ~~request that the Board of Trustees consider him or her~~ may be recommended by the appropriate Faculty of his or her School for emerita/us status. The recommendation is made to the Dean who then prepares a recommendation for the Provost. The Provost recommends the candidate to the President and Board of Trustees for approval. The candidate should have an academic career spanning at least 20 years and have been employed by Simmons for no less than ten years. Normally, the candidate should be at least 55 years of age, and have been employed by Simmons for no less than twenty (20) years. Emeriti faculty are eligible for continuing institutional privileges, library privileges, access to technology workshops, parking privileges, ~~an e-mail account~~ e-mail accounts as consistent with the College's security policies, catalogue and website listings, professional use of title, and the right to march with members of the College's faculty on ceremonial occasions such as

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commencement and convocation. Emeriti faculty, at the invitation of the Dean, may also participate more actively in the academic life of the School, including serving as guest lecturers, conducting research, serving on dissertation committees, and advising students.

2.3.B Non-Tenure Track Academic Appointments

Senior Lecturer and Lecturer

A Senior Lecturer or Lecturer is a full-time or proportional academic appointment. A Senior Lecturer or Lecturer is not required to hold a terminal degree in his or her field or academic discipline but must have the academic training to be able to teach effectively in his or her field. A Senior Lecturer or Lecturer is not eligible for tenure or for appointment to the academic ranks of Professor, Associate Professor, Assistant Professor, or Instructor. Senior Lecturers and Lecturers provide Schools with curricular stability, fulfill needs for specific areas of expertise and professional engagement, and alleviate an over dependence on part-time faculty. Lecturers and Senior Lecturers are expected to contribute primarily in the domain of teaching and generally have higher teaching commitments than tenure track faculty. Senior Lecturers and Lecturers must also meet the standards for scholarship or professional engagement established for this category of appointment in their respective Schools. A Senior Lecturer is distinguished from a Lecturer by her or his significant record of academic and/or professional experience and record of accomplishment in teaching. Based on meritorious performance, a Lecturer may be promoted to Senior Lecturer by the Dean after consultation with the School's appropriate Faculty.

2.3.C Practice Track Faculty Appointments

Simmons College recognizes that faculties are enriched by the integration of members with significant professional experience in their respective fields of practice, particularly in the professional schools.

Professor and Associate Professor of Practice

Faculty members on the Practice Track are hired because of their substantial professional reputation and/or achievements. The Professor of Practice designation represents an effective and meaningful way for the Schools to engage accomplished professionals who do not fit the traditional tenure-track academic model. Professors of Practice are faculty members whose expertise, achievements, and reputation developed over a sustained period of time qualify them to be distinguished professionals in an area of practice or discipline. Professors of Practice provide Schools with curricular stability, fulfill needs for specific areas of expertise and professional engagement, and contribute current knowledge and experience in the industry or practice area. Professors of Practice are not tenured and are not eligible for tenure.

Professors of Practice, in general, do not have to hold a terminal degree in their fields but must demonstrate evidence of significant professional accomplishments. Many Professors of Practice also have solid records of applied scholarship and/or practice-related research. Professors of Practice have 20 or more years of experience in their professions and have been distinguished by their accomplishments and recognized contributions to their field. Associate Professors of Practice normally have 10 or more years of experience and have achieved significant accomplishments in their fields. Where relevant, both Professors of

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Practice and Associate Professors of Practice must have the highest level of professional certification relevant to the discipline.

Professors of Practice are expected to carry a teaching load, remain current and engaged in their fields, participate in applied scholarship or practice-related research, and contribute to the academic life of the School through advising and mentoring students, attendance of department and faculty meetings, and participation in all-College activities as appropriate. Professors of Practice are eligible to be voting members in the Faculty except with respect to decisions related to promotion and tenure. School policies relating to consulting and external activities for Professor of Practice are the same as for full-time tenured or tenure track faculty. Professors of Practice may be appointed by the Dean after consultation with appropriate Faculty and the Provost. Contracts for Professors of Practice are normally for a period of one to three years and are subject to renewal as recommended by the Dean and approved by the Provost.

2.3.D Other Types of Appointments

2.3.D.1 Adjunct Faculty

Adjunct faculty are part-time faculty members hired by the Dean of a School to teach specific courses. Adjunct faculty members' primary responsibility is teaching, but, where appropriate, they may be asked to assume additional responsibilities such as advising. Adjunct faculty are not eligible for tenure, and time spent teaching as an adjunct faculty member does not count towards the probationary period of a tenure-track faculty member. Adjunct faculty are not voting members of the faculty.

2.3.D.2 Joint Appointments

Faculty may receive joint appointments at more than one School and shall be eligible to qualify as a voting Faculty member in accordance with each School's implementation guidelines.

2.3.D.3 Visiting Professor

If a person is an experienced professional in his or her field or holds academic rank at another institution of higher education, but is absent from that other institution while visiting the College or retains primary responsibility in some other institution, he or she may be given equivalent rank at the College with the designation of Visiting Professor. An appointment as a Visiting Professor may be full-time, proportional, or part-time. Normally, An appointment as a Visiting Professor is for a limited period of time.

2.3.E Faculty Serving as Administrators

A faculty member may serve the College as an administrator. The time during which a faculty member serves the College as a full-time administrator is not part of a probationary period. When time served as an administrator, either full-time or less, shall not be counted as part of a probationary period, the College shall so notify the faculty member. If a faculty member who has already been granted tenure serves the College as an administrator, he or she will retain tenure as a faculty member. Faculty appointed as administrators will retain rights as a voting member of the Faculty within their Schools.

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2.4 POLICIES PERTAINING TO PROMOTION AND TENURE

The promotion and tenure process should be thorough, well documented, consistent with applicable policies, objective, and collegial. The committees on promotion and tenure, the Deans, the Provost, and the President shall endeavor to ensure that the process adheres to these principles.

2.4.A Committees on Promotion and Tenure

2.4.A.1 Composition

Each School shall have a committee on promotion and tenure and determine the composition of each such committee and the method of selecting its members. Only tenured faculty vote on tenure cases. Non-tenured faculty may be involved in a non-voting capacity. The Dean of the School acts as an administrative liaison to the committee, but is not a member of ~~does not sit on~~ the committee.

2.4.A.2 Functions

The general functions of each committee on promotion and tenure may include:

- a. Aiding in the development and periodic assessment of criteria for promotion and tenure within the various ranks of the Faculty;
- b. Expressing and encouraging genuine regard for reasonable consistency within a School or between and among Schools in the use of these criteria in accordance with all-College standards;
- c. Considering all candidates for tenure and promotion and assessing the qualifications and performance of the candidates in accordance with the criteria for promotion and tenure;
- d. Making recommendations and preparing comprehensive and timely written reports based on its assessments of the candidates in accordance with the criteria for promotion and tenure;
- e. Providing counsel on the terms of all contracts, except salary, for initial appointments;
- f. Performing other functions consistent with the policies set forth in this *Manual* as determined by the Voting Faculty of ~~Simmons College~~ each School.
- g. Assisting in obtaining external letters to aid in the assessment of the candidate's teaching, research, scholarship, or creative productivity.

2.4.A.3 Confidentiality

The President, the Provost, the Deans, and the members of the committees on promotion and tenure shall keep the deliberations, proceedings, and written reports of the committees on promotion and tenure and any letters obtained from external reviewers concerning tenure and promotion candidates, confidential, except as otherwise provided in this *Manual* or as stipulated by statute and common law.

2.4.B The Dean and the Provost/President

Each Dean and the Provost ~~President~~ assesses candidates in accordance with the Criteria for Promotion and Tenure, giving substantial weight to the reports and recommendations of the appropriate committee on promotion and tenure. The Dean of each School makes recommendations regarding candidates for promotion and tenure within that School to the Provost, who in turn makes recommendations to the President, and the President makes recommendations regarding promotion and tenure to the Board of Trustees. In carrying out these responsibilities, the appropriate Dean, the Provost, and the President review the written reports and the dossiers of all individuals who have been evaluated by the committee, prior to the recommendations of such a committee being communicated to the Board, the candidate, or other parties. ~~When requested by the committee, The appropriate Dean, the Provost and/or the President, will~~ meets directly with each a committee on promotion and tenure to discuss the process of tenure and/or promotion review and respective recommendations, ~~and his or her recommendation~~. When the President transmits his or her recommendation to the Board, the President also conveys to them the recommendations of the Provost, the appropriate Dean and the committee on promotion and tenure.

2.4.C Criteria for Promotion and Tenure

The following ~~four~~ general categories of Criteria for Promotion and Tenure are a guide for evaluation to be used by the committees on promotion and tenure, the Deans, ~~the Provost~~, the President, and the Board of Trustees. Candidates will be evaluated at each level of review for teaching; research, scholarship, creative activities; and service according to a three point scale: excellent, strong, and not strong. While each candidate must be excellent in teaching, excellence is desirable in all three categories, but required in two and strength in the third. The intent of the criteria is to insure high quality of the Faculty, objectivity in promotion and tenure decisions, and the vitality of the College. The criteria are necessarily general in nature, and their application must be adapted to the various Schools and the circumstances surrounding each individual case. ~~As The fourth,~~ additional criterion is the needs of the College, School and Department or Program.

2.4.C.1 Excellence as a Teacher

Excellence as a teacher is a necessary prerequisite for both promotion and tenure. The evaluation of teaching performance shall include multiple measures. The basis of the evaluation shall be the quality and effectiveness of the performance. Peer and student evaluations, accompanied by quantitative and qualitative data, are generally the an important means of evaluating performance in light of this criterion. ~~Course evaluations of the candidate are included as part of the dossier submitted for review.~~

2.4.C.2 Professional and Scholarly Development Achievement in Research, Scholarship, and Creative Activities

Achievement can be demonstrated by a record of professional, scholarly, and/or creative activity and involvement in the broader academic and professional community. That record would ordinarily comprise activities that include peer and/or public review. This includes research, publications, creative works, professional presentations, professional consulting activities, journal editorships, and other contributions relevant to the candidate's discipline. For more specific guidelines, see the implementation guidelines of each School.

2.4.C.3 Service Related to the Mission of the College

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Service related to the mission of the College consists of contributions of time and effort by faculty members that help to advance the College's mission. (See Section 1.3.) Service to the mission of the College can take a number of forms and can include a variety of activities. It can include, for example, community outreach, service on standing or ad hoc committees, participation in governance, service in curriculum or program development, advising students, Department or Program service, various forms of involvement with students beyond the classroom, and other service to the College's mission, within and beyond the College's campus.

2.4.C.4 Needs of the College, School, and Department or Program

Those making tenure recommendations and decisions shall consider the needs of and constraints affecting the College, the applicable School, and the applicable Department or Program. The committees on promotion and tenure shall focus primarily on the needs of and constraints affecting the applicable Department or Program and the applicable School, while the Board of Trustees, the President, the Provost and the Deans shall consider the needs of and constraints affecting the College, as well as those affecting the applicable School and the applicable Department or Program.

For many years, there has been approximate equilibrium between the College's tenured full-time Faculty and its full-time Faculty without tenure, as measured across the College as a whole. Maintaining such an equilibrium has helped the College to achieve the continuity, stability, and experience provided by an excellent tenured Faculty, while regularly adding vitality and promoting renewal through the addition of new faculty members. Accordingly, the College has a long-term goal of seeking to maintain a balance between the total tenured full-time Faculty and the total full-time Faculty without tenure at the College. Therefore, one of the factors to be considered by the Administration in assessing the needs of the College is the effect of each tenure decision on the College's long-term goal of maintaining a balance between tenured full-time Faculty and the full-time Faculty without tenure.

The College strives to maintain such a balance but rejects the imposition of a tenure quota. Our long-term goal should not be construed as precluding the granting of tenure.

2.4.D Tenure Policies

2.4.D.1 Eligible Faculty

Normally, to be eligible to be considered for tenure, a full-time faculty member will have been appointed to the rank of Assistant Professor and will be in the final year of a probationary period.

