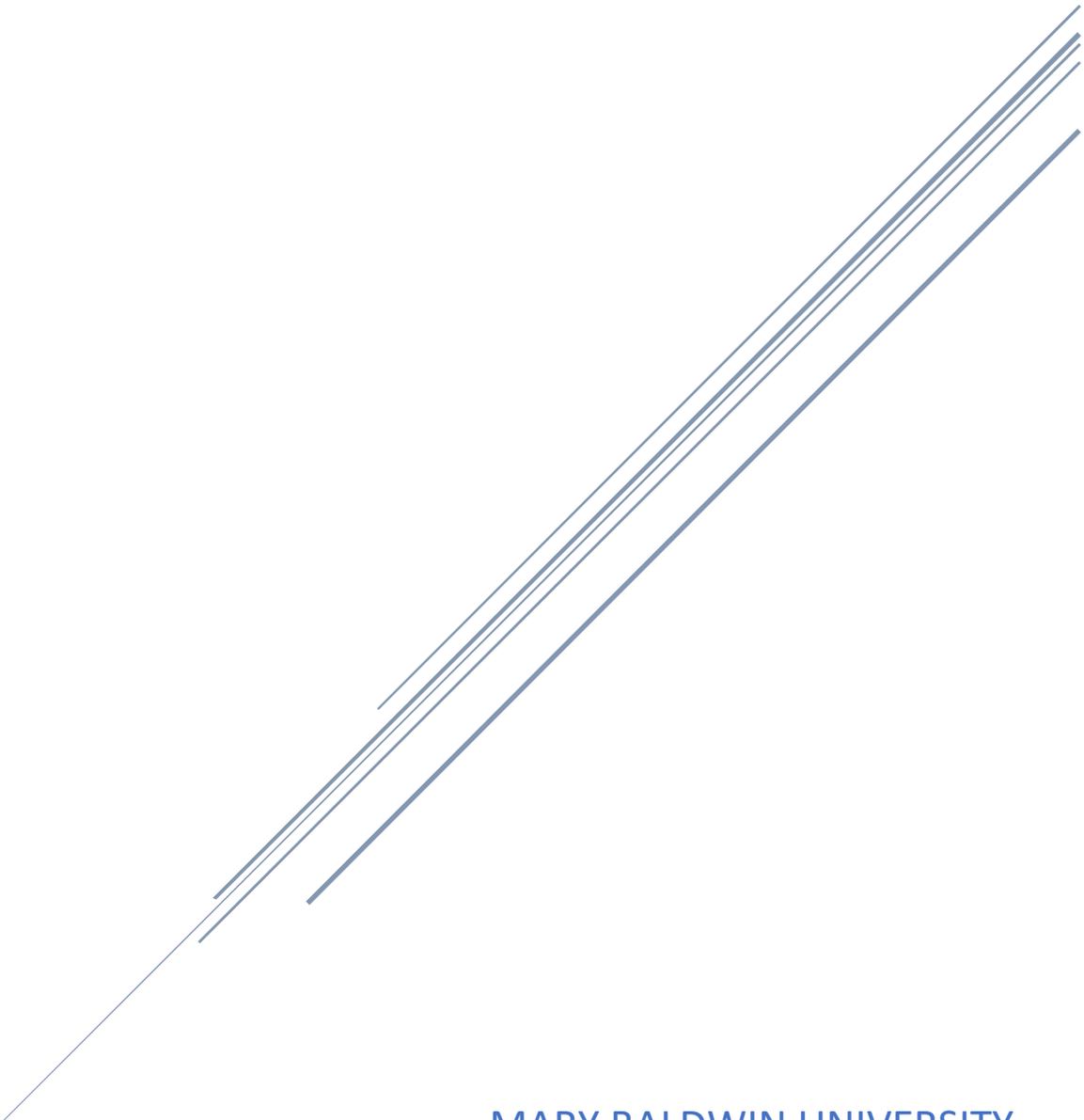


MARY BALDWIN UNIVERSITY  
FACULTY HANDBOOK



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## **PREAMBLE**

This handbook is founded on the Articles of Incorporation and the Bylaws of Mary Baldwin University and on Resolutions passed by the Board of Trustees of the University.

The purpose of this Handbook is to explain policies and to describe certain procedures applied to implement these policies. It also sets forth the ethical obligations of the Board, the administration, and the faculty.

The Board reserves the right to change its policies at any time in accord with the amendment procedures described in this Handbook.

The Handbook is supplemented by the Academic Catalog and information on the University website (Forms and Documents sections), which also contain important information for the faculty.

**This version of the Mary Baldwin University Faculty Handbook was approved by the Board of Trustees in February, 2020.**

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## **Commitment to Inclusive Community**

In keeping with an institutional commitment to inclusive community, all members of Mary Baldwin University have been asked to adhere to the following statement of principles: “We, the community of Mary Baldwin University, strive to celebrate humanity in all its wondrous and complex variation. Because we value diversity it is our mission to sustain a community where all may flourish. We are safe to embrace our shared experiences and our differences. To this end, we treat all with respect and compassion.”

Mary Baldwin University does not discriminate on the basis of sex (except that only women are admitted to Mary Baldwin College for Women), nor does the University discriminate on the basis of race, national or ethnic origin, color, age, disability, religion, veteran’s status, or sexual orientation in its educational programs, admissions, co-curricular or other activities, or employment practices. Inquiries may be directed to Director of Human Resources and Personnel Accounting, SAC 311, 540-887-7367, Mary Baldwin University, Staunton, Virginia. 24401.

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## INTRODUCTION

### 0.1 MISSION OF THE UNIVERSITY

Mary Baldwin empowers leaders to pursue lives of purpose in a changing world.

As a distinctive small university committed to its rich heritage as an inclusive, women-centered liberal arts college, Mary Baldwin fulfills its mission by providing undergraduate, graduate, and professional education to a diverse population of women and men. It emphasizes high ethical standards and the development of critical, creative, and reflective reasoning as the foundation for fulfilling, engaged, and meaningful lives.

### 0.2 AMENDMENT TO THE HANDBOOK

#### 0.2.1 Policy Amendments

Policies included in this Handbook may be amended by the Board of Trustees. Policy amendments may be proposed by the Board, the Administration, or the faculty (see 2.1.1). In circumstances other than those of genuine emergency, amendments shall be discussed in Board committees prior to formal action on them by the Board of Trustees. It is understood that before declaring such an emergency the President will make every attempt to notify the appropriate faculty Board representative(s). Faculty members of Board committees receive agendas and other material received by other committee members prior to the meetings of their committees. They consult the faculty prior to committee meetings, where they have opportunity to present faculty members' views. Faculty members of Board committees inform the faculty of Board actions on proposed amendments.

Amendments normally become effective and appear in the Faculty Handbook at the beginning of the academic year following that in which they are adopted but may be made effective at any time.

#### 0.2.1.1 Policy Amendments Proposed by the Faculty

Amendments that originate in the faculty must be approved for transmittal to the Board by a majority vote in a faculty meeting. If approved, they are transmitted to the appropriate committee of the Board of Trustees by the faculty member(s) of that committee. If passed by the Board of Trustees, they become policy.

#### 0.2.2 Procedural Revisions

##### 0.2.2.1

Procedural revisions do not require action of the Board of Trustees. These are accomplished by faculty or administrative action, which determines their effective date. If there is doubt as to whether a proposed revision concerns policy or procedure, the Board of Trustees determines whether the matter requires Board action or may be handled by faculty or administrative action. The faculty may, by majority vote in a faculty meeting, request that a matter be forwarded to the Board of Trustees to determine whether or not it constitutes a policy change.

##### 0.2.2.2

The Provost, in consultation with the Academic Leadership Council, faculty members of Board committees, the chairs of appropriate faculty committees, and the Vice President for Health Sciences (VPHS) revises the Handbook to reflect the amendments passed by the Board of Trustees, procedural amendments passed by the faculty or announced by administrators, and matters of information updated by any department of the University. More thoroughgoing revisions are undertaken by a committee appointed by the Chair of the Board of Trustees. The committee may include administrative staff, faculty members, and members of the Board of Trustees.

#### 0.2.3 Faculty Notification of Revisions to Handbook

Whenever the Provost updates the Handbook, s/he will immediately do three things:

1. Notify the faculty of where and what these changes are
2. Inform the faculty of when the changes will take effect
3. Note such changes in the online Handbook in underlined type

## **1 GOVERNANCE**

### **1.1 THE PRINCIPLE OF GOVERNANCE AT MARY BALDWIN UNIVERSITY**

The faculty-administration relationship is based on the principle of cooperation. The relationship of the faculty to officers of the administration is that of colleagues who are fundamentally equal members of the University. The employer of both faculty and administrative officers is the Board of Trustees. It has delegated to the President as chief educational and administrative officer of the University responsibility for the supervision, management, and government of the University. The President in turn delegates to the faculty and other administrative officers' specific responsibilities as outlined in this document. It is acknowledged that these responsibilities can be discharged only with the support and counsel of all.

### **1.2 BOARD OF TRUSTEES**

The University is governed by the Board of Trustees, the roles and responsibilities of which are enumerated in its Bylaws.

#### **1.2.1 Faculty Members of Board Committees**

As provided for in the Board Bylaws, the faculty has voting representation on all Board standing committees with the exception of Board governance committees. Board governance committees are those designated by the Chair as such and shall include the Executive Committee, the Trusteeship Committee and any other so designated by the Chair. There is one elected faculty representative on each Board standing committee (except as noted above), with the addition of a second faculty representative on the Academic Affairs Committee.

Faculty members of Board committees may submit agenda items for the consideration of the chair, who prepares the committee's agenda. The deadline for such submissions is established by the Board of Trustees. The administrator responsible for submitting a tentative agenda notifies faculty members of the deadline as soon as it is set. Items are submitted to the administrator who is responsible for preparing a tentative agenda for the approval of the committee chair.

Faculty members of Board committees participate fully in committee discussion and voting, and report to the faculty following each committee meeting. They are particularly charged with bringing the faculty's perspective and expertise to bear upon issues under consideration by the committee and within its mission. Faculty concerns not specifically related to the mission of a Board committee are reported to the President, who is charged by the Board of Trustees with informing them of all matters relating to the state of the University.

It is understood, however, that faculty members of Board committees do not attend executive sessions of the Board.

### **1.3 SENIOR ACADEMIC LEADERSHIP**

The following are not intended as complete position descriptions, but as general summary only.

#### **1.3.1 President**

From the Board Bylaws Article V, Section 3

"The President shall be the professional adviser of the Board and subject to its authority. The President shall perform the duties which ordinarily pertain to such office, being responsible to the Board for the operation of all departments, and having under the Board final authority in the determination of the policies, procedures and practices of these departments. The President shall make to the Board an annual report and such special reports as s/he may deem desirable, concerning the condition of the University, and shall present for consideration of the Board such measures as the President may deem necessary or expedient for the welfare of the University including the nomination of members of the faculty with their rates of compensation. The President shall be, ex officio, a member of the faculty

and its presiding officer, without tenure derived from office. The President shall be the official channel for communication between the Board and the faculty of the University . . . .”

The conduct of the day-to-day activities of the University is subject to the direction and supervision of the President. The responsibility and authority for these activities are delegated by the President to the President’s Executive Staff.

Composition of the Executive Staff is subject to change at the President’s discretion. Members of the Executive Staff hold office for an indefinite term and serve at the pleasure of the President.

### **1.3.2 Provost**

Reporting to the President of Mary Baldwin University, the Provost is the chief academic and student affairs officer of the University. Working collaboratively with the Vice President of the Murphy Deming College of Health Sciences (pursuant to Section 4.3 of the *2016-2017 Mary Baldwin University Faculty Handbook*), the Associate Provost for Academic and Student Affairs, the Deans of the Colleges of Arts and Sciences, Business and Professional Studies, Education, and Visual and Performing Arts, the Provost ensures the quality and integrity of Mary Baldwin University’s undergraduate and graduate programs and of the academic services that support those programs.

The Provost coordinates the academic planning process; exercises overall responsibility for ensuring the effective processes of faculty selection, appointment, evaluation, and development; exercises overall responsibility for ensuring the effective processes of selection, appointment, evaluation, and development of the professional staff within academic and student affairs; and has overall responsibility for developing, proposing, and managing the annual operating budget for academic and student affairs.

The following positions report to the provost: Associate Provost; Deans of the Colleges of Arts and Sciences, Business and Professional Studies, Education, and Visual and Performing Arts; Academic Success for MBU Online; the Office of Inclusive Excellence; Athletics; Student Life; the Library; the Office of the Registrar; the Spencer Center; and the Vantage Point (Career Services).

Under the direction of the President, the Provost works with the Vice President of Institutional Advancement to expand and deepen the University’s development efforts. Collaborates with the President to represent the University to its various publics, and serves as the Accreditation Liaison Officer for SACSCOC. Normally, the Provost is the presiding officer at faculty meetings.

### **1.3.3 Associate Provost**

Reporting to the Provost, the Associate Provost has overall responsibility for integrating student support programs, services, and activities that promote student learning and enhance the development of Mary Baldwin University’s undergraduate and graduate students. S/he is responsible for ensuring that student support services contribute to student success, as measured by retention, persistence, and time to complete.

The Associate Provost develops and implements orientation and related activities, including First-Year Experience, which respond to and meet the needs of the University’s students.

The Associate Provost serves as the academic director for PEG.

The Associate Provost coordinates disability services.

The Associate Provost coordinates the work of the Institutional Review Board (IRB), providing training for the Board members and orientation to the IRB’s policies and procedures for faculty and students.

The following areas report to the Associate Provost: Learning Skills Center (including Writing Center); Instructional Designer, Chaplain.

### **1.3.4 Vice President of Health Sciences**

The Vice President of Health Sciences is responsible for management and administration of the Murphy Deming College of Health Sciences (MDCHS), as well as, the MDCHS branch campus in Fishersville, VA, for staffing and curriculum development, for securing and maintaining necessary accreditations, for community relations, and for obtaining external funding as opportunities arise to advance the missions of the MDCHS and of Mary Baldwin. The Vice President is the public voice of MDCHS, articulating its goals, mission and initiatives and developing strategic relationships with public and private constituencies. This position reports to the President.

### **1.3.5 College Deans**

Deans of the Colleges of Arts and Science, Business and Professional Studies, Education, and Visual and Performing Arts provide academic and administrative leadership to the college (see section 4.1.1). Among the central administrative duties of college deans are primary responsibility for planning within the college; working with departments to develop and evaluate goals within each credentialing program (degrees, majors, minors, certificates) to accomplish the annual and long range goals of the college; responsibility for overseeing enrollment and retention initiatives within the college; oversight of budgets and overall financial management for the college; for externally-accredited programs within the college, oversight of compliance with accreditation standards; and partnership with the other divisions of the University in setting and evaluating goals (Enrollment Management, Business & Finance, COMPA, Advancement, IT, etc.). Deans are also responsible for the recruitment, mentoring, and evaluation of faculty members within the college; for ensuring curricular excellence within the college's programs; and for scheduling of courses and registration planning.

## **1.4 FACULTY**

### **1.4.1 Preliminary Statement**

The faculty is an important constituent element within the University community whose voice must be heard and listened to on all matters which affect the community. The Board of Trustees establishes degrees, degree programs, and majors offered by the University and is responsible for decisions relating to the expansion, reduction or elimination of programs; however, decisions affecting academic curriculum and standards within established degrees, programs, and majors are the responsibility of the faculty. There will be early, careful, and genuine faculty involvement in decisions relating to the expansion and/or reduction of instructional and research programs. The faculty and administration have agreed on the principle that faculty receive full information regarding the factors which impinge on decisions, and decide on the direction which should be pursued. They have further agreed that in making such decisions one primary fact will be kept in mind: that instruction, advising, service, and scholarly activity constitute the essential reason for the existence of the University. Mary Baldwin University affirms the importance of tenure to the institution and to the faculty, as outlined in section 3.6.

#### **1.4.1.1 Procedures for Formal Consultation**

The faculty is consulted prior to Board action to expand, reduce, or eliminate instructional and research programs, through the Provost, who consults the VPHS, and the Deans of the Colleges, who in turn confer with members of their colleges. The Board of Trustees retains final authority to accept or reject the recommendations made to it. On those occasions when recommendations are rejected, the Provost will communicate the reasons to the faculty or to the faculty committee making the recommendation.

#### **1.4.1.2 Requirements for Degrees**

Within the framework of policy established by the Board of Trustees and accreditation requirements where appropriate, the faculty sets the requirements for the degrees offered by the University, determines when the requirements have been met, and recommends to the President for his/her recommendation to the Board the granting of degrees thus achieved.

## 2 FACULTY: DEFINITIONS, COMMITTEES, RIGHTS, ROLES, RESPONSIBILITIES

### 2.1 DEFINITIONS OF FACULTY

#### 2.1.1 Full-Time Faculty

The full-time faculty of Mary Baldwin University consists of all persons who are appointed to full-time ranked teaching positions in any program of the University. Full-time librarians holding an MLS are considered *ex officio* members of the faculty (non-voting); the administrative officers specified below in 2.1.5 are considered *ex officio* members (voting); and tenured persons on phased retirement or carrying reduced loads are also considered voting members of the faculty.

#### 2.1.2 Part-Time Faculty, Adjunct Faculty and Professors of Practice

Part-time faculty, adjunct faculty, and Professors of Practice members are contracted on the basis of an individually-specified part-time commitment to the University. All faculty members, including part-time faculty, adjunct faculty, and Professors of Practice members, are welcome to attend faculty meetings with the privilege to discuss, but only full-time faculty members and those specifically listed in 2.1.5 are entitled to vote.

#### 2.1.3 Faculty Classification by Rank

All ranked full-time faculty members hold one of the four recognized academic ranks of Instructor, Assistant Professor, Associate Professor, or Professor.

Criteria for initial appointments by rank are given in section 3.2.2.

#### 2.1.4 Faculty Classification by Contractual Status

##### 2.1.4.1 Types of Contracts

The types of contracts offered by Mary Baldwin University are: probationary, continuing, fixed-term, part-time, and adjunct and Professor of Practice. All contracts are offered by the President.

##### 2.1.4.2 Probationary Contracts

Probationary contracts are offered to ranked, tenure-track faculty members prior to granting of tenure. (See section 3.6 for procedures respecting the granting or withholding of tenure contract.) Contracts may be offered for one, two, or three-years' duration.

##### 2.1.4.3 Continuing Contracts

Continuing contracts are offered to tenured members of the faculty and continue in force until the faculty member is severed, with salary letters to be issued annually. If a tenured member is promoted, a new contract at the new rank is issued.

##### 2.1.4.4 Fixed-Term Contracts

Faculty members on fixed-term contracts are full-time members of the Mary Baldwin University faculty with all the duties, responsibilities, and rights accorded to other full-time faculty members. They are appointed for a defined period of time. Percentage of workload to be devoted to teaching, scholarship, service, and clinical responsibilities, as appropriate, will be specified in individual contracts. Fixed-term contracts do not carry the expectation of tenure. Fixed-term contracts are renewable.

An appointment is made as a fixed-term contract rather than tenure-track for one or more of the following reasons:

- The area of appointment is in a new academic program and its growth trajectory is therefore unknown;
- The faculty member, usually in a pre-professional program, brings valuable experience but does not hold a terminal degree;
- The area of appointment, the College within which the position resides, and/or the University as a whole is experiencing either growth or contraction such that the long-term need for or ability to support a tenure line is unknown.

With the exception of faculty in Murphy Deming College of Health Sciences (counted separately), the number of faculty members on fixed-term contracts shall not exceed 35% of the total number of full-time faculty members. Faculty members on tenure-track contracts may not switch to fixed-term contracts, except in extraordinary circumstances; any such changes must be approved by the Dean of the College in which the position resides (or the VPHS in the case of Murphy Deming), the Provost, the President, and the Faculty Status and Evaluation Committee.

If a position that has been filled through a fixed-term contract is converted to tenure-track, and a full search was not conducted at the time of the initial fixed-term contract appointment, there will be a search conducted according to the provisions of 3.1 and 3.2 (4.3.5.2 for MDCHS). In such a case, the faculty member who has held the position on a fixed-term contract basis may apply for the tenure-track position, but without expectation that having held a fixed-term contract position will result in a tenure-track appointment. If the faculty member who has held the position on a fixed-term basis is appointed to the tenure-track position, credit toward tenure and promotion may be granted. The extent of such credit is determined on a case-by-case basis. This determination is made by the following: Provost and the VPHS for faculty members in MDCHS; the Provost, the dean of the college in which the position resides, and the Faculty Status and Evaluation Committee for faculty in all other programs.

Faculty members on fixed-term contracts follow the same evaluation procedures as other full-time faculty, with the exception of tenure review. In lieu of a tenure-review, term-contract faculty will be reviewed in their sixth year under provisions similar to the third-year review (see 3.4.2(6)). Faculty members on fixed-term contracts are eligible to apply for promotion and follow all provisions for promotion consideration, outlined in 3.5, and in 4.3.7 for Murphy Deming faculty members. Specific provisions for faculty evaluation are outlined in 3.4, and, for Murphy Deming faculty members, in 4.3.6.

Fixed-term contract positions will be reviewed periodically (at least every five years), or following the departure of a faculty member in a fixed-term contract position to determine the continuing need for the position and whether conversion of the position to the tenure track should be recommended. This review will be conducted by the Provost and the VPHS for positions in MDCHS, and by the Provost and the Dean of the College in which the position resides, in consultation with the FSEC, for all other positions, with recommendations for any changes made to the President.

#### **2.1.4.5 Visiting Faculty Members**

Visiting members are those who are appointed with academic rank or other title for a stated period, not to exceed one year. The working commitment to the University is full-time for the period of appointment, unless otherwise agreed by the University and the faculty member.

#### **2.1.4.6 Part-Time and Adjunct Contracts**

Adjunct and part-time members of the faculty are contracted on the basis of an individually-specified part-time commitment to the University. Such appointments carry no expectation of promotion or tenure, no faculty privileges other than those specifically stated in the contract, and no expectation of further contracts.

