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HOWARD

UNIVERSITY

Proposed Faculty Handbook Revision

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Contents

| | |
|---|----|
| Introduction..... | 6 |
| Chapter A: The University and its Governance..... | 7 |
| Section A1: About Howard University | 7 |
| A1.1 Mission..... | 7 |
| A1.2 History..... | 7 |
| A1.3 Schools and Colleges | 8 |
| A1.4 Administration | 9 |
| A1.5 Academic Administrative Officers | 9 |
| Section A2: Academic Organization and Governance | 10 |
| A2.1 Academic Policies and Programs | 10 |
| A2.2 Organization of the Schools and Colleges | 10 |
| A2.3 Academic Departments | 10 |
| A2.4 The Faculty | 11 |
| A2.5 Faculty Senate | 11 |
| A2.6 Faculty Ombudsperson..... | 12 |
| Section A3: Academic Committee Structure | 12 |
| A3.1 University-Wide Committees..... | 12 |
| A3.2 School and College Committees..... | 12 |
| A3.3 Departmental Committees | 13 |
| Section A4: Academic Administrative Policies | 13 |
| A4.1 Faculty Status | 13 |
| A4.2 Appointment and Term of Deans and Directors | 14 |
| A4.3 Appointment, Term, and Evaluation of Department Chairs | 15 |
| Chapter B: Terms and Conditions of Faculty Employment | 16 |
| Section B1: Faculty Rights and Responsibilities..... | 16 |
| B1.1 Guiding Principles | 16 |
| B1.2 Academic Freedom and Responsibility | 16 |
| B1.3 Professional Ethics and Conduct | 18 |
| B1.4 Tolerance..... | 19 |
| B1.5 Good Citizenship..... | 20 |
| Section B2: Core Responsibilities: Teaching, Scholarship, and Service | 20 |

| | |
|---|----|
| B2.1 Teaching and Related Responsibilities | 20 |
| B2.2 Scholarship | 22 |
| B2.3 Service | 23 |
| B2.4 Evaluation of Faculty Performance | 23 |
| B2.5 Outside Commitments and Conflicts..... | 24 |
| B2.6 Obligation to Report Known or Suspected Violations | 27 |
| Section B3: Faculty Salary, Benefits, and Leave | 28 |
| B3.1 Salary..... | 28 |
| B3.2 Benefits | 28 |
| B3.3 Faculty Leave and Procedures Associated with Various Types of Leave | 28 |
| Chapter C: Types of Faculty Appointments, Appointment and Reappointment Procedures, Resignation, Retirement, and Separation of Faculty Due to Financial Exigency..... | 33 |
| Section C1: Types of Faculty Appointments | 33 |
| C1.1 Tenured and Probationary Tenure-Track | 33 |
| C1.2 Non-Tenured Renewable Term Track..... | 35 |
| C1.3 Temporary Track (Full-time and Part-time/Adjunct) | 37 |
| C1.4 Special Academic Titles of Faculty..... | 38 |
| C1.5 Administrative Location of Faculty Appointments | 44 |
| Section C2: Appointment and Reappointment Procedures..... | 44 |
| C2.1 Search Procedures | 45 |
| C2.2 Initial Appointment Procedures..... | 47 |
| C2.3 Reappointments | 48 |
| C2.4 Standards for Notice of Non-Reappointment of Non-Tenured Faculty Members..... | 49 |
| C2.5 Administrative Appointments..... | 49 |
| Section C3: Resignation | 50 |
| Section C4: Retirement and Related Rights..... | 50 |
| Section C5: Separation of Faculty Due to Financial Exigency..... | 51 |
| C5.1 Declaration of a State of Financial Exigency | 51 |
| C5.2 Development of a Plan of Action | 52 |
| C5.3 Notification to Faculty Members | 52 |
| C5.4 Rights of Tenured Faculty Members in the Event of Financial Exigency | 52 |
| C5.5 Other Rights Pertaining to All Faculty in the Event of Financial Exigency | 53 |
| C5.6 Financial Exigency Sunset Provisions | 53 |

| | |
|---|-----------|
| Chapter D: Faculty Tenure, Promotion and Evaluation | 54 |
| Section D1 Purpose and Definition of Academic Tenure..... | 54 |
| D1.1 Basic Principles of the Tenure System | 54 |
| D1.2 Authority to Award Tenure | 55 |
| Section D2 Standards and Procedures for Reappointment, Promotion, and Tenure..... | 55 |
| D2.1 General Criteria for Appointment, Promotion, and Tenure (APT Criteria) | 55 |
| D2.2 Criteria for Tenure | 56 |
| D2.3 Tenure Clock Extensions..... | 56 |
| D2.4 The Application for Tenure..... | 57 |
| D2.5 The Review Process | 58 |
| Chapter E: Disciplinary Matters | 63 |
| Section E1: Types of Disciplinary Sanctions..... | 64 |
| Section E2: Written Reprimands..... | 64 |
| Chapter F: Faculty Grievances, the Faculty Grievance Commission (FGC), and FGC Procedures | 67 |
| Section F1: Grievable Matters | 67 |
| F1.1 Eligibility of Faculty Members to Initiate Grievances..... | 67 |
| F1.2 The Faculty Grievance Commission (FGC)..... | 67 |
| Section F2: Procedures Governing Appeals of Recommendations to Impose Major Disciplinary Sanctions or Termination..... | 69 |
| F2.1 Appeals of Major Disciplinary Sanctions or Termination | 69 |
| F2.2 Filing a Complaint | 69 |
| F2.3 The Formal Hearing..... | 70 |
| Section F3: Procedures Governing Appeals of Negative Recommendations at the School/College Level Regarding Applications for Reappointment, Tenure, or Promotion of Tenured, Probationary Tenure-Track, and Non-Tenured Renewable Term Appointment Faculty Members | 72 |
| F3.1 Filing the Appeal | 72 |
| F3.2 The Formal Review..... | 72 |
| Section F4: Procedures Governing Grievances Involving Faculty Complaints against Another Faculty Member for Non-Disciplinary Actions | 73 |
| F4.1 Jurisdiction of the FGC and Acceptance of the Complaint | 74 |
| F4.2 The Formal Hearing..... | 74 |
| Section F5: Procedures Governing Grievances Involving Complaints against Certain Administrators | 74 |
| F5.1 Jurisdiction of the FGC and Acceptance of the Complaint | 75 |
| F5.2 The Formal Hearing..... | 75 |

| | |
|---|-----------|
| Chapter G: REVISING OR AMENDING THE FACULTY HANDBOOK | 76 |
| Section G1: Revisions to Chapter A and any Appendix..... | 76 |
| Section G2: Revisions to Chapters B, C, D, E, F, and G, and Selected Provisions of Chapter A. | 76 |
| Section G3: Process to Revise or Amend Chapters B, C, D, E, F, and G, and Selected Provisions of Chapter A.... | 76 |
| G3.1 Role of the Faculty Senate..... | 77 |
| G3.2 Role of the Board of Trustees | 78 |
| G3.3 Emergency Revision Procedure | 79 |

Introduction

Howard University is committed to education, service, and the development of future leaders. The University is a community of scholars, consisting of faculty, staff, and students, who are dedicated to the search for new knowledge, truth, and justice.

In the conduct of its affairs, the University is also committed to shared, humane and efficient governance in order to act in the best interests of the institution and the society it serves. Likewise, all members of the University community are dedicated to the pursuit of a culture of excellence; to full compliance with the law; and to the unfinished struggle for justice and equality—a struggle that has been at the foundation of the University since its creation in 1867.

This Howard University Faculty Handbook reflects the policies of Howard University in effect as of the date of its adoption by the Board of Trustees. It supersedes all prior versions of the Howard University Faculty Handbook and will govern all members of the University Faculty, regardless of the faculty member's date of hire, except as specifically noted herein. This version of the Faculty Handbook shall remain in effect until amended according to the procedures described herein, and in accordance with the Charter of the University and the By-Laws of the Board of Trustees.

The University was founded by an Act of Congress and, pursuant to the Act; it is governed by a Board of Trustees. The primary governing document of the University is the Board of Trustees By-Laws. The Board of Trustees retains authority over all aspects of the University's business. This Faculty Handbook describes, in principle and in practice, shared governance among the faculty, the administration, and the Board of Trustees of Howard University. In the event of any inconsistency between the Faculty Handbook and the Board of Trustees By-Laws, the provisions of the Board of Trustees By-Laws will supersede those of the Faculty Handbook.

The Board may delegate certain aspects of its authority to the President, the central administration, the deans and directors, or the faculty for specific purposes. Additionally, the Board may invite University constituencies to participate in various aspects of the governance of the University and enjoy certain other benefits.

Chapter A: The University and its Governance

Section A1: About Howard University

A1.1 Mission

Howard University, a culturally diverse, comprehensive, research intensive, and historically Black private University, provides an educational experience of exceptional quality at the undergraduate, graduate, and professional levels to all students of high academic standing and potential, with particular emphasis on educational opportunities for Black students. Moreover, the University is dedicated to attracting and sustaining a cadre of faculty who, through their teaching, research, and service, are committed to the development of distinguished, historically aware, and compassionate graduates, and to the discovery of solutions to human problems in the United States and throughout the world. With an abiding interest in both domestic and international affairs, the University is committed to continuing to produce leaders for America and the global community.

A1.2 History

In the aftermath of the Civil War, leaders of the First Congregational Church in Washington, D.C., concluded that “the pressing demand of the Southern field” for teachers, ministers, and other professionals warranted establishing an institution of higher learning to address the need. Prominent among them was Civil War hero Major General Oliver Otis Howard, then commissioner of the Freedmen’s Bureau. The vision of the founders became a reality on March 2, 1867, when President Andrew Johnson signed the charter, approved by the 39th Congress of the United States, creating an institution under “the name, style and title of ‘The Howard University.’” The name recognized the general’s service to the nation and his important role in establishing the University.

Starting with four students in the Normal Department on May 1, 1867, the University student body increased to 94 by the end of the first term of enrollment. The Preparatory Department was opened on August 14, 1867, and the Medical Department on April 16, 1868. Other academic departments organized during the University’s first three years of existence included: Agriculture, Commerce, Law, Military, Music, and Religion. Of the present academic units, the College of Arts and Sciences (which includes the Fine Arts Division), the College of Medicine, the College of Pharmacy, the School of Law, and the School of Religion had their beginnings prior to 1871. The College of Dentistry, originally a division within the School of Medicine, was organized in 1881, followed by the School of Engineering and Architecture (1907), the School of Architecture and Planning (1911), the School of Engineering (1911), the Graduate School (1934), the School of Social Work (1945), the College of Nursing (1969), the School of Business and Public Administration (1970), the School of Communications (1971), the School of Education (1971), and the College of Allied Health Sciences (1974).