2.4.D.2 Probationary Period

2.4.D.1.a General

An appointment of a faculty member who has not been granted tenure is a tenure track appointment or a contract appointment. The time during which a faculty member serves the College during a tenure track appointment is part of a probationary period. Any change in the duration of the probationary period must be approved in writing by the Dean and Provost.

Normally, the time during which a faculty member serves the College during a contract appointment is not part of a probationary period. A faculty member with a contract appointment is not eligible to be considered for tenure during the period of the faculty member's contract appointment. However, after a national an advertised search for a faculty position, the College with the approval of the Provost may consider ~~renew~~ a contract faculty member for an s appointment as a tenure track appointment rather than as a contract appointment and, after the probationary period, may consider such a faculty member for tenure.

2.4.D.1.b Tenure

The normal probationary period of a faculty member is six years of full-time Faculty service. The length of time, however, may be shortened appropriately in the case of a candidate who has had prior years of service in other institutions of higher education, or it may be waived in exceptional circumstances. In addition, the probationary period may be extended ~~suspended~~ under certain circumstances, after consultation with the appropriate committee on promotion and tenure, ~~and the Dean, and the Provost.~~ (Section 2.4.D.2.e.) In implementation guidelines, each School may determine, among other subjects, whether, and if so, under what conditions, an individual may return to a tenure track appointment at the College after a break in service, other than an approved leave of absence.

2.4.D.1.c Prior Service at Other Institutions

Normally, faculty members who have had full-time teaching experience at other accredited institutions of higher education may have up to a maximum of three years of such service credited toward their probationary period at the College. The ~~Provost~~ Provost ~~resident~~, after consultation with the appropriate Dean, the appropriate committee on promotion and tenure, and appropriate Faculty, such as the Department Chair, determines the amount of such service credited toward the faculty member's probationary period at the College. In making such a determination, the Provost ~~President~~ shall consider the necessity of allowing sufficient time for the faculty member to present a complete dossier. The faculty member's appointment letter will state the amount of such service so credited.

2.4.D.1.d Waiver of Probationary Period

Under exceptional circumstances, a probationary period may be waived and an individual may be hired with tenure. If the College considers such a course of action, the appropriate committee on promotion and tenure and the Dean and the Provost will prepare separate written reports and recommendations based on their assessments of the candidate. Upon consideration of those recommendations, the President may approve waiver of the probationary period. As with all tenure decisions, a faculty member may not receive tenure without a favorable vote of the Board of Trustees. The other Policies Pertaining to Promotion and Tenure need not be followed. An individual will be hired with tenure only if he or she has an especially substantial record of accomplishment.

2.4.D.1.e Suspension of Probationary Period

A probationary period is suspended during a special leave of absence (Section 2.6.B), a family or medical leave of absence (Section 2.6.C) or a period during which the faculty member serves the College as a full-time administrator (Section 2.3.H). A probationary period may also be suspended under exceptional circumstances at the request of the faculty member and with the approval of the Dean and Provost President. Normally, a probationary period may not be suspended for an aggregate of more than two years.

2.4.E Schedule for Faculty Promotion and Tenure Candidate

The normal schedule for promotion and tenure is as follows:

1. Any faculty member who is eligible to be considered for promotion or tenure shall initiate the promotion or tenure consideration process. The faculty member shall compile a dossier containing materials relevant to the four Criteria for Promotion and Tenure (as specified in Section 2.4.F) and submit it to the appropriate committee on promotion and tenure (hereafter referred to as "the PTC") and the Department Chair or Program Head or Dean by October 15 of the academic year in which the faculty member seeks promotion or tenure consideration, unless an earlier date is set by the faculty member's School. Among other subjects concerning these procedures, each School's implementation guidelines should include specification concerning the contents of the dossier and supplementing of the dossier by the candidate and others. If October 15 falls on a Saturday, Sunday or holiday, the dossier shall be due on the next business day.
2. By December 1, each ~~committee on promotion and tenure~~ PTC submits written reports on promotion and/or tenure to the appropriate Dean and the Provost President. After giving substantial weight to the committee's reports and recommendations, the Dean submits his or her written report and recommendations regarding all of the School's promotion and tenure candidates to the Provost by December 15. The Dean shall notify the committee of his or her recommendation concerning whether promotion and/or tenure should be granted or denied. If December 1 or 15th falls on a Saturday or Sunday, the report(s) shall be due on the next business day.
3. As early as practicable and not later than March 1, the President, Provost or his or her designee, shall notify in writing the relevant ~~committee on promotion and tenure~~ PTC, the appropriate Dean, and the faculty member approved for promotion and/or tenure, of the new faculty rank and/or tenure status, to take effect in the next academic year. If the President has recommended promotion and/or tenure but the Board of Trustees has not acted on the faculty member's promotion or tenure case, the approval is subject to the grant of promotion or tenure by vote of the Board and the right of the Board to deny promotion or tenure.
4. As early as practicable and not later than March 1, the President, Provost, or his or her designee, shall notify in writing the relevant ~~committee on promotion and tenure~~ PTC, the appropriate Dean, and the faculty member denied promotion and or tenure status of the decision, and will offer a faculty member who is not granted tenure a 10 to 12 month terminal appointment beyond the current appointment.
5. Subject to the principles of confidentiality underlying the promotion and tenure procedures, the President, or his or her designee, shall inform the faculty member of the recommendations of the parties concerned (i.e., the ~~committee on promotion and tenure~~

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PTC, the Dean, and the President) and shall explain in general terms reasons for the President's recommendation. A faculty member who is denied a promotion or tenure may, within 14 days after he or she receives notice of such denial, upon written request to the Provost, meet with any or all of the following individuals officials, ~~individually or jointly~~, concerning the decision: the President, the Provost, the appropriate Dean, and/or the chair of the ~~committee on promotion and tenure~~ PTC at the faculty member's School. The officials so requested will determine whether the meeting(s) will be conducted individually or jointly. A faculty member who is denied a promotion or tenure may also, in accordance with procedures described in Section 3.3 and Appendix A, petition for a limited review by a Review Committee.

6. Faculty members, ~~committees on promotion and tenure~~ PTCs, Deans, and the President should make every reasonable effort to adhere to this timetable. However, as with other time frames and deadlines under this *Manual*, not satisfying time frames or deadlines generally will not be policy violations provided that a party makes good faith efforts to comply with those deadlines and time frames and that any delays are not unreasonable. (See Section 4.) In promotion and/or tenure matters, the failure to comply with this timetable does not create any right to or expectation of promotion and/or tenure, since a faculty member may be granted (or obtain) tenure or be promoted only by the vote of the Board of Trustees.

2.4.F Dossier Preparation

The chair of the Promotion and Tenure Committee at each School (hereafter, "The Committee") is responsible for working with candidates in preparing dossiers. The Candidate has access to all contents of the dossier throughout the review process with the exception of confidential letters.

Every candidate for tenure and promotion to Associate Professor is responsible for including the following in their dossier:

- A CV
- Personal Narrative: This statement, not to exceed ten (10) pages in length, must address all four criteria as stated in Section 2.4.C: excellence as a teacher; achievement in research, scholarship and creative activities; service to the mission of the College; and institutional/departmental need. Candidates for promotion may address the needs of the College, School, and Department or Program. The candidate must assume that the Committee is not familiar with the context of his or her discipline.
- Discussion of their teaching philosophy
- Course Evaluation Summary Sheet and other quantitative and/or qualitative evidence of teaching excellence
- Other evidence of achievement in research, scholarship and creative activities: Supporting materials appropriate for the discipline should be provided. These could include reviews, cases, articles, books, portfolios, experiments, compact discs, videotapes and/or film. In some cases it may be necessary to provide a brief description of the professional activity being offered for review (e.g., professional consulting within your discipline).

The School specific implementation guidelines should specify:

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- Specific organization and flow of the dossier
- Additional supporting documents as required by school, program or department
- Areas to be addressed in the Personal Narrative beyond teaching philosophy
- How and by whom confidential letters will be solicited
- Weighting of tenure criteria

2.4.F.1 Promotion to Associate Professor

Typically the candidate applies for promotion to Associate Professor simultaneously with the application for tenure and evidence of excellence in teaching, achievement in research, scholarship and creative activities, service and need are the same for promotion to associate professor as they are for tenure.

2.4.F.2 Promotion to Full Professor

Candidates for promotion to full professor must demonstrate significant accomplishment in teaching, research/scholarship and service since promotion to associate professorship. The candidate must demonstrate a record of sustained excellence in at least two of the three categories (one of which must be teaching) and strength in the third category (teaching; achievement in research, scholarship, and creative activities; and service).

2.4.F.3 Letters of Recommendation for Tenure and Promotion

Typically there are three to five external letters provided from experts in the profession/discipline who serve as reviewers of the candidate's credentials. The letters should address the stature and accomplishments of the candidate in the profession/discipline. Experts should include some individuals chosen by the candidates and some individuals chosen by the Dean, Department or Program Chair or both as stipulated by implementation guidelines. The reviewers should not be colleagues of the candidate. A brief description and rationale for each reviewer and relationship to the candidate is provided in the dossier. If the external reviewers hold faculty positions, then the external reviewers should be tenured associate professors at minimum to review the credentials of assistant professors, and tenured full professors at minimum to review dossiers for candidates under consideration for promotion to full professor. The Dean shall determine any exception to these criteria and the Dean shall finalize the list of names. The candidate does not have access to the final list of reviewers.

The letter to the reviewers shall state that their comments will be held confidential from the candidate. Each reviewer is instructed in writing to mail the comments directly to the Department or Program Chair. The reviewers shall be notified in a timely fashion with the candidates supporting materials (i.e., publications, personal data sheet, personal statement).

See Appendix A for sample letter (available in the Provost's office).

Unsolicited letters will not be considered in the tenure or promotion process.

2.4.F.4 Joint Faculty Appointments

If a candidate teaches in more than one department, program or unit, the candidate's dossier must include a letter from the head of each department, program or unit

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addressing the relevant criteria. Letters should be written in consultation with other tenured members of that unit.

Note: The recommendation of the Committee will be based solely on the material presented in the dossier. The candidate must assume that the Committee members are not familiar with the significance and scope of his or her accomplishments in the field.

2.5 REVIEWS OF FACULTY

We intend reviews of faculty members as a means ~~Reviews of faculty members are intended to foster professional growth and development by encouraging self-reflection and by providing an opportunity for advice and assistance from Deans, department chairs, and peers. Such reviews shall contribute to decisions about compensation, tenure and promotion, or retention as appropriate.~~

Each School is responsible for establishing a policy for review of faculty members and a mechanism for implementing that policy consistent with this Section 2.5. Reviews of faculty should comport ~~be completed in accordance with the schedules set forth in this policy, except that no review is required for an individual after he or she has resigned or received notice that his or her association with the College will terminate. In~~ addition, this policy does not apply to faculty who are serve as ~~full-time administrators. Any period of service as a full-time administrator should not be included-count~~ in determining when a faculty member should receive a review under this policy.

2.5.A Review of Faculty with Tenure-Track Appointments

2.5.A.1 Annual Review

Each faculty member with a tenure-track appointment shall have an annual review be reviewed annually according to criteria and procedures jointly developed by the Faculty and Dean of each School. Annual review for the corresponding academic year shall be completed in writing by June 30th. Copies of the annual reviews shall be kept on file in the Dean's Office and in Human Resources. This annual review shall ~~be used~~ contribute to determining compensation of faculty members. At a minimum, the review shall consist of the following: a written self-assessment by the faculty member; ~~consistent with the Criteria for Promotion and Tenure as set forth by this Manual or any applicable implementation guidelines;~~ quantitative and qualitative measures of teaching performance, consistent with the Criteria for Promotion and Tenure as set forth by this Manual or any applicable implementation guidelines; and a written assessment by the faculty member's Department Chair / Dean, or by a committee of the faculty's member's peers, or by the faculty member's Dean, consistent with the Criteria for Promotion and Tenure as set forth by this *Manual* or any applicable implementation guidelines. Faculty members shall receive a copy of their annual review. ~~This assessment shall be made available to the faculty member.~~

2.5.A.2 Mid-Point Review

Each faculty member with a tenure-track appointment shall receive a comprehensive review after three academic years of probationary status. The review must be completed within two months of the three year anniversary. The written report is to be completed within 60 days after the review unless an extension of time has been requested in writing by the faculty member has submitted a written request to the Dean for a limited extension of time to delay the review, and approved in writing by the Dean. This "mid-point review" shall serve as an evaluative tool for retention decisions and shall identify areas needing further development by the faculty member in anticipation of future possible tenure consideration.