#### **2.1.4.7 Professors of Practice**

Professors of practice are contracted on the basis of an individually specified part-time commitment to the University, with teaching responsibilities capped at 15 load hours per annum. Such appointments carry no expectation of promotion or tenure, no faculty privileges other than those specifically stated in the contract, and no expectation of further contracts. Professors of Practice are not obliged to serve on standing committees, and such contracts are not eligible for conversion to tenure track appointments.

### 2.1.5 Ex officio Members of the Faculty

The following members of the administration are considered *ex officio* members of the faculty without expectation of tenure (based on position; individuals occupying such positions may have earned, and may continue to hold, tenure):

- The President
- The Provost
- The Associate Provost
- The Registrar
- The Director of the Grafton Library
- The Deans of the Colleges
- The Vice President of Health Sciences

## 2.2 FACULTY WORKLOAD

For faculty in Murphy Deming College of Health Sciences, please see 4.3.3. The provisions below apply to all other faculty members.

For full-time faculty members, teaching constitutes 70% of workload, generally met through seven three-credit undergraduate courses, or the equivalent. (The Baldwin Online equivalent of one MBCW class is 45 student credit hours.) The remaining 30% of workload is made up of advising, institutional and community service, scholarly/creative and professional activities, and any other specifically-contracted responsibilities.

Reassigned time (for additional advising, recruiting, or administrative work) must be approved by the Provost and Dean.

When faculty are contracted for overload teaching, all full-time faculty will be paid at the same rate, with no differentiation for faculty rank, highest degree attained, or time employed by the University.

### 2.2.1 Teaching Load in Murphy Deming College of Health Sciences

Please see section 4.3.3 for additional details regarding workload in MDCHS.

### 2.2.2 Minimum Class Size

Courses with fewer than eight students are subject to cancelation. Exceptions must have the concurrence of the Provost and the Dean of the appropriate college. For MDCHS, exceptions are approved by the VPHS.

### 2.2.3 Special Load Calculation Provisions

For load calculation purposes, each one-credit science lab section with two or more contact hours per week counts as two load credits. With the exception of MDCHS, a three-credit graduate course counts as four credits.

## 2.3 FACULTY COMMITTEES

### 2.3.1 Committees

#### 2.3.1.1 Membership

Membership on most faculty committees (with the exceptions noted below in committee descriptions) is by nomination by the Committee on Committees, followed by presentation of the slate of nominees to the faculty for election at faculty meeting.

In those instances where untenured faculty members serve on committees as representatives of untenured faculty, they are elected directly by untenured faculty.

Administrators serving on committees hold these positions *ex officio*. The President and the Provost are *ex officio* members of all College committees with the power to vote. Other administrators or staff members participate *ex officio* and vote as specified in the description for each committee.

### 2.3.1.2 Terms of Office

Terms of office for elected positions are three years unless specifically indicated otherwise. Student members are appointed for one-year terms, which may be renewed. Replacements for sabbaticals will be for the full year even when the sabbatical is only for one semester.

### 2.3.1.3 Timing of Elections

Selection of committee membership will take place during April of each year, with general election taking place at either the April or May meeting of the full faculty.

Following the annual elections, the Provost circulates the official Committee List to all faculty. Length of service or replacement status is specified, and new committee members are noted.

### 2.3.1.4 Time of Taking Office

New members join their committees at the beginning of the next academic year.

### 2.3.1.5 Standing Committees

Baldwin Online Academic Advisors will be eligible to be members of the Assessment, and Instructional Technology Committees to ensure representation of those who work closely with non-traditional students.

## ADMISSIONS COMMITTEE FOR MARY BALDWIN UNIVERSITY

The Admissions Committee serves all programs of MBU. The Committee works in partnership with Enrollment Management to support the admissions function through reviewing data, discussing strategy, and facilitating effective faculty involvement in the admissions process.

Under the umbrella of the university Admissions Committee subcommittees may be created. These subcommittees may focus on more specific programs such as PEG, Mary Baldwin College for Women, etc.

- Membership:
  - Three faculty members.
- *Ex Officio* Voting
  - Associate Provost
  - Vice President for Enrollment Management
- *Ex Officio* - Non-voting
  - Director of Admissions – Online and Graduate
  - Assistant Directors of Admissions
  - Other Admissions/Financial Aid personnel as deemed appropriate by the membership

## ASSESSMENT COMMITTEE

The Assessment Committee receives and reviews reports of assessment activities submitted to the Committee by the Dean of the Colleges of Arts and Sciences, the Dean of the College of Business and Professional Studies, the Dean of the College of Education, and the Vice President of the Murphy Deming College of Health Sciences. Based on its review, which is carried out in consultation with the Deans and the Vice President, the Assessment Committee

reports the results of its review to the faculty and to the executive staff. Results of assessment activities play a significant role in institutional planning and budgeting.

Membership: Three faculty from different Colleges

### COMMITTEE ON COMMITTEES

Nominate faculty to committee positions and present such nominations for election at faculty meeting. Nominate the Faculty Secretary (two year term), Marshal and Associate Marshal (five year terms), and Parliamentarian (who serves at the pleasure of the Faculty but may resign without prejudice at the end of any academic year).

Recommend to the faculty the dissolution or creation of committees. Review committee structure and areas of responsibility.

- Membership:
  - Provost
  - Chair of the Faculty Status and Evaluation Committee
  - A representative of each of the five Colleges, elected by the faculty members in that College
  - **To elect the representative of each college, each Dean will email his/her entire college to request nominations, provide the date/time of the vote, and indicate if the vote will be held by email or in person at least two weeks before the vote is to occur. Exceptions to the specified timeline may be granted by a majority vote of the college. The vote for the representative from each college must occur prior to the slate of proposed committee members being brought before the full faculty.**

### EDUCATIONAL POLICY COMMITTEE – COLLEGE OF ARTS AND SCIENCES

Responsibility: Ensures the integrity of the academic program within the College of Arts and Sciences. Reviews and approves new courses, majors and minors. Reviews and approves substantial changes to the curricula. Presents recommendations to the CAS faculty for approval and to the full faculty for information.

- Membership:
  - Three faculty members from the College of Arts and Sciences
  - One faculty member from another College
  - One student in a CAS program
- *Ex Officio* – Voting
  - Dean of the College of Arts and Sciences
- *Ex Officio* – Non-Voting
  - Registrar (by invitation)
  - Director of the Grafton Library or designee

### EDUCATIONAL POLICY COMMITTEE – COLLEGE OF BUSINESS AND PROFESSIONAL STUDIES

Responsibility: Ensures the integrity of the academic programs within the College of Business and Professional Studies; reviews and approves new program offerings at the undergraduate and graduate level; reviews and approves substantive changes to curricula. Presents its recommendations to the CBPS faculty for approval, and to the full faculty for information.

- Membership:
  - Three faculty members from the College of Business and Professional Studies
  - One faculty member from another College
  - One student in a CBPS program
- *Ex Officio* – Voting
  - Dean of the College of Business and Professional Studies

- *Ex Officio* – Non-Voting (by invitation)
  - Registrar
  - Director of the Grafton Library or designee

#### **EDUCATIONAL POLICY COMMITTEE – COLLEGE OF EDUCATION**

Responsibility: Serves as an advisory body for Education faculty involvement in the development of institutional planning, establishment of program priorities, assessment, and review; review of curriculum and new course proposals, graduation requirements for Education programs, and academic regulations. Presents its recommendations to the College of Education faculty for approval, and to the full faculty for information.

- Membership:
  - Three faculty members from the College of Education
  - One faculty member from another College from a discipline in which the university offers an approved licensure program
  - One student from a COE program
- *Ex Officio* – Voting
  - Dean of the College of Education
- *Ex Officio* – Non-Voting (by invitation)
  - Registrar
  - Director of the Grafton Library or designee
  - Outside K-12 Representative

#### **EDUCATIONAL POLICY COMMITTEE – MURPHY DEMING COLLEGE OF HEALTH SCIENCES**

Responsibility: Address issues of curricular integrity, academic policy and procedure, and new program development. Also, review and approve the addition, deletion, and modification of all courses in MDCHS as well as changes in any program curriculum. Student admission, retention, promotion policies and processes are approved by this committee. Recommendations of this committee are brought to MDCHS faculty for approval and to the full faculty for information. Members will be elected to staggered three-year terms with no more than one third being elected in any given year. Members may be elected for two consecutive terms then must rotate off the committee for three years before running for re-election.

- Membership:
  - One full-time faculty member from each MDCHS school, elected by the school.
  - Three at large faculty members from three different programs, at least one of which must be an undergraduate faculty member and one of which must be a graduate faculty member.
  - Two Program Directors from MDCHS Programs, elected by the Program Directors.
  - One full-time faculty member from another College.
- *Ex Officio* – Voting
  - VPHS
- *Ex officio - non-voting:*
  - MDCHS Associate Dean for Academic Affairs
  - Program Directors of other MDCHS programs
  - Registrar or designee
  - Director of the Grafton Library or designee

#### **EDUCATIONAL POLICY COMMITTEE – COLLEGE OF VISUAL AND PERFORMING ARTS**

Responsibility: Ensures the integrity of the academic programs within the College of Visual and Performing Arts; reviews and approves new program offerings at the undergraduate and graduate level; reviews and approves

substantive changes to curricula; reviews and determines graduation requirements, academic regulations, admissions policies, and student status determinations for the Shakespeare and Performance program. Presents its recommendations to the COVAPA faculty for approval, and to the full faculty for information.

- Membership:
  - Three faculty members from the College of Visual and Performing Arts
  - One faculty member from another College
  - One student in a CVPA program
  - One student from the Shakespeare and Performance program
- *Ex Officio* – Voting
  - Dean of the College of Visual and Performing Arts
  - Director of the Shakespeare and Performance Graduate Program
- *Ex Officio* – Non-Voting (by invitation)
  - Registrar
  - Director of the Grafton Library or designee

## FACULTY GRIEVANCE COMMITTEE

Faculty Grievance Committee meets as needed to resolve grievances from faculty members, in the procedure outlined in section 5.1.

- Membership:
  - Five full-time faculty members, one elected by each college.
  - No member of the Faculty Status and Evaluation Committee or the Murphy Deming Promotion Committee shall serve on the Grievance Committee.
  - To elect the representative of each college, each Dean will email his/her entire college to request nominations, provide the date/time of the vote, and indicate if the vote will be held by email or in person at least two weeks before the vote is to occur. Exceptions to the specified timeline may be granted by a majority vote of the college. The vote for the representative from each college must occur prior to the slate of proposed committee members being brought before the full faculty.
- Term in office:
  - Members will serve three-year staggered terms, renewable for one further consecutive term of three years.
  - The Chair of the Grievance Committee is elected from among the members.

## FACULTY STATUS AND EVALUATION COMMITTEE

Responsibility: Review of faculty in all programs other than Murphy Deming College of Health Sciences for rank, promotion, and tenure with recommendations to the Provost, ensuring that work in all the University's programs will be considered. Approve initial appointments above the rank of Assistant Professor. Review matters pertaining to faculty status. Provide guidance and advice to the Provost regarding the evaluation of teaching effectiveness.

- Membership:
  - One faculty member elected from each of the five colleges of Associate Professor rank or higher.
  - One rotating member with a two-year appointment from Arts and Science, Education, Business and Professional Studies, and Visual and Performing Arts, taken in sequence.
  - One representative elected from the Assistant Professor ranks, non-voting on promotion and tenure matters.
  - Note: The representative from Murphy Deming will be non-voting on promotion and tenure matters.
  - To elect the representative of each college, each Dean will email his/her entire college to request nominations, provide the date/time of the vote, and indicate if the vote will be held by email or in person at least two weeks before the vote is to occur. Exceptions to the specified timeline may be



- Vice President for Enrollment Management

### **INSTITUTIONAL ANIMAL CARE AND USE COMMITTEE**

Responsibility: Oversee federally mandated guidelines for the care and use of animals used in teaching and research. Perform semiannual animal care program evaluations, advise the Institutional Official of the University's compliance status, establish plans and schedules for correcting any deficiencies, and review and approve protocols for the inclusion of animals in research projects.

- Membership:
  - Three faculty members
  - One Doctor of Veterinary Medicine
  - One practicing scientist experienced in research involving animals
  - One member whose primary concerns are in a nonscientific area (e.g., ethicist, lawyer, clergy)
  - One member not affiliated in any way with the University, including not being a member of the immediate family of any person affiliated with the University
  - One other member

### **INSTITUTIONAL REVIEW BOARD/ETHICS COMMITTEE**

Responsibility: Provide University policies and procedures in accordance with federal guidelines for the oversight of research projects involving human subjects. Review applications for the inclusion of human subjects in University-based research projects.

- Membership:
  - Associate Provost and four faculty

In order to comply with federal regulations for the protection of human subjects (45 CFR 46.107), the nominating committee must:

- select individuals with varying backgrounds to promote complete and adequate review of the research activities commonly conducted by the institution;
- make every nondiscriminatory effort to ensure that the membership is not composed of entirely men or entirely women;
- include at least one member whose primary concerns are in scientific areas and at least one member whose primary concerns are in nonscientific areas;
- include at least one member who is not otherwise affiliated with the institution and who is not part of the immediate family of a person who is affiliated with the institution.

### **INSTRUCTIONAL TECHNOLOGY COMMITTEE**

The Instructional Technology Committee is responsible for the development of best practices for technology-enhanced teaching. The Committee serves as an advisory body to the Instructional Technology staff on issues such as the value of specific technological advancements (e.g., equipment, management, and space) from a pedagogical perspective.

- Membership:
  - Three faculty members
- *Ex officio* – Voting
  - Director of Instructional Technology
  - Instructional Technology Support Specialist
  - Instructional Design Specialist

- *Ex officio* – Non-Voting (by invitation)
  - Director of the Grafton Library or designee
- Term in office:
  - Elected members will serve three-year staggered terms, renewable for one consecutive term.
  - The committee chair is elected from among the members.

### **MDCHS PROMOTION COMMITTEE (PC)**

Review the dossier and makes recommendations to the VPHS for promotion to the rank of Assistant, Associate or Professor. Periodically review, update and recommend criteria for appointment to and promotion within MDCHS. Members will be elected to staggered three-year terms with no more than one third being elected in any given year. Members may be elected for two consecutive terms then must rotate off the committee for three years before running for re-election. The alternate will be elected to a one-year term with no limit on the number of terms. Any member who is planning to submit a dossier for promotion will recuse themselves from all participation on the committee during academic year of submission.

5 members of the MDCHS faculty at the rank of associate professor or above, elected by the MDCHS faculty.

1 alternate member of the MDCHS faculty at the rank of associate professor or above who will serve in the case of faculty recusal, elected by the MDCHS faculty.

Chair: VPHS One faculty member from another college, elected at large.

### **WORKLOAD AND BENEFITS COMMITTEE**

Responsibility: This committee considers financial benefits (including retirement and medical) as well as issues related to faculty workload and welfare. It works collaboratively with an administrative and staff body when considering benefits received by all employees.

- Membership:
  - Three faculty members
- Term in office:
  - Elected members will serve three-year term

#### **2.3.1.6 Ad Hoc Committees**

Ad Hoc Committees are created to address specific issues. Ad Hoc Committees are created by the President, or the Provost, who names the members. Alternatively, Ad Hoc Committees may be proposed by the Committee on Committees with approval by the faculty in a faculty meeting or may be formed by the faculty with subsequent nominations by the Committee on Committees and elections by the faculty.

The creator of the committee charges it. The committee will continue to exist until it completes its charge or is dissolved by the person or body who created it.

#### **2.3.1.7 Other Committees**

Other committees are created by the respective colleges. For purposes of workload calculation, there is no presumption that service on a committee named in this Handbook is more significant than service on committees not so named.

#### **2.3.1.8 Committee Officers**

Committee chairs are elected by the voting members of each committee, at organizational meetings held immediately before the opening of Fall Semester. They are announced at the first faculty meeting in the fall. Some committees also elect secretaries or other officers.

## 2.4 ETHICAL OBLIGATIONS OF FACULTY

### 2.4.1 Professional Ethics

Membership in the academic profession carries with it special responsibilities which govern behavior toward the discipline, the student, the institution, and the community. Mary Baldwin University faculty subscribe to the statement on professional ethics articulated by the AAUP (1987):

- I. Professors, guided by a deep conviction of the worth and dignity of the advancement of knowledge, recognize the special responsibilities placed upon them. Their primary responsibility to their subject is to seek and to state the truth as they see it. To this end professors devote their energies to developing and improving their scholarly competence. They accept the obligation to exercise critical self-discipline and judgment in using, extending, and transmitting knowledge. They practice intellectual honesty. Although professors may follow subsidiary interests, these interests must never seriously hamper or compromise their freedom of inquiry.
- II. As teachers, professors encourage the free pursuit of learning in their students. They hold before them the best scholarly and ethical standards of their discipline. Professors demonstrate respect for students as individuals and adhere to their proper roles as intellectual guides and counselors. Professors make every reasonable effort to foster honest academic conduct and to ensure that their evaluations of students reflect each student's true merit. They respect the confidential nature of the relationship between professor and student. They avoid any exploitation, harassment, or discriminatory treatment of students. They acknowledge significant academic or scholarly assistance from them. They protect their academic freedom.
- III. As colleagues, professors have obligations that derive from common membership in the community of scholars. Professors do not discriminate against or harass colleagues. They respect and defend the free inquiry of associates. In the exchange of criticism and ideas professors show due respect for the opinions of others. Professors acknowledge academic debt and strive to be objective in their professional judgment of colleagues. Professors accept their share of faculty responsibilities for the governance of their institution.
- IV. As members of an academic institution, professors seek above all to be effective teachers and scholars. Although professors observe the stated regulations of the institution, provided the regulations do not contravene academic freedom, they maintain their right to criticize and seek revision. Professors give due regard to their paramount responsibilities within their institution in determining the amount and character of work done outside it. When considering the interruption or termination of their service, professors recognize the effect of their decision upon the program of the institution and give due notice of their intentions.
- V. As members of their community, professors have the rights and obligations of other citizens. Professors measure the urgency of these obligations in the light of their responsibilities to their subject, to their students, to their profession, and to their institution. When they speak or act as private persons, they avoid creating the impression of speaking or acting for their college or University. As citizens engaged in a profession that depends upon freedom for its health and integrity, professors have a particular obligation to promote conditions of free inquiry and to further public understanding of academic freedom.

In addition, the ethical behavior of Mary Baldwin faculty reflects the nature of the University:

- 1) As members of a small university historically dedicated to the education of women, it is especially important that all faculty members maintain a collegial atmosphere in their dealings with their colleagues and treat men and women as intellectual equals.
- 2) In working with students of Mary Baldwin University faculty are expected to maintain professional relationships in and out of the classroom; be aware of and supportive of University regulations governing

students' conduct and the student Honor Code, both published in the Student Handbook; be informed of and in compliance with state law as it affects the conduct of minors (see Faculty Information Handbook).

## **2.4.2 Consensual Sexual Relationships**

It is a violation of University policy for a faculty member to establish or maintain a consensual sexual relationship with a student when the faculty member exercises professional instructional, advisory, supervisory or evaluative responsibility over that student.

### **2.4.2.1 Violations of the Consensual Sexual Relationships Policy**

Faculty members who become aware of conduct apparently violating this policy are expected to report such conduct to the Provost (or the Director of Human Resources if the Provost is the subject faculty member) or the VPHS for faculty members in the MDCHS (or the Director of Human Resources if the VPHS is the subject faculty member) so that the University may investigate the situation and take appropriate action. The appropriate administrative officer will investigate concerns raised under this policy. If, in dealing with violations of this policy, the University takes action pursuant to Sections 5.2.6 (Dismissal for Cause) or 5.2 (Disciplinary Actions), faculty will receive accompanying due process.

## **2.4.3 Outside Employment of Faculty Members**

During the contract term, employment at Mary Baldwin University is a full-time commitment; therefore, if a faculty member chooses to engage in external contractual employment, he/she is required to clear such employment with the Provost before it is accepted (or with the VPHS for MDCHS faculty members). The extent of time of such employment is to be agreed on by the Provost (VPHS) and the faculty member. If the Provost (VPHS) finds that such employment interferes with the fulfillment of the faculty member's contractual duties and obligations to the University, the Provost (VPHS) may rescind approval for such outside contractual employment. Should there be a disagreement between the Provost (VPHS) and a faculty member over this matter, the faculty member may choose to file a grievance (following procedures outlined in Section 5.1).

## **2.4.4 Conflicts of Interest**

Faculty members should perform their duties so as to ensure no conflict of interest, or no appearance of a conflict of interest, with the University. A conflict of interest exists when individual commitment to the University may be compromised by personal benefit, or benefit to another person or entity, financial or otherwise. Faculty members are expected to avoid situations or activities that could interfere with their impartial, objective and effective performance of their duties and unencumbered exercise of judgment in the best interest of the University.

It is the responsibility of each faculty member to discuss a potential conflict with his/her department chair and receive written approval from the Provost (or VPHS for faculty members in MDCHS) before engaging in any activity that might result in a conflict of interest. Conduct by a faculty member that violates the University's policy regarding conflicts of interest may result in disciplinary action.

Examples of conduct that may present a conflict of interest under this policy include, but are not limited to:

- Use of University facilities, equipment or services, including personnel, for personal gain or profit without full disclosure, reimbursement of cost, payment of rental, etc.;
- Acceptance of consulting fees, honoraria or part-time employment in conflict with professional responsibilities to the University, unless approved (see above policy on Outside Employment of Faculty Members);
- A faculty member or his/her spouse or close relative contracting with the University to provide goods or services without prior written approval from the Provost. If such a contractual relationship is approved, the contracting department must explain the need to contract for these services and should obtain at least two bids for similar work;

- Otherwise conducting business with a close relative on behalf of the University, unless the circumstances of the proposed relationship have been clearly disclosed to the Provost and have been deemed to have no improper potential or inherent conflict of interest qualities;
- Use of privileged information or revealing confidential data to outsiders for purposes of personal gain or for other than University purposes;
- Acceptance, directly or indirectly, of payments, loans, services, entertainment and travel, or gifts of any more than a nominal value from any individual or from any business concern doing or seeking to do business with the University, (substantial goods and services may be considered gifts to the University and should be routed through the Development Office);
- Use of the name of the University for monetary profit or acting as a private person in a way that could create the impression that you are speaking for the University, its various departments and programs, without prior written consent of the University.