Other years of special significance in the history of Howard University include 1928, when the Substantive Act authorizing an annual Federal appropriation to the University was enacted, and 1955, when programs leading to the doctor of philosophy degree were inaugurated.

Howard University's academic growth has been accompanied by an expansion of both its physical facilities and its other enterprises. What began as the original two-story frame house has developed into today's 59-acre main campus, the West Campus, two sites in Northeast Washington, and a research site in Beltsville, Maryland. The University also established the Howard University Press, a radio station (WHUR-FM), and a television station (WHUT). Moreover, Howard operates a University hospital (Howard University Hospital) that not only provides services for a significant segment of the Washington, D.C. metropolitan community, but also provides a clinical setting for training physicians, nurses, and other healthcare providers.

Howard is more than academic programs and physical facilities; the University is a community of people dedicated to the quest for solutions to human and social problems in the United States and throughout the world. The interactions of these people, each contributing in their own way to the education of others, enable Howard to fulfill its mission and provide the kind of environment in which scholarship develops and flourishes. Recognition of students' high academic achievement has come from many national honor societies, including Phi Beta Kappa. The University is proud that among its student body, faculty, administrators, and trustees, there are persons of virtually every racial/ethnic group, religion and background.

Traditionally, Howard has had and continues to have the largest gathering of African-American scholars in the world. Alumni and members of the distinguished faculty at Howard have risen to national and international prominence. Among them are: Ernest E. Just, Zoology; Ralph Bunche, Political Science; Charles Drew, Medicine; Kelly Miller, Mathematics and Social Sciences; Elizabeth Catlett, Fine Arts; E. Franklin Frazier, Sociology; Carter G. Woodson, History; Zora Neale Hurston, Literature; Charles H. Houston, Law; Howard Thurman, Religion; Percy Julian, Chemistry; John Hope Franklin, History; William Hastie, Law; Lois Mailou Jones, Art; Lorraine A. Williams, Social Sciences; Ronald W. Walters, Political Science, Art; Patricia Bath, Medicine; Patricia Roberts Harris, Law; Sterling Brown, English; and Thurgood Marshall, Law.

A1.3 Schools and Colleges

Howard University is organized into thirteen (13) schools and colleges. The University offers a full array of undergraduate degrees, master's degrees, Ph.D. degrees, other doctorates, professional degrees, and professional certifications. Additionally, the University offers several dual degrees. Howard University is fully accredited by the Middle States Association of Colleges and Schools. Each school/college is governed according to bylaws recommended by its faculty and approved by the Board of Trustees. The bylaws of the schools and colleges supplement the Faculty Handbook. In the event that there is any inconsistency between such bylaws and the Faculty Handbook, the provisions of the Faculty Handbook shall govern and control.

A1.4 Administration

The ultimate authority and responsibility for both the development of policies and the control and operation of Howard University is vested in a self-perpetuating Board of Trustees as provided in the University charter. The Board is governed by its current bylaws.

A1.5 Academic Administrative Officers

Academic administrative officers of the University include the President, the Provost and Chief Academic Officer, deans, associate deans, department chairs, and program directors. Other members of the President's cabinet and other persons with advisory or administrative responsibilities whom the President may appoint also help to achieve the University's mission.

A1.5.1 President

The President is the chief executive of the University and is responsible for implementing the policies established by the Board of Trustees and for making appropriate recommendations to the Board as stipulated by Board Bylaws and by this handbook.

A1.5.2 Provost and Chief Academic Officer

The Provost and Chief Academic Officer is responsible for the overall supervision of the programs and activities of the schools and colleges, other academic units, and the academic support units of the University. The Provost is largely responsible for the appointment and retention of the faculty members who sustain these programs.

A1.5.3 Deans of Schools and Colleges

Each of the University's deans is responsible for the administration of the school/college he or she leads. All deans report to the President, through the Provost and Chief Academic Officer, and have responsibilities that may include, but are not limited to: faculty recruitment and development; faculty evaluation; academic program development and review; student advising; budget development and management; course schedule planning; general supervision of school/college research, teaching, and fundraising; and service and outreach activities, in addition to other duties that may be assigned or required. Deans shall consult with the faculty in matters relevant to the academic programs and administration of the unit and be guided by the principal of shared governance. Deans will normally hold tenure within their academic departments and will retain their departmental seniority and retreat rights to return to a tenured position in their department or division when they leave their administrative position.

A1.5.4 Department Chairs

Each department chair is responsible for the administration of the academic unit to which he or she is assigned. The department chair's responsibilities may include, but are not limited to: faculty recruitment, development, and evaluation; program development, review, evaluation and assessment; student advising; departmental budget development and implementation;

course schedule planning; and general coordination of the departmental research, teaching, and outreach activities. Department chairs shall consult with the faculty in matters relevant to the academic programs and administration of the unit, and be guided by the principal of shared governance. Department chairs will normally hold tenure within their departments and will retain their departmental seniority and retreat rights to return to a tenured position in their department or division when they leave their administrative position.

A1.5.5 Directors of Academic Units

Directors are responsible for the administration of units that are not schools or colleges. Directors shall consult with the faculty in matters relevant to the academic programs and administration of the unit and be guided by the principal of shared governance.

Section A2: Academic Organization and Governance

A2.1 Academic Policies and Programs

Academic policies and programs of individual departments, schools, and colleges may be initiated at the department, school, or college level and submitted for subsequent consideration by the school/college faculty. Following faculty consideration, the dean of the school/college shall prepare a recommendation and submit both the recommendation and the proposed policies or programs to the Provost for review. Following the Provost's review, these and the Provost's recommendation shall be forwarded to the President for review and approval. The dean, the Provost and the President shall acknowledge receipt and consult with the appropriate school/college faculty with respect to their recommendations in a timely manner.

Academic policies and program changes involving two or more schools/colleges may be presented to the Faculty Senate for consideration and recommendation. Final authority for the establishment of University policy rests with the Board of Trustees. The President shall communicate decisions of the Board of Trustees related to academic policies and programs to the faculty and the University community in a timely manner.

A2.2 Organization of the Schools and Colleges

Each school/college shall consist of the following components: academic departments and support units, a duly appointed faculty, a dean, and associate and/or assistant dean(s) appointed as necessary. Each school/college shall be organized and governed according to by-laws that have been approved by its faculty, the Provost, the President and the Board of Trustees. In addition to other provisions, the school/college by-laws shall contain the specific criteria for appointments, promotions, and tenure, consistent with those outlined in the Faculty Handbook.

A2.3 Academic Departments

An academic department shall consist of faculty members appropriately appointed to teach; conduct research; engage in professional development; provide service to the department, school/college, university, and community at large; and perform other duties that may be

assigned. The department shall have autonomy consistent with the maintenance of general school/college and University policy. Each department shall have a chair and be organized and governed according to the approved bylaws of the school/college to which it belongs.

A2.4 The Faculty

The faculty of each school/college shall be composed of the dean, associate and assistant dean(s) who hold faculty appointments, as well as the professors, associate professors, assistant professors, instructors, and lecturers, whether full time or part time. The President and Provost of the University are members of the faculty of each school and college.

The university faculty shall be composed of all faculty members of the various schools and colleges and shall have such powers and duties as a collective constituency of the University, as set forth in the Board of Trustees-approved Constitution of the Howard University Faculty Senate (hereafter called the Constitution of the Faculty Senate).

The faculty shares responsibility with the Administration of the University in matters of shared governance, including responsibility for academic programs; faculty recruitment and development; faculty evaluation and status; program development and review; student admission and advising; class schedule planning; and general supervision of the research, teaching, and outreach activities of the school/college; and the allocation of university resources to support these activities.

A2.5 Faculty Senate

The Faculty Senate shall consist of all faculty members, both tenured and non-tenured, who are currently serving in full-time faculty appointments or positions, and department chairpersons, if they have been appointed (as chair) with the advice and consent of the faculty of their department. The functions, membership, and voting rights of the Faculty Senate are set forth in the Constitution of the Faculty Senate, which defines the role of the Faculty Senate in the shared governance of the University.

The Howard University Faculty Handbook and the Constitution of the Faculty Senate are the Board of Trustees-approved documents that coordinately frame a relationship that is based upon mutual respect between the faculty, administration, and Board of Trustees that is the framework of a partnership and collaboration in University governance. In this regard, shared governance is defined as: The right and responsibility of faculty to seek early and meaningful engagement with the administration and the Board in the development of policies and decisions that impact university-wide programs, the nature and quality of academic programs, faculty welfare, research and scholarship, and the responsiveness of Howard University to achieve its unique contemporary mission. Shared governance ensures the right of faculty to seek change and to participate in the governance of the University through direct interaction and dialogue with the Administration and/or the Board of Trustees, as set forth in the Constitution of the Faculty Senate.

The Faculty Senate functions through its Officers (Chairperson, Vice-Chair, and Secretary), the Council of the Faculty Senate, the Steering Committee of the Council, and standing committees. The Faculty Senate meets to hear reports from the President of the University, its officers, and the chairpersons of the Senate Committees. The Faculty Senate also nominates members of the faculty to serve in the two (2) Faculty Trustee positions on the Board of Trustees. The Council of the Faculty Senate is the representative body that acts on behalf of the entire faculty in legislative and advisory capacities. The Council (and its Steering Committee) has the power and the responsibility to consider and propose legislative recommendations to the President and to the Board of Trustees on: (a) any matter of academic policy which involves more than one school/college, and (b) any other matters that substantially affect the general interest of the University faculty.

A2.6 Faculty Ombudsperson

The Faculty Ombuds Office is organizationally located in the Office of the President, but the Faculty Ombudsperson operates independently of all institutional reporting responsibilities. The roles and functions of the Faculty Ombudsperson may include, but are not limited to, assisting faculty who have questions, complaints, or disputes concerning University policies and procedures; helping to resolve conflict in the academic unit; consultation and informal advising; facilitation and provision of assessments and information to appropriate University officials. The office shall be informal, independent, impartial, and confidential.

Recourse to the Ombuds process shall be at the option of the faculty member, and the faculty Ombudsperson may participate in disciplinary proceedings as described in Section D1, below.

The Faculty Ombudsperson shall issue annual reports to the Provost and the Chair of the Faculty Senate summarizing the activities of the office.