The review shall include a written self-assessment. The review shall also include a written departmental (NOTE: implementation) evaluation or a written evaluation by a committee of tenured faculty as specified in implementation guidelines of the faculty member's School. This evaluation shall include an assessment of the faculty member in light of the Criteria for Promotion and Tenure as established by the College and the School. It shall also include an assessment of the faculty member's demonstrated capacity to develop and grow sufficiently to satisfy the Criteria for Promotion and Tenure as generally applied to tenure candidates by the School's committee on promotion and tenure.

The department or faculty committee shall forward the written assessments to the Dean, with a copy to the faculty member and to the Provost. The Dean shall then meet with the faculty member to discuss the results of the review and provide his or her own assessment. The Dean shall notify the relevant committee on promotion and tenure of completion of the mid-point review that the mid-point review has been completed.

While we intend reviews of faculty members with tenure track appointments are intended in part to assist potential future candidates for tenure, they do not constitute are not to be considered as representations of the likelihood of future reappointment or tenure.

Following the mid-point review, a faculty member may apply for a one-half load course release in the following academic year in order to focus on recommendations flowing from the mid-point review. Such applications require use of a form developed by the Provost's Office and will require approval of the faculty member's Dean and the Provost.

2.5.A.3 Review for Promotion and Tenure

Every September of the academic year, the Office of the Dean will notify in writing tenure track faculty who are eligible for tenure and promotion in the next academic year (e.g., faculty member is notified in the fall of 2010 for their consideration in the fall of 2011). A tenure-track faculty member normally shall initiate the process of review for tenure and promotion, normally during the last year of a six-year probationary period. (See 2.4.D-E.)

2.5.B Review of Tenured Faculty

2.5.B.1 Annual Review

Each faculty member with a tenured appointment shall be reviewed annually have an annual review according to criteria and procedures jointly developed by the Faculty and Dean of each School. Annual review for the corresponding academic year shall be completed in writing by June 30th. Copies of the annual reviews shall be kept on file in the

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Dean's Office and in Human Resources. This annual review shall contribute to determining compensation of faculty members. At a minimum, the review shall consist of the following documents prepared in accordance with specifications in each School's implementation guidelines:

A written self-assessment by the faculty member, consistent with the Criteria for Promotion and Tenure as set forth by this *Manual* or any applicable implementation guidelines; and a written assessment by the faculty member's Department Chair, or by a committee of the faculty's member's peers, or by the faculty member's Dean, consistent with the Criteria for Promotion and Tenure as set forth by this *Manual* or any applicable implementation guidelines. The faculty member will receive a copy of any such annual assessment. ~~This assessment shall be made available to the faculty member.~~

2.5.B.2 Review for Promotion

An associate professor may request consideration for promotion to full professor at any time and shall initiate the process of review for promotion in accordance with Section 2.4.E.

2.5.B.3 Periodic Developmental Multi-Year Review

2.5.B.3.a Purpose

The periodic developmental multi-year review (referred to hereafter as "PDMYR") is designed to encourage, recognize, reward, and support the continuous development of tenured faculty at Simmons through a process of peer review. It is intended as a good faith mutual commitment by the College to provide appropriate support for faculty development and recognition and by tenured faculty members to continued excellence in teaching, research and scholarship, and service.

PDMYR will neither intrude on an individual faculty member's professional self-direction, impose a reevaluation or revalidation of tenured status, nor imply an obligation that the faculty member demonstrate why he or she should be retained.

2.5.B.3.b Process

By no later than June 15, 2011, each School shall develop a process for peer review of tenured faculty in that School to be implemented no later than in the Spring of 2012. The Dean and appropriate faculty of each School shall confer and collaborate to develop the required PDMYR process. Typically, the appropriate faculty to collaborate in the development of the PTR process shall be the faculty body responsible for tenure and promotion recommendations in that School.

Each School's PDMYR process shall include, at a minimum:

- Selection of the PDMYR committee that shall consist only of tenured faculty
- PDMYR Committee procedures and timelines for review during the academic year
- Materials to be used in the review process in addition to those required below

- A mechanism for the faculty member to respond to the PDMYR Committee's report

Each tenured faculty member who shall be reviewed will be advised by his or her Dean of the PDMYR no less than six months before the start of the academic year in which the review will take place. Each faculty member who is to undergo a PDMYR shall take an active role in the process by assisting with planning, preparing and collecting materials, and engaging in constructive dialogue with colleagues and the chair of his or her School's PDMYR Committee.

The number of faculty members to be reviewed in any given year will be approximately one-sixth of the number of tenured faculty in each school. By September 1 each year, the Dean of each School shall provide the Provost with the list of names of those faculty who shall be reviewed in the current academic year in that School. A tenured faculty member may request a PDMYR in any year.

2.5.B.3.c PDMYR and the Promotion Process

The PDMYR may replace the sixth year annual review and recurs at six-year intervals unless occurring earlier by promotion to full professor. When an evaluation for promotion to full professor occurs, the next PDMYR will be held six years after promotion. The absence of an application to advance in the academic ranks does not change the faculty member's PDMYR schedule.

2.5.B.3.d PDMYR and Notices of Retirement/Resignation

Faculty who have submitted an irrevocable letter of resignation, or who have signed a retirement agreement or who enrolled in any phased retirement program within two years of the academic year of their scheduled review may qualify for an exemption from PDMYR.

2.5.B.3.e PDMYR and Full-Time Administrative Appointment

Tenured faculty who hold full-time administrative appointments have the option of delaying a PDMYR for up to six academic semesters following her/his return to faculty rank.

2.5.B.3.f Materials Required for the Review

All relevant aspects of a faculty member's professional performance over the previous six years should be considered in a PDMYR. With that in mind, a faculty member being reviewed shall provide information/documentation on the following to the PDMYR Committee:

- A reflection about past performance in teaching, research and scholarship, and service and a written statement of plans for the future as related to teaching, research and scholarship, and service before the next PDMYR.
- List of all course taught during the last six years
- Peer and student evaluations of teaching from the past six years

- Research/creative activities that have been evaluated by peers
- Service activities during the last six years
- Annual Performance Reviews for the past six calendar years
- A Current faculty curriculum vitae
- A written report of the outcomes of any sabbatical leave awarded during the pre-review period
- Any additional materials the faculty member would like the PDMYR Committee to consider

2.5.B.3.g Criteria

The primary focus of PDMYR is whether the faculty member discharges conscientiously and with professional competence the duties appropriately associated with his or her position. The fundamental criterion of PDMYR is demonstrated ability to meet consistently the expectations and goals established by the faculty member's Program Director, Department Chair and/or Dean.

While **post-tenure review** is not a revalidation of the award of tenure, many characteristics of Simmons's tenure policies remain relevant in the PDMYR process. Typically, the following criteria will be employed in the review:

- Maintenance of excellence and, where appropriate, innovation in teaching
- Continuing professional growth, scholarly activities, creative and artistic achievement
- Exercise of leadership in academic and administrative service
- Service and activities within Simmons and on behalf of the larger community

The College recognizes that the balance of faculty members' professional activities may shift over time and consequently, expectations for, and the goals of, individual faculty members may also change. If, for example, it is in the department's best interest to have a tenured faculty member focus more on teaching and service than on research, PDMYR for that faculty member should emphasize, acknowledge, and reward demonstrated excellence in teaching and service.

2.5.B.3.h Outcomes

The PDMYR Committee shall consider all materials provided by the faculty member being reviewed. Upon completion of its review, the PDMYR Committee shall prepare a written report summarizing its views as to whether the faculty member's performance exceeds expectations, meets expectations, or needs improvement.

Exceeds expectations: Sustained excellence in teaching, research and scholarship, and service that is substantially above expectations and significantly exceeds the performance of most faculty at Simmons. Faculty members deemed to have exhibited such exemplary performance shall receive special acknowledgement from the Board of Trustees that includes a grant of support for professional development such as one or more course releases, a research stipend, and/or

other tangible forms of recognition as may be recommended by the Provost in consultation with the Dean.

Meets expectations: Performance in teaching and achievement in research/scholarship and service that fully meets expectations of professional competence and conscientious discharge of duties. Faculty members deemed to have met expectations shall receive recommendations and appropriate mentoring from the PDMYR committee, Dean, and/or Provost to support their professional development and to help them attain sustained excellence that exceeds expectations.

Needs Improvement: Performance in teaching and achievement in research/scholarship and service that does not meet expectations of professional competence and conscientious discharge of duties. Faculty members deemed to need improvement shall by the start of the next academic year develop in consultation with the Dean a professional development plan (PDP) intended to address weaknesses identified in the PDMYR. To this end, the PDP shall specify strategies and actions, identify performance improvement metrics, and include milestones for assessing progress. The Dean in consultation with the Provost is responsible for approving the faculty member's PDP, monitoring and evaluating improvement during annual reviews, and providing appropriate resources as the PDP may require to support the faculty member's development.

2.5.B.3.i Report

By April 1 of each year, each PDMYR Committee shall submit to its Dean separate written reports on each tenured faculty member reviewed by the Committee which sets forth the Committee's conclusions and recommendations of each faculty member reviewed.

By May 1 of each year and after giving substantial weight to the PDMYR Committee's report, the Dean shall submit his or her own report and recommendations to the Provost. The Provost shall review the reports from the PDMYR Committee and from the Dean no later than June 1 each year and shall notify the faculty member, the Committee and the Dean of his or her conclusion(s) and recommendation(s).

When the faculty member's performance and future development plan are deemed to exceed or meet expectations, each report from the PDMYR committee will describe why the future goals are likely to be accomplished, and the impact of the goals on the Department/School, and campus priorities.

When the performance and plan need improvement, the faculty member will receive a report that describes why the performance is unsatisfactory and suggestions for improvement.

2.5.B.3.j Faculty Member's Response

All faculty members being reviewed are afforded the opportunity to review the completed report of the PDMYR Committee and to submit a response if they disagree with the Committee's conclusions and recommendations. This response must be submitted with two weeks of issuance of the Committee's report to the faculty

member. The Committee shall forward to the Dean the faculty member's response for review and final determination.

2.5.B.3.k Records

As with annual reviews of employees including faculty, all ~~post-tenure review~~ reports of faculty shall be maintained in the offices of each School Dean and the Provost. A copy of the report shall also be placed in the personnel record maintained by Human Resources.

By June 30 of each year, the Deans of each School shall submit annual reports to the Provost listing the names of faculty members reviewed during the previous year and those for whom a professional development plan was recommended and established, along with a copy of that professional development plan.

2.5.B.3.l Confidentiality

All matters relating to PDMYR shall be treated as confidential. All those who participate in the PDMYR process or who otherwise advise on individual cases are obligated to honor this commitment to confidentiality.

2.5.B.3.m Periodic Assessment of PDMYR Process

The Deans, the Provost, the PDMYR Committees of each School, and faculty members who have been reviewed pursuant to these processes may periodically meet to assess the PDMYR process and discuss ways it might be improved within Schools and across Schools.

2.5.C Review of Faculty with Contract Appointments

Each faculty member with a contract appointment shall ~~be evaluated annually~~ have an annual evaluation conducted by his or her Department, Program or Dean. This review shall ~~be used for the purpose of contribute to~~ determining compensation or retention of contract faculty members.

Each School shall develop a policy and procedures for written evaluations of faculty members with contract appointments. ~~Such evaluations shall be made available to the~~ The faculty member will receive a copy of any such annual assessment. Reviews of contract faculty members ~~do not confer any are not to be considered as~~ representations regarding ~~of the~~ likelihood of future offers of successive contracts.