## 2.5 TEACHING AND SUPPORT ROLES OF FACULTY MEMBERS

### 2.5.1 Teaching, Advising, and Support

The form of activities in each of the following categories varies by discipline and by program. All faculty are responsible for some activities in each of the following categories.

Teaching may include: teaching on-campus classes; teaching online or hybrid classes; supervising directed inquiry or independent study classes; preparing and supervising laboratories; supervising internships, student teachers, clinical rotations, practica etc.

Student advising may include advising the following: students who have not declared their majors; discipline majors; graduate students; student government and/or student organizations. Advising activities may include: assisting students in choosing an academic program; degree plan preparation; clarifying academic regulations for students; helping students see the connection between life needs and goals and academic choices; serving as liaison between students and faculty and/or administrative offices; assisting in identification and enlistment of learning resources.

Discipline, departmental, and program service: faculty attend meetings, adhere to deadlines in such matters as the submission of schedules and catalog material and the filing of syllabi and grades, administer examinations, and perform any other duties pertinent to the operation of the discipline, department, or program.

University service may include: serving on standing and ad hoc committees; participating in special studies and projects of the University; supporting the extra-curricular life of the University; supporting the overall recruiting effort of the University. Attendance at faculty meetings and Commencement is mandatory for all full-time faculty members; attendance at other important events such as Charter Day, Founders Day, and Honors Convocation is strongly encouraged. Faculty may also supervise work study students and graduate assistants.

Public service may include: serving on civic boards and commissions relevant to institutional mission; making public presentations on subjects related to the faculty member's area of academic expertise; or other activities as appropriate.

Office hours: faculty post and keep regular office hours and also are available for agreed-upon appointments.

Annual evaluation: All faculty are responsible for submitting annual evaluation materials.

#### 2.5.1.1 Course Offerings

Course offerings and academic schedules are planned by departments or programs in consultation with the Deans of the respective colleges, with final approval from the Provost.

New courses must be approved by the appropriate Educational Policy Committee before they can be put into the catalog or added to the course offerings list.

### **2.5.1.2 Teaching of Courses**

Each instructor or team (in the case of team taught courses) is responsible for planning and presenting the course material for his/her own courses, for establishing course objectives, and for selecting and ordering texts. Externally-accredited programs may require greater consistency in course offerings.

At the first class meeting of the semester or term the instructor will distribute in each of his/her courses a written syllabus (course goals, topics to be covered, requirements, assignments, grading policies, etc.); and will forward an electronic copy to the dean of the faculty member's college and to the office of the Provost, where it is kept on file.

For online or hybrid classes, each instructor will provide a written syllabus to be posted on the web for each of her/his courses. The syllabus will contain course goals, course text/s, topics to be covered, requirements, assignments, grading policies, etc.

The expectation for each undergraduate course is that it will require a comprehensive final examination or other appropriate final project. Final exams/projects must take place during exam week, not take place during the last week of regularly-scheduled classes. Copies of final examinations or appropriate other final project will be sent to the Dean of the faculty member's college.

### **2.5.2 Professional Development**

Faculty are expected to keep up-to-date and to integrate new knowledge into their teaching. It is expected that course offerings and syllabi will be regularly updated.

Faculty are expected to engage in research and scholarly or creative activity appropriate to their area of appointment on a regular basis. This may include engaging in scholarly or creative activity in the area of pedagogy as well as in the area of expertise; seeking and applying for appropriate grants and contracts in support of the above activities; publishing books, articles, reviews, critiques, etc. in recognized scholarly publications; making presentations at professional conferences; serving on thesis or dissertation committees; serving as validator of another scholar's research design, consultations, serving as referee/ reviewer for a scholarly journal, publishing agency, foundation, or other agency; serving as an officer or otherwise participating in professional organizations.

## **2.6 FACULTY MEETINGS**

Periodic meetings of the full faculty are essential for the faculty to carry out its legislative responsibilities. These meetings are governed by procedures set forth in the Bylaws of the faculty.

The Provost shall preside at meetings of the faculty. If the Provost is unavailable, the President's designee shall preside.

### **2.6.1 Participation of Administrative Personnel at Faculty Meetings**

The following members of the University administrative staff may attend faculty meetings with the privilege to discuss but without the power to vote; if they choose to attend, they will be expected to attend regularly as do other members of the faculty: all members of the Executive Staff; all individuals at the director-level or higher in student-serving areas (e.g. Enrollment Management, Student Life, etc.); and full-time academic advisors.

### **2.6.2 Attendance of Students at University Faculty Meetings**

Faculty meetings are open to student observers, with the following stipulations:

1. They have the option of attending faculty meetings with the privilege to discuss.
2. No more than fifty students will be admitted at any one meeting.
3. Admission will be on a first-come, first-served basis.
4. The faculty reserves the right to exclude students from the meeting when certain topics are brought before it (e.g., awards to students). The exclusion may be invoked at any time by majority vote on a motion to exclude. Students, however, will be allowed to stay until such a motion is decided.

## **2.7 Bylaws of the Mary Baldwin University Faculty**

### **2.7.1 Meetings and Organization**

1. Meetings of the full faculty shall be held at least four times during the academic year at stated times to be determined by the Provost.
2. Special meetings of the full faculty may be called by the President, Provost, VPHS, the Dean of the College of Arts and Sciences, the Dean of the College of Business and Professional Studies, the Dean of the College of Education, the Dean of the College of Visual and Performing Arts, or any twenty voting members of the faculty.
3. Meetings of each of the five colleges shall be held at least four times during the academic year at stated times to be determined by the dean of the college (or by the VPHS in the case of MDCHS).
4. Should the presiding officer deem it essential to participate in debate on the merits of a pending question, he/she must relinquish the chair. When the pending main question has been disposed of, and only then, the presiding officer who relinquished the chair is at liberty to return to it.
5. A Secretary, nominated by the Committee on Committees and elected by the faculty to a two-year term, keeps the minutes of meetings of the full faculty. Each college ensures that accurate minutes are kept of its meetings. All minutes shall be forwarded to the Office of the Provost.
6. The minutes of each meeting will be circulated or posted before the next meeting, and will be approved at the beginning of the next meeting.
7. For meetings of the full faculty, a Parliamentarian is nominated by the Committee on Committees and elected by the faculty to serve at its pleasure. The Parliamentarian may resign without prejudice effective at the end of any academic year.
8. A Faculty Marshal and an Associate Marshal, responsible for faculty participation and protocol at formal academic affairs, are nominated by the Committee on Committees and elected by the faculty to serve for five years.

#### **2.7.1.1 Procedures Relating to Voting**

These provisions apply both to meetings of the full faculty and to meetings of colleges.

1. A quorum shall consist of a majority of those members eligible to vote.
2. Unless otherwise specified, all numerical figures in these Bylaws are specified proportions of the members of a quorum who are present and voting.
3. Any member may abstain on any vote. An abstention is not counted as a vote.
4. Passages of all motions and measures shall be by majority vote unless otherwise specified.

5. No proxy voting shall be permitted.
6. A two-thirds vote shall be required to move the previous question.
7. Unless otherwise specified, all elections shall be by majority vote. In elections where no nominee receives a majority, a runoff shall be held between the two persons receiving the highest number of votes. Where two or more are to be elected, a runoff shall be among twice the number of persons to be elected.
8. Recommendation of persons to receive degrees, whether in course or honorary, shall be by vote of the full faculty and be by two-thirds vote. The Board of Trustees ultimately decides whether to grant the honorary degrees recommended by the faculty and, in the case that the Board does not honor the faculty recommendation, should do so only for compelling reasons and will explain its decision to the faculty. The list of degree candidates shall be circulated prior to the vote.
9. All measures brought by a committee shall be distributed in writing at least 48 hours prior to the meeting in which they are to be decided, and copies of such measures shall be made available to all members of the faculty, or to all members of a college in the case of a meeting of a college.
10. Voting by secret ballot shall be at the request of any voting member present.

#### **2.7.1.2 Parliamentary Authority and Amendment**

1. The current edition of Robert's Rules of Order shall govern in meetings of the faculty in all cases to which they apply and in which they are not inconsistent with these Bylaws.
2. Amendments to these Bylaws shall be proposed in writing and must be introduced, with copies available to all voting members, at the meeting prior to that in which they are to be acted upon.
3. Amendments shall be by two-thirds vote.

## **2.8 PRIVILEGES OF FACULTY MEMBERS**

### **2.8.1 Voting Privileges**

All full-time members of the faculty, tenured faculty members on phased retirement or carrying reduced loads, and administrators considered *ex officio* (see section 2.1.5), have the privilege to discuss and power to vote at meetings of the full faculty. All other members of the faculty may attend faculty meetings with the privilege to discuss but without the power to vote. All full-time faculty members in a given college have the right to vote at meetings of their respective college.

### **2.8.2 Academic Freedom**

Academic freedom is an essential right of all faculty members. The following statement of principles set forth by the American Association of University Professors in 1940 shall be adhered to fully by all faculty, administration, and trustees. The language has been very slightly revised to remove sexist usages.

“The teacher is entitled to full freedom in research and in the publication of results, subject to the adequate performance of his/her other academic duties; but research for pecuniary return should be based upon an understanding with the authorities of the institution.

“The teacher is entitled to freedom in the classroom in discussing his/her subject, but should be careful not to introduce into his/her teaching controversial matter which has no relation to this subject. Limitations of academic freedom because of religious or other aims of the institution should be clearly stated in writing at the time of appointment.

“The University professor is a citizen, a member of a learned profession, and an officer of an educational institution. When the professor speaks or writes as a citizen, he/she should feel free from institutional censorship or discipline, but the teacher’s special position in the community imposes special obligations. As a person of learning and an educational officer, the professor should remember that the public may judge his/her profession and institution by his/her utterances. Hence, the professor 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 he/she is not an institutional spokesperson.”

### **2.8.2.1 Murphy Deming College of Health Sciences Addendum to the Statement on Academic Freedom**

The faculty teaching within the Murphy Deming College of Health Sciences (MDCHS) must realize that in certain instances, accreditation standards, codes of ethics and prevailing state licensure/certification requirements dictate essential curricular content, objectives and competencies. Upon accepting a teaching position with the MDCHS faculty are committed to present content as prescribed by the program in which they teach. Program Directors and the Vice President of Health Sciences are ultimately responsible for insuring that prevailing standards for educational quality are met, and therefore are obligated to continually evaluate the nature and scope of all instruction.

### **2.8.3 Professional Meetings and Faculty Development**

Limited funds are provided to encourage faculty to attend professional meetings and for other faculty development projects. Faculty members are asked to indicate their plans for attendance at such meetings or their desire to apply for faculty development project funds to their direct supervisor as early as possible.

### **2.8.4 Sabbatical Leaves**

Before a faculty member of the University is eligible for a sabbatical leave, he or she shall be a tenured faculty member and shall have served for six years continuously as a full-time faculty member of the University immediately prior to receiving such leave. Thereafter, a full-time, tenured faculty member shall continue to qualify for sabbatical leave following the completion of every six years of full-time service. The purpose of sabbatical leave is to provide time for the faculty member to carry on scholarly and/or professional activities that will enable him/her to be a more effective teacher, scholar, or practitioner. Sabbatical applications are approved by the Board of Trustees. The number of faculty members on sabbatical in a given year shall not exceed 15% of the tenured faculty, except under exceptional circumstances. If the number of approved requests exceeds 15% of the tenured faculty, the Provost, following consultation with the Academic Leadership Council and the Faculty Status Committee, shall present recommendations to the President in rank order according to guidelines established and applied by the FSEC Sabbatical applications are approved by the Board of Trustees.

**Specific dates and procedure for application are found on the “Forms and Documents” section of the webpage.**

Sabbatical leaves are for two semesters and May Term at half salary, or for one semester and May Term at full salary.

Faculty on sabbatical leave for the fall semester negotiate with the Dean as to which May Term will be part of the leave.

For faculty members on 10, 11, or 12-month contracts, the dates for sabbaticals are negotiated individually. It is expected that the recipient of a sabbatical leave will accept no major teaching responsibility at another institution, will return to the University for at least one full academic year following completion of the leave, and submit within three months after completion of the leave a report on his or her project to the Provost. Upon return from a sabbatical leave, a faculty member is not again eligible for sabbatical leave until after six more years of full-time service. If unable or unwilling to return to the University following a sabbatical leave, the faculty member shall refund to the University, upon request, any salary paid him/her during the leave period.

All faculty members returning from administration-approved sabbatical leaves shall be reinstated to the positions they held prior to taking the leave.

- Salary and fringe benefits during sabbatical leaves are as follows:
  - Salary: full for one semester and May Term or half for the University session, at the election of the faculty member involved. All benefits continue during an approved sabbatical.

### **2.8.5 Leaves of Absence**

Leaves of absence, in no way connected with sabbatical leaves, are arranged between the faculty member concerned and the University administration.

All faculty returning from administration approved leaves of absence shall be reinstated to the positions held prior to taking the leave or to positions of like status and pay, unless

1. the Provost (or VPHS for faculty members in MDCHS) notifies the faculty member in writing, during negotiation for the leave, of different conditions, or
2. the faculty member agrees to alternate arrangements upon returning to the University.

Faculty leaves of absence under this section are granted only if they do not jeopardize the teaching function of the University.

Request for a leave of absence should be made to the Provost (or VPHS) no later than March 1 for leaves in the following academic year. The Provost forwards the application to the President of the University together with his/her recommendation. The President recommends leaves to the Board of Trustees, who approve all leaves.

During negotiations for the leave, it is the responsibility of the Provost (VPHS) to establish and communicate in writing (1) for probationary faculty, whether or not the leave period will accumulate credit toward years of service in order to be considered for tenure and/or promotion, (2) for tenured faculty, whether or not the leave period will accumulate credit toward years of service in order to qualify for sabbatical leave.

Leaves of absence are unpaid and all benefits are suspended unless the faculty member elects to pay the premiums.

### **2.8.6 Institutional Support**

The University provides the following support: office and other work space as appropriate to the discipline; secretarial assistance; instructional and office materials; duplicating services; library services; computer access; audio visual services.

## **3 FACULTY RECRUITMENT, EVALUATION, PROMOTION AND TENURE POLICIES**

The information below in section 3 pertains to all academic programs with the exception of Murphy Deming College of Health Sciences. Please see Section 4.3 for provisions specific to MDCHS.

### **3.1 FACULTY RECRUITMENT**

The following procedures are used for filling a full-time vacancy if that vacancy becomes known by April 15th. If a vacancy occurs after April 15th, the procedures will be adjusted according to the circumstances imposed by a late search.

#### **3.1.1 Initiating a Search**

When a vacancy exists, Department Chairs in consultation with their Dean will provide evidence of long-term need for the position in which a candidate would be hired, either on a tenure-track or fixed-term contract. The Provost reviews the recommendation and forwards it along with his/her assessment to the President. The President makes the final determination as to whether a vacancy will be filled through a fixed-term contract or tenure track hire. The Board of Trustees reviews and approves all tenure-track searches.

For any appointment which would entail combined responsibilities, all appropriate parties will be involved in the search process.

If the agreed recommendation is for a search for a full-time appointment, the search will be conducted according to the procedures outlined below.

### **3.1.2 The Search Committee**

If it is agreed that there shall be a search, a committee is named by the Dean of the College in which the position resides. All members of the department who wish to participate will be invited to serve on the search committee. If there is no available department member, one faculty member from a related discipline will be named to the committee. In addition, there will be at least one faculty member from a different discipline, to be named by the Dean. The Dean serves as *ex officio* member of all full-time searches in his or her college. The Chair of the Search Committee is selected by the members of the committee.

### **3.1.3 Search Procedures**

The search procedure includes the following steps: announcement of the position; receipt of applications; screening of applications by the Search Committee (including initial phone or video interviews); ranking of candidates; and recommendation to the appropriate dean for on-campus interviews.

Should the Dean not concur with the interview recommendations, he/she will return the candidate's file to the Search Committee for reconsideration. The Dean and the Search Committee will also confer together. If agreement is not reached, the matter shall be submitted to the Provost.

If the Dean agrees on the interview recommendation, an interview process is agreed upon by the Dean and the Search Committee. The process will include all members in the candidate's discipline or a related discipline. The Dean authorizes the Search Committee chair to invite one or more candidates to interview. Following the interview(s), the Search Committee chair forwards the written recommendation(s) of the committee to the Dean. The committee may recommend that:

- an offer be made
- the search be continued
- the search be discontinued
- the search objectives and/or position qualifications be revised

If the Dean agrees that an offer should be made, he/she confers with the Provost, who in turn seeks the concurrence of the President, by whom the contract is issued.

If the recommendations of the Search Committee and the Dean are not in agreement, they shall meet together to attempt to reach a joint recommendation to the Provost and President. If they cannot agree, both recommendations shall be forwarded to the Provost and President for final decision.

### **3.1.4 Appointment of Adjunct Faculty Members**

The Deans, the Registrar, and the departments together develop Course Offerings Lists, together with such adjunct positions as may be necessary to implement the list.

The Dean determines that an adjunct faculty member will be appointed. The Dean or a designee seeks applications and credentials and develops a short list of candidates. With the consent of the Dean, any of the parties seeks recommendations and interviews candidates, in person or by letter or telephone.

With the approval of the department chair or his/her designee, the Dean recommends to the Provost the appointment of the adjunct faculty member.

### 3.1.5 Appointment of Professors of Practice

In consultation with Department Chairs/Program Directors, Deans recommend appointments of Professors of Practice to the Provost, who reviews the candidate's professional competence and relevant experience. All credentials will be solicited and presented, all background checks completed, and specific duties outlined before a formal contract is offered. Contracts might be term, annual, or on-going as determined by programmatic or departmental needs.

## 3.2 FACULTY APPOINTMENTS

### 3.2.1 Contract Status at Time of Appointment

All full-time appointments to the ranked faculty are made by the Board of Trustees on the recommendation of the President. The Board may waive the following policies and procedures under extraordinary circumstances, and in consultation with the appropriate faculty committees. All appointments regardless of rank are untenured; unless a candidate is hired with credit for teaching elsewhere (see 3.6.2), tenure contracts cannot be issued until six full years of teaching are completed at Mary Baldwin University. See 3.5 and 3.6 for details on Promotion and Tenure.

Should someone who is or has been an adjunct faculty member for the University, or someone who is serving or has served in an administrative position for the University be hired as a full-time faculty member after a full search conducted according to the procedures above, that person's service to the University may be included as part of his or her probationary period for promotion and/or tenure. The amount of previous service included as part of the probationary period shall be determined by the Faculty Status and Evaluation Committee in consultation with the Dean and Provost according to the guidelines in Appendix I.

### 3.2.2 Rank at Time of Appointment

Exceptions to the following policies and all initial appointments above the rank of Assistant Professor must have the concurrence of the Provost, the Faculty Status Committee and the President. Candidates will furnish appropriate documentation to the Provost who will share them with the Committee, including curricula vitae, publications, professional activities, and evaluations of teaching or other professional work.

Initial appointments may be made to the following ranks:

- Instructor if:
  - the candidate lacks the terminal degree appropriate to his/her discipline
  - and/or lacks one year of full-time college-level teaching experience or the equivalent, excluding experience as a teaching assistant
  - and has not held an academic rank above that of Instructor.
- Assistant Professor if:
  - the candidate has the terminal degree appropriate to his/her discipline or
  - has one year's college-level teaching experience or the equivalent and/or
  - has held the title of Assistant Professor at another institution
- Associate Professor if:
  - the person has the terminal degree appropriate to his/her discipline and
  - has at least six years of full-time college-level teaching experience or the equivalent or
  - has held the title of Associate Professor at another institution
- Professor if:
  - the person has the terminal degree appropriate to his/her discipline and
  - has at least twelve years of full-time college-level teaching experience or the equivalent and
  - a record of substantial scholarship.
- Adjunct faculty and Professors of Practice members do not hold rank, except in extraordinary circumstances which are addressed on a case-by-case basis.

### 3.2.3 Personnel Files

The search file of an applicant for a position includes all written information submitted by the candidate and received by the Search Committee, the appropriate Dean, and other agents of the University; all correspondence between agents of the University and the candidate; and any written recommendations from the committee to the appropriate dean or the President relevant to the candidacy. If the applicant is not subsequently employed by the University, the information remains on file in the offices of the Provost for three years, after which it is destroyed, unless the Provost deems it necessary to keep it for an extended period.

If the applicant is subsequently employed by the University, his/her vita, graduate school transcripts, recommendations of the Search Committee and the appropriate Dean, and other materials submitted by the applicant are transferred from the search file to the permanent personnel file.

The permanent personnel file is kept in the office of the Provost. It includes all recommendations by the Faculty Status Committee whether positive or negative, official correspondence related to the faculty member's status or privileges, evaluations, written complaints and their resolutions, written commendations, personnel actions including but not limited to disciplinary actions, publications, and information presented by the faculty member.

Access to a faculty member's personnel file is strictly limited to the faculty member him/herself, the appropriate Dean, the Provost, and the President. Access to personnel files may also be extended to staff members working for these University officials whose professional duties require such access.

In cases of the institution's legitimate need, the Provost, or the President may also designate other individuals to act as their representatives in consulting personnel files. In all cases, information contained in personnel files will be kept confidential except in fulfillment of legitimate, professional needs of either the institution or faculty member. In all cases the faculty member will be informed of this access to his or her file.