Section A3: Academic Committee Structure

A3.1 University-Wide Committees

From time to time, the President or the Provost and Chief Academic Officer may form various University-wide committees or task forces whose roles are distinct from, but do not conflict with, the committees that are part of the regular University governance structure, such as the Faculty Senate and faculties of the schools and colleges. Such committees may have an indefinite tenure or they may be limited to a specific task and/or a specific period of time. Before constituting such a body, the President or the Provost shall consult with the chair of the Faculty Senate regarding the appointment of faculty members to serve.

A3.2 School and College Committees

The functions, membership, and organization of all standing and ad hoc committees for each school/college shall be established and set forth in the school/college bylaws or by the dean, except as otherwise provided herein.

The following standing committees shall exist in each school/college: an Executive Committee; a Committee on Appointments, Promotions, and Tenure (APT); and a Curriculum Committee. The school/college Executive Committee shall be responsible for those matters delegated to it by the faculty. The school/college APT Committee shall make recommendations to the dean regarding appointments, promotions, and tenure of faculty members. The Curriculum Committee shall periodically review the school's/college's curricula and make recommendations to the dean regarding required enhancements. Additionally, other standing and ad hoc committees may be established by vote of the school/college faculty, by provisions set forth in the bylaws of the school/college, or by appointment by the dean.

A3.3 Departmental Committees

Each department shall have at a minimum the following committees: an Executive Committee; a Committee on Appointments, Promotions and Tenure (APT); and a Curriculum Committee. The department APT Committee shall make recommendations regarding appointments, promotion, and tenure in accordance with the faculty handbook and the school/college bylaws. The committee's recommendation shall be transmitted to the dean along with the recommendation of the department chair. Other departmental standing and ad hoc committees may be established by faculty vote, by provisions set forth in the by-laws of the school/college, or by appointment by the department chair.

Section A4: Academic Administrative Policies

A4.1 Faculty Status

The administrative functions, titles, and status of such administrators of academic services as the Provost, vice presidents, deans, associate and assistant deans of schools and colleges, directors, and departmental chairs shall be distinct from their functions, titles, and status, if any, as holders of faculty positions. Academic administrators may hold faculty rank and tenure; however, no academic administrator shall hold faculty tenure solely by virtue of the administrative appointment.

Administrators with faculty tenure retain faculty status within the academic unit of their faculty appointment. They may apply for promotion to higher rank as any other tenured faculty member may. Administrators who have not been awarded tenure prior to receiving an administrative appointment do not receive tenure by virtue of receiving an administrative appointment. While serving in the administrative role, however, such persons may apply for appointment to a vacant faculty position in the manner described below, to include review of credentials by the appropriate faculty committees and administrators and approval by the appropriate decisional authority. Holders of temporary faculty appointments have no permanent rights to a faculty position, nor do administrators without a tenured, tenure-track, or non-tenured renewable term faculty appointment.

A4.2 Appointment and Term of Deans and Directors

Deans or academic program directors of schools and colleges do not have a definite term of office, but serve at the pleasure of the President. Deans are appointed by the Board of Trustees upon the recommendation of the President. When appointing a new dean, the Provost shall name the chair of the search committee and appoint or arrange for the election of a search committee. The majority of the search committee members shall be from the school/college that the new dean will head. The Provost's recommendation, together with that of the school/college search committee, shall be forwarded to the President for final decision.

A4.2.1 Faculty Participation in Academic Planning

Faculty and administrators are partners in the shared responsibility for the academic and educational enterprise at Howard University. In this regard, there is joint responsibility to engage in processes that guide important decisions regarding academic priorities, academic restructuring, budget/resource allocation, and planning—including capital expenditures and allocation of physical facilities. Faculty shall participate in the annual planning process for their school/college to ensure the growth of the educational and scholarly potential of the University. Deans shall consult with the faculty in matters relevant to the academic programs and administration of the unit and be guided by the principle of shared governance (Section A1.5.3). In this regard, faculty shall be entitled, to the extent feasible, to be informed of decanal priorities, goals, and objectives at the start of the academic year, accompanied by proposed budget and resource allocations associated therewith. Faculty shall be given an opportunity to offer advice and recommendations to the proposed plan. The regular members of the faculty of a school/college are also entitled to an opportunity to make recommendations on proposals concerning the creation, consolidation, or elimination of departments, institutes, or other academic or research units making up a part of that school/college. At the conclusion of each academic year, deans and academic program directors shall provide the faculty with a written report of activities, accomplishments, and impediments related to the original proposed goals and objectives.

A4.2.2 Faculty Evaluation of Academic Deans and Directors

Deans and academic program directors shall be evaluated by the faculty, in writing, at least once every two (2) years. The evaluation shall be coordinated by the Office of the Provost and Chief Academic Officer and the Executive Committee of the school/college. Evaluation rubrics will be distributed to faculty within each school/college, and provide them the opportunity to give feedback on their decanal or divisional leadership. The evaluation rubric will consist of a series of questions in which participating faculty will assign a score and will be given an opportunity for discursive comments. The discursive comments allow faculty to state any reasons they have for believing that the decanal or divisional leadership has or has not helped the school, college, or division make progress in meeting its mission and goals. The rubric responses and comments will be anonymous and will not be edited. The President, Provost, and the full-time faculty within the school, college, or division will receive the full results of the evaluation within sixty (60) days of the completion of the evaluation. The results shall be used by the Provost to improve the

effectiveness of deans and academic program directors and to make recommendations to the President regarding their continuation or replacement.

A4.3 Appointment, Term, and Evaluation of Department Chairs

A4.3.1 Search

When a new department chair position is created, or an existing department chair position vacated, a departmental search committee shall be established. The size and composition of the search committee shall be determined by the dean and the faculty. The dean shall appoint the chair of the committee and notify the department, in writing, of the scope of the search. The search committee shall present a recommendation to the dean, who shall also develop a recommendation. The dean's recommendation, along with that of the departmental search committee, shall be forwarded to the Provost. The Provost will then provide any recommendations and forward all recommendations to the President for final decision.

A4.3.2 Appointment

The President appoints department chairs based on recommendations from the Provost, the dean, and the departmental faculty search committee, as defined above.

A4.3.3 Term

The term of office for department chairs shall be three (3) years, unless a shorter term is stated in the Letter of Appointment, as determined by the President.

A4.3.4 Reappointment and Evaluation

Incumbent chairs shall be eligible for reappointment at the expiration of a term. Chairs shall be subject to performance evaluations by their respective dean at least every two years. In addition, during the final year of a department chair's term, the dean shall seek input from the full-time faculty of the department to evaluate the chair's performance by such procedures as the full-time faculty may establish. On the basis of this evaluation, the full-time faculty shall recommend reappointment or replacement of the chair to the dean. The dean's recommendation, along with that of the faculty, shall be forwarded through the Provost for a recommendation, and then on to the President for final decision.

A4.3.5 Removal

Chairs serve at the will and the pleasure of the President, and may be removed by the President at any time prior to the expiration of a term, as described in this section. Removal of a chair may also be initiated by the department upon the vote of two-thirds of the full-time faculty members of the department. The chair will be allowed to present his/her rebuttal to the dean and Provost prior to the President's final decision regarding removal. The dean or Provost may also recommend the removal of a chair. In each case, the chair may present his/her rebuttal to the next level of authority. Compensation as chair terminates at the point of removal.

Chapter B: Terms and Conditions of Faculty Employment

The Faculty Handbook sets forth the terms and conditions of faculty employment at Howard University. Chapters B, C, D, E, F, and G of the Faculty Handbook are incorporated into the individual contract of employment of each faculty member.

Faculty members are subject to the Faculty Handbook and to the Employee Handbook. If a provision of the Employee Handbook conflicts with a provision of the Faculty Handbook, the provision stated in the Faculty Handbook shall govern.

Faculty members in the colleges that comprise the Health Sciences who are expected to provide clinical patient services are not only subject to the provisions contained here, but shall also be subject to the provisions set forth in the Howard University Medical Staff Bylaws and, where applicable, in a Faculty Practice Plan. The Howard University Medical Staff Bylaws contain rules, policies, and procedures governing patient services.

No individual faculty member's contract or agreement may supersede the provisions of the Faculty Handbook.

Schools and colleges within the University may promulgate and enforce their own Board-approved bylaws and other policies. Those bylaws and policies will apply only to faculty members within the particular school/college. The bylaws and policies must be consistent with the Faculty Handbook. If provisions of an individual school's or college's bylaws or policies conflict with any provision of the Faculty Handbook, the provisions of the Faculty Handbook shall govern.

For faculty members who are members of a collective bargaining unit, the applicable collective bargaining agreement will provide additional terms and conditions of employment. To the extent that the Faculty Handbook and the applicable collective bargaining agreement do not conflict, both the Faculty Handbook and the collective bargaining agreement shall govern. If one or more provisions of a collective bargaining agreement conflict with provisions of the Faculty Handbook, the provisions of the collective bargaining agreement shall govern.

Section B1: Faculty Rights and Responsibilities

B1.1 Guiding Principles

Important principles are associated with the appointment of faculty at Howard University. These principles include academic freedom and responsibility, professional ethics, tolerance, and good citizenship.

B1.2 Academic Freedom and Responsibility

Faculty members are entitled to academic freedom in teaching, research, publication, scholarly activity, assembly, and in the generation and transmission of new knowledge.

Academic freedom is defined as:

- 1) freedom of inquiry, thought, expression, publication, and peaceable assembly;
- 2) the unrestricted exploration of subjects (including controversial questions), both on and off the campus, in a professionally responsible manner; and
- 3) expression and communication of the widest range of viewpoints, in accord with standards of research integrity, scholarly inquiry and professional ethics, free from internal or external interference or coercion.

The responsibility for defining the particulars of academic freedom primarily lies with the faculty as a body, guided by national norms, such as the “1940 Statement of Principles on Academic Freedom and Tenure” issued by the American Association of University Professors. The exercise of academic freedom entails correlative duties of professional care when teaching, conducting research and scholarship, or otherwise acting as a member of the faculty.

Academic freedom in research is exercised in the pursuit of new knowledge, the publication of results, and in the generation of new concepts, theories, and hypotheses. In their exercise of academic freedom in research, faculty should be aware that they are subject to policies, regulations, and guidelines governing research that may be imposed by the University or by external entities such as government agencies or sponsors. Among these are the University’s policies regarding sponsored research, intellectual property, research involving human subjects, research involving animals, academic fraud, scientific misconduct, and hazardous materials.