2.5.D Faculty Access to Their Personnel Records

Massachusetts state law grants employees access to their personnel records, but that law does not apply to those employed (or were formerly employed) by a private university in positions that may lead to tenure, are tenured, or which involve responsibilities similar to those in tenure-track positions.

Although private university faculty ~~do not fall under the Commonwealth of Massachusetts laws are not covered by the Massachusetts state law~~ regarding access to personnel records,

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Although private university faculty ~~do not fall under the Commonwealth of Massachusetts laws are not covered by the Massachusetts state law~~ regarding access to personnel records,

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current and former Simmons faculty shall enjoy the same right of access under state law as is afforded to non-faculty employees at Simmons College, with the following exception: Documents created or acquired by the Trustees, the President, the Provost, the Deans and the members of the committees on promotion and tenure in conjunction with a review for promotion and tenure qualify as are confidential both by nature, and by the terms of the *Faculty Policy Manual*, and shall remain confidential. Except for this category of documents, Simmons faculty may have the same access to their personnel records under state law, as do other non-faculty Simmons employees.

2.5.E Professional Development

Professional development refers to the acquisition and dissemination of knowledge or the acquisition of information and skill that enable a faculty member to become more proficient in his or her professional endeavors and thus better contribute to the mission of the College and the priorities of the Department, Program, and/or School. Faculty are encouraged to participate in and avail themselves of professional development opportunities including those that are programmatically sponsored and provided by the College as well as those of outside agencies and organizations.

It is generally expected that the College shall provide faculty with resources for developmental opportunities. Developmental activities include, but are not limited to, travel to meetings and conferences, participation in workshops and short courses, development and incorporation of new teaching styles and methodologies, advanced certification, professional membership dues, disciplinary and interdisciplinary retooling efforts, preparation of manuscripts, and purchase of research materials that are otherwise unavailable. Each School shall develop implementation guidelines for the criteria and process by which faculty professional development funds shall be awarded.

It is generally expected that the College shall provide faculty with access to their field's major scholarly publications and databases. If such access cannot be provided, the Dean may elect to approve a request for a faculty member to use professional development funds for journal subscriptions.

2.6 LEAVES OF ABSENCE

There are four categories of leaves of absence for faculty members: sabbatical leave, professional development leave, special leave, and family or medical leave. Availability of sabbatical, professional development and special leaves is essential to the renewal and professional development of the Faculty. The College seeks to accommodate requests for sabbatical, professional development, and special leaves that serve the purpose of such leaves, subject to instructional constraints and other appropriate considerations.

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By establishing these four categories of leaves of absences, the College does not intend to preclude the possibility that a faculty member may be eligible to take a leave of absence in other circumstances, with the approval in writing of the Dean of his or her School and the Provost. If a faculty member seeks to take a leave in circumstances that do not come within the scope of one of the four established categories of leaves of absences, the faculty member should confer with the Dean of his or her School and his or her Department Chair or Program Head concerning the reasons for the leave, its anticipated duration, the anticipated impact on the School and

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Department or Program, and possible actions to reduce any adverse impact on the School and Department or Program.

This section 2.6 of the *Manual* also offers information related to leave benefits that are unique to faculty members because of the particular characteristics of their responsibilities. The terms and conditions of the College's benefits plans for all employees of the College are outlined in the *Employee Handbook* and other booklet and plan documents, copies of which are available from the Department of Human Resources and the Benefits Office. From time to time, the College may change the benefits accorded to all employees, and thus to faculty members. Prior to such changes, the appropriate faculty committees and Deans shall be consulted.

2.6 A Sabbatical Leaves

2.6.A.1 Purpose

The purpose of the sabbatical leave program is to aid in the revitalization and intellectual growth of the faculty member and promote the faculty member's academic contribution to the College and to his or her profession. The awarding of sabbatical acknowledges tenured faculty who have demonstrated a consistently high level of performance in teaching and in research/scholarship. Sabbatical proposals and activities should align with the mission of the College as an institution of higher learning and result in demonstrable outcomes that contribute to teaching, research and scholarship.

2.6.A.2 Eligibility

A faculty member is eligible to request a sabbatical leave only if she or he has served at least six years on a full-time basis at the College since beginning her or his work at the College or since her or his last sabbatical leave. The six years of service need not be consecutive.

Sabbaticals are reserved for tenured faculty at Simmons, and they are granted only after the applicant is first awarded tenure. If an approved sabbatical leave is delayed due to instructional constraints or other considerations, the period of delay will be included in the calculation of years' service until the affected faculty member is again eligible for a sabbatical leave.

2.6.A.3 Types of Sabbatical Leaves

A sabbatical may constitute a leave from 100% of one academic year's workload at 50% of base salary or a leave from 50% of one academic year's workload at 100% of base salary. For purpose of sabbatical policy, an academic year is defined as [the start of the fall semester to the end of the spring semester]. Alternatives to these types of sabbatical leaves must be approved by the appropriate Dean and the Provost. In addition, the manner in which workload adjustments may be implemented for sabbatical leaves may vary from School to School based on the individual School's guidelines, practices, and needs. Faculty on sabbatical leave will be covered by the College's group plan policies (health, long-term disability and life) (subject to applicable law and the terms of any benefit plans) on the same terms and conditions as if the faculty member had a full workload and were not on sabbatical leave.

Faculty members may not engage in full-time gainful employment during a sabbatical leave. However, faculty members may continue to receive compensation for activities in which they regularly engage during their active full-time service, e.g., consulting,

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To ensure proper course and advising coverage, no more than one faculty member from a department should be on sabbatical at the same time. [In rare circumstances, upon request of the Dean, an exception to this guideline may be considered.] ¶

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provided that the level of those activities is not substantially increased during the sabbatical period. When a faculty member receives compensation from other organizations or institutions to support the sabbatical leave, the College's contribution plus the sum of compensation from other organizations (plus travel and extraordinary living expenses) will not exceed the faculty member's normal College base salary for the period of the leave.

2.6.A.4 Procedures

Ordinarily, a faculty member seeking a sabbatical leave must submit a written proposal at any time up to October 1 of the year preceding the academic year in which the proposed leave is to be taken. If October 1 falls on a Saturday or Sunday, the deadline for the proposal shall be on Monday. A faculty member should submit a proposal for a sabbatical leave to the appropriate Dean with copies to his or her Department Chair or Program Head and should thereafter promptly submit information regarding subsequent developments or other changes relevant to the material contained in the proposal to anyone who received the initial proposal. After consultation with the Department Chair or Program Head, the Dean will transmit his or her written recommendation to the Provost by November 1. The Provost in turn shall pass along her or his recommendations, those from the Dean and the Department Chair or Program Director, to the Trustees on the schedule set by the President in time for the winter meeting of the Simmons Board of Trustees. The President will make every reasonable effort to announce the decision of the Board of Trustees regarding the application to the applicant before March 1. Except when a sabbatical proposal is deemed devoid of merit, sabbatical leaves shall not be denied to those eligible.

2.6.A.5 Contents of Proposal

Each proposal should explain how the sabbatical activities support the faculty member's career goals and professional and research agenda. The proposal shall include a statement indicating how the proposed leave meets the purpose of sabbatical leaves, a plan describing in detail the objectives to be achieved, the breadth of activities in which the faculty member is to be engaged, the anticipated location where the work will be carried out, a timetable including the beginning and ending dates of the leave, the potential benefits of the sabbatical on students and the Department, Program or School, and how the sabbatical contributes to the mission of the College. In cases where external funding is anticipated, the proposal should include a statement identifying anticipated sources of funds. The College is not responsible for expenses such as travel incurred by faculty while on sabbatical.

2.6.A.6 Written Report

March 15 (for those taking leave from the fall semester) and October 15 (for those taking leave in the spring semester or a full-year sabbatical), the faculty member must submit a written report of her or his activities during the leave to the head of her or his Department or Program, with full copies to the appropriate Dean, and the Provost. Faculty should retain a copy of this report and be prepared to summarize outcomes of their last sabbatical when applying for the next sabbatical leave, as prior outcomes will be considered in the review process.

2.6.A.7 Obligations to the College

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In recognition of the compensation paid to a faculty member during a sabbatical leave, a faculty member who takes a sabbatical leave is expected to resume his or her usual duties at the College for at least one academic year immediately following the completion of his or her sabbatical leave.

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Faculty taking paid sabbaticals from Simmons are expected to use their leave to accomplish the objectives set forth in the sabbatical proposal. If a faculty member determines that unexpected developments or other factors may require changes in an approved proposal, the faculty member and his or her Dean in consultation with the Provost must reach agreement on suitable modifications. Should the Dean or Provost obtain evidence that a sabbatical was not used appropriately, the Hearing Committee shall be convened in accordance with Appendix C to review the facts and to make a recommendation to the Provost about the faculty member's eligibility for further paid sabbaticals.

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2.6.A.8 Return Provision

The faculty member is expected to return with the rank and appointment status that he or she had at the commencement of the sabbatical leave. For the purpose of determining salary adjustments, sabbatical leaves will be treated as regular faculty employment.

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2.6 B Professional Development Leave

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2.6.B.1 Purpose

The purpose of the professional development leave program is to aid in the revitalization and professional growth of the faculty member and to promote the faculty member's academic contribution to the College and to his or her profession. The awarding of professional development leaves recognizes full time practice-track faculty who have demonstrated a consistently high level of performance in fulfilling their duties to the College. Professional development leave proposals and activities should result in demonstrable outcomes that enhance the College through contributions to teaching, research and scholarship, and service.

2.6.B.2 Eligibility

Full time, practice-track faculty shall be eligible for paid leave for curriculum development, professional service, or research and scholarship after eight consecutive contractual years of service. A practice-track faculty member may request a leave to be taken in what would be the ninth year of full-time service at the College or in the ninth year since her or his last professional development leave.

2.6.B.3 Types of Professional Development Leaves

A professional development leave may constitute a leave from 100% of one academic year's workload at 50% of base salary or a leave from 50% of one academic year's workload at 100% of base salary. For purpose of this policy, an academic year is defined as the start of the fall semester to the end of the spring semester. Alternatives to these types of professional development leaves must be approved by the appropriate Dean and the Provost. In addition, the manner in which workload adjustments may be implemented for professional development leaves may vary from School to School based on the

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individual School's guidelines practices, and needs. Faculty on professional development leave will be covered by the College's group plan policies (health, long-term disability and life) (subject to applicable law and the terms of any benefit plans) on the same terms and conditions as if the faculty member had a full workload and were not on professional development leave.

Faculty members may not engage in full-time gainful employment during a professional development leave. However, faculty members may continue to receive compensation for activities in which they regularly engage during their active full-time service, e.g., consulting, provided that the level of those activities is not substantially increased during the leave period. When a faculty member receives compensation from other organizations or institutions to support the leave, the College's contribution plus the sum of compensation from other organizations (plus travel and extraordinary living expenses) will not exceed the faculty member's normal College base salary for the period of the leave.

2.6.B.4 Procedures

Ordinarily, a faculty member seeking a professional development leave must submit a written proposal at any time up to October 1 of the year preceding the academic year in which the proposed leave is to be taken. If October 1 falls on a Saturday or Sunday, the deadline for the proposal shall be on Monday. A faculty member should submit a proposal for a professional development leave to the appropriate Dean with copies to his or her Department Chair or Program Head and should thereafter promptly submit information regarding subsequent developments or other changes relevant to the material contained in the proposal to anyone who received the initial proposal. After consultation with the Department Chair or Program Head, the Dean will transmit his or her written recommendation to the Provost by November 1. The Provost, in turn, shall pass along her recommendations, those from the Dean and the Department Chair or Program Director, to the Trustees on the schedule set by the President in time for the winter meeting of the Simmons Board of Trustees. The President will make every reasonable effort to announce the decision of the Board of Trustees regarding the application to the applicant before March 1.