The following material is not kept in the personnel file: correspondence related to temporary absences and health matters, routine course and curriculum planning, requests for exceptions to College policies, record of routine committee participation and other institutional and community service, copies of correspondence with other College departments.

In each case in which information is placed in the personnel file by persons other than the faculty member whose file it is, a copy of the information shall be sent to the faculty member, who may present additional information to be added to the file. In addition, any written statement or other written materials (of reasonable length), questioning or rebutting the information placed in his/her personnel file will be added to the file.

Faculty members may review and request copies of the materials in their personnel files. Such requests should be made in writing to the Provost. A copying fee may be required.

## 3.3 FACULTY CONTRACTS

### 3.3.1 Contract Renewal Procedures

All full-time faculty to be re-employed receive by March 15th contracts and/or salary letters for the following academic year, informing them of the salary which the President intends to recommend to the Board of Trustees.

Members of the full-time faculty who have not given notice of resignation shall sign their contracts and/or salary letters and return them to the administration by April 15th. A faculty member may request, in writing, an extension of the deadline. Such extensions are not expected to be of more than one week's duration.

All full-time faculty to be re-employed receive final contracts and/or salary letters by May 1st.

Decisions to re-employ part-time faculty, adjunct faculty and Professors of Practice members will have the concurrence of the chair of the department/program director or his/her designee.

### 3.3.2 Notification of Contract Non-Renewal

Full-time faculty members whose contracts expire at the end of the academic year receive notice of contract non-renewal as follows:

1. Probationary and fixed-term contract faculty members who are in the first year of employment are notified of non-renewal of their contracts by March 1st.
2. Probationary faculty members who are in their second year of employment are notified of non-renewal of their contracts by December 15th. If they do not receive such notice by December 15th, they may expect contracts by May 1st of that academic year.
3. Fixed-Term Contract Faculty in their second or subsequent year, or those in the final year of a multi-year contract are notified of non-renewal by December 15th. If they do not receive such notice, they may expect contracts by May 1st of that academic year.
4. Probationary faculty members who are in their third or subsequent year are notified of non-renewal of their contracts by September 1st. If they do not receive such notice, they may expect contracts by May 1st of that academic year.

### 3.3.3 Salaries

The annual salary range, by rank, sex, and type of contracts, is available to faculty in the office of the Provost. Criteria for salary increases include the criteria for promotion and tenure. See 3.5 and 3.6. Other criteria include parameters set by the institutional budget, comparison of salaries by rank with salaries at comparable institutions, length of service within rank, and gender equity.

## 3.4 EVALUATION OF FACULTY

### 3.4.1 Annual Report to the Provost

All full-time faculty submit an annual report to the Dean of the faculty member's college (which is then forwarded to the Office of the Provost) by May 31st on a form developed and updated by the Faculty Status and Evaluation Committee. The report and the response, as indicated in section 3.4.2, are included in the faculty member's personnel file. The Dean of the faculty member's college will provide a comprehensive written response to the Annual reports of tenured faculty every three years, with the report due within one calendar year of submission of the third report. Deadlines required for responses to faculty are listed in Section 3.4.2. The reports and responses are included in the faculty member's personnel file.

Faculty may add information to the personnel file as provided in section 3.2.3.

All faculty members routinely submit copies of their syllabi to their college Dean and to the Office of the Provost. All faculty members are required to participate in the faculty evaluation system.

### 3.4.2 Evaluation of Untenured Faculty Members

NOTE: The provisions below pertain to faculty members who began a full-time appointment in August 2015 or after; faculty whose full-time service began prior to that date are governed by the timelines in the previous Faculty Handbook (see Appendix III in lieu of 3.4.2 on this page and the next), unless they requested in writing to the Provost and the Faculty Status and Evaluation Committee, by 1 October 2015, to be governed by the new timelines. Untenured faculty members evaluated according to the procedures outlined below include tenure-track faculty and fixed-term contract faculty.

Untenured faculty members are evaluated as follows. If a tenure-track faculty member is hired with one or more years of credit towards tenure and promotion, that faculty member should discuss adjustments in this timeline with the

appropriate Dean and the Provost, which will be agreed upon and documented in a memo of understanding. In the case of faculty members on hybrid contracts, it is expected that all divisions of the University in which the faculty member teaches will participate in the evaluation process.

1. **First Year:** The Department Chair /Program Director will conduct regular meetings with the faculty member, including at least one classroom observation. The Department Chair /Program Director will send a letter of evaluation for the faculty member by April 30th. The faculty member will include this letter in the Annual Report to the Provost, along with any response. If a college does not have department chairs or program directors, the Dean carries out the first-year evaluation.
2. **Second Year:** By September 30th, the faculty member meets informally with the Dean of his or her college and another more senior faculty member to discuss the First Year Annual Report and his/her accomplishment of the responsibilities listed in section 3.4.1 of the Faculty Handbook. The senior faculty member is chosen by the faculty member under review and is not necessarily in the same discipline. Within 30 days of the conference, the Dean sends to the faculty member a summary of the meeting in two copies, one of which the faculty member initials and returns to the Dean to be placed in the permanent personnel file.

During the academic year, the Department Chair /Program Director will conduct regular meetings with the faculty member, including at least one classroom observation.

By April 1st, the Dean requests written evaluations from the Department Chair, and from other faculty whom the Dean considers appropriate, including no more than two colleagues suggested by the faculty member, at his or her discretion. These letters will be submitted to the Dean by April 30th.

Before September 30th of the third year, the Dean meets with the faculty member to discuss the materials submitted for the Second-Year report. The Dean describes areas of strength and weakness apparent in the evaluations, and suggests areas and means of improvement, with, for tenure-track faculty, particular attention to improvements directed towards meeting the criteria for promotion and/or tenure. Within 30 days of the conference, the Dean sends to the faculty member a summary of their conference in two copies, one of which the faculty member initials and returns to the Dean to be placed in the permanent personnel file. The file also includes the faculty member's Annual Report to the Provost, the evaluations of colleagues, and any materials or information submitted by the faculty member. (See section 3.2.3).

The faculty member submits the Annual Report to the Provost by May 31st.

3. **Third Year: Informal Third-Year Review**

By December 1st of the third year, the faculty member submits the following information to the chair of the Faculty Status Committee:

- a. Names of two faculty members who are particularly appropriate to evaluate the faculty member's accomplishment of the criteria for promotion (3.5.2) and the congruence between the faculty member's expertise and the University's mission statement.
- b. Names of chairs of committees on which the faculty member has served. If the faculty member was chair, or if the chair is no longer employed by the University, the faculty member will substitute the name of the faculty colleague having the longest time of service on the committee.
- c. Additionally, for faculty members in the regions, names of all regional office colleagues

The Faculty Status Committee will request evaluations of the persons named in (a) and (b) above, the Dean, other teachers in the College or program as selected by the committee, and any other members of the University community chosen by the committee.

By February 15th of the third year of service, the faculty member submits to the Faculty Status and Evaluation Committee the materials listed in section 3.5.4.6 and a copy of the Dean's summary letters with any response(s) by the candidate.

The probationary faculty member then meets with two tenured members of the Faculty Status and Evaluation Committee, one of whom is chosen by the faculty member and one by the committee, to discuss the faculty member's accomplishments toward meeting the criteria for promotion (3.5.2) and, if the faculty member is on the tenure-track, for tenure. The meeting is designed to be an informal and helpful conversation that will suggest to the faculty member what areas, if any, need attention before the formal process of the sixth year tenure and/or promotion review. Untenured faculty members may bring an advocate if they so choose. The meeting will not be tape recorded except at the request of the faculty member.

The conversation and any guidelines or other information stemming from the meeting do not constitute any promise of promotion or tenure in the future.

The two members of the Faculty Status Committee together write a summary of the discussion, send a copy to the faculty member, and place a copy in the faculty member's personnel file. The faculty member may respond in writing to the summary; the response is also placed in the personnel file.

The FSEC reminds all faculty members to undergo the Third-Year Review three years before tenure application, whether or not that faculty member came to MBU with teaching experience from elsewhere and has been granted credit in years towards promotion. The Third-Year Review is a mentoring opportunity for the tenure process, and therefore valuable for all tenurable professors.

4. Fourth Year: By December 1st, the faculty member meets with the Dean of their College to discuss the Third-Year review, the summary and any matters arising from them. The Dean sends a written summary of the meeting within 30 days to the candidate and the Provost, who reviews it and places a copy in the personnel file.

By May 31st, the faculty member submits the Annual report. At the request of the faculty member, or at their Dean's discretion, the Dean may informally evaluate the faculty member. The Dean sends to the faculty member a copy of any written document resulting from the informal evaluation and sends a copy to the Provost, who reviews it and places a copy in the personnel file.

5. Fifth Year: By May 31st, the faculty member submits the Annual report. The Dean evaluates the faculty member and sends to the faculty member a copy of written document resulting from the informal evaluation and keeps a copy in the personnel file.
6. Sixth Year: Tenure-track faculty members apply for review for promotion and tenure under the processes described in the *Handbook* in section 3.5.3. and 3.6.3. Fixed-term contract faculty members are reviewed by the Faculty Status and Evaluation Committee according to the procedures listed above for the Third-Year Review or, if the faculty member is applying for Promotion, under the procedures listed for Promotion in section 3.5.3. Subsequent to the sixth-year review, fixed-term contract faculty members are reviewed according to the provisions listed above for the fifth-year review on an ongoing basis.

### **3.4.3 Evaluation of Part-Time, Adjunct Faculty and Professors of Practice Members**

All part-time faculty, and adjunct faculty and Professors of Practice members are required to participate in the University's processes for course evaluation.

- a. Completed evaluations will be collected by the appropriate faculty resource coordinator.
- b. The collected evaluations will then be sent to the department chair /program director of the department/program in which the faculty member was teaching (for undergraduate courses) or the appropriate graduate program director (for graduate courses).

- c. The department chair /program director or dean will send these evaluations to the faculty member along with his or her own summary or appraisal.
- d. Copies of the evaluations and summary/appraisal will then be sent to the Office of the Provost; they are then shared, with the Deans as appropriate.
- e. After part-time faculty, or adjunct faculty and Professors of Practice members have four semesters' worth of appraisals on file, supervisor appraisals may be reduced to a biennial basis. However, written evaluations will resume if requested by any of the following: the Provost, the dean of the faculty member's college, Department Chair /Program Director.

#### 3.4.4 Optional Mid-Career Evaluation

After serving three years as an associate professor, any faculty member may request an optional mid-career evaluation. The purpose of this evaluation is to aid in assessing progress toward promotion to the rank of full professor. Faculty members requesting such review should make the request to FSEC by November 1st. Procedures and deadlines will be identical to those described for the Informal Third-Year Review.

### 3.5 PROCEDURES AND STANDARDS WITH RESPECT TO PROMOTION

#### 3.5.1 Eligibility

NOTE: The provisions in (2) below pertain to faculty members who began a full-time appointment in August 2015 or after; faculty whose full-time service began prior to that date are governed by the timelines in the previous Faculty Handbook (see Appendix III in lieu of 3.5.1 on this page), unless they requested in writing to the Provost and the Faculty Status and Evaluation Committee, by 1 October 2015, to be governed by the new timelines.

Full-time, tenure track faculty are expected to hold the terminal degree. Exceptions will demonstrate, at the time of appointment, extraordinary and relevant compensating accomplishments. Determination of relevant accomplishments must have the concurrence of the relevant Department(s), the Dean of the faculty member's college, the Provost, the Faculty Status and Evaluation Committee, and the President. Exceptions occur primarily in professional fields. If the exception is granted, the faculty member meets the degree requirement for tenure and promotion at all levels. Exceptions to the terminal degree are subject to SACS-COC requirements. Tenured and tenure-track faculty who held exceptions to the terminal degree requirement as of Academic Year 2010-2011, with such exceptions including the MBA, MSW, and JD, are grandfathered in as eligible candidates for promotion at all levels.

The minimum times of service to be eligible for consideration for promotion are as follows. (Note: In calculating years of service, if the individual was hired before January 1st, the academic year "counts": if the individual was hired after January 1st, the academic year in which he/she was hired does not "count.")

1. An Instructor will be eligible for promotion to Assistant Professor upon completion of one year of full-time teaching at MBU or upon being awarded the terminal degree. When the degree is completed, the Instructor will inform the Provost and provide appropriate documentation.
2. An Assistant Professor is eligible for promotion to Associate Professor under the following circumstances: he/she has the appropriate terminal degree; he/she will have completed six years of full-time service by the time the promotion takes effect. This service will either include six years of full-time continuous employment at Mary Baldwin University, or a minimum of six years total of full-time employment at faculty rank at college or university level, of which the last three must have been continuous at Mary Baldwin University. Hence, candidates apply for promotion in their sixth year or equivalent.
3. An Associate Professor is eligible for promotion to Professor under the following conditions: he/she has the appropriate terminal degree; he/she will have completed six full years of continuous teaching at Mary Baldwin University as an Associate Professor by the time the promotion takes effect.

### 3.5.2 Criteria for Promotion

The following criteria will be used in recommendations regarding promotion with the greatest weight being given to the first criterion:

1. Excellence in teaching and advising as evident in demonstrated knowledge of the candidate's area of appointment, ability to help students discover that knowledge in substantive and meaningful ways, guiding students toward successful completion of their educational goals, updating knowledge and skills, designing new courses, regularly revising existing courses, and outreach to students.
2. Commitment to scholarship and professional or creative activities through an active program of research, writing, or other professional work, as appropriate to the candidate's area of appointment. It is expected that these activities result in tangible products such as publications, presentations, performances, consultations, citations, exhibitions, grant proposals, or service to professional societies.
3. Contribution to the whole University through committee work, involvement with student activities, providing leadership for special projects, involvement with recruitment, and other means of maintaining and improving the ongoing life of the University.
4. For candidates for promotion to Professor only: substantial and sustained achievement in teaching, scholarship, and other contributions to the University.

### 3.5.3 Application for Candidacy

A faculty member applies to the Faculty Status and Evaluation Committee for consideration for promotion. The deadline for application is October 1st of the academic year during which the decision is to be made.

After the application deadline, the Faculty Status and Evaluation Committee consults the Provost for information and advice, decides who is eligible for consideration, and notifies the candidates, who will be asked to provide the Committee with the information it needs in making its decision. The appropriate committee also notifies the faculty, who may wish to submit information which they consider relevant to one or more of the candidacies. The candidate may also provide additional information which he/she considers relevant to his/her candidacy. The deadline for submitting this information is November 1st.

### 3.5.4 Procedures to be followed in Gathering Data

The Faculty Status and Evaluation Committee will receive the candidate's application dossier (3.5.4.6) by November 1st. In addition, the Faculty Status and Evaluation Committee will review the personnel file for each candidate and will ask for evaluations from the following:

1. All faculty members in the candidate's department(s) or program(s). Where this number is fewer than three, the committee may request evaluations from faculty members in related departments [see also (6)].
2. Senior majors or graduate students in the candidate's department/program. Where this number exceeds 15, the committee will select 10-15 from those students who have taken more than one course with the candidate.
3. If the department has fewer than five senior majors, interdisciplinary senior majors who have taken more than one course with the candidate and/or seniors whom the candidate has taught in at least two courses.
4. Selected seniors or graduate students (not to exceed 6) who have worked closely with the candidate in at least two academic years, if so requested by the candidate.
5. The Dean of the candidate's College.
6. Other teachers in the candidate's College as selected by the committee. (The candidate may recommend faculty persons he/she thinks particularly appropriate, together with reasons for the propriety in each case.)

7. The director of any graduate program for which the applicant has taught.
8. Chairs of committees on which the candidate has served. If the candidate was the chair, the faculty member with the longest time of service will be asked in place of the chair. The Faculty Status and Evaluation Committee will also contact faculty who have worked with the candidate on committees during the present and the two immediately preceding years. These will be selected by the committee, but the candidate may make recommendations.
9. Four advisees) who have been assigned to the faculty member for more than one calendar year. Half of these are designated by the Faculty Status and Evaluation Committee, and half are designated by the candidate.
10. The committee is responsible for requesting evaluations from any other members of the University community chosen by the committee.

#### **3.5.4.1 Evaluation File**

The Faculty Status and Evaluation Committee shall keep an evaluation file on each faculty member being considered for promotion. It shall contain written evaluations or records of oral evaluations of candidates for promotion as requested or accepted by the committee. The evaluation file is accessible to the Faculty Status and Evaluation Committee, appellate bodies involved in the case, the Provost, and the President.

#### **3.5.4.2 Disposal of Records Kept in the Office of the Provost**

If the bid for promotion is successful, the evaluation file will be kept for one year in the Office of the Provost, and after one year the dossier materials will be returned to the faculty member. The evaluation file will then be destroyed by the Provost of the University. The Provost will report to the chair of the Faculty Status and Evaluation Committee that the evaluation file has been destroyed and that the dossier has been returned to the faculty member.

If the bid for promotion is not successful, both the evaluation file and the dossier will be retained in confidential storage in the Office of the Provost for three years, or such longer period of time as deemed necessary by the Provost.

Similar storage and disposal policies will be used for evaluation files for tenure.

#### **3.5.4.3 Evaluators**

The committee will notify all those of whom it requests evaluations that the evaluations will be used for the purpose of a promotion review and that they are accessible to the Faculty Status and Evaluation Committee and to the Provost, the President, and any appellate bodies who may become involved in the event of a grievance. Evaluators will be asked to include evidence or examples for their assertions. Student evaluators will be asked to state the role the faculty member played in their work at the University and in preparing them for their future work both at the University and beyond.

#### **3.5.4.4 Interviews**

The Faculty Status and Evaluation Committee normally interviews candidates and may interview other appropriate persons. Any faculty member may request in writing that he/she be invited to meet with the committee to discuss the qualifications of any candidate. All persons interviewed by the committee will be notified of the information in the above paragraph. Notes will be taken during each interview and this record will be considered in the deliberations of the committee. Interviewees may request to see and comment on the notes of their interviews. Interviews may also be recorded.

#### **3.5.4.5 Record Keeping**

All information about a candidate must come to the committee in written form except in the circumstances outlined above. No faculty member may discuss the qualifications of a candidate with any individual member of the Faculty Status and Evaluation Committee unless the committee initiates such conversation.

### **3.5.4.6 Materials to be Submitted by Candidates**

The candidate shall provide to the Faculty Status and Evaluation Committee the following items for each year since initial hiring at Mary Baldwin if employed for fewer than six years, or for at a minimum the most recent six years of employment at Mary Baldwin if employed for six or more years:

1. In particular, the committee requests that each candidate submit a cover letter with his/her materials highlighting the reasons why the candidate believes he/she deserves the promotion. It is strongly recommended that the Candidate include the Third or Fourth Year Review summary (see 3.4.2), and address any actions taken in response to it in the cover letter.
2. *Curriculum vitae*
3. Listing of all courses, independent studies, and directed inquiries with their enrollments and syllabi or course descriptions; all courses that are new or substantially revised by the candidate are to be identified.
4. Annual Reports and responses to them.
5. Student evaluations of teaching (obtained through Annual Evaluation process) for each course listed in (3) above
6. Number of advisees each year and (if applicable) the advising evaluations (obtained through Annual Evaluation process) for each of these years.
7. List of professional memberships and offices held
8. List of professional meetings attended with a summary of participation.
9. List and description of professional activities, such as performances, publication, workshops attended, consulting, community service. The committee may ask for documentation such as programs, letters of testimony, etc.
10. List of faculty committees served on, including time of tenure and any special assignments.
11. Any other information he/she believes will be helpful to the consideration of his/her case.

### **3.5.5 Decision-Making Procedures**

#### **3.5.5.1 The Role of the Committee**

During its deliberations on promotion the *ex officio* members and the untenured members of the Faculty Status and Evaluation Committee will be excluded from the discussions and will not receive minutes. During and after the review process, the Faculty Status and Evaluation Committee will maintain the highest level of confidentiality regarding its deliberations and decisions.

The committee shall evaluate the candidate with respect to the criteria above as follows:

1. Based on information received, the committee shall evaluate the candidate's excellence in teaching and/or advising.

2. Based on information received, the committee shall evaluate the candidate's scholarly activities.
3. Based on information received, the committee shall evaluate the candidate's contribution to the whole University.

The committee shall report its overall evaluation of the candidate and its evaluation with respect to each of the criteria.

The Faculty Status and Evaluation Committee will send to the President through the Provost no later than February 1st the results of its evaluations and its recommendations regarding faculty members who have applied to the committee as candidates for promotion. Each recommendation to grant or withhold promotion will be accompanied by the committee's reasons for its recommendation.

All favorable recommendations to the President of the University by the Faculty Status and Evaluation Committee must be made by a two-thirds vote of the tenured members of the committee.

### **3.5.5.2 The Role of the Administration**

The Provost will forward the evaluations and recommendations of the Faculty Status and Evaluation Committee to the President.

The Provost will evaluate the candidate based on:

1. The criteria listed in section 3.5.2
2. His/her assessment of the match between the candidate's accomplishments and growth potential as suggested through past performance, and the University's current and projected needs.

The Provost will submit to the President, the dean/VP of the candidate's college and the candidate the results of his/her evaluation and his/her recommendation regarding each candidate in writing by March 15th.

Final recommendations to the Board of Trustees on promotion will be made by the President of the University. If the recommendations of the President, Provost, and committee differ, the President will meet with the Provost together with the committee and the dean/VP of the candidate's college prior to making his/her recommendations to the Board. If agreement cannot be reached, the President and/or the Provost will provide compelling reasons for disagreeing to the committee.

The President shall inform the candidate in writing of his/her final recommendation by April 1st, and, if requested by the candidate, shall orally explain the reasons for recommending or withholding promotion. If the candidate requests a written statement of the reasons, the President shall provide this.