Specifically, with regard to sponsored research, in those research projects in which proprietary information is provided by the sponsor prior to or during the course of the project, any limitations on the disposition of that information must be described in writing prior to the time the information is made available and any requirements of confidentiality or other limitations must be documents, provided to, and approved by the Associate Provost for Research. Knowledge developed on the basis of proprietary information is to be governed by these research guidelines. Proprietary information may be kept confidential between the sponsor and University researchers. Any requirements of confidentiality should be limited to, however, especially as they apply to graduate and professional students, when those provisions inhibit in any material way the free flow and exchange of ideas important to University missions. Any participation by graduate and professional students in research that limits or restricts communication must be approved in advance by the appropriate dean.

The University may assert ownership of patent rights for inventions and works arising substantially out of University research—that is, research activity that uses University facilities or support from funds administered by the University—unless such rights are clearly reserved to the sponsor under the provisions of the sponsored research agreement. The University may also assert ownership of copyright for works under certain limited conditions; however, in many instances, such rights will remain with the author of the particular works. In any event, the reservation of such rights to the sponsor shall not be favored, and in general the University will seek to at least share in the ownership and/or income of any inventions or works produced.

Where the University has rights to the inventions or works, these rights will be exercised in accordance with the University's Intellectual Property Policy approved by the Board of trustees.

Academic freedom in the classroom, at scholarly assemblies, or other learning environments involves the discussion and/or transmission of knowledge and information by faculty to foster in students a mature independence of thought and expression. In these contexts, faculty should be careful matters introduced into their teaching have a legitimate educational purpose. Students are entitled to an atmosphere conducive to learning and to fairness and respect in all aspects of the teacher-student relationship. Thus, faculty members must ensure that their treatment of students complies with all University policies, rules and regulations, including those regarding equal opportunity, non-discrimination, harassment and mistreatment or the University's commitment to promoting the educational aspirations and achievements of all students.

Faculty members also have rights common to all citizens, free from institutional censorship or discipline for private activities, except insofar as such actions affect substantially his/her responsibilities to the University. At the same time, Howard University faculty members are obligated to be accurate, to exercise appropriate restraint, and to show respect for the opinions of others. Each faculty member has the right to criticize and seek alteration of institutional regulations and policies through appropriate means. However, faculty should remember that the public may judge their profession and the institution by their utterances and, therefore, should make clear when they are operating as individuals, rather than speaking on behalf of the University.

A faculty member's exercise of academic freedom shall not affect his or her terms and conditions of employment, including appointment, reappointment, performance evaluations, and promotion and tenure.

B1.3 Professional Ethics and Conduct

As members of a learned profession and the University community, faculty members, administrators and supervisors have special ethical obligations. These ethical standards are the repository of what experience has revealed regarding how scholars can live together to the best advantage of the academy and the larger community. All faculty members, administrators and supervisors are required to maintain the highest standards of honesty, integrity, professionalism, and ethical behavior and conduct in carrying out their roles and responsibilities as members of the Howard University faculty.

Faculty members, administrators and supervisors are required to adhere to all local, state, and federal laws and regulations, as well as Howard University policies and procedures. Federal laws relevant to higher education include, but are not limited to, Family Educational Rights and Privacy Act (FERPA), the Americans with Disabilities Act (ADA), the Rehabilitation Act, the Civil Rights Act of 1964, Title IX of the Education Amendments Act of 1972 (Title IX), the Family and Medical Leave Act of 1993, and the National Labor Relations Act. Applicable University policies include, but are not limited to, the Employee Handbook, the Code of Ethics and Conduct, the Equal Employment Opportunity (EEO) policy, the Title VII policy, the Title IX policy, and all other

applicable policies listed on the University's policy website. Faculty members, administrators and supervisors must also comply with any codes of conduct or ethics of professional associations or societies to which they belong. These include, but are not limited to, any established code regulated by the Department of Health for those licensed as health professionals in the District of Columbia and any other jurisdiction in which they hold a professional license.

The University will provide appropriate training and educational opportunities regarding compliance with applicable laws, rules, and regulations. Certain training may be mandatory.

Faculty are encouraged, and in some cases required, to report suspected violations of federal laws. Retaliation against faculty who report unlawful conduct is strictly prohibited.

Disciplinary actions against faculty members for alleged violations of applicable laws, regulations, and policies must adhere to the grounds and procedures outlined in Chapter E of this Handbook. Actions that aim to adversely affect faculty for matters outside of those specified in this Handbook are prohibited. In addition, actions that sanction faculty through means outside of the guidelines prescribed in Chapter E or that adversely affect a faculty member's terms or conditions of employment, teaching, research, or service are prohibited. Such actions are prohibited because they may penalize faculty for considerations not outlined within this Handbook and fail to provide sufficient notice to faculty of the basis for action, avenues for effective communication of concerns and goals, and timely resolution of conflict. Faculty members who are subjected to such actions are advised to seek informal resolution through normal administrative channels or through the Office of the Faculty Ombudsperson. If such steps do not resolve the matter, faculty members with access to the Faculty Grievance process may file a complaint according to the provisions of Sections F4 and F5 of this Handbook.

B1.4 Tolerance

To maintain a community and campus environment in which all members are treated with respect and decency, Howard University aims to do more than take action against all forms of intolerance specified under applicable laws and regulations. The University desires to maintain an inclusive environment in which the invidious stigmatizing of any member of the University community is discouraged. The University will affirm the dignity of persons with diverse identities, statuses, conditions, and circumstances. To that end, the University will increase awareness and provide educational opportunities to prevent the spread of intolerance and stigmatization and to affirm the value of diversity.

Any member of the community who engages in any form of prohibited discrimination or harassment based on race, color, religion, national origin, sex/gender, sexual orientation, disability, age, gender identity, gender expression, non-conformance with gender stereotypes, appearance, political beliefs, veteran status, family status and responsibilities, marital status, genetic information, unemployment status, or any other characteristic protected by Federal and/or District of Columbia law will be subject to discipline according to applicable University policies. Any person who retaliates against a person who reports an alleged violation will also be subject to discipline.

B1.5 Good Citizenship

Participation in departmental, school/college, and University activities is vital to the achievement of the educational and research mission of the University. Therefore, faculty members are expected to serve on various University, school/college, and departmental committees and are encouraged to engage in other designated activities where their expertise is needed.

Faculty members are expected to attend the University's Opening Convocation, Charter Day, and Commencement Convocations. Faculty members are also encouraged to participate in other departmental, school/college, and University programs and activities.

Section B2: Core Responsibilities: Teaching, Scholarship, and Service

Appointment to the faculty of Howard University carries with it responsibilities for excellence in teaching, research, and service. Additionally, faculty members have a responsibility to participate in the life and operation of the University and, particularly, the department and school/college of their appointment. Although the final authority for the conduct of University affairs is vested in the Board of Trustees, the academic judgments, recommendations, and policies of the faculty are central to the University's general educational policy and critical in determining the shape and character of the University as an educational institution.

The mission of Howard University includes the provision of quality education for any student, but especially those students who may not otherwise have an opportunity to acquire an education of the type provided at Howard.

B2.1 Teaching and Related Responsibilities

Faculty members' pursuit of teaching excellence is a life-long commitment and includes the following specific responsibilities:

- 1) To have a firm command of their subjects and keep abreast of new developments in their discipline.
- 2) To elect teaching strategies that promote the learning process and communicate their subjects effectively.
- 3) To instruct classes, conduct clinical sessions, and fulfill other instructional responsibilities with students and patients at the scheduled time and place, in a manner consistent with curricular objectives. When an emergency prevents the faculty member from fulfilling these responsibilities, the faculty member must follow the notification procedures applicable to the department and the school/college. When the fulfillment of other approved professional responsibilities (for instance, participating in a professional meeting) creates a conflict, the faculty member should notify students or other affected parties in advance, and make arrangements for substitute instruction or conduct an appropriate make-up session in accordance with the procedures applicable to the department and the school/college.

- 4) To receive appropriate University-approved certification and training and receive approval from the appropriate department chair and/or dean prior to offering or teaching on-line or distance-learning courses.
- 5) To provide each student with a written or electronic copy of the course syllabus or a course guide summarizing the objectives and requirements of the course, the required textbooks or other sources to be used, and the applicable attendance and grading rules.
- 6) To comply with any and all reasonable accommodations provided to students as determined by appropriate University officials in accordance with applicable laws and regulations, including, but not limited to, the ADA, the Rehabilitation Act and Title IX.
- 7) To evaluate all student work with impartiality and complete and submit grades in a timely manner in accordance with the schedule of due dates announced by the Office of the Registrar.
- 8) To avoid discrimination based on race, color, religion, national origin, sex/gender, sexual orientation, disability, age, gender identity, gender expression, non-conformance with gender stereotypes, appearance, political beliefs, veteran status, family status and responsibilities, marital status, genetic information, unemployment status, or any other characteristic protected by Federal and/or District of Columbia law. Faculty members must be sensitive to the harmful consequences of professorial or student conduct that perpetuates stereotypes or prejudices against such legally protected individuals and groups. Failure to abide by and uphold these specific responsibilities may result in disciplinary action including, but not limited to, suspension or termination.

B2.1.1 Student Advising

An important component of each faculty member's instructional responsibilities is that of advisor to students, both in the narrow sense of mentor for their class performance and research projects at the undergraduate or graduate levels and more broadly as a mentor for career plans and larger educational or career goals.

Faculty advisors assist students with virtually all aspects of the academic experience and provide information regarding campus resources as needed. Some of the specific responsibilities of academic advisors include, but are not limited to: assistance with goal setting; assistance with personal growth and career development (including preparing letters of recommendation); selection of educational program (major, minor, course of study, etc.); monitoring academic progress; clarification of academic and institutional policies; assistance with other academic issues; navigation within the campus environment; and assistance with campus resource identification and utilization.

In performing this advising function, faculty members should make every reasonable effort to ensure that the information they transmit is timely and accurate.

B2.1.2 Office Hours and Availability

Faculty members are required to be available to advise students throughout the academic year. While faculty members should take full advantage of available technology for purposes of advising students, they must also make themselves available on campus for in-person student advising. Faculty members are required to maintain regular office hours throughout the semester, and to list their in-office conference hours on every course syllabus and inform the appropriate staff members of the academic unit of their availability.

Faculty members must also be reasonably available to colleagues for purposes of discussing teaching methods, content of courses, possible topics of scholarship, scholarly work in progress, and other related matters.