2.6.B.5 Contents of Proposal

Each proposal should explain how the professional development leave activities support the faculty member's career goals and professional development. The proposal shall include a statement indicating how the proposed leave meets the purpose of professional development leaves, a plan describing in detail the objectives to be achieved, the breadth of activities in which the faculty member is to be engaged, the anticipated location where the work will be carried out, a timetable including the beginning and ending dates of the leave, the potential benefits of the sabbatical on students and the Department, Program or School, and how the leave contributes to the mission of the College. In cases where external funding is anticipated, the proposal should include a statement identifying anticipated sources of funds. The College is not responsible for expenses such as travel incurred by faculty while on professional development leave.

2.6.B.6 Written Report

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March 15 (for those taking leave from the fall semester) and October 15 (for those taking leave in the spring semester or a full-year sabbatical leave), the faculty member must submit a written report of her or his activities during the leave to the head of her or his Department or Program, with full copies to the appropriate Dean and the Provost. Faculty should retain a copy of this report and be prepared to summarize outcomes of their last professional development leave when applying for a subsequent one, as prior outcomes will be considered in the review process.

2.6.B.7 Obligations to the College

In recognition of the compensation paid to a faculty member during a professional development leave, a faculty member who takes such leave is expected to resume his or her usual duties at the College for at least one academic year immediately following the completion of his or her professional development leave.

Faculty taking paid professional development leave from Simmons are expected to use their leave to accomplish the objectives set forth in the sabbatical proposal. If a faculty member determines that unexpected developments or other factors may require changes in an approved proposal, the faculty member and his or her Dean in consultation with the Provost must reach agreement on suitable modifications. Should the Dean or Provost obtain evidence that a professional development leave was not used appropriately, the Hearing Committee shall be convened in accordance with Appendix C to review the facts and to make a recommendation to the Provost about the faculty member's eligibility for further paid professional development leave.

2.6 C Special Leave

2.6.C.1 Purpose

The purpose of the special leave is to provide faculty members with the opportunity for professional development. The special leave is intended to support research activities and scholarly activity or to promote innovation and excellence in teaching. Special leaves supported by external grants, other institutions, or scholarly groups are highly encouraged.

2.6.C.2 Eligibility

A full-time faculty member is eligible for a special leave of absence after three or more years of continuous service.

2.6.C.3 Length of Leave

Granted for one or two semesters, the time spent on special leave does not count toward the probationary period for tenure track faculty nor is it considered years of credit toward promotion, tenure, or sabbatical leave.

2.6.C.4 Pay and Benefits

A special leave is not a paid leave. However, during an unpaid special leave, the College continues its contribution to the faculty member's medical insurance coverage, providing the faculty member pays his/her share of such coverage on time, as if she/he is actively employed. Subject to applicable law and the terms of the College's benefit plans, faculty

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members on an unpaid leave shall continue to be covered under the College's group life and long-term disability plans on the same terms and conditions as if the faculty member remained actively employed. A faculty member on a special leave will also continue to be eligible for tuition benefits as if he or she had remained actively employed. If a special leave exceeds the length of one or two semesters, tuition benefits will not exceed two years.

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2.6.C 5 Procedures

A faculty member must submit a proposal for a special leave any time up to October 15 of the year preceding the academic year in which the proposed leave is to be taken. A faculty member should submit a proposal for a special leave to the appropriate Dean with copies to his or her Department Chair or Program Head. After consultation with the Department Chair or Program Head, the Dean will transmit his or her recommendation to the Provost who will make the decision and inform the Dean and faculty member before March 1.

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2.6.C 6 Contents of Proposal

Each proposal should include a statement indicating how the proposed leave meets the purpose of special leaves, including a plan describing in detail the objectives to be achieved, the activities in which the faculty member is to be engaged, the anticipated location where the work will be carried out, expected deliverables and a timetable including the beginning and ending dates of the leave. The proposal should also include a statement identifying anticipated sources of funds.

2.6.C 7 Written Report

Upon returning to the College after his or her special leave, the faculty member will submit a written report of his or her activities during the leave to the head of his or her Department or Program, the appropriate Dean, and the Provost.

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2.6.C 8 Return Provision

The faculty member is expected to return with the rank and appointment status that he or she had at the commencement of the special leave.

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SECTION 3. PROCEDURES FOR RESIGNATION OF FACULTY, NON-RENEWAL OF FACULTY, REVIEW OF PROMOTION AND TENURE RECOMMENDATIONS, ADMINISTRATIVE TERMINATIONS, AND DISMISSALS

3.1 RESIGNATION OF FACULTY MEMBERS

A faculty member may resign from his or her appointment effective at the end of an academic year. For purposes of this policy, a resignation includes a retirement. A faculty member who resigns should give notice in writing.

3.2 NON-RENEWAL OF FACULTY MEMBERS

3.2.A Non-Renewal

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Subject to the procedures in this *Manual*, including previous consultation with appropriate Faculty and the Provost, the Dean of a School may determine not to renew or extend a tenure track appointment, or may determine not to offer a successive contract appointment. Any such determination by a Dean is a non-renewal. A non-renewal is not a dismissal. (Section 3.5.)

3.2.B Notice and Reasons for Non-Renewal

3.2.B.1 Notice by the Dean

Before deciding not to renew or extend a tenure track appointment or not to offer a full-time or proportional faculty member a successive contract appointment, the Dean shall consult with appropriate Faculty and ~~the Provost~~ President. When the Dean in consultation ~~with the Provost-President~~ has determined not to renew or extend a tenure track appointment, or has determined not to offer a full-time or proportional faculty member a successive contract appointment, the Dean will so inform the faculty member in writing. ~~For a faculty member in the first academic year of a tenure track appointment or on an initial one-year full-time or proportional contract appointment, that notice shall be delivered on or before the earlier of (i) March 30 of that academic year, or (ii) three six months in advance of the termination date of the appointment.~~

~~For a faculty member in the second or subsequent year of a tenure track appointment or who is in the final year of a full-time or proportional contract appointment (other than an initial one-year contract appointment), that notice should be delivered on or before the earlier of (i) December 15 of the last academic year of the appointment, or (ii) six months in advance of the termination of the appointment.~~

Regardless of the stated term or other provisions of any appointments, written notice that a tenure-track or a full-time or **proportional appointment** is not to be renewed will be given to the faculty member in advance of the expiration of the appointment, as follows:

(1) not later than March 1 of the first academic year of service if the appointment expires at the end of that year; or, if a one-year appointment terminates during an academic year, at least three months in advance of its termination;

(2) not later than December 15 of the second academic year of service if the appointment expires at the end of that year; or, if an initial two-year appointment terminates during an academic year, at least six months in advance of its termination.

As with other time frames set forth in the *Faculty Policy Manual*, the Dean will make good faith efforts to comply with this deadline for notice. (See Section 4.) However, the failure to give notice in accordance with this provision shall not be construed as a new appointment or a renewal or extension of an appointment.

3.2.B.2 Reasons for Non-Renewal

After receipt of notice in writing of non-renewal, the faculty member may request the Dean to inform him or her concerning the reason(s) for the determination. Upon such request, the Dean will inform the faculty member concerning the reason(s) for the determination.

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3.3 REVIEW OF PROMOTION AND TENURE RECOMMENDATIONS

A candidate for promotion and/or tenure may request an inquiry concerning the procedures followed by the applicable committee on promotion and tenure, the appropriate Dean, the Provost or the President, or may seek reconsideration of the decision based upon the grounds that the decision was based on something other than the prescribed criteria or the existence of new information related to the prescribed criteria in Section 2.4. If an inquiry is requested, the Review Committee shall undertake a review limited to reviewing the process of assessment of the candidate's qualifications and performance by the committee on promotion and tenure, the Dean, the Provost and/or the President, and/or will review the significance of the new information, in accordance with the procedures described in Appendix A.

The only functions of the Review Committee are to determine whether adequate consideration was given to the procedural aspects for promotion and tenure and/or to determine whether the decision was based on something other than the prescribed criteria: teaching; achievement in research, scholarship and creative activities; service; and need and/or whether the new information is sufficiently significant in the context of the promotion and/or tenure case to merit reconsideration of the case. The Review Committee makes its determination by reviewing the written reports prepared by the committee on promotion and tenure; by interviewing the members of the committee on promotion and tenure, the appropriate Dean, the Provost and/or the President; and, in the case of new information, by considering that information in the context of the case. The Review Committee does not substitute its own judgment for that of the committee on promotion and tenure, the Dean, the President, or the Board of Trustees regarding whether any candidate should be promoted or granted tenure.

3.4 ADMINISTRATIVE TERMINATION OF FACULTY MEMBERS

3.4.A Administrative Termination

An administrative termination means the termination of a tenured faculty member or termination of a non-tenured faculty member prior to the expiration of a tenure track appointment or a contract appointment because of either (1) closure of a School, Department, or Program; or (2) financial exigency. A non-renewal (Section 3.2) or a dismissal (Section 3.5) does not constitute an administrative termination.

The decision to close a School, Department of instruction, or Program may be based upon either educational or financial considerations or both. Restructuring, relocation or realignment of a School, Department of instruction, or Program within Simmons is not a closure.

Because the Faculties' responsibilities include participating in the process of developing and organizing the College's academic programs (Section 1.5.D), the President, Provost, and appropriate Dean shall therefore consult extensively with the Faculty Senate concerning any proposal to close a School, Department, or Program. The President and her/his designee shall give substantial weight to the views of the Faculty Senate regarding educational considerations when a School, Department or Program is closed.

3.4.B Definitions

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For purposes of an administrative termination, a financial exigency is a bona fide, financial extremity that threatens the financial viability of the College as a whole, and that cannot adequately be alleviated by means other than a reduction in faculty employment without causing a deleterious effect on the mission of the College or the School experiencing the financial exigency.

3.4.C Determination of Financial Exigency

If a Dean, the Provost, or the President considers initiating an administrative termination based on financial exigency, the Board of Trustees must first declare that it has determined that a financial exigency exists. Before the Board makes such a determination and declaration, the Dean, Provost, or President shall first consult with and solicit views from the appropriate faculty committees Faculty Senate and the Faculty Fiscal Affairs Committee. After such consultation, the Faculty Senate and the Faculty Fiscal Affairs Committee shall have the opportunity to report its their views to the Board before the Board determines whether to declare the existence of a financial exigency. For purposes of this provision, the Executive Committee may exercise all powers of the Board.

3.4.D Preliminary Actions to Attempt to Avoid Administrative Termination

Administrative termination should occur only in unusual circumstances. Although the need to maintain a sound financial foundation to the College may on rare occasions lead the College to consider an administrative termination, the College will not initiate an administrative termination until it has first undertaken extensive efforts to attempt to avoid such a termination. In the event that a proposed administrative termination would be based on financial exigency, the following steps would be undertaken only after a declaration of financial exigency. (See Section 3.4.C.)

If a Dean, the Provost, or the President considers initiating an administrative termination, the Dean of the affected School and the Provost must first consult extensively with the Faculty Senate, of that School concerning the possible termination, the reasons for considering administrative termination, and the adequacy of alternatives. After consultation, the Faculty Senate may make a report and/or a recommendation to the Dean, the Provost, and the President. The Dean, the Provost, and the President shall give substantial weight to the views of the Faculty Senate. If after consultation with the Faculty Senate, the Dean believes that an administrative termination should proceed, the Dean shall make a report and recommendation to the Provost and the President and present to the Provost and the President any report and/or recommendation of the Faculty Senate. If the Faculty Senate disagrees with the recommendation of the Dean, the Provost shall meet with the committee and shall give the Faculty Senate's views substantial weight in determining whether to initiate an administrative termination.

Prior to the termination of a faculty member with a tenured appointment because of closure of a School, Department, or Program or financial exigency, Simmons will make every reasonable effort to offer to him or her, if qualified, an available suitable position. The Dean, the Provost, and the President shall also give serious consideration to proposals to assist a faculty member in becoming qualified to serve the College in an area in which the College has a need. If a tenured appointment is terminated before the end of the period of appointment, because of financial exigency, or because of the closure of a program of instruction, the College will not hire a full-time equivalent replacement for the released faculty member

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within a period of two years, unless the released faculty member has been offered an opportunity to accept reappointment and a reasonable time within which to act on the offer,

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Ordinarily, the positions of non-tenured faculty will be eliminated before the positions of tenured faculty.