Upon being notified of the President's recommendation, the candidate may request in writing from the Faculty Status and Evaluation Committee a copy of the reasons which the committee sent along with its recommendation to the Provost, and such requests shall be honored in writing by the committee. The President's recommendations regarding promotion are subject to the final decision of the Board of Trustees of Mary Baldwin University, in its absolute discretion.

A promotion decision by the Board of Trustees becomes effective at the beginning of the following academic year.

## **3.6 PROCEDURES AND STANDARDS WITH RESPECT TO TENURE**

### **3.6.1 Tenure Policies**

The objectives of Mary Baldwin University regarding the award of tenure are the following:

1. Awards of tenure must promote flexibility within the University context and the context of a rapidly changing society. Recipients of tenure should have training, experience, and qualities of mind which allow them to embrace interdisciplinary perspectives and to apply their skills in areas beyond narrow specialties when that best serves the needs of the students of the University.
2. Awards of tenure must promote the stability of association which is at the heart of the Mary Baldwin University community.
3. Recipients of tenure should be persons for whom there is evidence and every expectation that they will ultimately qualify for promotion to professor by accomplishing the goals stated in section 3.5.2 (4).

### 3.6.2 Eligibility for Tenure Consideration

NOTE: The provisions below pertain to faculty members who began a full-time appointment in August 2015 or after; faculty whose full-time service began prior to that date are governed by the timelines in the previous Faculty Handbook (see Appendix III in lieu of 3.6.2 on this page), unless they requested in writing to the Provost and the Faculty Status and Evaluation Committee, by 1 October 2015, to be governed by the new timelines.

A faculty member is eligible for award of tenure under the following conditions:

1. He/she will have completed six years of service as a full-time faculty member at Mary Baldwin University by the time the tenure award takes effect of which at least the last three have been continuous. In instances in which meeting the required three would take the faculty member beyond the University maximum for probationary service, an extension of the probationary period will be granted until the faculty member has served the required three years. As with promotion, for purposes of calculating years of service for eligibility for tenure if the individual was hired before January 1st of the academic year, the year “counts” if he/she was hired after January 1st, that academic year does not “count.”
2. A tenure-track faculty member with previous service at another equivalent institution is eligible to apply for early consideration for tenure including that previous service if (1) the faculty member has served at least three continuous years of full time teaching at Mary Baldwin University immediately prior to application, (2) the service at the equivalent institution was on the full time ranked faculty, (3) the time at the previous institution immediately preceded the time at Mary Baldwin University and (4) the total years of service as a full-time ranked faculty member will total at least six prior to the award of tenure taking effect
3. A faculty member hired with senior rank (associate or full professor) may be eligible for tenure consideration after a shorter probationary period than that described in 1) or 2) above if (1) he/she already holds tenure at an equivalent institution or has full-time ranked faculty experience with demonstrable national reputation at an equivalent institution and (2) meets all tenure requirements of Mary Baldwin University except for length of service. In such a case, he/she shall be advised in writing of the specific probationary period at the time of initial appointment by the Provost. The Provost will consult with the search committee and the Faculty Status and Evaluation Committee for their recommendation in determining the probationary period.
4. A faculty member may be hired with tenure if he/she (1) has an outstanding and demonstrable national reputation, (2) holds tenure and senior rank at an equivalent institution, and (3) meets all requirements for tenure at Mary Baldwin University except for length of service. “Outstanding and demonstrable national reputation” comprises distinctive accomplishments reflecting substantial and sustained achievement in scholarship, teaching, and service in his/her academic field of endeavor. Examples may include prestigious honors and awards in the field, publications of national and/or international scope, office and positions held in international and national organizations in the field, and recognition for combined excellence in teaching and scholarship. In such a case, he/she shall be advised in writing of the awarding of tenure at the time of initial appointment by the Provost. The Provost will consult with the search committee and the Faculty Status and Evaluation Committee for their recommendation on such an award of tenure.

### 3.6.3 Application Procedures

Faculty members who become eligible for consideration of award of tenure (3.6.2) must apply to the Faculty Status and Evaluation Committee before the next October 1st.

After the application deadline, the Faculty Status and Evaluation Committee consults the Provost for information and advice, decides who is eligible for consideration, and notifies the candidates, who will be asked to provide the committee with the faculty member's evaluation dossier and other information needed to make the decision. The FSEC also notifies the faculty, who may wish to submit information which they consider relevant to one or more of the candidacies. The candidate may also provide additional information which he/she considers relevant to his/her candidacy. The deadline for submitting this information is November 1st.

#### **3.6.4 Criteria for Award of Tenure**

1. Evidence and every expectation that the candidate will ultimately qualify for promotion to professor, and
2. Expertise congruent with the mission statement of the University.

#### **3.6.5 Data-collecting Procedures for Faculty**

The candidate shall provide to the committee the material listed under 3.5.4. and any other materials which the candidate believes may be helpful to his/her case, especially with respect to criterion 3.6.4(2).

The personnel file and the persons listed under 3.5.4 will be consulted, along with some graduates during the immediately preceding three years who were in the candidate's department or were interdisciplinary majors who took more than one course with the candidate. In departments with few graduates annually, all of these graduates may be asked for evaluation; in departments with many senior majors annually, the candidate will select three and the committee will select three other graduates, and both groups of three must be chosen from the top 50% of the three graduating classes. If six major or interdisciplinary major graduates over the three years are not available, the committee will consult with the candidate to compose a list from which the candidate will select three and the committee will select three other graduates (both groups of three must be chosen from the top 50% of the three graduating classes).

The committee will notify all those of whom it requests evaluations who will have access to them and the information to be included as described under 3.5.4.3.

The committee normally interviews the candidate and others whom the committee considers appropriate, especially for the purpose of evaluating the candidate with respect to criterion 3.6.4. (2). Any faculty person may request in writing that he/she be invited to meet with the committee to discuss a named candidate.

Those interviewed will be informed of who has access to the information presented and to the type of information desired as described under 3.5.4.3. Notes will be taken during each interview and this record will be considered in the deliberations of the committee. Interviewees may request to see and comment on the notes of their interviews. Interviews may also be recorded.

All information about a candidate must come to the committee in written form except in the circumstances outlined above. No faculty member may discuss the qualifications of a candidate with any individual member of the Faculty Status Committee unless the committee initiates such conversation.

#### **3.6.6 Decision-making Procedures**

##### **3.6.6.1 The Role of the Faculty Status and Evaluation Committee**

During its deliberations on tenure the Provost and the President, as *ex officio* members of the committee and the untenured members are excluded from the meetings and do not receive minutes. During and after the review process, the Faculty Status and Evaluation Committee will maintain the highest level of confidentiality regarding its deliberations and decisions.

The committee shall keep an evaluation file on each faculty member being considered for tenure. It shall contain written evaluations or records of oral evaluations of candidates for tenure as requested or accepted by the committee. The evaluation file is accessible to the committee, the Provost, the President, and any appellate bodies who may become involved in a grievance. After a decision on tenure the evaluation file shall be placed in confidential storage, in the office of the Provost or in a place specified by him/her, for three years, or some longer period as deemed necessary by the Provost, according to the guidelines for promotion materials stated in section 3.5.4.2.

All recommendations to award tenure made by the Faculty Status and Evaluation Committee will be made by a two-thirds vote of the committee membership not excluded in the first paragraph of this section.

The committee shall evaluate the candidate as provided under 3.6.6 and shall also evaluate the candidate's expertise with respect to criterion 3.6.4. With respect to this last criterion, the committee shall take into consideration all information received from all sources listed under 3.5.4. and any additional information provided by the candidate.

The committee shall summarize the expertise of the candidate with respect to criterion 3.6.4. The committee shall recommend to the President through the Provost as provided under 3.5.5.2.

### **3.6.6.2 The Role of the Administration**

The Provost will forward the evaluations and recommendations of the committee to the President. The Provost shall evaluate the candidate and make his/her recommendation as provided under 3.5.5.2

Final recommendations to the Board of Trustees on tenure will be made by the President of the University. If the recommendations of the President, Provost, and committee differ, the President will meet with the Provost together with the Faculty Status and Evaluation Committee prior to making his/her recommendations to the Board. If agreement cannot be reached, the President and/or the Provost will provide compelling reasons for disagreeing to the committee.

The President's recommendations regarding tenure are subject to the final decision of the Board of Trustees of the University in its absolute discretion.

The President shall inform the candidate in writing of his/her final recommendation, and, if requested by the candidate, shall orally explain the reasons for recommending or withholding tenure. If the candidate requests a written statement of the reasons, the President shall provide this.

Upon being notified of the President's recommendation, the candidate may request in writing from the Faculty Status and Evaluation Committee a copy of the reasons which that committee sent with its recommendation to the Provost, and such requests shall be honored in writing by the committee.

### **3.6.7 Effects of Tenure Decisions**

A favorable tenure decision becomes effective at the beginning of the following academic year.

If the candidate is not eligible for consideration for tenure, according to the criteria stated above, or is not awarded tenure, according to the criteria stated above, the faculty member shall receive a one-year terminal contract.

No ranked faculty member who was denied tenure when a tenured position was available may remain at Mary Baldwin without tenure for more than seven years (or eight for faculty members hired before 2015).

### **3.6.8 Tenure Contract Stop Clock Measure**

A tenure track faculty member who finds that the normal expectations of professional development in a given academic year have been severely impeded for reasons of personal trauma, childbirth, or other non-professional circumstances may request that the year not be included in the probationary period. Requests for extension of the probationary period should be made in writing, no later than one year after the qualifying event. A request to stop the tenure clock is not to be confused with a leave of absence. Rulings on all such requests are made by the Provost. Requests for an extension of the probationary period, whether granted or denied, will not prejudice a faculty member's candidacy for tenure.

## 4 ORGANIZATIONAL STRUCTURE: COLLEGES

The faculty and academic programs of Mary Baldwin University are organized for administrative purposes into colleges: the College of Arts and Sciences, the College of Business and Professional Studies, the College of Education, the College of Visual and Performing Arts, and the Murphy Deming College of Health Sciences. Detailed information pertaining to the organizational structure of Murphy Deming College of Health Sciences is provided in the designated Faculty Handbook Addendum that accompanies this document. The provisions in this portion of the chapter (4.1 and 4.2) apply to the Colleges of Arts and Sciences, Business and Professional Studies, Education, and Visual & Performing Arts. A list of departments, and programs and their leadership is on the MBU homepage under “Forms and Documents.” The programs constituting the four colleges other than Murphy Deming shall be listed annually in the Academic Catalog.

The Mary Baldwin College for Women, the residential program for women and the University College, a co-educational residential program, are student points of entry and affiliation. The Mary Baldwin College for Women represents Mary Baldwin’s historic identity as a women’s liberal arts college and continues the steadfast commitment to liberal learning and the education of women leaders. In the organizational structure outlined in this section, Mary Baldwin College for Women and University College are materially different from the colleges as academic units. The colleges described within this section cross multiple student points of entry, both undergraduate and graduate; are academic units led by Deans (or the Vice President for Health Sciences in the case of Murphy Deming College of Health Sciences); and are the primary organizational affiliation of faculty members.

### 4.1 COLLEGES

Colleges are organized around a coherent domain of knowledge. The college structure enables experts in related areas, both within MBU and external partners, to collaborate to ensure a high quality instructional experience for students. The college structure is designed to maximize student development and contribute to the sustainability of the programmatic and financial ecosystem of the university.

Colleges other than the College of Arts and Sciences draw upon the core liberal arts curriculum from the College of Arts and Sciences for their undergraduate programs.

A college:

- Is a distinct academic unit, delivering curriculum supporting academic majors and minors, and offering graduate degrees. Each college has an autonomous curriculum committee (see Committee Structure 2.3).
- Offers both graduate and undergraduate programs.
- Works cooperatively with the other colleges and external partners as appropriate to coordinate programs, make resources available to one another, and contribute specific courses designed to complement other colleges’ offerings.

#### 4.1.1 Deans

Deans of the Colleges of Arts and Science, Business and Professional Studies, Education, and Visual and Performing Arts are appointed by the President in consultation with the Provost. Deans are selected through a collaborative administrative-faculty search process.

All duties of a college Dean at MBU are understood to be carried out with appropriate consultation with faculty and are subject to oversight by the Provost.

The primary role of the Dean is to provide academic and administrative leadership to the college. Duties and responsibilities include the following:

### Planning and Administration

1. Fully support the mission of the college and of Mary Baldwin University.
2. Develop and articulate a vision for the college and have primary responsibility for the planning and implementation of that vision.
3. Work with departments to develop and evaluate goals within each credentialing program (degrees, majors, minors, certificates) to accomplish the annual and long-range goals of the college.
4. Establish annual performance goals within the college, approved by the University executive staff, relating to such areas as enrollment, fundraising, retention, financial performance, and completion rates, among others.
5. Monitor the achievement of goals of the college within the University annual plan.
6. Ensure that externally-accredited programs within the college remain in full compliance with accreditation standards.
7. Work constructively with the other divisions of the University in setting and evaluating goals (Enrollment Management, Business & Finance, COMPA, Advancement, IT, etc.).
8. Coordinate budgets and spending at all levels within college.
9. Call and chair regular (minimum of four per year) meetings of the college.
10. Serve as active member of the Academic Leadership Council.

### Faculty and Curricular Leadership

1. Provide regular mentoring to faculty within the college to ensure excellence in teaching, advising, and scholarship.
2. Ensure curricular excellence through working closely with faculty on program development and revision.
3. Oversee the assessment process for the college, including periodic program review and initiating program changes, as necessary, resulting from the review process.
4. Serve as *ex officio* member of the college's EPC(s).
5. Ensure timely, accurate preparation of the Course Offerings List, including on-campus, hybrid, and online courses in consultation with academic departments.
6. Promote pedagogical and programmatic innovation within the college.
7. Oversee the process of hiring new faculty members as provided for in the *Faculty Handbook*, including recommending the need for new/replacement positions, overseeing the search process, and recommending candidates for hire.
8. Evaluate faculty within the college as provided for in the *Faculty Handbook*.
9. If necessary, participate in disciplinary procedures involving faculty members, as provided for in the *Faculty Handbook*.
10. Flexibly deploy personnel within the college and, as appropriate, across the University to achieve the educational and performance goals of the college and the University's Strategic Plan.
11. Recommend sabbatical requests and oversee coverage planning.
12. Support faculty applications for teaching awards and recognitions of service (Mednick Fellowships, VFIC Award for Excellence in Undergraduate Teaching, etc.).
13. Disburse faculty development and extra-curricular funds within the college.
14. Sponsor and promote presentations and workshops on scholarship and teaching.
15. Create opportunities for intellectual and professional exchange among faculty within the college and across the University.
16. Adjudicate student academic issues regarding exceptions to academic rules, grades, and disagreements with faculty that cannot be resolved through conversation with the faculty member and department chair.
17. Work with faculty and staff within the college to create and maintain a harmonious and mission-driven work environment.

### Representing the College Externally

1. Create opportunities for intellectual and professional exchange among faculty within the college and across the University.

2. Adjudicate student academic issues regarding exceptions to academic rules, grades, and disagreements with faculty that cannot be resolved through conversation with the faculty member and department chair.
3. Work with faculty and staff within the college to create and maintain a harmonious and mission-driven work environment.

#### 4.1.2 ACADEMIC LEADERSHIP COUNCIL

The Academic Leadership Council will be determined by the Provost.

The Academic Leadership Council meets regularly to discuss issues pertinent to the academic programs of Mary Baldwin University. Convened by the Provost, the Council considers academic policies that cross colleges; receives information on new program initiatives in all colleges; reviews EPC business from all colleges; addresses recruitment, admissions, and retention issues across programs; shares information on external relationships and partnerships; and reviews strategic planning priorities. Periodically, as needed, the Council includes other administrative leaders to discuss particular issues, e.g. budgets, fundraising, marketing, student life, etc. At least once a semester, the Academic Leadership Council meets with the full Executive Staff.

#### 4.1.3 Academic Departments/Programs

Curricular requirements for majors are set within the departments/programs in accordance with the guidelines established by the faculty. General course content and description are also a matter of disciplinary prerogative. Discipline members will coordinate and define areas in which full or partial collaboration of faculty from different programs is recommended.

Each department designates a “Department Chair/Program Director” who is responsible for program coordination and curriculum development and review. (The method of designation is determined by the department.) The Department Chair or his/her designate is also responsible for developing and monitoring the budget for the department in consultation with the Dean of the respective college.

#### 4.1.4 Department Chairs/Program Directors

As the official representative of the academic department, each Chair has the following responsibilities (some of which may vary, where it is appropriate, according to the different areas of expertise shared by the full-time faculty). In coordination with the Dean and other members of the department and delegating responsibilities where appropriate, the chair:

1. Oversees and updates the department’s biennial plan.
2. Manages the department’s budget.
3. Reviews and, where appropriate, has signature authority over the purchase orders and university credit card statements of all members of the department.
4. Leads the development of the departmental Course Offerings List.
5. Orients, advises and mentors new faculty members and all adjunct/part-time **Professors of Practice** and/or visiting faculty members. This process will include class observations and regular meetings.
6. Reviews evaluations of adjunct faculty members and **Professors of Practice** and meets with these faculty members annually or biannually to discuss the written report to be sent to the Dean of his or her college as per Section 3.4.3. 7.
7. Works with colleagues to coordinate teaching and course schedules.
8. Serves as coordinator with the library, and OIT, particularly for ordering discipline-related materials.
9. Helps coordinate efforts to bring in speakers and contribute to the extracurricular life of the University. 1
10. Attends all meetings of the department, Department Chairs, College, and full Faculty and serves as one formal conduit of information with the academic administration.
11. Oversees and updates department-related documents (i.e., Senior Thesis guidelines, the department’s section in the University’s catalogue, and other institution-wide academic documents, such as the schedule of courses and the department’s website).

12. Holds periodic meetings of the faculty within the department at least twice per semester.
13. Supplies the Faculty Status and Evaluation Committee with an evaluation of each faculty member in his or her department who is being considered for promotion or tenure. (An exception is made in those cases where it is the department chair himself or herself who is being considered for promotion or tenure.)
14. Approves declarations of majors and/or coordinates record-keeping for new and continuing majors.
15. Certifies majors and minors for graduation in collaboration with the Registrar.
16. Mediates student grievances that have not been resolved by consultation with the faculty member involved. If the Department Chair cannot resolve the issue, s/he will refer it to his or her Dean.

Depending on the department, the Chair may also:

1. Request and assign lab assistants for faculty members in the department.
2. Generally, supervise labs and order lab materials.
3. Have oversight responsibility for educational equipment and facilities.

Each department Chair must:

1. Be a full-time faculty member of Mary Baldwin University.
2. Have at least three years of consecutive full-time service as a faculty member at Mary Baldwin University (unless an exception is made by or with the approval of the Dean). It is advisable that the department chair be a tenured member of the faculty when possible.
3. Have the general support of department colleagues through an open selection process decided by the department in consultation with the Dean.

The department chair holds a renewable four-year term. In consultation with the Dean, each department will decide its own procedure for the selection of the next chair. The Dean has the right to veto the selection made by the faculty and may, in certain cases, intervene to appoint a department's chair; in all such cases, the Dean will justify this decision to the faculty of the department.

Because of the many responsibilities involved in the position of department chair, those faculty members holding this position should be shown consideration, whenever possible, when appointments are made to major committees (such as the Educational Policy Committee and the Faculty Status and Evaluation Committee).

## **4.2 MISSION AND ORGANIZATION OF THE COLLEGES OF ARTS AND SCIENCES; BUSINESS AND PROFESSIONAL STUDIES, EDUCATION AND VISUAL AND PERFORMING ARTS**

### **4.2.1 COLLEGE OF ARTS AND SCIENCES**

The College of Arts & Sciences dedicates itself to teaching, learning, scholarship, and practice in liberal arts disciplines across the arts, humanities, natural sciences, and social sciences, nurturing creativity and critical thinking that prepare students for a lifetime of leadership success in professional and personal endeavors.

### **4.2.2 COLLEGE OF BUSINESS AND PROFESSIONAL STUDIES**

#### **4.2.2.1 Vision**

An academic eco-system of students, scholars, and practitioners pushing boundaries and creating thriving, regenerative communities dedicated to meeting society's needs.

#### **4.2.2.2 Mission Statement**

The mission of the College of Business and Professional Studies is to create and foster an environment of innovators and collaborators who are actively immersed in co-creating a holistic living/learning community that prepares the next generation of responsible citizens.

### **4.2.3 EDUCATION**

#### **4.2.3.1 Mission Statement**

The mission of the College of Education is to prepare confident practitioners who apply solid academic knowledge, strong leadership skills, and compassion for others to serve learners in diverse communities. We support this mission by providing personalized paths to meet individual goals while modeling and encouraging inquiry and reflection, integrating theory and practice, and providing opportunities for exploration and innovation within a collaborative environment.

#### **4.2.3.2 Organizational Structure**

The College of Education is led by the Dean of the College of Education, who provides both academic and administrative leadership (see 1.3.4). The Dean carries out all duties listed above for Deans (see 4.1.1), with the addition of the following duties: liaise with accreditation bodies, especially the Virginia Department of Education and the Council for the Accreditation of Educator Preparation, and ensure that the College of Education maintains continuing accreditation for its teacher education preparation programs; maintain relationships with school divisions across the Commonwealth; and provide necessary reports to both internal and external constituencies, especially those pertaining to accreditation.

Department Chairs within the College of Education carry out the duties listed above for department chairs (see 4.1.).

### **4.3 MURPHY DEMING COLLEGE OF HEALTH SCIENCES**

#### **4.3.1 Mission Statement**

The mission of the Murphy Deming College of Health Sciences is to prepare compassionate and ethical health professionals that strive for excellence through inter-professional collaboration that is responsive to an ever-changing global environment. This mission will be accomplished by fostering a dynamic learning community dedicated to innovative teaching and learning, engaged scholarship and service.”