B2.1.3 Summer Employment of Faculty Members on Nine-Month Contracts

Members of the faculty who are on nine-month contracts may participate in the University's summer instructional program with the approval of the department chair, the dean, and the Provost. Faculty members on nine-month contracts may also receive compensation from sponsored research projects during the summer under applicable guidelines of the University and the respective sponsoring agencies. Nothing in this section intends to suggest that faculty members on nine-month contracts must be employed by the University during the summer, or serves as any form of guarantee or offer of summer employment by the University. Non-appointment or non-assignment during the summer term is not grievable.

B2.2 Scholarship

As members of learned disciplines, faculty members at Howard University have a responsibility to produce original scholarship that advances knowledge. Scholarship may take different forms, depending on the conventions of the various academic disciplines. In most fields, books, monographs, articles in academic journals, proceedings, and other written communications, with varying conventions regarding style, format, attribution of authorship, and peer review, constitute the chief form of scholarly communication. In certain fields, however, particularly those that focus on design or artistic expression, the products of the intellectual work and the venues in which they are displayed and juried take different forms. Similarly, the advance of knowledge in certain disciplines depends heavily on external sponsorship, in which case scholarship may include submitting grant proposals, fulfilling the terms of sponsored agreements, and communicating the findings in appropriate research publications.

Proper stewardship of the academic disciplines also requires participation in preparing succeeding generations of scholars, both through dissemination of research results (in the classroom as well as in other appropriate venues) and mentoring future researchers at both the undergraduate and graduate levels.

B2.3 Service

Although many duties within the University are assumed by professional administrators, members of the University faculty retain substantial collective responsibility and authority to provide institutional leadership. Thus, individual faculty members have a responsibility to assume a fair share of that leadership, including participation in departmental and school/college faculty meetings and service on departmental, school/college, and University committees. Faculty members are expected to fulfill their faculty duties in a professional, timely, and responsible manner. Also, faculty members are expected to serve the academic, professional, and civic communities with their expertise.

Faculty members are encouraged to serve as advisors and/or resource persons for student organizations that offer academic, cultural, religious, social and athletic opportunities for experiential learning.

B2.4 Evaluation of Faculty Performance

Faculty are evaluated using a variety of criteria in the areas of teaching, research, and service, as determined by the nature of the faculty appointment, the school/college bylaws, the Faculty Handbook, the President and the Board of Trustees. Each school/college must adopt criteria and guidelines that are used to conduct a regular performance review of all full-time and part-time faculty members. Such performance reviews may be used to provide guidance when determining whether a faculty member will be recommended for reappointment, promotion, and/or tenure, but they may not substitute for the procedures described in Sections C2.3 and D2 below.

Faculty members whose terms and conditions of employment are covered by a collective bargaining agreement will be evaluated according to the provisions of the agreement.

Besides receiving on-going, informal mentoring and feedback, every full-time faculty member holding a tenured, tenure-track, non-tenured renewable term, or temporary appointment will be formally evaluated at a minimum of every two (2) years. However, most schools and colleges conduct such evaluations on an annual basis so that faculty members may regularly receive feedback on their performance. These faculty evaluations are designed to:

- 1) provide a basis for counseling and advisement with respect to faculty development;
- 2) establish a comprehensive record that may be used when making decisions regarding reappointment, promotion, and tenure; and
- 3) provide a basis for awarding faculty compensation increases.

Before the start of each academic year, the department chair will meet with each faculty member and agree to the workload distribution and related goals and objectives that will be used during the evaluation period. In schools and colleges without departments, the dean will meet with the faculty member.

In preparation for the end-of-year evaluation, the department chair and the department APT Committee, or the school/college Executive Committee, will review the faculty member's performance over the year. Student feedback regarding the faculty members must be considered during this process. Upon completion, the chair (or dean) will meet with the faculty member to discuss the evaluation results. The faculty member will be required to sign the evaluation to indicate that he/she has received and examined it; however, the faculty member may attach a written statement explaining his/her agreement or disagreement with the evaluation results. This written statement will be added to the faculty member's personnel file. In the event the faculty member fails to sign his/her evaluation, the chair (or the dean) will indicate, in writing, that the evaluation was shown to and discussed with the faculty member, and that the faculty member did not sign the document. The chair/dean shall inform the faculty member of the right to appeal the decision.

Because the performance review may be used to provide guidance when determining whether a faculty member may receive reappointment, promotion, and/or tenure, as well as compensation adjustments, if a faculty member wishes to dispute a performance evaluation, the faculty member may submit a written request to the dean of the school/college for reconsideration and, if the matter is not satisfactorily resolved, the faculty member may appeal to the Provost.

B2.5 Outside Commitments and Conflicts

The University recognizes that a system of precise time accounting is incompatible with the inherent character of the work of a faculty member, since the various functions performed are closely interrelated and do not conform to any meaningful division of a standard work week. The University also recognizes that limited consulting and other outside activities of a professional nature are desirable. Such activities are encouraged as a way to give the faculty member experience and knowledge valuable to professional growth and development or help the individual to contribute to the University or community.

University faculty should avoid potential or perceived conflicts of interest and/or commitment. To protect against the risk of conflicting obligations or interests, consulting and other outside activity shall, in the aggregate, not exceed the equivalent of one (1) day per week. Before the start of each academic year, full-time faculty members who have outside consulting, employment, or business interests must disclose such outside consulting, employment, or business interests.

Part-time faculty members who are engaged in externally sponsored research projects on behalf of the University are required to disclose any potential conflicts of commitment, obligation, or interest resulting from any non-University employment, consulting, or business interests.

Faculty members will submit their disclosure statements to the department chair or to the academic associate dean who will communicate any questions or concerns to the submitter. If these questions are not resolved, the matter is to be submitted to the dean, who in turn may refer the matter to the Provost and, if necessary, to the Chief Financial Officer or the General Counsel. In cases where the University deems that a disclosed external activity constitutes a

conflict of interest or a conflict of commitment, an appropriate administrative officer will communicate that finding to the faculty member in writing in a timely manner.

Responsibility for preventing conflicts lies, primarily, with individual faculty members. Thus, faculty members whose situations materially change during the academic year or who believe they face actual or potential conflicts of interest or commitment are required to initiate discussion of the circumstances with an appropriate administrator as soon as they know or have reason to believe such a conflict exists.

A faculty member should not use University resources, such as support services, students, or supplies, for the gain or benefit of an outside enterprise. Limited use of these resources, however, may be made for service to professional societies in one's discipline and in connection with nonpartisan public service. In addition, faculty may use office space and equipment assigned for their individual use, but they must avoid using their office in a manner that could suggest University affiliation with their outside enterprise. For the same reason, faculty are not to use University letterhead for communications connected with their outside employment, consulting, or other business interests. All faculty members are subject to the University's Financial Conflict of Interest in Research Policy (Policy 100-007).

A faculty member's failure to provide the required information or otherwise abide by the conditions of this portion of the Handbook, including taking action required by the Provost or other University official to eliminate a conflict of commitment, obligation or financial interest, may result in disciplinary action, up to and including termination.

B2.5.1 Political Activity

The Internal Revenue Code imposes limitations on tax-exempt organizations, such as Howard University, relating to any attempt to influence legislation or to participate or intervene in political campaigns on behalf of candidates seeking public office.

Although every member of the academic community has a right to participate in the political process as he or she sees fit, no member of the community should speak or act in the name of the institution in a political campaign.

Faculty members shall observe the following principles when planning and engaging in political activities that might either directly or indirectly involve the University:

- 1) Faculty speaking at University sponsored events and in official University publications may make comments regarding candidates for public office, provided it is clear that any such comments represent their personal views and are not the views of the University.
- 2) Faculty who wish to participate in campaign activities should do so on their own time outside the course of their regular work and responsibilities for the University.
- 3) Faculty may not utilize University resources in support of one or more candidates for public office. University resources include, but are not limited to:

- The Howard University name, seal or marks
 - University files, directories, databases, mailing lists or donor rolls
 - University buildings and facilities, including offices and University addresses
 - University students or employees, such as administrative staff
 - University funds
 - University time
 - University website, email addresses, social media accounts, listservs and campus mail
 - University-provided office supplies and equipment, such as letterhead, printers and copiers
 - University publications.
- 4) Faculty should use their Howard University title or position only for identification purposes.
 - 5) Faculty who participate in campaigns for candidates for public office should do so off-campus, should not use the University name in connection with such activity and should not state or suggest support from or sponsorship by the University.
 - 6) Faculty who wish to make or solicit contributions to candidates should do so on their own time, without using University resources, and without using the University name or suggesting any support or endorsement by the University.
 - 7) Faculty should refrain from soliciting contributions or other support for candidates from students or employees whom they supervise.
 - 8) With respect to campus appearances of political candidates:
 - Faculty may not provide any candidate or his/her representative with an on-campus forum to promote his or her candidacy unless an equal opportunity is provided to other candidates.
 - Faculty may invite several candidates for the same office to speak on a broad range of issues at a public forum, but must explicitly state that the University does not endorse or oppose any particular candidate, and provide an unbiased forum for the exchange of ideas between candidates.
 - Faculty should take care to avoid the appearance of partisan support with respect to any invitations they may extend to candidates to speak at the University.

More elaborate guidelines, which were developed under the auspices of the American Council on Education for the benefit of Universities that are required to comply with the applicable provisions of the Internal Revenue Code, may be found at: <http://www.acenet.edu/news-room/Documents/Memo-Political-Campaigns-2016.pdf>. Questions about the application of these guidelines should be addressed through the Provost to the Office of the General Counsel.

B2.5.2 Nepotism

Faculty members may not serve as administrators or supervisors of their immediate family members or participate in decisions providing a direct benefit to these persons. Decisions in which familial relationship precludes participation include initial appointment, reappointment, promotion, award of tenure, termination, salary, merit pay, and leave of absence. (Immediate family member shall mean spouse, sibling, parent, grandparent, child, and grandchild. All relationships are included, whether full-, half-, step-, foster, adopted, or in-law.)

There may be other situations in which familial relationship could interfere with objectivity or cast doubt on the objectivity of a decision. Faculty members are expected to recognize such situations and discuss them with the appropriate dean, who will determine what action is necessary, if any, to resolve the matter and inform the interested parties in writing.