3.4.E Notice and Review of Administrative Termination Decision

When the President, after the preliminary actions described above, has determined to terminate a faculty member with a tenured appointment or to terminate a tenure track or contract faculty member, prior to the expiration date of his or her appointment because of closure of a School, Department, or Program or financial exigency, the President shall so inform the faculty member in writing. The President shall give as much advance notice to the affected faculty member as the President reasonably determines to be practicable under the circumstances. If the faculty member seeks more information and/or a review of that decision, the faculty member shall utilize the procedures set forth in Appendix B.

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3.4.F Severance Benefits for Faculty Members Subject to Administrative Termination

Except in cases of severe financial exigency concerning the College as a whole, if the College does not offer a terminated tenured faculty member a new appointment, the College shall propose a severance benefit, in exchange for a release of claims, after giving substantial weight in its consideration to the length and nature of the faculty member's service and the scope and extent of the financial constraints, as part of a complete resolution of matters related to the faculty member's service to the College. Such consideration shall also take into account AAUP recommendations that severance benefits in such cases shall be a minimum of one year's base salary.

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3.5 DISMISSAL OF FACULTY MEMBERS

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3.5.A Dismissal

The term "dismissal" refers to a dismissal for cause of a faculty member with a tenured appointment or prior to the expiration of a tenure track appointment or a contract appointment is a dismissal. The termination of a faculty member because of closure discontinuance of a School, Department or Program or financial exigency, is or non-renewal of a contract does not constitute a dismissal. A non-renewal is not a dismissal.

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3.5.B Definitions

For purposes of a dismissal, "cause" means the substantial and egregious failure to discharge the responsibilities and duties of a faculty member (see Section 2.2) or egregious misconduct, as described generally below. Termination for cause or any other termination of a faculty member must not arise in an attempt to restrict an exercise of academic freedom or any other legitimate conduct of a faculty member.

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When a faculty member is suspected of exhibiting behavior warranting dismissal for cause, the Dean shall be responsible for investigating the circumstances and documenting the findings in a written report to the Provost and to the faculty member. Depending upon the circumstances for dismissal, and at the discretion of the Dean, Provost or President,

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appropriate faculty may be consulted. The President, in consultation with the Provost and Dean, shall determine whether dismissal or a lesser sanction is in order. The President should give serious consideration to possible lesser sanctions before initiating the dismissal of a faculty member. Normally, the appropriate sanction for a faculty member's failure to discharge duties and responsibilities would not be dismissal.

We cannot anticipate all possible conduct or conditions that may lead to dismissal for cause in precise terms. However, we anticipate that they will occur only in rare circumstances. The following circumstances may constitute cause:

1. Physical or mental incapacity that is causing a substantial interruption of service to the College when such interruption has not been approved by the Dean, the President or Board of Trustees; or failure to discharge duties in accordance with Section 2.2 of this Manual after at least one prior written warning; or

1. Clear and convincing behavioral evidence that due to physical or mental incapacity the faculty member, even with reasonable accommodation, is no longer able to perform the essential duties of the position; or failure to discharge duties in accordance with Section 2.2 of this Manual after at least one prior written warning; or

2. Serious violation of a College policy against unlawful discrimination, harassment or retaliation; or

3. Criminal conduct conviction that relates directly and substantially to the fitness of the faculty member in a professional capacity; or

4. Intentional or reckless gross misconduct that seriously and detrimentally affects the College. Such conduct must, at a minimum, either qualify as clearly unacceptable in the context of higher education or seriously deviate from standards or practices commonly accepted in the faculty member's discipline.

5. Substantial academic dishonesty in research or scholarship; or

6. Abandonment or habitual neglect of academic duties assigned faculty responsibilities, including but not limited to failure to hold class; failure to submit grades in a timely manner; and failure to maintain levels of skill, information, professional license revocation, and qualifications sufficient to provide instruction meeting the academic standards of the individual's discipline or the accreditation standards of the School or degree program.

A physical or mental incapacity, as described in 3.5.B.1, which by its nature may make the faculty member unfit to perform in the classroom, may not prohibit the faculty member from performing in some other position within the institution. The College shall make a good faith effort to find such a position before terminating a faculty member for cause.

Termination for cause is subject to review as described in Appendix C, including the right to a hearing before the Hearing Committee and the right to review by the Executive Committee.

3.5.C Notice of Dismissal

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When the President, after consultation with the Provost and the appropriate Dean, has determined to terminate a faculty member for cause, the President shall so inform the faculty member in writing and shall set forth the reasons in writing.

If the faculty member believes that no cause for dismissal exists, the faculty member may make a request in writing to the President that the President present the matter to the Hearing Committee (Appendix C, Section 2.C.2). The burden of proof that cause for dismissal rests with the College.

3.6 MATTERS PENDING IN OTHER FORUMS

If, prior to commencing the procedures set forth and referenced in this Section, or Section 4, or the policies and procedures under Section 5.1, or any of the Appendices, or while any such procedures are still in progress, a faculty member seeks resolution of issues or claims related to the matter in any other forum, whether administrative or judicial, then the complaint and other procedures set forth in or developed under this *Manual* will not commence or proceed further, unless specifically determined otherwise by the President in his or her sole discretion. To encourage efforts to resolve matters pursuant to the procedures set forth in or developed under this *Manual*, the College agrees that all statutory and administrative limitation periods are tolled (i.e., suspended) during the pendency of such procedures to the fullest extent permitted by law. For purposes of this provision, the "pendency" of any such procedure begins on the date when a faculty member has invoked the procedure and ends when the College has taken final action under the procedure. For these purposes, the College's "final action" will be the last action taken by the College under the procedure, whether due to reaching the last step of the procedure, due to the faculty member's failure to pursue further steps under the procedure in a timely manner, or due to the inaction of both parties.

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SECTION 4. PROBLEM RESOLUTION

From time to time, a problem may arise regarding the implementation or interpretation of the policies contained in this *Manual* as they pertain to a faculty member. For purposes of this *Manual*, a "problem" includes any dispute or other issue (that pertains to a faculty member) regarding the implementation or interpretation of policies contained in this *Manual*. The College commits first and foremost to seeking informal resolution of differences. Parties should confer informally to attempt to resolve any differences. For circumstances when an informal resolution of the problem does not occur, this *Manual* sets forth more formal procedures for problem resolution.

Any problem involving the non-renewal of a faculty member will follow the procedures contained in Section 3.2; any problem involving a promotion or tenure recommendation will be follow the procedures contained in Appendix A; any problem involving an administrative termination of a faculty member will follow the procedures contained in Appendix B; any problem involving the dismissal of a faculty member will follow the procedures contained in Section 3.5 and Appendix C, and resolution of any problem involving alleged sexual or other discriminatory harassment will proceed in accordance with the College's standard policies and procedures. The mechanisms for resolution of all other problems regarding implementation or interpretation of the policies contained in this *Manual* are set forth in Appendix C.

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These problem resolution procedures constitute the sole and exclusive means of addressing claims that violations of any substantive provisions of this *Faculty Policy Manual* have occurred. They do not preclude a faculty member from pursuing common law claims (other than substantive breach of contract claims) or claims of violations of statutory rights. That is, nothing in the College's internal procedures precludes a faculty member from pursuing a legal claim in an administrative or judicial forum; but, if a faculty member does so, then the College's internal procedures are no longer available as a forum for addressing any issues raised in the other forum. The Appendices and other portions of this *Manual* set forth time frames and deadlines for actions. Except as specifically noted, time frames refer to calendar days. The College, its representatives, the affected faculty members, and other parties will attempt to comply with such deadlines and time frames as are applicable to them. Provided that a party makes good faith efforts to comply with those deadlines and time frames and that no unreasonable delays occur, the failure to satisfy the terms of applicable deadlines and time frames will not constitute policy violations. In addition, the involved parties may in any circumstance agree to alternative time frames and deadlines.

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SECTION 5. NONDISCRIMINATION POLICIES

5.1 POLICY ON SEXUAL AND OTHER FORMS OF DISCRIMINATORY HARASSMENT

The College is committed to maintaining an academic and working environment free from sexual harassment, as well as to maintaining an academic and working environment free from other forms of unlawful discriminatory harassment, whether based upon race, color, religion, gender, ancestry, national origin, sexual orientation, age, or physical or mental disability. The College maintains this commitment because sexual and other discriminatory harassment is unlawful and because it can undermine the College's academic and working environment.

As with other College policies, the College's policy of maintaining an academic and working environment free from sexual harassment and other unlawful discriminatory harassment should be interpreted and applied in a manner consistent with the College's commitment to intellectual and academic freedom as state and federal law may allow.

As required by law, the College has developed policies and procedures to respond to complaints of harassment. At the time this *Manual* went to press, the College's policy and procedures were to be found at <http://www.simmons.edu/offices/counsel/discrimination-harassment.php>. A complete copy of the College's policy and procedures may also be obtained from the Office of Human Resources or the Office of the College Counsel.

5.2 POLICY ON EQUAL EMPLOYMENT OPPORTUNITY

The College is committed to providing equal employment opportunity for all faculty members and applicants for Faculty positions without regard to race, color, religion, gender, national origin, ancestry, sexual orientation, age, physical or mental disability, or veteran status. The College's policy regarding equal employment opportunity applies to all aspects of employment, including recruitment, hiring, promotion, tenure, loss of employment, working conditions, benefits, salary, and selection for professional development.

The College will not tolerate any form of prohibited discrimination or retaliation. All faculty members are expected to cooperate fully in implementing this policy. Any faculty member who

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believes that this policy has been violated should report the matter immediately to the President, Dean, Provost, Director of Human Resources, or College Counsel.

SECTION 6. AMENDMENTS TO FACULTY POLICY MANUAL

The policies compiled in this *Manual* may be modified or amended by agreement of the Faculties and the Board of Trustees of the College. When the Board proposes such changes, it will notify the Faculty Councils by delivering a copy of its request to the President. Faculty may propose such changes by either or both of the Faculty Councils or by the majority of those voting from among the Voting Faculty of any School determining to propose changes and notifying the Board by delivering a copy of a request for changes to the President. This *Manual* may not be modified or amended without the vote of the majority of those voting from among the Voting Faculty of each School and the approval of the Board.

This *Manual* shall remain in effect for seven years to and including June 30, 2017. The Faculties and the Administration shall meet and discuss whether to continue this *Manual* in effect thereafter and possible modifications to the *Manual*. During the period of such discussions, the *Manual* may be renewed for one or more periods of up to six months each by the vote of the majority of those voting in each Faculty Council and the Executive Committee. A new *Manual* may be adopted only by the vote of the majority of those voting from among the Voting Faculty of each School and the approval of the Board.

APPENDIX A:

PROCEDURES FOR REVIEW OF PROMOTION AND TENURE RECOMMENDATIONS

Appendix A sets forth the procedures to implement Section 3.3 of the Manual.

A.1 COMPOSITION OF REVIEW COMMITTEE

The Review Committee consists of five voting members. The voting members shall consist of one person chosen by the Voting Faculty of each School from among the tenured Faculty of that School who have previously served on their respective committee on promotion and tenure.

Each School shall elect its representative to the Review Committee for the coming year by July 1 and shall promptly forward the name of its representative to the Faculty Senate and Provost. Each of these voting members shall serve for a term of five years on a staggered basis (subject to reduced terms when necessary to establish staggered terms). The Review Committee shall select its Chair from among its members at any time when the composition of the Review Committee changes.

A.2 PETITION

Any candidate for promotion and/or tenure who has received written notice of the final decision(s) of the Board of Trustees denying promotion and/or tenure may deliver a written petition to the President-Provost requesting review by the Review Committee. The petition may request that the Review Committee review either or both:

- I. the process by which his or her qualifications and performance were assessed by the appropriate committee on promotion and tenure, the appropriate Dean, the Provost and/or the President, and/or

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- II. whether new information is sufficiently significant in the context of the promotion or tenure case to merit reconsideration of the case in light of the new information.