#### **4.3.2 Administrative Positions**

##### **4.3.2.1 Associate Dean for Academic Affairs**

Position Description:

Reporting to the Vice President of Health Sciences, the Associate Dean for Academic affairs is responsible for providing administrative leadership, coordination and oversight for college-wide matters related to academic affairs, accreditation and assessment. The Associate Dean for Academic Affairs is responsible for making certain that all academic operations and policies are aligned with the college and university’s strategic priorities with a focus on efficiency, effectiveness, quality and the pursuit of excellence. The Associate Dean for Academic Affairs assists students with academic inquiries and issues resolution.

As a member of the college leadership team, the Associate Dean for Academic Affairs will participate in policy making, planning and evaluation of the college’s activities and assist the Dean in ensuring that the university’s vision, mission and values are foundational elements in guiding decision making and action within the college.

##### **4.3.2.2 Program Directors**

Position Description:

The Program Directors are full-time faculty members who assume administrative responsibility for their individual programs, including curriculum development, accreditation processes, planning and policy development, recruiting, orienting and evaluating faculty and generally providing rigorous standards for academic quality.

#### Duties and Responsibilities:

1. Curriculum development including courses, class structure, and content that is current and appropriate as well as meeting accreditation standards;
2. Lead initial accreditation process and, once accreditation is achieved, maintaining accreditation standards and oversee program accreditation activities;
3. Planning and policy development including establishing governance structures and program handbooks;
4. Recruiting, orienting, and evaluating core and adjunct faculty and administrative staff;
5. Developing faculty and supporting their teaching, scholarship, and service priorities;
6. Establishing partnerships for clinical education and supporting the Director of Clinical Education to ensure ongoing excellence in clinical placements;
7. Ensuring that graduate board scores equal or exceed national averages;
8. Fostering relationships in the professional community and within professional associations;
9. Advising on facility development;
10. Managing program budget, taking into consideration long and short term planning initiatives;
11. Remaining current in the field;
12. Participating in admissions, marketing, fund-raising, and other functions that support the program as well as overseeing student recruitment, selection, evaluation, advisement, retention and professional development;
13. Manage faculty recruitment, professional development, evaluation, and retention;
14. Assign and monitor faculty and staff responsibilities;
15. Ensure quality of the program;
16. Represent program to College administrators and negotiate for program needs;
17. Foster an academic climate that facilitates student, faculty and staff learning as well as professional growth;
18. Oversee student and faculty rights and responsibilities within the department as outlined in the Policies and Procedures of the Murphy Deming College of Health Sciences and Mary Baldwin University;
19. Develop and distribute reports for internal and external audiences;
20. Facilitate library acquisition of resources for student and faculty learning, teaching, and research;
21. Collaborate with other departments and divisions to increase learning opportunities and decrease duplication of services;
22. Foster beneficial relationships with professional and consumer communities, including state and national professional organizations, health care providers, community leaders, community at large, and other entities as appropriate;
23. Direct effort and attention to teaching and learning processes used throughout the curriculum, promoting student-centered pedagogies and excellence in student advising;
24. Keep faculty informed about the education program, pertinent policies and procedures, and changes influenced by accreditation;
25. Monitor a changing health care delivery system and advise VPHS and faculty of changing trends and potential impact on student enrollment, instruction, curriculum design, and clinical education;
26. Maintain partial teaching load as negotiated with the VPHS;
27. Meet other teaching requirements outlined in faculty job description related to courses taught;
28. Coordinate and teach courses and other related course content based on areas of content and clinical expertise;
29. Engage with Mary Baldwin faculty teaching undergraduate students to guide students toward the program;
30. Advise students;
31. Advise student groups.

Program directors report to the Vice President for Health Sciences.

#### 4.3.3 Workload

The following will serve as general guidelines for regular faculty, program directors, and the VPHS in setting work load. The instructional portion of a MDCHS faculty member's full-time workload will consist of 6-9 credit hours per

semester for fall and spring and 4-6 credit hours for summer semester (if on a 12-month appointment) not to exceed 18 hours overall fall and spring semesters. Adjustments to workload may be made for various academic purposes, such as increased clinical course contact hours, curricular or professional development activities, and supervision of doctoral projects. The program director will monitor workload and attempt to keep it equitable while meeting the needs of the program. Adjusted workloads shall be recommended by the program director and approved by the VP/HS. In addition to teaching, faculty workload will also include, but not be limited to, admissions activities, advising and consulting with students, engaging in scholarly activity and supporting the Mary Baldwin University, MDCHS, program and community through professional or public service. The administrative load of the Program Director and DCE is evaluated and equated into workload expectations, reducing teaching responsibilities accordingly. The Program Director as well as the DCE will have a 1-3 credit hour teaching load per each semester.

It is recognized that faculty are both teachers and clinicians and thus are encouraged to actively practice to retain their clinical skills. Twelve-month faculty are provided, as a part of their contract, release time for clinical practice that is negotiated with the Program Director and Vice President of Health Sciences. Nine-month faculty have opportunity to practice in their off-teaching months or can negotiate for clinical release during their contract term.

#### **4.3.4 Faculty Roles, Responsibilities and Privileges of MDCHS Faculty Members**

In addition to the Responsibilities and Privileges that pertain to all Mary Baldwin University faculty members (see sections 2.4 and 2.9 above), the following provisions refer specifically to the Murphy Deming College of Health Sciences.

Faculty members of the MDCHS have the primary responsibility for admission to programs, degree requirements, curriculum, course content and descriptions; academic standards, policies and regulations; student progress, dismissal, advising, supporting and evaluating student research projects; and conferring of graduate degrees. The faculty also makes recommendations regarding: hiring, promotion, reappointment; faculty development and evaluation; and course scheduling. Program assessment and planning, accreditation and developing and refining policies and processes critical to the business of the program and MDCHS are also within the purview of the faculty. In addition to the already described responsibilities, faculty role extends to developing a scholarly agenda, professional and continuing education and service to the community.

Each program establishes the rules of membership and procedures for themselves according to college guidelines. However, only regular faculty may vote on personnel recommendations and admissions decisions. Adjunct, affiliate and visiting faculty may be involved in curricular discussions and other issues and depending on the individual program may be extended voting privilege.

#### **4.3.5 MDCHS Faculty Appointment and Renewal Policies and Procedures**

##### **4.3.5.1 Definition of Faculty**

The purpose of these guidelines is to provide policies and procedures for hiring, evaluation, reappointment and promotion of fixed-term contract faculty members (see 2.1.4.4) in the Murphy Deming College of Health Sciences (MDCHS). There is no hierarchy implied between full-time Faculty in MDCHS and faculty in other College programs who are part of the tenure system, nor does the fact that MDCHS faculty members are initially hired on a fixed-term contract basis preclude the possibility of positions later being converted to tenure-track, according to the policy on fixed-term contracts (2.1.4.4). Faculty in the MDCHS may be hired on 9.5 or 12-month appointments.

The scope of responsibilities necessary to educate allied health and medical students dictate that faculty be comprised of individuals engaged in varying activities and responsibilities. Preparing students at the professional Doctoral and Master's level, requires that some faculty excel as diagnosticians, clinical service providers, applied researchers and educators, with significant responsibility focused in the clinical and educator track. For more information on categories of faculty within MDCHS please see Appendix IV (A).

### 4.3.5.2 Procedures for Initial Appointment of Full-Time Faculty

1. **Search Process:** Candidates shall be recruited for to a Full-Time Faculty position by an advisory faculty search committee identified by the Program Director and VPHS. The committee should consist of a minimum of four individuals: a designated chair (named by VPHS), one faculty member from the program, one faculty member from a different program and a member of the local professional community. National search mechanisms should be put in place. Announcements and position descriptions shall clearly state the nature of the position. At the conclusion of the search the committee shall make a recommendation to the Program Director and the VPHS. The VPHS will then consult with the Provost and the President and take action. The primary responsibilities of all regular positions shall be fully defined at the time of appointment.
  2. **Hiring:** Regular faculty appointments shall begin at a specified date and terminate at a specified date. Such appointments usually begin with a two-year contract but may be approved for a longer period. All contracts are offered by the President and are subject to the approval of the Board of Trustees.
- 3. Appointment Guidelines:**
1. **Assistant Professor:** Faculty hired at the Assistant Professor level should express interest in teaching in their areas of emphasis and have potential for growth as a faculty member.
    - Minimum of a Master's Degree, Physician Assistant Studies program. Doctorate required for all other programs.
    - Demonstration of a capability and desire for excellence in teaching, clinical practice or research
    - Academic credentials and demonstration of level of specialized accomplishment appropriate to the mission of the Program and the MDCHS
    - An expectation of collegiality and participation in the service of the program and/or MDCHS
    - Demonstration of potential for scholarly achievement
  2. **Associate Professor:** Appointment at this rank usually requires five or more years in the rank of Assistant Professor
    - Minimum of a Master's Degree, Physician Assistant Studies program. Doctorate required for all other programs.
    - Demonstrated excellence in all aspects of teaching, clinical practice or research
    - Demonstration of level of specialized accomplishment appropriate to the mission of the Department and the MDCHS.
    - Demonstration of collegiality and involvement in institutional and community programs.
    - Evidence of scholarly achievement in areas of research, teaching, and/or service as appropriate.
    - Documented peer recognition at a regional, or state level in the conduct of teaching, clinical duties or research.
  3. **Professor:** Appointment at this rank usually requires distinguished performance as an Associate Professor at least 5 years in rank
    - Minimum of a Master's Degree, Physician Assistant Studies program. Doctorate required for all other programs.
    - Demonstrated excellence in all aspects of teaching, clinical practice or research
    - Academic credentials and demonstration of level of specialized accomplishment appropriate to the mission of the Program and the MDCHS.
    - Demonstration of collegiality, involvement and leadership.
    - Evidence of sustained scholarly achievement and productivity in the areas of research, teaching, and/or service, as appropriate.
    - Demonstration of regional and national excellence in the conduct of teaching, clinical duties or research.

#### 4.3.5.3 Renewal

1. **Full-Time Faculty:** Performance will be subject to the annual faculty evaluation (AFE) by the Program Director in consultation with the Vice President of Health Sciences. The program director will complete a written assessment of each faculty member utilizing the agreed upon work plan for the current academic year. The narrative should include comments on each area in the work plan (teaching, scholarship, service, collegiality and administration, if applicable) indicating one of the following for each area: 1) fails to meet expectations 2) needs improvement to meet expectations 3) meets expectations 4) exceeds expectations. Evidence should be provided to support the ranking. It is expected that all faculty perform at the “meets or exceeds expectations” level on all areas of the evaluation. The program director will then make this evaluation available to the faculty member for formal review, and discussion. The completed and signed AFE will then be placed in the faculty member’s personnel file. A new work plan for the upcoming academic year will be developed and discussed at the annual meeting in August between the PD and faculty member. This will provide further discussion of areas needed for individual faculty development.

If at the conclusion of the AFE process performance is deemed “meets or exceeds expectations” the faculty contract will be renewed for another two-year cycle or longer. Normally all faculty to be re-employed will receive, by April 30th, contracts and/or salary letters for the following academic year, informing them of the salary which the President intends to recommend to the Board of Trustees. Members of the faculty who have not given notice of resignation shall sign their contracts and/or salary letters and return them to the VPHS Office by May 15th.

2. **Adjunct instructors:** Supplemental to the annual reappointment and promotion process, the Program Director shall complete an evaluation of all part-time adjunct faculty members each spring semester. Part-time faculty will be evaluated for their effectiveness as teachers. The term of appointment of any paid adjunct faculty member concludes at the end of the specified period set forth in the letter of appointment, and the letter of appointment constitutes full and timely notice that a new term will not be granted when that term expires. A new contract will be furnished for the next academic semester pending curricular needs and the adjunct faculty member’s performance.

#### 4.3.5.4 Personnel Files

The search file of an applicant for a position includes all written information submitted by the candidate and received by the Search Committee, the VPHS and other agents of the University; all correspondence between agents of the University and the candidate; and any written recommendations from the committee to the VPHS or the President relevant to the candidacy. If the applicant is not subsequently employed by the University, the information remains on file in the office of the VPHS for three years, after which it is destroyed, unless the VPHS deems it necessary to keep it for an extended period.

If the applicant is subsequently employed by the University, his/her vita, graduate school transcripts, recommendations of the Search Committee, and other materials submitted by the applicant are transferred from the search file to the permanent personnel file.

The permanent personnel file is kept in the office of the VPHS. It includes all recommendations by the Re-Appointment and Promotion Committee (RPC) whether positive or negative, official correspondence related to the faculty member’s status or privileges, evaluations, written complaints and their resolutions, written commendations, personnel actions including but not limited to disciplinary actions, publications, and information presented by the faculty member.

Access to a faculty member’s personnel file is strictly limited to the faculty member him/herself, the VPHS, the Provost and the President. Access to personnel files may also be extended to staff members working for these University officials whose professional duties require such access. In cases of the institution’s legitimate need, the VPHS, Provost, or the President may also designate other individuals to act as their representatives in consulting personnel files. In all cases, information contained in personnel files will be kept confidential except in fulfillment of

legitimate, professional needs of either the institution or faculty member. In all cases the faculty member will be informed of this access to his or her file.

The following material is not kept in the personnel file: correspondence related to temporary absences and health matters, routine course and curriculum planning, requests for exceptions to University policies, record of routine committee participation and other institutional and community service, copies of correspondence with other University departments.

In each case in which information is placed in the personnel file by persons other than the faculty member whose file it is, a copy of the information shall be sent to the faculty member, who may present additional information to be added to the file. In addition, any written statement or other written materials (of reasonable length), questioning or rebutting the information placed in his/her personnel file will be added to the file.

Faculty members may review and request copies of the materials in their personnel files. Such requests should be made in writing to the VPHS. A copying fee may be required.

### **4.3.6 Faculty Development and Evaluation**

#### **4.3.6.1 Faculty Development Plan and Annual Faculty Evaluation**

Regular faculty members within MDCHS must annually specify goals and anticipated outcomes in each of the three categories of (i) teaching, (ii) scholarly activities, and (iii) service. Goals and expectations for each of those areas should be agreed upon between the program director and the faculty member in August, prior to the beginning of the fall semester. In January the program director will have an interim meeting with each faculty member to assess his/her progress toward those goals and determine if support or adjustments are necessary to meet the goals. If there is concern at the January meeting regarding the performance of a faculty member a written improvement plan must be developed immediately (no later than January 15th) and the faculty member re-evaluated prior to the issuance of reappointment letters by the University in April.

If no concerns are noted in the January meeting the program director will request each faculty member fill out the Annual Faculty Evaluation (AFE). The AFE is intended to provide an annual and cumulative record of individual faculty contributions to the goals of the program, and MDCHS. The process should inform teaching and other departmental assignments, reappointment and the promotion process as well as periodic salary/merit adjustments. It should facilitate clear communication between the Program Director and each faculty member and provide summary information for the Vice President of Health Sciences. Faculty will be asked to discuss their annual goals from the past academic year and their progress toward meeting those goals. The AFE should include a self-assessment of the work plan for that year and discussion about strengths and weaknesses, as well as a proposed development plan for the upcoming academic year. Data and qualitative information should reflect only activities for the academic year in reference, with explanations of relation to other years as necessary (e.g. a three year project coming to fruition). Outcome data are expected to be objective, observable and documented. While major activities and contributions are weighted far more heavily, this process provides the opportunity to list many appearances and activities that are important collectively and reflect good citizenship, morale and collegiality. The AFE process should be completed by April 15th of each year.

### **4.3.7 Promotion of Faculty Members in MDCHS**

Progress toward promotion should be addressed through the Annual Faculty Evaluation (AFE) process (see 4.3.6 above). For more information on promotion timelines, guidelines for promotion review, and definitions of scholarship within MDCHS please see Appendix IV (B, C, D).

#### **4.3.7.1 Criteria for Promotion**

1. **Factors considered in assessing a faculty member's performance** may include (but are not limited to) the following: excellence in teaching, scholarly activity and productivity (scholarship as defined) – see Appendix

IV (D); impact, innovation and creativity; recognition in the field; ability to work effectively as part of a team (if appropriate); effective communication with colleagues, staff, students and clients/patients (where appropriate); collegiality and compliance with institutional policies and processes.

- a. Individuals wishing for promotion to **Associate** professor rank must demonstrate excellence in the tasks appointed them and evidence of a state, regional, national reputation. The following information provides examples of the types of performance required in order to receive promotion to Associate level.

#### SCHOLARSHIP

- Demonstration of initiative and independence in scholarly activities
- Peer reviewed publication of research findings and white papers
- Obtaining grants and/or contracts for support of research
- Participation as a member of large research team(s), providing documented critical contributions
- Participation as reviewer for research proposals
- Service on student research committees

#### TEACHING

- Demonstration of mastery of content and method, documented by student and peer evaluation
- Taking responsibility for the design, organization coordination and evaluation of a course or series of lectures
- Developing and/or presenting effective continuing education or other professional programs, including invited presentations
- Providing effective supervision, guidance, and/or counseling to junior faculty, students in MDCHS and students in other University programs
- Publication of papers and/ or presentations at professional meetings on topics related to teaching and learning
- Demonstration of innovation in teaching methods and production of texts, chapters, educational software or courseware
- Receipt of recognition as an exemplary teacher or clinician whose mentoring and teaching activities provide an outstanding role model for students
- Serving as principle investigator on grants or contracts for educational projects

#### SERVICE

- Providing exemplary care and/or services in administrative or committee roles that augment the mission of the Programs and/or MDCHS
- Serving as a critical member or director of a core laboratory (simulation lab, anatomy lab etc.)
- Serving on committees with the program, MDCHS, the University and/or affiliated institutions
- Engaging in mentoring junior faculty colleagues
- Serving on local/state/regional or federal committees developing clinical practice guidelines or formulating healthcare policies
- Serving on state/national professional committees
- Providing service to the professional or lay community through education, consultation or other roles.

2. Individuals wishing promotion to rank of **Professor** must demonstrate continued growth and excellence in their main area(s) of endeavor. The following information provides examples of the types of performance required in order to achieve promotion to the Professor level.

#### SCHOLARSHIP

- Continued demonstration of initiative, independence and sustained activity in scholarship
- Sustained productivity in publication of peer reviewed research findings and scholarly papers
- Record of sustained ability to obtain grants and/or contracts for support of research
- Receipt of recognition of excellence by professional or scientific organizations
- Continued critical contributions to research team(s)
- Receipt of invitations to preside over sessions at national or international meetings
- Participation in external review committees, study sections, or service as editor of professional journals

### TEACHING

- Sustained and outstanding performance in the examples cited for the associate professor level
- Leadership through design, organization, coordination, and evaluation of a course(s)
- Administrative responsibility for curriculum
- Leadership in continuing education or other professional programs
- Sustained innovation and leadership in production of texts, educational software, or courseware
- Sustained productivity in publication of papers and/or presentations at professional meetings on topics related to education
- Record of sustained ability to maintain external funding to support innovative educational projects
- Sustained recognition as an exemplary teacher, clinician, or researcher whose activities provide an outstanding role model for students

### SERVICE

- Continued demonstration of excellence in providing services in administrative or committee roles that augment the mission of the Programs and/or MDCHS
- Senior staff responsibility for a service or clinical teaching
- Recognition as an authority by other programs within MDCHS/MBU and by local, state, regional and national organizations or institutions.
- Appointment to responsible positions within MDCHS or the University at large (e.g., chairs a committee, program)
- Engages in mentoring faculty colleagues
- Serving on local/state/regional or federal committees developing clinical practice guidelines or formulating healthcare policies
- Continued service on state/national professional committees
- Election/selection to responsible positions on civic boards or organizations concerned with health care issues at the local, state, regional, national or international levels

## 5 GRIEVANCES, DISCIPLINE, AND SEVERANCE

### 5.1 GRIEVANCE PROCEDURES

#### 5.1.1 Purpose

The primary purpose of the grievance procedures described herein is to ensure the just and equitable application of the rules, policies, procedures, and regulations of the University. These grievance procedures are designed for conflicts in which informal settlement has been attempted and has failed. They provide a means of resolving differences within the University community without resort to any outside agency. All parties involved in a grievance shall maintain confidentiality and disclose any conflicts of interest. All faculty—tenured, tenure-track, fixed-term contract or contingent/adjunct/Professor of Practice – may invoke the grievance procedure.

## 5.1.2 Definitions

### 5.1.2.1 Faculty Grievances

A grievance is a dispute or complaint that alleges misapplication or violation of University policies or procedures affecting a faculty member or infringement of the faculty member's rights or privileges—particularly those relating to appointment or reappointment, working conditions, academic freedom, tenure, promotion, discipline, reassignment, or severance. In the absence of, or ambiguity in, University policy, the complaint may be brought to the Grievance Committee, which will determine if the complaint may be pursued through these grievance procedures.

All grievances must be filed in writing.

### 5.1.2.2 Affirmative Action Grievances

Grievances which involve Affirmative Action policies and procedures may be pursued through the complaint procedure for the University policy on Prohibited Harassment and Discrimination (see Section 1, A-C of the Employee Handbook). If a faculty member alleges that a decision on reappointment was made in violation of Affirmative Action policies, a Level Two Grievance may be filed.

#### 5.1.2.2.1 Level One Grievances

All disputes or complaints which do not directly relate to the terms and conditions of a faculty member's employment or to the exercise of academic freedom but which nevertheless have a negative impact on a faculty member's ability to perform their duties in a non-hostile environment are Level One Grievances.

#### 5.1.2.2.2 Level Two Grievances

Claimed infringements of faculty rights relating to the terms and conditions of employment or to academic freedom as described in sections 5.1.6.1 are Level Two Grievances. See 2.9.2 for the definition of academic freedom.

## 5.1.3

## 5.1.4

## 5.1.5 The Grievance Committee

### 5.1.5.1 The Grievance Committee Membership

#### Membership:

Eight full-time faculty members including the following: two faculty members from each of the four colleges, elected by those colleges; at least one faculty member who teaches regularly in distance formats; at least one faculty member who teaches regularly in a graduate program. At least five of the members must be tenured. No member of the Faculty Status and Evaluation Committee or the Murphy Deming Promotion Committee shall serve on the Grievance Committee.