B2.6 Obligation to Report Known or Suspected Violations

In cases where reporting is required by law or applicable professional or ethics rules, proper reporting is required by this Handbook. In other cases, faculty members are encouraged to report violations of any law or policy that has the potential to affect the University adversely to an appropriate administrator. The reporting obligation also extends to violations of regulations designed to ensure the health and safety of the University community. As employees, faculty members are protected by the University's Whistleblower Policy articulated in the Employee Handbook. It is especially incumbent on faculty members who serve in administrative capacities to report such suspected violations.

In addition, all faculty members are designated Responsible Employees under the University's Title IX Policy. This means that all faculty members have an affirmative obligation to report any information regarding possible violation of the University's Title IX Policy to the Title IX Coordinator. Failure to fulfill such reporting obligations may result in discipline, up to and including suspension or termination. As employees, faculty members are protected against retaliation for reporting possible violations.

Section B3: Faculty Salary, Benefits, and Leave

B3.1 Salary

At the point of hire, and each year thereafter, each faculty member is informed of his or her annual salary, which is compensation that Howard University pays for his or her professional services during the year. Additional details may be found in the University's Institutional Base Salary Policy.

B3.2 Benefits

Like other universities, Howard University offers an array of benefits designed to attract and retain faculty members and staff who assure the integrity and high quality of academic programs at every level: undergraduate, graduate, and graduate-professional. These benefits typically fall into three categories: 1) those that are mandated by national or local law or government regulations, which may include workers' compensation and unemployment compensation; 2) those for which the University contracts with third-party vendors, which may include health insurance, short-term and long-term disability benefits, life and accidental death and dismemberment insurance, long-term care insurance, a group legal services plan, and retirements plans; and 3) those provided and administered directly by the University, which may include flexible spending accounts, an employee assistance program, parking, and tuition remission. Specific information about benefits plans and options is available from the Office of Human Resources.

B3.2.1 Tuition Remission

The University offers remission for University tuition to all eligible employees, including faculty members. Tuition remission is offered to faculty members consistent with the terms and conditions of the Board-approved Tuition Remission Policy and the Employee Handbook. Further details respecting eligibility, benefits, and application procedures may be obtained from the Office of Human Resources.

B3.3 Faculty Leave and Procedures Associated with Various Types of Leave

A leave is a negotiated agreement whereby a faculty member or a member of the administration who holds faculty rank is granted approval to be absent from his/her regular duties. A leave with pay means that the University pays all or a part of the person's salary and fringe benefits; a leave without pay means that the University does not pay any part of the faculty member's regular salary or fringe benefits. A faculty member on leave may return to the position for which he/she is qualified in the area that granted the leave; previously earned benefits and seniority are not lost.

B3.3.1 Sabbatical Leave

Howard University recognizes the need for faculty members to acquire new experiences to enrich their teaching or to secure uninterrupted time for research and writing, and, therefore, supports the principle of sabbatical leave. The University desires to encourage professional growth and

increased competence and productivity among faculty members by subsidizing significant research, creative work, or a program that is judged to be of equal value.

B3.3.1.1 Eligibility

Any tenured faculty member, including one serving in an administrative position, who has served full time for six (6) or more years at Howard University, is eligible for consideration for a sabbatical leave. Subsequent sabbatical leaves may be applied for after each six (6) year interval of full-time service.

B3.3.1.2 Term and Compensation

The normal level of salary support shall be one half of full salary for one (1) academic year; in exceptional cases, full salary for one semester may be provided. Salary raises and benefits, if any, will not be withheld by reason of the sabbatical leave, and both the University and the faculty member will continue to pay the normal full share toward retirement, group life insurance, health and disability insurance, and tuition remission benefits according to applicable University Policy.

A faculty member receiving a sabbatical leave may also apply for an additional fellowship or grant from an appropriate source for the sabbatical period. If the net of those monies shall total more than the faculty member's normal salary, when such monies are added to the sabbatical salary minus all reasonable expenses related to the sabbatical project, the faculty member's salary from the University shall be reduced by the amount that exceeds the normal salary.

B3.3.1.3 Application Procedures

A faculty member must submit a formal written application for sabbatical to the department chair. Since the regular full time departmental faculty may be expected to assume the teaching load of the individual on sabbatical leave, the department chair, in consultation with the departmental Executive Committee, will forward to the dean a recommendation that includes a statement of departmental plans in this regard.

For academic units without departments, a faculty member shall submit a formal written application for sabbatical to the appropriate academic supervisor or committee. The academic supervisor or committee will forward to the dean a recommendation that includes a statement of the academic unit's plans to cover the teaching responsibilities of the individual on sabbatical leave.

The dean, upon receipt of the sabbatical leave application, shall evaluate the proposal for its professional worth and its overall value to the faculty member and the University. The dean shall forward his/her recommendation to the Provost, who shall in turn make a recommendation to the President in light of the total needs and financial situation, curriculum and business needs of the University. The decision of the President is final.

Applications for sabbatical leave commencing with the fall semester must be submitted on or before March 1; and applications for sabbatical leave commencing with the spring semester must

be submitted on or before September 1. The deadlines permit the application file to be considered by the department, dean, Provost and President and arrangements to be made to cover the faculty member's courses and other duties.

A sabbatical leave is not an automatic right upon completion of the required period of service. The project for which leave is requested must be beneficial both to the faculty member and the University. Sabbatical leave requests to permit a faculty member to pursue an academic degree will not be approved.

B3.3.1.4 Obligations of Sabbatical Leave Recipients

The recipient of a sabbatical leave is required to:

- 1) Make every reasonable effort to fulfill the terms of the sabbatical leave.
- 2) Return to the University for a minimum of one (1) academic year following completion of the sabbatical leave. If the faculty member does not return to the University for at least one academic year after completing the sabbatical leave, he or she is required to repay the salary paid by the University during the time of sabbatical leave.
- 3) File a report on the results of the sabbatical leave project with the department chair, Sabbatical Leave Review Committee, dean, and the Provost within 30 days of the beginning of the semester in which the faculty member returns to the University.

Faculty are not expected to attend departmental, school, or college committee meetings while on sabbatical leave; however, attendance at meetings is at the discretion of the faculty member on sabbatical leave.

B3.3.2 Medical or Disability Leave

Faculty members are eligible to participate in the medical and/or disability leave programs offered to University employees. Further details respecting eligibility, benefits, and application procedures is contained in the Employee Handbook, or may be obtained from the Office of Human Resources.

B3.3.2.1 Short-Term Medical Leave

Normally, absences due to illness (up to 1 week) are handled informally within the academic units. The faculty member is expected to notify the department chair in advance, if possible, and cooperate with the chair in arranging for a temporary replacement. Medical documentation may be required as stated in the Employee Handbook.

B3.3.2.2 Extended Medical Leave with Pay

Requests for leave with pay beyond one week and up to one month may be authorized by the dean. Requests for leave with pay beyond one month must be recommended by the dean and approved by the Provost. Such approval is contingent upon review of the relevant medical

documentation by the Office of Human Resources and the dean's assessment of relevant circumstances, such as the instructional unit's ability to make reasonable accommodations.

B3.3.2.3 Long-Term Leave

If a full-time tenured or probationary tenure-track faculty member or a faculty member in one of the Board-approved categories of non-tenured renewable term appointments is unable to perform all or a substantial part of the faculty member's duties for a significant period of time because of a documented medical disability for which there is not an effective reasonable accommodation to permit the faculty member to perform the duties, the faculty member may request leave according to the existing benefits plan available to University employees concerning long term medical disability. This may, upon the approval of the dean and, when required, the Provost, include extended medical leave as provided for in Section B3.3.2.2. In addition to the University-wide benefits and extended medical leave, such a faculty member may also request leave without pay a) for up to two (2) academic years or b) until such time as the faculty member may be able to resume normal duties, whichever period is shortest.

If the faculty member does not request leave or if any approved period of leave has expired and the faculty member continues to be unable to perform his/her regular duties, the appropriate dean will initiate a recommendation to terminate the faculty member's employment, after taking the following steps: The dean will consult with the faculty member and inform him/her of the basis for the proposed action. The faculty member will be afforded an opportunity to respond and present his/her position. The dean shall forward any recommendation for termination on medical disability grounds to the Provost, who, in turn, shall forward the file, together with his/her own recommendation, to the President and Board for final action. Before the Provost forwards the case to the President, faculty members who have access to the Faculty Grievance process may grieve the recommendation for termination due to medical disability using the procedures provided in Section F2 related to other types of termination.

In the event that a faculty member who is not eligible for the above benefit is unable to perform all or a substantial part of his/her duties for a significant period because of medical disability, despite reasonable accommodation, the University may terminate the appointment prior to the end of the contract period. The decision to terminate will be reached only after the faculty member has been informed in writing of the basis for the proposed action and allowed an opportunity to respond.

B3.3.4 Family Medical Leave

Faculty members may be eligible for leave under the ADA, FMLA, DCFMLA and/or to short-term, extended, or long-term benefits as required by law and as provided by University plans. Additional information on family medical leave is available in the Employee Handbook and from the Office of Human Resources.

B3.3.5 National Service Leave

Faculty members are provided with national service leave consistent with the terms of the Employee Handbook. Additional information regarding national service leave is available from the Office of Human Resources.

B3.3.6 Civic Duty Leave

Faculty members are provided with leave for the performance of civic duties consistent with the terms of the Employee Handbook. Additional information regarding leave for performance of civic duties is available from the Office of Human Resources.

B3.3.7 Unpaid Leave of Absence

A full-time faculty member may submit a written application for leave without pay. The application must be made in advance of taking such leave, preferably by April 1 for a leave commencing the following fall semester or by September 1 for a leave commencing the following spring semester. No leave applications will be considered without the recommendation of the department chair. Before making a recommendation, the department chair may consider the following:

- 1) whether the individual contributed to the department and the University in such a positive way that the department wishes to encourage his/her return as a faculty member after completion of the leave period; and
- 2) whether it is possible to obtain an effective teaching replacement for the period of the leave without pay.

The department chair will make a written recommendation in light of these considerations and forward it, together with the faculty member's application, to the appropriate dean who will in turn transmit the package, along with his/her own recommendation, to the Provost. The Provost will then make a recommendation and submit the entire package to the President for final decision. The term of such leave usually will not exceed two (2) consecutive years. Extensions of leave beyond two consecutive years must be approved by the department chair, dean, and the Provost.

The University will not pay fringe benefits to faculty members while they are on unpaid leave. However, the faculty members may arrange to maintain coverage through personal contributions by making arrangements with the Office of Human Resources. When faculty members return from unpaid leave, their salaries may be adjusted to include general salary increases that may have been given during the time of the leave.