The faculty member shall deliver any such written petition to the ~~President-Provost~~ within twenty-one (21) days after he or she receives notice of the final decision(s) of the Board, or within fourteen (14) days after a requested meeting to clarify reasons for the decision. ~~I (Within fourteen days after he or she receives such notice,~~ the faculty member may request a meeting to clarify reasons for the decision with any or all of the following individuals, individually or jointly: the President, the Provost, the appropriate Dean, and/or the Chair of the committee responsible for tenure and promotion decisions at the faculty member's School. (See Section 2.4.E.5 above.) The date that the Provost receives the petition is the "petition date."

The written petition shall specify which of the Criteria for Promotion and Tenure are requested to be reviewed and state, in detail, which matters are requested to be reviewed by the Review Committee. If the petition is based in whole or in part on new information, the new information should be appended to the petition.

Within seven (7) ten-days of the petition date, the Provost ~~President~~ shall deliver to the Review Committee and the appropriate Dean a copy of the written petition and a copy of the written report prepared by the committee on promotion and tenure concerning the candidate. The Provost ~~President~~ shall convene the first meeting of the Review Committee.

Actions	Response Required	Comments
Candidate informed of denial of tenure in writing	March 1 at the latest	
Time to request a meeting for more information	7 days from the date of the denial letter	Meetings should be convened as soon as possible
Petition due to Provost's Office	21 days from receipt of the denial letter OR 14 days after the meeting	
Petition delivered by Provost to the Review Committee and Dean	No later than 7 days after petition delivered to the Office of the Provost	Review Committee and Deans should receive the P&T report, petition and any other relevant materials. Provost convenes first Review Committee meeting
Review Committee delivers a report to Provost and Dean	No later than 21 days after receipt from the Provost	
Provost promptly notifies faculty member	No later than 2-3 days	
If the Review Committee determines that the tenure/promotion decision should be upheld	No further action and the appeal process is closed	
If Review Committee determines that a new review is warranted	The Provost (or Review Committee) will determine at what level the review should begin. If it is referred back to	Review Committee report will be shared with the <u>candidate</u>

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	a P&T committee, a review and decision should be delivered to the Provost in no later than 14 days. If the review is referred back to a Dean, Provost or other individual party, the review and written decision should be returned to the Provost in no later than 7 days.	
When a tenure case is referred back to a particular level of review for reconsideration, the process continues up the levels of review.		

A.3 REVIEW COMMITTEE REPORT

The Review Committee shall review relevant written materials and consult with the committee on promotion and tenure, the Dean, the Provost, and the President concerning the reasons for their respective recommendations. Within twenty-one days of the petition date (excluding the period of spring break), the Review Committee shall report to the President in writing. If the petition requested a review of the process of the assessment, the Review Committee shall report either: (i) that it has determined that the recommendation of the committee on promotion and tenure, the Dean, the Provost, and/or the President was the result of adequate consideration of the criteria for promotion and tenure; or (ii) that it believes that the committee on promotion and tenure, the Dean, the Provost, and/or the President should be requested to consider further his, her, and/or its recommendation based on one or more of the Criteria for Promotion and Tenure. If the petition requested review based on new information, the Review Committee will report either: (i) that the new information is sufficiently significant in the context of the promotion or tenure case to merit reconsideration of the case in light of the new information; or (ii) that it is not sufficiently significant in the context of the case to merit such reconsideration.

If the Review Committee believes that further consideration should be requested, the Review Committee shall state in detail in its written report to the President why it believes further consideration should be requested and at what level (committee on promotion and tenure, Dean, Provost, or President) such further consideration should begin. The Review Committee shall provide copies of its report to the committee on promotion and tenure, the Dean, Provost, and the President, and the President shall inform the candidate of the Review Committee's decision.

A.4 FURTHER CONSIDERATION

If the Review Committee reports to the President that it believes further consideration of a recommendation by the committee on promotion and tenure should be requested, the President shall promptly request further consideration of a candidate by the committee on promotion and tenure concerning the matters stated in the written report of the Review Committee.

The committee on promotion and tenure shall meet and report to the Dean, ~~the Provost~~, and the President in writing within ~~forty-five~~ thirty (30) days of the petition date and inform them either: (i) that it affirms its original recommendation; or (ii) that it has determined that its original recommendation should be modified. The report shall also explain the rationale for the committee's determination.

If the committee on promotion and tenure determines that its original recommendation should be modified, it shall state in detail in its written report how it believes its original recommendation should be modified. The Dean shall thereafter make a written recommendation within ~~thirty~~ fourteen (14) days to the Provost and the President concerning the written report of the committee on promotion and tenure, and the President shall notify the candidate in writing of his or her decision within seven (7) additional days.

If the Review Committee reports to the President that it believes further consideration of a recommendation by the Dean should be requested, the ~~President~~ Provost shall promptly request such further consideration by the Dean based on the matters stated in the written report, and the Dean shall undertake such reconsideration and shall, after consultation with the committee on promotion and tenure, make a written report to the Provost and the President within fourteen (14) days after the Review Committee submits its report to the Provost and the President. The President shall notify the candidate in writing of his or her decision within seven (7) additional days.

If the Review Committee reports to the President that it believes further consideration of a recommendation by the Provost should be requested, the President shall promptly request such further consideration by the Provost based on the matters stated in the written report, and the Provost shall undertake such reconsideration and shall, after consultation with the committee on promotion and tenure and the Dean, make a written report within fourteen (14) days to the President. The President shall notify the candidate in writing of his or her decision within seven (7) additional days.

If the Review Committee reports to the President that it believes further consideration of a recommendation by the President should occur, the President shall undertake such reconsideration. The President shall consult with the Dean, the Provost, and the committee on promotion and tenure as part of that reconsideration, and shall notify the candidate of his or her decision in writing within fourteen (14) days.

A.5 REVIEW BY THE BOARD OF TRUSTEES

If the Review Committee recommends reconsideration and the committee on promotion and tenure, the Dean, and/or the President modifies his, her, and/or its original recommendation based upon such reconsideration, the President shall submit the Review Committee report and all subsequent reports and recommendations to the Executive Committee of the Board of Trustees within fourteen (14) days of such modification. The President shall request the Executive Committee to consider the Board's previous determination in light of the further reports and recommendations, including full consideration of any reports and recommendations supporting the award of promotion or tenure, and make a final determination.

As soon as practicable, the President shall inform in writing both the relevant committee on promotion and tenure, the appropriate Dean, the Provost, and the faculty member of the Executive Committee's determination.

**APPENDIX B:
PROCEDURES FOR REVIEW OF ADMINISTRATIVE TERMINATION DECISIONS**

Appendix B sets forth the procedures to implement Section 3.4 of the Manual. No administrative termination may occur unless the procedures described in Section 3.4 have first been fully followed.

B.1 STATEMENT OF REASONS FOR ADMINISTRATIVE TERMINATION DECISION

After receipt of notice in writing of administrative termination, the faculty member may request the President, the Provost, or the appropriate Dean to inform him or her orally concerning the reason(s) for the determination. Upon such request, the President, the Provost, or the Dean shall inform the faculty member orally concerning the reason(s) for the determination. The faculty member may make a request in writing to the President, the Provost, or the Dean to confirm such reasons in writing. If so requested, the President or the Dean shall confirm such reasons in writing.

B.2 PROCEDURES

If the faculty member believes that the determination of the President was not because of discontinuance closure of a School, Department, or Program or financial exigency or that the procedures of Section 3.4 were not followed, the faculty member may make a request in writing to the President that the President present the matter to the Hearing Committee (Appendix C, Section 2.C) for its consideration. When such a written request has been filed, the Hearing Committee shall inquire informally into the matter.

The Hearing Committee explores issues arising in administrative terminations through an informal inquiry process rather than a formal hearing because an informal inquiry is more appropriate for such cases. Specifically, administrative termination cases are more likely than other disputes to place two or more faculty members in conflicting positions. Such cases are also more likely to lead to examination of a range of alternatives, which can typically be explored more effectively through a more flexible inquiry format. However, establishing an informal inquiry framework is not intended to preclude the Hearing Committee from undertaking a careful and complete review, including interviewing fully persons with relevant knowledge. The Hearing Committee also has the authority to conduct a formal inquiry in administrative termination cases that are presented to it.

After such inquiry, the Hearing Committee shall report to the President in writing either: (i) that it believes that the determination was because of discontinuance closure of a School, Department, or Program or financial exigency and that the procedures of Section 3.4 were followed; or (ii) that it recommends that the President should consider the determination further. If the Hearing Committee recommends that the President should consider the determination further, the Hearing Committee will state in detail in its written report to the President why, in its opinion, the determination should be considered further and supply a copy of the record that it compiles to the President. The President shall supply a copy of the Hearing Committee's report to the faculty member, the Dean, and the Provost.

B.3 FURTHER CONSIDERATION BY THE PRESIDENT

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If recommended to do so by the Hearing Committee, the President shall consider the determination further. The President shall give substantial weight to the report and recommendation of the Hearing Committee. After such further consideration, the President shall inform the faculty member, the Dean, the Provost, and the Hearing Committee in writing of the results of the further consideration. If the President disagrees with the recommendation of the Hearing Committee, the President shall explain his or her reasons in writing. If the President agrees with the Hearing Committee, the matter is closed and the President will inform the faculty member, the Dean, and the Provost of her or his decision.

B.4 FURTHER CONSIDERATION BY THE EXECUTIVE COMMITTEE OF THE BOARD OF TRUSTEES

If the President disagrees with the recommendation of the Hearing Committee, the faculty member may ask the Executive Committee to review the President's determination by promptly making a request for such a review. In the event of such a request, the President shall deliver to the Executive Committee copies of the Hearing Committee's record and report and the President's determination. Before making any decision, the Executive Committee shall meet with the President and a representative of the Hearing Committee. In its deliberations, the Executive Committee shall consider the entire Hearing Committee record.

The Executive Committee shall make the final determination. In doing so, it shall give substantial weight to the report and recommendation of the Hearing Committee.

As soon as practicable after receiving the Executive Committee's determination, the President shall notify the faculty member, the Hearing Committee, the Provost, and the Dean of the Executive Committee's determination.

APPENDIX C: PROBLEM RESOLUTION PROCEDURES

Appendix C sets forth the procedures to implement Section 4 of the *Manual*. As described in Section 4, these Problem Resolution Procedures are the mechanisms for resolving problems concerning implementation or interpretation of policies contained in the *Manual* or any other Simmons policies or implementation guidelines that are not designated for resolution under another mechanism. In addition, the Hearing Committee under this Appendix C is available for hearings concerning dismissals.

C.1 DEFINITIONS

C.1.A Person Involved

These Problem Resolution Procedures refer to the resolution of differences between one or more faculty member(s) and any other "person involved." For purposes of these Problem Resolution Procedures, the "person involved" could be any individual who administers a policy or policies contained in this *Manual* in a manner that the faculty member believes detrimentally affects him or her. Thus, the "person involved" could be one or more Deans, the Provost, the President, or other person. In any circumstance involving a dismissal of a faculty member, the "person involved" is the President.

C.1.B Parties

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The “parties” to these Problem Resolution Procedures are the faculty member(s), the person involved, the appropriate Dean, The Provost, and the President.

C.1.C President

References to the “President” refer to the President or any person (such as the Provost) whom the President designates in a particular case to perform some or all of the President’s functions under the Problem Resolution Procedures.

C.2 INFORMAL PROCEEDINGS

C.2.A Informal Action

When a problem arises regarding the implementation or interpretation of the College’s policies contained in this Manual as they pertain to a faculty member(s) unless the matter is of a serious nature and personal contact with the person involved would be objectionable to the faculty member, the faculty member(s) should discuss the problem with the person involved in personal conference and attempt to resolve the matter by mutual consent. Any such personal conference between the faculty member(s) and the person involved is confidential.