### 5.1.5.2 Term of Grievance Committee Membership

Members of the Grievance Committee will serve three-year staggered terms, renewable for one further consecutive term of three years. The Chair of the Grievance Committee is elected from among the members.

### 5.1.5.3 Selection of Grievance Panels

After a grievance has been filed, the Grievance Committee will select three of its members to work on a Level One Grievance Panel, or five of its members to work on a Level Two Grievance Panel. The grievant or the respondent may request the replacement of one Grievance Panel member without prejudice, and one or more additional members if their presence can be shown to constitute a conflict of interest or reasonable concern. This determination is ultimately made at the sole discretion of the Grievance Committee. Should more than two members be replaced on a Level Two

Grievance Panel, their replacement(s) from beyond the standing Grievance Committee will be selected by mutual agreement of the Grievance Committee, the grievant and the respondent from amongst the faculty at large.

### **5.1.6 General Provisions**

#### **5.1.6.1 Time Limitations**

Every reasonable effort shall be made by all parties to conduct the grievance process as promptly as possible. However, the time limitations specified for any party at any point in the grievance process for Level One or Level Two grievances may be extended by the committee at its discretion.

Grievances must be filed, in writing, with the Grievance Committee within twenty (20) business days after the grievant knew or through the exercise of reasonable diligence should have known of the occurrence of the event(s) upon which the grievance is based. Grievances which are based on an event(s) which occurs within fifteen (15) business days before any official University or College break which pertains to the grievant, must be filed within fifteen (15) business days after return from the official break.

#### **5.1.6.2 Record Keeping**

All written grievances and appeals should include the name and position of the aggrieved party, date of filing, a detailed statement of the nature of the grievance or the specific grounds for appeal and the redress sought.

Formal minutes of all proceedings will be kept by the Grievance Committee and will be made available to all parties as soon as possible.

In addition to formal minutes, Level Two Grievance Hearings will be recorded. Any party in a Level Two Grievance Hearing may request a transcription of the proceedings at the requestor's expense.

Upon completion of any grievance case, the documentation, minutes, recordings, or transcriptions of all proceedings will be placed in confidential storage, in the office of the Provost or in a place specified by him/her, for as long as he/she deems necessary.

#### **5.1.6.3 Employment of Attorney**

Any party to a grievance may employ an attorney at his/her own expense to provide counsel at any time. An attorney may actually accompany the grievant only to a Level Two Grievance Hearing. If the grievant is accompanied by an attorney, the Level Two Grievance Panel shall be represented by one of the University's legal counsels, at the expense of the University; the Level Two Grievance Panel may also request such representation even if the grievant does not have same. The attorneys may only observe the proceedings at such hearing and may not participate in them. Any party wishing to have an attorney present must notify the Grievance Committee in writing at least ten (10) business days in advance of the hearing.

#### **5.1.6.4 Non-compliance**

If any party to a grievance believes that the provisions of the Grievance Procedure are not being followed correctly, he/she should bring forward such concerns in writing as soon as possible (not waiting until the conclusion of the process), and the Grievance Committee should give due consideration to such concerns in a written response.

### **5.1.7 Procedure for Level One Grievance**

#### **5.1.7.1 Step One: Filing of a Written Level One Grievance**

If the dispute or complaint cannot be resolved informally, whether through discussions, mediation, or otherwise, the faculty member may file a written grievance with the Grievance Committee and send a copy to the Provost within

twenty (20) business days after the grievant knew or through the exercise of reasonable diligence should have known of the event(s) upon which the grievance is based.

The written grievance should set forth the details of the alleged wrong, the respondent against whom it is directed, the relief or remedy sought by the grievant, and any other data or evidence that the grievant deems pertinent.

#### **5.1.7.2 Step Two: Consideration and Report**

Within five (5) business days of receipt of the written grievance, the Grievance Committee shall meet in order to vote upon whether or not to accept the grievance. The committee may vote to reject— that is, decline to receive or investigate—any grievance it deems upon initial reading to be frivolous, unsubstantiated or inappropriate. A majority vote of a quorum (at least four members) shall be binding. The Committee shall report its decision to the grievant only.

#### **5.1.7.3 Step Three: Appointment of Level One Grievance Panel**

If a Level One grievance is accepted, the Grievance Committee shall select three of its members to work on the grievance a Level One Grievance Panel (subject to the flexibility outlined in 5.1.3.3). Within a further five (5) business days of the appointment of the Level One Grievance Panel, the Level One Grievance Panel will supply the respondent with a full copy of the grievance (at least two business days in advance of any fact-finding meeting). The respondent may provide a written response and supporting documentation to the Level One Grievance Panel within five (5) business days of receiving the grievance. The Level One Grievance Panel will meet separately with the grievant and the respondent for fact-finding and mediation. In the course of doing this, the Grievance Committee will collect all pertinent documents and will conduct discussions with and/or between the concerned parties, at all times preserving the confidentiality of its proceedings, to the extent possible.

#### **5.1.7.4 Step Four**

Within five (5) business days of the last meeting pertaining to the case, the Level One Grievance Panel will respond to both the grievant and the respondent with a written decision. If the decision is in favor of the grievant, the decision should clearly address the specific remedies sought.

Whether or not disciplinary action is recommended, the Level One Grievance Panel will inform the Provost, and the VPHS or Dean(s) of the grievant and respondents college(s) of the resolution of the grievance. The Level One Grievance Panel may recommend to the Provost or VPHS (or, in cases in which the Provost is the Respondent, to the President) one or more of the Disciplinary Actions outlined in 5.2 of the Faculty Handbook. The Provost or VPHS (or President) will inform the Grievance Committee of action taken and reasons for such action, and the decision by the Provost, VPHS, or President shall be final and binding on all parties.

### **5.1.8 Procedure for Level Two Grievances**

#### **5.1.8.1 Grounds for Level Two Grievances**

The Level Two Grievance procedure will be available when the grievant alleges:

1. Inadequate consideration, but not the merits, of a final decision relating to any of the following:
  - a. Dismissal for cause
  - b. Suspension for cause
  - c. Reassignment before the end of a contract
  - d. Termination for financial exigency
  - e. Termination for inability to perform essential job functions with or without a reasonable disability accommodation due to a prolonged mental or physical illness or injury before the end of the term of a contract
  - f. Denial of promotion
  - g. Denial of tenure

- h. Non-renewal of contract
- 2. Infringement of academic freedom (see section 2.9.2)

If the Grievance Committee determines at any time that the dispute or complaint does not involve any of the above, the Level Two Grievance procedure may be discontinued without prejudice and referred to a Level One Grievance procedure or to the complaint procedure under the University policy on Prohibited Harassment/Discrimination.

#### **5.1.8.2 Step One: Filing of Written Level Two Grievance**

If a dispute or complaint involving any of the above cannot be resolved informally, whether through discussions, mediation, or otherwise, the faculty member may file a written grievance with the Grievance Committee and send a copy to the Provost. The written grievance should set forth the details of the alleged wrong, the respondent against whom it is directed, the relief or remedy sought by the grievant, and any other data or evidence which the grievant deems pertinent. Written grievances must be filed with the Grievance Committee within twenty (20) business days after the grievant knew or through the exercise of reasonable diligence should have known of the occurrence of the event(s) upon which the grievance is based.

#### **5.1.8.3 Step Two: Consideration and Report**

Within five (5) business days of receipt of the written grievance, the Grievance Committee shall meet in order to vote upon whether or not to accept the grievance. The Committee may vote to reject – that is, decline to receive or investigate – any grievance it deems upon initial reading to be frivolous, unsubstantiated or inappropriate. A majority vote of a quorum (at least four members) shall be binding. The Committee shall report its decision to the grievant only.

#### **5.1.8.4 Step Three: Appointment of Level Two Grievance Panel**

Once the Grievance Committee has accepted the grievance, the Grievance Committee shall select five of its members to work on the grievance as a Level Two Grievance Panel (subject to the flexibility outlined in 5.1.3.3). The Level Two Grievance Panel will send, within five (5) business days of its appointment, a copy of the grievance to all named respondents and the Provost and the VPHS or dean(s) of the grievant and respondents college(s). The respondent may provide a written response and supporting documentation to the Level Two Grievance Panel within five (5) business days of receiving the grievance. The Level Two Grievance Panel will attempt to settle the grievance by discussions and informal meetings. In the course of doing this, the Grievance Committee will collect all pertinent documents and will conduct discussions with and/or between the concerned parties, at all times preserving the confidentiality of its proceedings, to the extent possible.

If a faculty member alleges that an appealable decision was based on inadequate consideration in an employment situation (see 5.1.6.1[1]a through[h]), the Level Two Grievance Panel may only determine whether, in its judgment, the decision was the result of inadequate consideration in terms of the evidence and standards set forth in the Faculty Handbook. The Level Two Grievance Panel may not substitute its judgment on the merits forth at of the deciding person or persons. If the Level Two Grievance Panel believes that in adequate consideration was given to the faculty member's qualifications, it may request reconsideration by the deciding person or persons, indicating specifically the respects in which it believes the consideration may have been inadequate.

Unless the Level Two Grievance Panel decides that a formal hearing is necessary (see 5.1.6.5 below), once the Level Two Grievance Panel has completed its review, it writes a report which is sent to the grievant, the respondent, the Provost, the VPHS or dean(s) of the grievant and respondents college(s), and the President. The President shall accept or reject the recommended decision of the Level Two Grievance Panel. The President shall inform the Grievance Committee of action taken and reasons for such action, and the President's decision shall be final and binding on all parties.

Such reports shall not constitute precedent in the handling of similar grievances. No offer to settle a grievance by either party, nor a suggested resolution by the Level Two Grievance Panel, shall be admissible as evidence in a Grievance Hearing (see 5.1.6.5 below).

#### **5.1.8.5 Step Four: Grievance Hearing**

Under unusual circumstances, the Level Two Grievance Panel may decide to hold a formal hearing. Such hearings are exceptional rather than usual practice and are held when the Level Two Grievance Panel determines that the grievance cannot be resolved through procedures outlined in section 5.1.6.3 and warrants a more formal, evidentiary procedure. In such cases, the Level Two Grievance Panel will

1. Give written notice to the Provost, the VP/HS or dean(s) of the grievant and respondents college(s), and all of the parties to the grievance that a formal grievance hearing is to take place, (2) set a date, time, and place for the formal grievance hearing and inform in writing all concerned parties at least five (5) business days in advance of the hearing. The arrangements should, to the degree possible, be completed within ten (10) business days after receipt of the request for formal hearing by the Level Two Grievance Panel, and the hearing will begin no more than twenty (20) business days after completion of the arrangements.

The hearing will be conducted in private and the parties will make no public statements about the case during the course of the hearing.

All parties to the grievance (grievant, respondent, and the Level Two Grievance Panel) will have the right to obtain witnesses and present written and oral evidence. All parties will have the right to cross-examine witnesses. Where a witness has made a statement and cannot, will not, or, in the sole judgment of the Level Two Grievance Panel, need not appear, but the Grievance Committee determines that the interests of justice require admission of his/her statement, the committee will identify the witness, disclose his/her statement, and may provide for interrogatories. The Level Two Grievance Panel may grant continuances to enable either party to investigate evidence, or for any other appropriate reason. The University will cooperate with the committee in securing witnesses and making available documentary and other evidence reasonably requested by any party or the Grievance Committee to the extent not limited by contract or law.

If the ability of the grievant or the respondent to perform the essential functions of his/her job is at issue in the grievance, and the Level Two Grievance Panel believes that documentation from a treating healthcare provider and/or an independent medical and/or psychological opinion would be necessary to assess and/or resolve the grievance, it may require the grievant or the respondent to provide such documentation and/or to undergo a medical and/or psychological examination by an appropriate professional of the Level Two Grievance Panel's choice, and at the University's expense, to the extent in accord with applicable law. If the grievant or the respondent fails to comply with such a legitimate, job-related requirement by the Level Two Grievance Panel, and the Level Two Grievance Panel determines that it is unable to properly assess or resolve the grievance without that medical information, the Level Two Grievance Panel will dismiss the grievance or decide in the favor of the grievant, whichever it determines to be appropriate under the circumstances.

In any case involving non-reappointment or denial of promotion or tenure/term contract, the burden of proof shall be on the grievant. In any case of dismissal, suspension, or reassignment during a contract period or of a tenured faculty member, the burden of proof that adequate cause exists for the action shall be on the University administration, which proof shall be by clear and convincing evidence.

In cases involving severance, a determination by the faculty that a program or department is to be discontinued, or a determination by the Board of Trustees that a state of financial exigency exists will be considered prima facie valid. Although the Level Two Grievance Panel will not be bound by rules of legal evidence, every possible effort will be made to obtain the most reliable evidence.

The Level Two Grievance Panel's decision will take the form of findings of fact and a recommended disposition of the grievance. The findings of fact and the recommended disposition must be based solely on the hearing record,

pertinent University rules, policies, procedures, or standards, as set forth in the Faculty Handbook, and any applicable law made known to the Level Two Grievance Panel.

The Level Two Grievance Panel will present its decision in writing within ten (10) business days of the hearing to all parties, the Provost, the VPHS or Dean(s) of the grievant and respondents college(s), and the President. The President shall accept or reject the recommended decision of the Level Two Grievance Panel. The President shall inform the Grievance Committee of action taken and reasons for such action, and the President's decision shall be final and binding on all parties.

#### **5.1.8.6 Procedure for Appealing the Decision of a Level Two Hearing**

Appeals can only be made for one of the following three reasons:

1. The grievant or respondent has newly discovered information that, with reasonable diligence, could not have been discovered prior to the hearing and which was unavailable to the Level Two Grievance Panel or the President at the time of the original decision;
2. The University did not follow its stated policies and grievance procedures;
3. There is evidence of bias or prejudice on the part of the Level Two Grievance Panel or the President.

If the grievant or respondent wishes to appeal the decision of the Level Two Grievance Panel and/or the President on one of more of these three grounds, he/she may do so by written notification to the President within twenty (20) days of the President's decision. Three members of the Academic Affairs Committee of the Board of Trustees, including the Chair, who appoints the other two members (together, the "Appellate Panel"), will consider the appeal and determine whether one or more of the above conditions apply. The Chair of the Board of Trustees may, at his or her sole discretion, participate in the process. The Chair of the Academic Affairs Committee will ensure that there are no conflicts of interest.

If the Appellate Panel determines that one or more of the above conditions apply, it will re-open the grievance and will inform all parties. If not, the original decision will stand, in which case the Chair of the Academic Affairs Committee of the Board of Trustees will notify the President who will in turn notify the grievant or respondent of the decision not to proceed.

If the Appellate Panel re-opens the case, it will review all written materials used by the Level Two Grievance Panel and the President in reaching the decision being appealed.

The decision of the Appellate Panel will be communicated to the grievant and the respondent, the President, and the Chair of the Board of Trustees within twenty (20) days of the last meeting to discuss the appeal. This decision will be final.

## **5.2 DISCIPLINARY ACTIONS**

This section sets forth the types of disciplinary action which may be taken against a faculty member, though the types listed do not constitute an exhaustive list. No one form of disciplinary action must necessarily precede another, as the severity of the violation and the need for immediate action may vary from case to case.

### **5.2.1 Informal Discussion**

The Provost, VPHS, Deans, and Department Chairs/Program Directors may bring infractions of University regulations and policies to the attention of faculty in informal discussion or conference. No record of such conferences is entered in the faculty member's personnel file.

### **5.2.2 Aids to Memory**

An aid to memory may be sent to faculty following infractions of University regulations and/or policies. An aid to memory states the policies or regulations in question, gives notice that they will be enforced, and sets a deadline for compliance. No record of an aid to memory is included in the faculty member's personnel file.

### **5.2.3 Reprimands**

The Provost, VPHS, or dean of the faculty member's college may send a written reprimand to faculty who violate University regulations or policies. The reprimand includes a final deadline for compliance and gives notice that an investigation by the Faculty Status and Evaluation Committee will be the result of continued infractions. Copies of reprimands are included in the faculty member's personnel file.

### **5.2.4 Further Action**

If a faculty member continues in violation of University policies and regulations after receiving a written reprimand, the Provost may bring the matter to the attention of the Faculty Status and Evaluation Committee. The committee will investigate the matter and recommend to the Provost one of the following actions:

1. additional reprimand or penalty
2. initiation of dismissal proceedings for cause
3. no action

### **5.2.5 Suspension**

A faculty member whose misconduct is so serious as to constitute an immediate danger to himself/herself or others, or whose conduct otherwise represents a threat to the safety or welfare of the University community if he/she continues in his/her duties, may be suspended by the Provost (or the VPHS for faculty members in MDCHS) with the concurrence of the President. If the President is unavailable, the Provost (or VPHS) may proceed to impose the suspension if he/she deems it inadvisable to delay, provided that he/she obtains the concurrence of the President as soon as practicable. Nothing herein prevents the President from taking such action herself/himself directly, when he/she believes circumstances constitute an immediate danger or threat to safety/welfare. When practicable, before imposing a suspension, the Provost (or VPHS) or the President will meet with the faculty member to afford him/her the opportunity to respond to the concerns and to be heard regarding the length and conditions of the suspension. Where circumstances render such a pre-suspension discussion not practicable, the Provost (or VPHS) or the President will meet with the faculty member as soon thereafter as practicable. The Provost (or VPHS) will then either initiate a proceeding to dismiss the faculty member for cause, according to the provisions of section 5.2.6, or will consult the Faculty Status and Evaluation Committee relative to the length and conditions of the suspension, and make a recommendation to the President as to the length and conditions thereof. Salary and benefits continue during a suspension. The decision of the President is final.

### **5.2.6 Dismissal for Cause**

Adequate cause for dismissal must be directly and substantially related to the fitness of a faculty member to continue in his/her position with the University. Dismissal proceedings may be instituted only for one or more of the following reasons:

- (1) Professional incompetence or misconduct for actions taken in association with the faculty member's academic duties and responsibilities.
- (2) Continued neglect of professional duties and/or violation of University policies and regulations.
- (3) Serious or repeated violation of the rights and/or freedoms of fellow faculty members, administrators, or students.
- (4) Conviction of a crime directly related to the faculty member's fitness to continue his/her position with the University.

**(5) Falsification of credentials.**

A proposal that a faculty member be dismissed for cause may originate with a faculty colleague, the Provost, the VPHS, the Dean of the faculty member's college, or the President. Such a proposal must state the alleged grounds for the dismissal, together with such evidence as is available to the proposer. The proposal is forwarded to the Faculty Status and Evaluation Committee, which appoints an investigating committee of three tenured members of the faculty who are not members of the Faculty Status and Evaluation Committee to conduct a preliminary investigation. If the investigating committee concludes that the charges are without merit, the chair of the Faculty Status and Evaluation Committee so notifies the proposer. If the investigating committee concludes that the charges should be further investigated, the chair of the Faculty Status and Evaluation Committee notifies the Provost.

The Provost notifies the faculty member who is accused of the charges and the evidence against him/her and offers him/her an opportunity to respond in writing to the charges. The charge and any response are considered by the Faculty Status and Evaluation Committee which may recommend by a 2/3 majority vote of the entire Committee that the charges proceed to a hearing. If so, the chair of the Faculty Status and Evaluation Committee notifies the Provost, who notifies the accused faculty member. If the Provost and/or the investigating committee believe that the faculty member's conduct constitutes an immediate danger to himself/herself, or represents a threat to the safety or welfare of the University community, if he/she continues in his/her duties, they may recommend to the President that the faculty member be suspended pending the outcome of the hearing and will recommend the length and conditions of the suspension. Salary and benefits continue during a suspension.

The hearing is conducted by the Faculty Status and Evaluation Committee. The faculty member has the right to receive one week's notice in advance of the hearing; to receive a full statement of the charges and a list of witnesses and evidence in his/her case; to be represented by counsel; to be present during the hearing; to testify in his/her own behalf; to hear the testimony of witnesses; to question witnesses, personally or through his/her representative; and to present evidence and witnesses in his/her own behalf, personally or through his/her representative.

The committee keeps a full record of the hearing. The Faculty Status and Evaluation Committee makes its findings on each charge and its recommendation for or against dismissal. A recommendation for dismissal must be approved by at least a 2/3 majority vote of the entire Committee. The committee's recommendation is made to the President, who may request a transcript of the hearing before making a decision in the matter.

The President shall inform the Committee and the faculty member in writing of his/her decision and, if requested by the faculty member, shall orally explain the reasons for the decision. If the faculty member requests a written statement of the reasons, the President shall provide this.

The President's decision regarding dismissal for cause is subject to review by the Board of Trustees of the University in its absolute discretion. Request for Board review must be made by the faculty member or the Committee within five (5) working days of receipt of the President's decision. Any review granted by the Board will be solely on the written record of the dismissal proceedings.

A faculty member who has been notified of charges against him/her may choose at any stage of the proceedings to resign effective immediately or effective as of the end of the academic year. If he/she resigns effective immediately no further action is taken in the matter (unless the University chooses to institute legal proceedings). If he/she resigns effective as of the end of the academic year, the Provost and the Faculty Status and Evaluation Committee may recommend to the President that his/her resignation be accepted, with or without specific conditions in the intervening time period, as may be deemed appropriate by the Provost and the committee, in which case the hearing process will be discontinued if the faculty member agrees to such conditions. If the Provost and the Committee do not recommend that the resignation be accepted, or if the faculty member does not agree with or does not comply with such conditions in the intervening time period, the hearing may be rescheduled upon one week's notice to the faculty member.

**5.3 SEVERANCE**

Severance is an action by which the professional relationship between the University and a faculty member is terminated. Severance may be initiated by either the faculty member or by the University. For severance resulting from disciplinary proceedings (dismissal for cause) see 5.2.6.