Chapter C: Types of Faculty Appointments, Appointment and Reappointment Procedures, Resignation, Retirement, and Separation of Faculty Due to Financial Exigency

Section C1: Types of Faculty Appointments

Faculty members at Howard University hold appointments in one of three broad categories: 1) tenured and probationary tenure-track faculty; 2) faculty serving on non-tenured renewable term appointments; and 3) temporary faculty. Certain academic ranks (or titles) apply in each of these categories. Probationary tenure-track appointments are for three (3) years at the rank of Assistant Professor and four (4) years at the rank of Associate Professor. Appointments in a non-tenured renewable term faculty track range from one (1) to five (5) years, depending on the rank and the school/college of the appointment. Temporary faculty members, including part-time (or adjunct) faculty, are appointed on terms not to exceed one (1) year.

Faculty of the various academic units of the university must develop criteria for evaluating candidates for appointment to faculty positions at all ranks. The dean of the school/college in which the unit is administratively located will certify to the Provost that these criteria are consistent with the bylaws and the APT criteria that the Board of Trustees has approved for the school/college. Where applicable, a program may require national professional board certification for initial appointment or promotion to any rank.

C1.1 Tenured and Probationary Tenure-Track

Tenured faculty are senior faculty members whose records of achievement in their fields, as determined by both peers, administrators, and external reviewers have merited the award of indefinite tenure by the Board of Trustees of the University. Tenured faculty members typically hold the rank of Associate Professor or Professor. Although persons may be awarded tenure upon initial appointments at either of these two ranks, the award of tenure typically results from career advancement, whereby a probationary Assistant Professor is promoted to Associate Professor with tenure.

A faculty member who has been awarded indefinite tenure has a continuous appointment made by the Board of Trustees that extends to retirement, death, or resignation, subject only to termination for just cause or for financial exigency and then only according to the guidelines specified in the Faculty Handbook. Tenure is awarded only by the Board of Trustees of the University, upon the recommendation of the President who is guided by the judgment of the faculty review committees and administrators in the prior levels of review. No faculty member shall receive tenure by default or by merely serving in a position for the maximum probationary period.

Probationary tenure-track appointments have term limits that vary by rank, for probationary Associate Professors on the tenure track, five (5) years, and for probationary Assistant Professors on the tenure track seven (7) years. Probationary faculty members holding those ranks are generally appointed to terms of three (3) years for Assistant Professors and four (4) years for

Associate Professors. Probationary Assistant Professors may be appointed to a second three-year term prior to the required sixth-year review for tenure and promotion.

Certain types of leaves, such as leaves of absence for professional development, shall be included in the total time counted towards the probationary period. However, other types of leave, as described in section C2.3, below, enable the tenure clock to stop for up to one year, with a corresponding extension of the probationary period.

C1.1.1 Professor

C1.1.1.1 Qualifications

Professor is the University's highest academic rank. The holder of this faculty rank is a recognized scholar who has a cumulative and sustained record of excellence in teaching, scholarship (including peer-reviewed research publications or peer-reviewed exhibits of creative work in disciplines where peer-reviewed scholarship is the norm), and service appropriate to the discipline.

C1.1.1.2 Term

Tenured Professors enjoy indefinite tenure.

C1.1.2 Associate Professor (Tenured)

C1.1.2.1 Qualifications

Appointment to the faculty rank of tenured Associate Professor is made only to a person whose past record of professional accomplishments in the areas of teaching, scholarship, and service merits the award of indefinite tenure and whose continuing work in those areas is expected to lead to appointment to the faculty rank of Professor.

C1.1.2.2 Term

Tenured Associate Professors enjoy indefinite tenure.

C1.1.3 Associate Professor (Probationary)

C1.1.3.1 Qualifications

Appointment to the faculty rank of Associate Professor (probationary) is made to a person whose professional credentials meet certain but not all criteria in his or her discipline for an appointment as Associate Professor with tenure but whose record of achievement demonstrates the personal and intellectual qualities that, with increased development is expected to meet the minimum requirements for an award of tenure and, at an appropriate later date, to appointment as full Professor.

C1.1.3.2 Term

Initial appointments at the rank of probationary Associate Professor are usually made for four (4) years. A probationary tenure-track appointment at the rank of Associate Professor may not exceed five (5) years. Probationary Associate Professors are to be reviewed for tenure during (if not before) the fourth year of probationary status, and, in the event that tenure is not awarded, the fifth year is the terminal year.

C1.1.4 Assistant Professor (Probationary)

C1.1.4.1 Qualifications

Appointment to the faculty rank of Assistant Professor is made to a person who has completed the final earned degree and other professional certification relevant to the discipline, and who has demonstrated potential for achieving promotion to higher faculty ranks. Appointment to this rank provides a period during which the faculty member has an opportunity to confirm his or her interest in the broad scope of faculty responsibilities and one during which tenured faculty may assess the promise of the faculty member to fulfill those responsibilities.

C1.1.4.2 Term

Initial appointments at the rank of probationary Assistant Professor are usually made for three years. During third year, the faculty member is to undergo a pre-tenure review as part of the process of reappointment for a second three-year term. The pre-tenure review follows the same procedure as that outlined below for the tenure review, but with a special emphasis on identifying what aspects of expected performance require strengthening prior to the mandatory sixth-year tenure and promotion review. The maximum probationary period for tenure-track Assistant Professors is seven (7) years. In the event that promotion and tenure are not awarded at the end of the sixth year, the unsuccessful candidate is given a terminal one-year temporary appointment as Assistant Professor.

C1.2 Non-Tenured Renewable Term Track

The Board of Trustees has approved recommendations submitted by the deans and faculties of various schools and colleges to create categories of faculty appointments to accommodate specific instructional needs. Non-tenured renewable term faculty appointments do not grant and they are not eligible for tenure; moreover, they also differ in nature from both tenured and temporary faculty appointments. These appointments complement but do not supplant tenured and tenure-track faculty lines in the affected academic units and programs. Subject to the provisions of the Board-approved recommendation for the respective schools and colleges, faculty members may be recommended for initial appointment to one of the approved categories of non-tenured renewable appointments. The terms of appointment for the respective categories range from one (1) to five (5) years. At the expiration of each term and upon satisfactory fulfillment of his or her responsibilities, the faculty member may be recommended for reappointment until retirement, resignation or death. Faculty members holding non-tenured renewable term appointments may be terminated during the term of their appointment for just

cause or financial exigency, with the same rights of access to the Faculty Grievance process that tenured and probationary tenure-track faculty members enjoy. Copies of the Board-approved authorizing documents for the affected schools and colleges are available from the respective deans.

C1.2.1 Clinical Educator Track (Colleges of Medicine, Dentistry, Pharmacy, and Nursing and Allied Health Sciences)

C1.2.1.1 Ranks

Qualified persons may be appointed to the ranks of Clinical Professor, Clinical Associate Professor, Clinical Assistant Professor, and Clinical Instructor.

C1.2.1.2 Qualifications

Qualifications for these ranks mirror those for comparable ranks on the Tenured and Probationary Tenure Track with one important exception. By virtue of the fact that this variety of appointments is intended to facilitate the delivery of high-quality instruction and patient care in clinical settings, the requirement to produce original scholarship is not as stringent as it is for faculty members on the tenure track. The Board-approved authorizing documents for the respective colleges contain details regarding the expected qualifications for each rank.

C1.2.1.3 Terms

Terms of appointment may vary by rank and by college between one (1) year and five (5) years.

C1.2.1.4 Other Provisions

The Board-approved authorizing documents for the respective colleges contain additional details regarding each rank, such as probationary periods, service on departmental and college-level committees and in administrative roles, and the option to switch from the Tenure Track to the Clinical Educator Track in certain circumstances.

C1.2.2 Research Track (College of Medicine)

C1.2.2.1 Ranks

Qualified persons may be appointment to the ranks of Biomedical Research Professor, Research Associate Professor, and Research Assistant Professor.

C1.2.2.2 Qualifications

These appointments are intended for faculty members whose primary purpose is to conduct research, preferably with the salary support of an external sponsor. Evaluations for reappointment and/or promotion will rely heavily on demonstrated research competence.

C1.2.2.3 Term

The term of appointment may vary from one year to multiple years.

C1.2.2.4 Other Provisions

Research-track professors may participate in teaching and clinical activities, but that is not required. They may also, in certain circumstances, participate on college committees and serve in administrative positions.

C1.2.3 Master Instructor (College of Arts and Sciences)

C1.2.3.1 Qualifications

Master Instructors are persons with special teaching abilities or talents whose primary responsibility is teaching.

C1.2.3.2 Term

The term of appointment is three (3) years.

C1.2.3.3 Other Provisions

Master instructors shall constitute no more than 20 percent of the full-time faculty in any department.

C1.2.4 Legal Writing Instructor (School of Law)

C1.2.4.1 Qualifications

Legal Writing Instructors are persons responsible for instructing students in the skills of legal reasoning and research writing.

C1.2.4.2 Term

The term of appointment varies from one (1) to three (3) years.

C1.3 Temporary Track (Full-time and Part-time/Adjunct)

Temporary faculty members are appointed for one year (or for one semester) and may work full-time or part-time. Most temporary faculty members serve in instructional capacities only, with minimal if any expectation of conducting research and producing scholarship or creative work or of performing service. The terms and conditions of employment of faculty members who are members of a collective bargaining unit are determined by the current collective bargaining agreement.

In no circumstances may a person serve more than seven (7) years as a full-time temporary faculty member. Temporary faculty members are not eligible for tenure.

Temporary faculty members who meet the qualifications for appointment to the conventional academic ranks of Professor, Associate Professor, Assistant Professor, or Instructor may be recommended for appointment at such a rank. Temporary faculty members may also be recommended for appointment at the rank of Lecturer or one of the Special Academic Titles identified in the following section.

C1.3.1 Lecturer

A lecturer is a person whose primary responsibilities consist largely, if not entirely, of teaching. Although the lecturer position may be used for persons who do not possess the credentials for appointment to one of the two other tracks, it may also be used for credentialed persons who are to be employed for a limited time, not to exceed seven (7) years in full-time status.

C1.3.1.1 Qualifications

The qualifications of lecturers vary by school/college.

C1.3.1.2 Term

Lecturers are appointed for one year (or, when employed for only one semester, for a single semester).