If the personal conference does not resolve the matter, the faculty member(s) may seek resolution, to the extent practicable, by the Department Chair or Program Head and, if not so resolved, by the appropriate Dean, and then if not so resolved, by the Provost. If the matter remains unresolved, the faculty member(s) may request in writing (“advisory request”) that the ~~President~~ Provost attempt to resolve the matter. The faculty member(s) shall deliver the advisory request to the ~~President~~ Provost promptly after it becomes apparent that all other means of resolution have been unsuccessful.

C.2.B Informal Inquiry by the ~~President~~

After the ~~President~~ Provost receives an advisory request, the ~~President~~ Provost shall informally inquire into the matter and invite the Dean and such other persons as he or she deems appropriate to participate in the inquiry. The ~~President~~ Provost shall issue his or her written recommendation for the resolution of the matter to the faculty member and to the person involved within fourteen (14) days of the date of the filing of the advisory request. If the recommendation of the ~~President~~ Provost is accepted by both the faculty member and the person involved, the matter may be resolved by mutual consent. Any such inquiry and resolution shall be confidential.

If the matter is not resolved as a result of the ~~President’s~~ Provost’s informal inquiry and recommendation for resolution, any party may commence a Hearing Committee Inquiry by sending written notice of the commencement of a Hearing Committee Inquiry to the Chairperson of the Hearing Committee (the “Chair”) and the other parties within fourteen (14) days of the ~~President’s~~ Provost’s issuance of a recommendation for resolution of the matter. The party initiating a Hearing Committee Inquiry should also send a copy of the ~~President’s~~ Provost’s recommendation for resolution to the Chair.

C.2.C Hearing Committee Inquiry

C.2.C.1 Purpose of the Hearing Committee (Move these two paragraphs to Section 1 under Committees)

The purpose of the Hearing Committee is to attempt to resolve problems that arise regarding the implementation or interpretation of the College's policies contained in this Manual as they pertain to a faculty member. The Hearing Committee determines initially whether formal proceedings should be commenced. If it decides to commence formal proceedings, it presides over those proceedings.

C.2.C.2 Composition of the Hearing Committee (Move these two paragraphs to Section 1 under

The Hearing Committee consists of five persons, one elected by the Voting Faculty of each school from among the tenured Faculty of that School. Each School shall elect its representative to the Hearing Committee for the coming year by July 1 and shall promptly forward the name of its representative to the Faculty Senate, the Provost, and the President. The Hearing Committee shall select its Chair from among its members at any time when the composition of the Hearing Committee changes and at any other time, at their discretion. If one of the Hearing Committee members is unwilling or unable to serve (whether due to a conflict of interest, unavailability, or otherwise), a faculty committee from that faculty member's School shall select a replacement according to procedures specified in that School's implementation guidelines.

C.2.C.3 Statement of Cause

Promptly after the initiation of a Hearing Committee Inquiry, the President-Provost shall submit a "statement of cause" to the Chair, with copies to the other parties. A "statement of cause" is a brief and neutral statement of the nature of the problem to be resolved. If any party disagrees with the President's-Provost's statement of cause, he or she may submit an alternative statement of cause within seven (7) days of the Provost's submission.

C.2.C.4 Determination Regarding Holding a Hearing

After the time has passed for submitting all statements of cause, the Hearing Committee shall promptly determine, based on the significance and gravity of the matter, whether a hearing should be held. In all cases involving dismissal of a faculty member (Section 3.5), the faculty member is entitled to a hearing under these Problem Resolution Procedures.

The Hearing Committee shall notify the parties in writing of its determination within fourteen (14) days of receiving the statement(s) of cause. If a hearing will be held, the Hearing Committee will inform all parties of the hearing date, which will be at least fourteen (14) days but not more than thirty (30) days from the date of notice.

C.3 FORMAL PROCEEDINGS

C.3.A Establishment of Procedures

The Hearing Committee shall establish procedures for hearings consistent with this Section 3, which it may change from time to time and adapt for different types of proceedings. The Chair shall provide the Hearing Committee's written procedures to all parties.

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C.3.B Prehearing Conference

At least one week in advance of the hearing the parties shall meet informally to discuss whether there are facts in dispute and such other matters as the Chair deems necessary or appropriate to prepare for the efficient conduct of the hearing. If the parties agree that no facts are in dispute, each will identify and promptly exchange any documents that he or she intends to present to the Committee at the hearing. If any of the parties believes that there are facts in dispute, that party shall, at least seventy-two (72) hours before the hearing, provide a written statement to the Chair and all other parties identifying the witnesses, if any, that such party intends to request to appear at the hearing and attaching copies of any documents that such party intends to present at the hearing. The Committee reserves the right to call its own witnesses and introduce its own information, and shall notify the parties of such witnesses and/or additional information in a timely manner.

C.3.C Privacy of Hearing

The hearing shall be private: open only to the parties and any other persons whom the Chair deems necessary or appropriate to the fair and efficient conduct of the hearing. The Chair shall notify all parties in advance of any such persons.

C.3.D Record of Hearing

In any case involving a dismissal, the Hearing Committee shall ensure that a stenographic or similar record is made of the hearing. In any other proceeding, the Hearing Committee may determine that a stenographic or similar record should be made. The College shall bear the costs of any stenographic or similar record.

C.3.E Representation of Parties

Because the Faculty and the Administration recognize that legal counsel can disrupt efforts to address differences in a collegial and constructive manner, legal counsel will not be permitted to attend or participate in the hearing on behalf of the person involved, the faculty member, or any other party, including the President. Each party may select a member of the College community to participate in the hearing as an advisor and/or to represent the party. A member of the community is eligible to serve as advisor even if he or she has legal training, so long as he or she is not a practicing lawyer. This does not limit the rights of any party to seek the advice of legal counsel outside the hearing.

C.3.F Conduct of the Hearing

The Hearing Committee shall determine the order of presentation of the proceedings and shall have the discretion to limit the proceedings based on the interests of fairness, completeness, efficiency, and relevance. The parties, directly or through their representatives, may make opening presentations to the Hearing Committee, examine and cross-examine witnesses, introduce information at the hearing, and make an oral statement prior to the commencement of deliberations by the Hearing Committee.

Aside from limitations on presentation of information at the hearing that may be established by the Hearing Committee in its discretion, the Hearing Committee shall not consider any review of a tenured faculty member that was prepared in accordance with

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the policy on Review of Tenured Faculty (Section 2.5.B) in any hearing concerning dismissal of a faculty member, except at the faculty member's request.

The Hearing Committee members shall participate in the questioning of witnesses and may, in their discretion, conduct the initial questioning of witnesses. Each party is responsible for arranging the attendance of witnesses whom he or she may seek to call. If any witness cannot or will not appear, the Hearing Committee may determine to receive his or her written statement, which will be accorded such weight as the Hearing Committee may determine to be appropriate, taking into account the lack of an opportunity for questioning.

C.3.G Deliberations and Recommendations

The Hearing Committee shall deliberate in conference and shall consider only the information introduced at the hearing. The Hearing Committee shall make explicit findings with respect to the statement(s) of cause based on the record considered as a whole. In any case involving a dismissal, the burden is on the Provost to prove the existence of cause by a preponderance of the evidence. The Hearing Committee shall submit its findings, recommendations, and reasons for said findings and recommendations in writing to the parties within fourteen days of the conclusion of the hearing.

In the event that the matter concerns the dismissal of a faculty member, the Hearing Committee may recommend that the faculty member be dismissed immediately or at the end of the then current academic year. The Hearing Committee may recommend the imposition of a less severe sanction including, but not limited to: loss of tenure; suspension, with or without pay, for a stated period of time; or reprimand. The Hearing Committee may recommend that no sanction be imposed on the faculty member. The Hearing Committee may also make such other recommendations as it deems just and proper.

C.3.H New Information

Upon the petition of a party, the Hearing Committee, in its sole discretion, may re-open the hearing if new information ~~which~~ that by due diligence could not have been discovered in time to be introduced at the hearing is newly discovered. The petition shall be made as promptly as possible after discovery of the new information and, in any event, within four months of the conclusion of the hearing.

C.3.I Suspension

In the event that the ~~President–Provost~~, after consultation with the Dean, has recommended dismissal of the faculty member, the President may suspend the faculty member from his or her teaching and/or other duties, with or without pay, during the formal proceedings. Before taking any such action, the President shall consult with the Hearing Committee members and notify them of such planned suspension. The President shall solicit the views of the Hearing Committee members concerning such action and shall not undertake such action unless he or she has determined that such action is in the best interests of the College, after considering the views of the Provost and Dean and after giving substantial weight to the views of the members of the Hearing Committee. If the faculty member is suspended without pay, and the decision of the Executive

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Committee (see Appendix C, Section 4) is favorable to the faculty member, the faculty member shall receive retroactive pay for the period of suspension.

C.4 THE EXECUTIVE COMMITTEE

C.4.A Executive Committee Role in Non-dismissal Cases

If the matter concerns a subject other than the dismissal, loss of tenure, or suspension of a faculty member, the ~~President-Provost~~, after consulting with the Dean, may in his or her discretion issue a ~~final~~ determination after giving substantial weight to the recommendation, findings, and reasons of the Hearing Committee. If the ~~President's Provost's~~ conclusion concerning any action to be taken differs from the recommendation of the Hearing Committee, the ~~President-Provost~~ shall meet with the Hearing Committee, explain his or her reasons for disagreement, and explore possible means of accommodation. If the ~~President-Provost~~ and the Hearing Committee continue to disagree after that meeting, the ~~President-Provost~~ may make a final determination, which shall include a statement of his or her reasons for reaching a different conclusion despite giving substantial weight to the recommendation, findings, and reasons of the Hearing Committee. Alternatively, the ~~President-Provost~~ may submit any such matter to the Executive Committee for further consideration, accompanied by the recommendation, findings, and reasons of the Hearing Committee, as well as any recommendation, findings, and reasons of the ~~President-Provost~~.

C.4.B Executive Committee Role in Dismissal Cases

If the matter concerns dismissal, loss of tenure, or suspension of a faculty member and the ~~President-Provost~~ disagrees with the recommendation of the Hearing Committee, the ~~President-Provost~~ shall meet with the Hearing Committee, explain his or her reasons for disagreement, and explore possible means of accommodation. If the ~~President-Provost~~ and the Hearing Committee continue to disagree after that meeting, the President shall transmit to the Executive Committee the recommendation, ~~together with his or her recommendations~~, findings, and reasons. If the matter concerns dismissal, loss of tenure, or suspension of a faculty member and the Provost agrees with recommendation of the Hearing Committee, such recommendation, findings, and reasons shall be final, unless the President in his or her discretion decides to submit such matter to the Executive Committee for further consideration.

C.4.C Executive Committee Determination

The Executive Committee shall make the final determination concerning any matter submitted to it. Before making any decision, the Executive Committee shall meet with the President, ~~the Provost~~, and a representative of the Hearing Committee. In making its decision, the Executive Committee will give substantial weight to the recommendations of the Hearing Committee.

If the Executive Committee's conclusion concerning any action to be taken differs from the recommendation of the Hearing Committee, the Executive Committee's determination shall include a statement of its reasons for reaching a different conclusion despite giving substantial weight to the recommendation, findings, and reasons of the Hearing Committee. The President shall deliver the final decision (whether by the

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President or the Executive Committee) to the Hearing Committee, and the other parties in writing.

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the impact of the sabbatical leave on students and the department,

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the anticipated location where the work will be carried out, and a timetable including the beginning and ending dates of the leave

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funds, in addition to College contribution, are to be received

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Upon returning to the College after his or her sabbatical leave and no later than

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an appropriate faculty committee, as the affected School may determine,

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Among other considerations in determining whether to terminate a faculty member's employment for cause, the College should not terminate a faculty member's employment if, under the circumstances, lesser sanctions would sufficiently serve the College's interests.

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It is expected that, with only rare exceptions, such conduct would need to be intentional or reckless; or

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