### **5.3.1 Severance Initiated by the Faculty Member**

#### **5.3.1.1 Resignation**

A faculty member may resign effective at the end of a contract or an academic year. He/she should give notice of his/her resignation to the President, Provost and appropriate dean/VP at the earliest opportunity. A faculty member contemplating resignation may request, in writing, an extension of the deadline for return of his/her contract. Such extensions are not expected to be of more than one week's duration.

#### **5.3.1.2 Retirement**

For the purposes of efficient planning, faculty members are requested to notify the Dean/VPHS and Provost of their intentions regarding retirement as soon as possible and, in any case, no later than May 15 of the academic year previous to that in which they plan to retire. Particularly when they are granted emeritus status, retired faculty members may be asked from time to time to perform special assignments.

For phased retirement see section 5.3.2 of the Faculty Handbook.

#### **5.3.1.3 Emeritus Status**

Full-time faculty who retire after serving the University for fifteen years or more are automatically granted emeritus status at the rank held at the time of retirement. Faculty who retire after more than ten, but fewer than fifteen, years of service may apply to the Faculty Status and Evaluation Committee for a review of their service. The Faculty Status and Evaluation Committee makes a recommendation to the Provost and the President, who recommends to the Board of Trustees that emeritus status be granted or withheld. Emeritus status is not granted to a faculty member who has served the University fewer than ten years.

### **5.3.2 Phased Retirement**

Phased retirement is an option provided by the University to permit faculty to reduce their duties and thus prepare gradually for full retirement, gain time for the pursuit of other activities, or meet other personal goals or needs. Phased retirement is a reduction of duties within a faculty member's normal work load. Reduction of teaching load, limitation of student supervision and advising, and diminution of administrative and committee responsibilities qualify as reduction of duty.

#### **5.3.2.1 Procedures**

All tenured full-time faculty members are eligible to apply to the Provost for phased retirement. Phased retirement may be initiated only through an application by an eligible faculty member. The Provost in consultation with the President and dean/VPHS approves or disapproves applications for phased retirement on a selective basis according to the needs of the University.

#### **5.3.2.2 Conditions**

1. Salary is reduced in proportion to the reduction in a normal full-time workload.
2. Tenure status held by the faculty member when he/she begins phased retirement is retained.
3. Sick leave accrued, education grants, and tuition exchange benefits are unaffected by phased retirement.
4. The University pays the same dollar amounts toward hospitalization and income disability insurance as those paid on behalf of a full-time faculty member. Benefits aid under the income disability insurance are based on salary at the time disability occurred.

5. The University pays toward the retirement annuity the same percentage of salary as is paid on behalf of a full-time faculty member.
6. Upon reaching retirement age, faculty members who are on phased retirement are eligible for retirement benefits on the same basis as retirees who have continued full-time duties at the University.
7. Faculty members on phased retirement are eligible to participate in future early retirement plans.
8. The University may require that a faculty member on phased retirement resume duties up to a normal full-time load. Refusal by a faculty member to resume duties may result in dismissal.

### **5.3.3 Termination Initiated by the University**

#### **5.3.3.1 Non-Renewal of Probationary or Fixed-Term Contracts**

Probationary and fixed-term appointments may be terminated by the University or by the faculty member at the end of a contract period. Such decisions on the part of the University may relate to current or projected needs of a program or the University, performance, or other factors that do not constitute dismissals for cause, for which see section 5.2.6. Where non-reappointment is for the purpose of leaving a position vacant, the provost will review the proposal with the VPHS, deans of the appropriate colleges, and the department chair/program director, as appropriate. Proposals for non-reappointment may originate from the discipline in which a faculty member teaches (through the department chair), the Dean of the appropriate college, the VPHS, or the Provost. The proposal will be reviewed by the Provost (and VPHS for positions in MDCHS), the Dean(s), and colleagues in the discipline as appropriate. The Provost will then forward the recommendation(s) to the President for binding action.

If the President does not accept a unanimous recommendation, or if the recommendations to the President are not unanimous, he/she responds to those from whom he/she has received recommendations, stating his/her decision and the reasons for it.

Notice of non-renewal of probationary appointments will be given in writing by the President and will be preceded by a conference in which the faculty member is informed orally of the decision not to renew the contract. Oral notice is the responsibility of the Provost, who may by mutual consent arrange for one of the others listed to give the notice.

See Section 3.3.3 for deadlines for contract non-renewal.

#### **5.3.3.2 Elimination of an Academic Program or an Academic Department**

When an Academic Program or an Academic Department is eliminated or reduced by the University administration after early, careful and genuine consultation with the faculty in the affected program or department and the relevant College Dean and EPC, the University may terminate faculty members. Early, careful, and genuine consultation shall commence three months prior to any Board action related to program reduction or elimination. Termination shall not be used to restrain faculty members in their exercise of academic freedom. The termination of each tenure-track or tenured faculty member under this policy must be specifically approved by the Board of Trustees in executive session. The decision to eliminate or reduce programs rests in the board of Trustees.

When termination occurs under this section, tenured faculty members will not be terminated while probationary faculty or other faculty members are retained in the same discipline, except when a serious distortion of the academic program would result.

The Provost will afford high priority to giving faculty members who are to be terminated under this policy advance notice of termination. Tenured or tenure-track faculty members who are to be terminated will receive one year's notice or severance equaling twelve months salary in lieu of notice, or a combination of notice and severance salary equaling twelve months.

This will take effect for all new tenure-track faculty hired after August 15, 2016. It will not apply to any probationary or tenured faculty member hired before this effective date of approval.

The University will offer transition assistance to any tenured or tenure-track faculty member who is severed under section 5.1.4.2 or 5.1.4.3, including efforts to transfer the faculty member to an alternative vacant position for which the faculty member is qualified within the University, to enable them to continue their work at another institution, or to provide them mid-career redirection, early retirement, phased retirement (5.1.2) or part-time employment, provided that the faculty member is agreeable to one or more of these arrangements.

The University will not fill the position of a tenured faculty member terminated under this policy within a period of two years after termination, unless the University has first offered the released faculty member reappointment with tenure status and rank held at the time of termination and at least one month's notice in which to accept or decline the reappointment.

Terminated faculty members are requested to file current addresses with the Provost's office for two years following the date of severance.

**Appendix I*****GUIDELINES FOR DETERMINING YEARS OF SERVICE FOR ADJUNCT FACULTY AND ADMINISTRATORS WHO MOVE INTO FULL TIME FACULTY POSITIONS***

1. The newly hired full time faculty member requests that previous service be included in the probationary period/counted toward promotion.
2. No more than three years of combined administrative and adjunct service may be thus counted.
3. The faculty member must have been employed as an adjunct or administrator within three years of the starting date of the full-time contract.
4. Adjunct or administrative work within only the six years previous to the starting date of the full time contract shall be calculated as part of the probationary period/counted toward promotion.
5. If the faculty member has taught on a per-course adjunct basis in the residential or graduate program, each course shall be considered one-tenth of a one year full time load.
6. If the faculty member has worked under an adjunct or administrative contract that stipulates a percentage or a fraction of full-time faculty service (teaching or Baldwin Online and Adult Program advising), that percentage or fraction will be used in calculations.
7. If the faculty member has taught as an adjunct in the Baldwin Online and Adult Programs, each 45 semester hours of adjunct teaching shall be considered as one course, and, thus, one tenth of a one year full time load.
8. If the faculty member has worked under a contract that stipulates some percentage or fraction of full time service, but has performed non-teaching service that is normally performed by faculty members as part of their responsibilities (such as advising students and serving on University committees), the Provost, or VPHS for faculty members in MDCHS, shall have the discretion to include up to but no more than one year of that service already served, as long as that service has been performed within six years of the starting date of the person's full- time contract.
9. Only service that equals whole years of full-time service may be included as part of the probationary period. (So, for instance, two years at  $7/8^{\text{th}}$  would yield one and  $6/8^{\text{th}}$  years, but only the whole year would count; three years at that fraction of full-time would be 2 and  $5/8^{\text{th}}$ , but only two years would count.)
10. Although the faculty member may receive up to three years of credit, the appointment shall be considered an initial appointment for the purposes of determining rank at time of appointment, and the University shall adhere to the guidelines established in 3.2.2 in determining that rank.
11. The award of the number of years counted shall have the concurrence of the Provost, the President, and the Faculty Status and Evaluation Committee, and, for faculty members in the MDCHS, the VPHS, according to the guidelines established in this appendix.

**Appendix II*****SCIENTIFIC MISCONDUCT POLICY***

All faculty and all administrative staff of the University shall receive a copy of this document and shall be informed of the importance of compliance with the policy it establishes.

**Inquiry:**

1. Allegations regarding scientific misconduct will be communicated to the Provost, who shall be responsible for their appropriate disposition.
2. “Misconduct in Science” means fabrication, falsification, plagiarism, or other practices that deviate seriously from those that are commonly accepted and normally observed within the scientific community for proposing, conducting, or reporting research findings. It does not include honest error or differences of opinion in interpretation of data.
3. Upon receipt of allegations of scientific misconduct, the Provost shall order an immediate inquiry into the matter to be conducted by the Faculty Status and Evaluation Committee.
4. Such inquiry will be completed within 60 calendar days in the form of a written report to the Provost.
5. The privacy of the person or persons who make an allegation will be protected to the maximum possible extent, and a copy of the report of the inquiry will be made available to the person or persons against whom the allegation is made. The person or persons against whom misconduct has been alleged will have the opportunity to respond to the report and those persons shall be afforded confidential treatment to the maximum possible extent.
6. The Office of the Provost shall maintain documentation of any inquiries for at least three years, which must, upon request, be provided to authorized federal agency personnel.

**Investigation:**

1. If the findings from an inquiry provide sufficient basis, the Provost shall initiate a formal investigation within 30 calendar days of the completion of the inquiry. Such an investigation shall be conducted by three tenured/term contract members of the faculty who will be appointed by the Provost. The three appointees shall be chosen from a list of at least five persons recommended for appointment by the Faculty Status and Evaluation Committee.
2. The Faculty Status and Evaluation Committee shall make its recommendation of at least five persons based upon considerations of impartiality, scholarly achievement, and avoidance of real or apparent conflicts of interest.
3. If the allegation involves federally funded research, the cognizant agency shall be informed at the outset that an investigation will be conducted. Should a reasonable indication of possible criminal violations be discovered, the cognizant agency shall be informed within 24 hours.
4. The investigation shall be prompt and thorough. Written, confidential records of all deliberations and of the findings will be kept. The person(s) under investigation shall be accorded confidential treatment to the maximum possible extent and accorded an opportunity to comment in writing on allegations and findings of the investigation.
5. The formal investigation shall be completed within 120 calendar days and will be submitted as a written document to the Provost and to the cognizant agency. Documentation to substantiate an investigation’s findings shall be maintained by the Office of the Provost for at least three years after the agency’s acceptance of the final report.

**Outcomes:**

1. Where federal funds are involved, the Provost shall promptly inform the cognizant agency of any developments during the course of an investigation which may affect current or potential federal funding for the individual(s) under investigation or which the agency should know to ensure appropriate use of federal funds. The Provost may freeze all federal funds supporting a project that is the subject of the investigation.
2. Mary Baldwin University, through the Office of the Provost, will make every effort to protect to the maximum possible extent the positions and reputations of those persons who, in good faith, make allegations of scientific misconduct.
3. Mary Baldwin University, through the Provost, will make every effort to the maximum possible extent to protect the positions and restore the reputations of persons alleged to have engaged in scientific misconduct when allegations are not confirmed.
4. The Provost shall notify the cognizant agency of the final outcome of an investigation with a written report that thoroughly documents the investigative process and findings.
5. When an investigation confirms allegations of scientific misconduct, the Provost shall recommend appropriate sanction on the individual(s) involved to the President. Any sanction imposed by the President shall be consistent with the provisions of the Faculty Handbook.

**Appendix III*****FOR UNTENURED FACULTY WHOSE FULL-TIME SERVICE BEGAN PRIOR TO AUGUST 2015***

This Appendix, rather than Section 3.4.2, 3.5.1(2) or 3.6.2 above, governs the timelines for the Evaluation of Untenured Faculty Members, Eligibility for Promotion to Associate Professor, and Eligibility for Tenure, unless the faculty member requested otherwise in writing to the Provost and Faculty Status and Evaluation Committee by October 1st, 2015.

The evaluation timeline matches that stipulated in 3.4.2 *except* that the informal review occurs in the fourth year instead of the third. Substitute procedures for the third-year review are below.

**Third Year:**

During the academic year, the Department Chair /Program Director will conduct regular meetings with the faculty member, including at least one classroom observation. The faculty member submits the Annual Report to the Provost. At the request of the faculty member, or at the Dean's discretion, the Dean may informally evaluate the faculty member. The Dean sends to the faculty member a copy of any written document resulting from the informal evaluation and keeps a copy in the personnel file.

The evaluation timeline thereafter is adjusted by one year, such that evaluation listed for the fourth year in 3.4.2 takes place in the fifth year, etc.

The provisions in 3.5.1 and 3.6.2 are adjusted so that tenure and promotion review takes place in the seventh year instead of the sixth. All other provisions pertain as stated in 3.5.1 and 3.6.2.

## Appendix IV

### *POLICIES AND PROCEDURES SPECIFIC TO MURPHY DEMING COLLEGE OF HEALTH SCIENCES*

#### A. Faculty Types

The Murphy Deming College of Health Sciences has three types of full-time faculty (defined below), who have predominant, but not sole, responsibilities in one of the following areas: teaching, research, or clinical practice. Within these three areas, there are three professorial ranks:

	<b>Clinical Educator Track</b>	<b>Educator Scholar Track</b>	<b>Research/Educator Track</b>
<b>Entry Level</b>	Assistant Professor	Assistant Professor	Assistant Professor
<b>Intermediate Level</b>	Associate Professor	Associate Professor	Associate Professor
<b>Advanced Level</b>	Professor	Professor	Professor

Clinical Educator and Educator Scholar track rankings are used for faculty members who are engaged predominantly in teaching, clinical activities, or a combination of the two depending on which dominates. Scholarship and service are expected of these individuals; however, development of an independent research program is not essential to the Clinical Educator Track. Research track rank is used for those faculty members who are engaged predominantly in independent, externally funded research programs and the teaching involved therein. Scholarly activity is critical to their success, with less formal teaching and service responsibilities.

In addition to full-time faculty, MDCHS hires **adjunct faculty** to support instruction. These individuals are paid on a per credit hour fee and may teach 1-6 hours of didactic and or clinical instruction. They are appointed for a specified term of service, as set out in writing in their letter of appointment and carry no expectation of promotion, tenure or faculty privileges. The term of appointment of any paid adjunct faculty member concludes at the end of the specified period set forth in the letter of appointment, and the letter of appointment constitutes full and timely notice that a new term will not be granted when that term expires. Adjunct faculty has the same access to instructional and institutional resources as regular faculty.

Faculty who are not paid may be appointed for a specified term of service and will support programs as clinical preceptors, guest lecturers, support for student research or other important roles as identified by program. These **affiliate faculty** appointments are made for one year and are renewable.

The term **visiting** will be used when a full-time interim appointment is required during a search for a replacement of a regular faculty position. Visiting appointments typically do not exceed one year.

#### B. Schedule and Process for Promotion Applications

**Spring:** A schedule of dates will be forwarded from the VPHS's office to every faculty member outlining deadlines for the promotion process. Candidate should notify their Program Director of their intention to put their dossier forward for consideration of promotion for the following fall.

**August 1st:** Candidates who wish to be reviewed in the current academic year should have completed their portions of the dossier. The Program Directors submit names of faculty to be considered for promotion to the VPHS.

**September 1st:** Two weeks prior to the program faculty discussion and decision regarding promotion, the candidate's dossier and curriculum vitae will be made available to faculty for confidential review. Dossiers will be housed in a secured location and may not be removed from that area. Program faculty will then meet to evaluate candidate (s), and vote on the promotion. Only full-time faculty are allowed to vote. All proceedings are confidential. The program director will then prepare a summary of the findings and report the confidential tally of the outcome of the faculty vote. This will become a part of the promotion file.

**October 1st:** The Promotion Committee (PC) receives their charge from the Vice President of Health Sciences and the files of all MDCHS candidates are then available for review by this committee for two weeks. Files will be housed in a secured location and may not be removed from that area. The Vice President of Health Sciences chairs the

Promotion Committee as a non-voting member. Promotion Committee members will meet to discuss the applicant's qualifications and will vote on the issue of promotion for that candidate. The outcome of this vote, with an accompanying explanation, will be incorporated into the candidate's promotion file.

The PC makes its promotion recommendations in writing to the Vice President by December 1st, and informs the Program Director and candidate(s) in writing of the decision within 3 business days.

**January 15th:** The Vice President of the Murphy Deming College of Health Sciences in consultation with the Provost reviews the promotion files and makes a recommendation that is communicated in a letter to the candidate, Program Director and President of Mary Baldwin University.

**March 1st:** After consideration at all levels, a final recommendation for promotion will be made by the President to the Board of Trustees. If the recommendations of the PC, VPHS, Provost, or President differ, the President will meet with the PC, VPHS, and Provost before making a decision. The President shall inform the candidate in writing of his/her final recommendation. If the candidate requests a written statement of the reasons, the President shall provide this. Upon being notified of the President's recommendation, the candidate may request in writing from the PC a copy of the reasons which the committee sent along with its recommendation to the VPHS and such requests shall be honored in writing by the committee. The President's recommendations regarding promotion are subject to the final decision of the Board of Trustees of Mary Baldwin University, in its absolute discretion. A promotion decision by the Board of Trustees becomes effective at the beginning of the following academic year.

### C. Procedures Guiding Collegial Review

Collegial review is the responsibility of the faculty.

1. The rule of confidentiality will guide the operations of all collegial review committees.

1. All the committees and parties involved in the evaluation of promotion cases agree to maintain the confidentiality of records, deliberations, and specific recommendations.
2. Accepting appointment to departmental, or institutional collegial review committees indicates agreement to confidentiality. Confidentiality of this process is to be respected forever, not just during that particular year of review. Members of collegial review committees participate with the understanding that all matters related to their deliberations remain confidential.
3. Faculty candidates under review are not to approach committee members at any time concerning the disposition of their review and should understand that inquiries of this type are deemed entirely inappropriate. Committee members are encouraged to report candidates who approach them requesting information regarding the review. Committee members must refrain from commenting on the disposition of a review to the faculty candidate.
4. Violation of collegial review committee confidentiality, including but not limited to the dissemination of written or verbal information, discussion of proceedings or resolutions, should be reported to and investigated by the VPHS and may result in sanctions against the offending faculty member.
5. In the case of program collegial review committee violations, appropriate sanctions will be determined by the program director or department chair in consultation with the VPHS.
6. Appropriate sanctions will be determined in consideration of the gravity of the offense and the resulting damages. Sanctions, at a minimum, will include removal of the offending faculty member from the PC. Further sanctions may include warning or reprimand (written), permanent removal of the privilege of serving at any level of collegial review or on committees that consider confidential material such as candidate files.

### D. Definitions of Scholarship

The MDCHS has a multifaceted mission that includes educating healthcare providers, connecting the resources of the MDCHS to professional and community needs, and applying new knowledge to improve healthcare and delivery. This mission requires the commitment of a diverse faculty and an interpretation of scholarship that goes beyond the typical definition that has guided the academy for decades. The MDCHS view of scholarship is derived from Ernest Boyer's book *Scholarship Reconsidered* and the follow up publication by Glassick, E.E., Huber, M.T., and Maeroff, G.L., titled *Scholarship Assessed, Evaluation of the Professorate*. Using Boyer's model to support promotion standards recognizes the full range of faculty activity and the integration of research and teaching. Many of the scholarly

activities and subsequent products can be classified as more than one type of scholarship. *In order for an activity to be considered as scholarship, it must be peer reviewed/critically evaluated, accessible to the public and be of use to members of one's scholarly community (Shulman, 2000).* Boyer's expanded view of scholarship includes the following:

1. **Scholarship of Discovery**

The scholarship of discovery is at the heart of academic life. It is inquiry and the pursuit of knowledge done in a disciplined way. It involves active engagement in original research through diligent, systematic inquiry to refine existing knowledge and generate new knowledge. According to Glassick et.al "At its best, the scholarship of discovery contributes not only to the stock of human knowledge but also to the intellectual climate of a college or University" (p.9). Examples of this type of scholarship include publications, presentations, accepted grants, patents.

2. **Scholarship of Integration**

This type of scholarship involves making connections across disciplines, and creating new perspectives. It requires faculty to overcome the "isolation and fragmentation of the disciplines" (p.9 Glassick et.al). Examples of this type of scholarship include textbooks (synthesize, provide conceptual frameworks and elaborate on a theory), meta-analysis of empirical findings, integrative literature reviews.

3. **Scholarship of Application or Engagement**

The scholarship of application or engagement is related to the concept of service and is inclusive of professional practice. The National Review Board for the Scholarship of Engagement (<http://www.scholarshipofengagement.org>) defines the scholarship of engagement as a term that "engages faculty in academically relevant work that simultaneously meets campus mission and goals as well as community needs. Engagement is a scholarly agenda that incorporates communities' issues and which can be within or integrative across teaching, research and service." Examples of scholarship are publication of technical reports, policy statements, guidebooks, economic impact statements.

4. **Scholarship of Teaching and Learning**

This scholarship differs from scholarly teaching. The scholarship of teaching and learning can be viewed as an example of a combination of the scholarships of integration, application and discovery. This type of scholarship is embedded within the literature, and relevant to student learning. It stimulates active learning in students and encourages students to be critical and creative thinkers (Boyer, 1990). An example to illustrate this type of scholarship is service learning. Service learning is a teaching technique that illustrates the overlap between teaching and application. Students work in the community to solve a problem and/or provide a service. Through their work they apply their knowledge and reinforce their understandings. Often solutions are identified. In order for service learning to become scholarship, however, the experience must be framed in the literature and presented in a format that will allow public sharing and the opportunity for application and evaluation by others.

Revised 10/13/2020