C1.4 Special Academic Titles of Faculty

Special titles may be awarded to certain individuals. In addition to the above listed faculty ranks, the following special titles may be awarded, subject to approval of the Dean and of the Provost (and, in the case of those in which the word “Professor” appears as part of the title, of the President):

- 1) Distinguished Professor
- 2) University Professor
- 3) Research Professor
- 4) Artist-in-Residence and Writer-in-Residence
- 5) Graduate Faculty
- 6) Visiting Faculty
- 7) Endowed Chair
- 8) Emeritus

The sections below describe the qualifications for each special academic title.

C1.4.1 Distinguished Professor

C1.4.1.1 Faculty Rank

Faculty members designated as Distinguished Professors shall either hold the rank of Professor or shall meet all the qualifications for the faculty rank of Professor and have achieved extraordinary distinction in scholarship, research, and/or professional performance.

C1.4.1.2 Tenure Status

Distinguished Professor is a tenured position.

C1.4.1.3 Qualifications

A candidate for Distinguished Professor shall be a person with national and/or international recognition in the academic field or area of performance, a sustained record of achievement at the highest professional and scholarly levels, and a record of service to the University or to the wider community that the University serves. The candidate shall have achieved distinction in scholarship, research, and/or professional performance, as evidenced by:

- 1) Outstanding publications or other public demonstrations of professional or academic excellence that provide significant new knowledge in the candidate's field of specialization, new and useful techniques for the constructive utilization of existing knowledge in the field, or a revision or reinterpretation of data in a given field that engenders new perspectives for thought and action;
- 2) Recognition by professional societies or recognized experts in the candidate's field or medium. This recognition may take such forms as invitations to serve as advisor, consultant, or organizer for programs related to the field, to present professional papers, or to appear in the most selective auditoria or galleries; special awards and honors, including membership in highly selective academies and honorary societies; or inclusion in highly respected and exclusive exhibitions, performance series, or publications;
- 3) Recognition, based on professional merit, by groups other than professional societies, such as foundations, government bodies, and community groups;
- 4) A record of significant research funded by outside agencies as a result of recognition in the candidate's field of specialization. The scholarship and professional achievements of the candidate shall be attested to by reputable professionals in the field; these professionals must be outside the University.

C1.4.1.4 Appointment Procedure

Recommendations involving Distinguished Professors shall be initiated by the Faculty Senate's Committee on Appointments, Promotions and Tenure. The Committee may receive nominations

from any source within or outside of the University. Upon receipt of a nomination, the Committee shall request from the nominating person or body a complete file documenting the nominee's qualifications. The Faculty Senate's APT Committee will then forward the nomination and the file to the APT Committee of the department most closely related to the candidate's field of specialization for evaluation and comment.

Following the departmental APT Committee's review, the entire file will then be forwarded to the appropriate school/college APT Committee for evaluation and comment. Following review at the school/college level, the nominee's file, and all accompanying comments and documentation, will be sent back to the Faculty Senate APT Committee for consideration and review. The Faculty Senate APT Committee will then develop a recommendation. If the recommendation is positive, the Committee will send it to the Council of the Faculty Senate for endorsement. If the Council of the Faculty Senate endorses it, the recommendation and the nominee's file shall be forwarded by the chair of the Faculty Senate to the Provost, who will present a recommendation to the President. The President, in turn, will present a recommendation to the Board of Trustees for final action. In cases where the nominee is from outside the university, the Provost will forward the nominee's file back to the department to begin the process of peer evaluation of candidates for tenured faculty appointments described in Section D2.5, before preparing the recommendation to the President.

C1.4.2 University Professor

C1.4.2.1 Faculty Rank

Faculty members designated as University Professors shall hold the faculty rank of Professor and shall have achieved distinction in scholarship, research, and/or professional performance.

C1.4.2.2 Tenure Status

University Professor is a tenured position.

C1.4.2.3 Qualifications

Professors holding this title will be individuals of high academic, scholarly, and/or professional distinction who have the competence to teach and perform other academic services in more than one of the University's schools/colleges.

- 1) **Academic Preparation.** The candidate shall hold an earned doctoral degree or its foreign equivalent. This requirement may be waived in instances where the candidate has gained prominence through creative and productive activity in his or her field of specialization.
- 2) **Teaching Competence.** The candidate shall have appropriate teaching experience at the school/college or university level or equivalent experience in his/her field of specialization; the candidate's teaching competence shall be judged by persons who teach in the candidate's field. Student evaluations shall also be taken into consideration.

- 3) **Research and Creative Productivity.** The candidate shall present evidence of excellence in research or creative activity through the publication of books, monographs, and articles, or through the production of creative works.

C1.4.1.4 Appointment Procedures

Recommendations to appoint a person as University Professor shall follow the same procedure for appointment as Distinguished Professor, with the following exception. Because the University Professor appointment is a joint appointment, the candidate's file must be forwarded for evaluation and comment to the APT committee in each of the academic units in which he or she will serve. Following review at the school/college level, the nominee's file, and all accompanying comments and documentation, will be sent to the Faculty Senate APT Committee for consideration and review. The Faculty Senate APT Committee will develop a recommendation. If the recommendation is positive, the Committee will send it to the Council of the Faculty Senate for endorsement. If the Council of the Faculty Senate endorses it, the recommendation, and the nominee's file shall be forwarded by the chair of the Faculty Senate through the Provost to the President, who will present a recommendation to the Board of Trustees for final action. In cases where the nominee is from outside the university, the Provost will forward the nominee's file back to the department to begin the process of peer evaluation of candidates for tenured faculty appointments described in Section D2.5, before preparing the recommendation to the President.

C1.4.3 Research Professor

C1.4.3.1 Faculty Rank

Faculty members designated as Research Professors shall hold the faculty rank of tenured Professor or meet the qualifications for the faculty rank of Professor and have achieved national distinction in research.

C1.4.3.2 Tenure Status

Research Professor is a tenured position.

C1.4.3.3 Qualifications

Persons holding this title will be individuals of nationally recognized research competence in a given academic field. Their principal function shall be conducting research.

- 1) **Teaching Competence.** The candidate shall have appropriate teaching experience at the school/college or university level or equivalent experience in the professional field. The candidate's teaching competence shall be judged by persons who teach in the candidate's field. Student evaluations shall also be taken into consideration.
- 2) **Research Competence.** The candidate shall demonstrate evidence of research competence as attested by appropriate honors and awards for scholarship. This recognition may take the form of juried prizes for books, monographs, articles, or creative

productions, or, in disciplines where externally sponsored research awards constitute primary evidence of research competence, it may take the form of appropriate recognition of impact of research findings on the candidate's field. Evaluations of research competence shall be secured from at least two (2) competent persons outside of the University.

C1.4.3.4 Appointment Procedures

The appointment procedures are the same as for Distinguished Professor.

C1.4.4 Artist-in-Residence and Writer-in-Residence

C1.4.4.1 Qualifications

These titles may be offered to outstanding professional artists or writers who render a specific service to the University, such as lectures, performances, demonstrations, master classes, and consultations. Academic degrees are not required for an appointment as Artists-in-Residence or Writers-in-Residence. Individuals are appointed on the basis of outstanding professional attainments, creative accomplishments, and recognition in their specified fields.

C1.4.4.2 Term

Such appointments are for a fixed, definite-term not to exceed five years.

C1.4.4.3 Appointment Procedures

Appointment procedures are the same as for other temporary faculty appointments.

C1.4.5 Graduate Faculty

The Graduate Faculty consists of those full-time members of the University's regular and probationary tenure-track faculty who are charged with delivering graduate student teaching, supervision and advising. All tenured and tenure-track faculty at the faculty ranks of Assistant Professor, Associate Professor, and full Professor are automatically designated as Regular Graduate Faculty by virtue of their appointment.

C1.4.5.1 Regular Graduate Faculty

Other qualified persons may be appointed as Regular Graduate Faculty by the dean of the Graduate School, on the recommendation of the relevant academic program. These individuals may be non-tenure track faculty who possess the requisite research experience needed to mentor graduate students and who hold a terminal degree appropriate to the discipline. The department may establish criteria applicable to its field for Regular Graduate Faculty membership.

C1.4.5.2 Fixed Term Graduate Faculty

Fixed Term Graduate Faculty members are individuals appointed for a fixed term length of service on graduate student committees. Fixed Term Graduate Faculty may include Emeritus faculty, Clinical Educator Track or Research Track faculty, scholars from other institutions, and independent scholars and practitioners. Fixed Term Graduate Faculty status confers no rights or responsibilities on its faculty members, except the right to serve on thesis or dissertation committees.

C1.4.6 Visiting Faculty Appointment

A visiting faculty member is an individual who holds or has held a faculty position at another institution or whose professional qualifications show promise of enhancing a program's instructional offerings. Visiting faculty members hold temporary appointments, renewable annually, for a maximum of three (3) years. If a visiting faculty member, upon the recommendation of the dean and the approval of the Provost is subsequently given a probationary appointment, the time spent as a visiting faculty member may be counted towards the probationary period.

C1.4.6.1 Term

Such appointments are for a fixed, definite-term not to exceed three (3) years.

C1.4.6.2 Appointment Procedures

Appointment procedures are the same as for other temporary faculty appointments.

C1.4.7 Endowed Chair

When a gift is made to the University to support the endowment of a chair, specific criteria may be stipulated by the donor. However, the donor may not appoint a particular faculty member or individual to occupy the chair. Current faculty and individuals external to the University may be nominated or may apply for the endowed chair position. The procedures governing recommendations for appointment to any tenured faculty position govern appointments to the rank of endowed chair.

C1.4.8 Emeritus Status

Upon retirement, tenured faculty members and administrators who hold tenure as faculty members with at least ten (10) years of full-time service at the University shall automatically attain emeritus status in their faculty rank. Other faculty members retiring from the University may be granted emeritus status only by specific action of the Board of Trustees.

Section C4, below, specifies the Retirement and Related Rights that all faculty members enjoy.

C1.5 Administrative Location of Faculty Appointments

A faculty member's appointment is generally made to a specific academic department or, in the case of schools/colleges that are not organized into departments, to a specific school/college. Full-time faculty members may also hold appointments in more than one academic unit and are entitled to all rights and privileges of full-time faculty in each such unit including, but not limited to, committee membership and voting rights as prescribed in the respective school/college bylaws. The faculty member shall hold the same faculty rank and tenure status in all such units regardless of the percentage of effort and funding he/she receives from each individual unit. Professional duties, responsibilities, and assignments may be distributed between two (2) or more units in any proportion of full-time service that may be mutually agreed upon by the administrators of the units and the faculty member.

If one unit provides at least 51 percent of the funding for the faculty position, that unit shall be responsible for processing the faculty member's personnel actions including, but not limited to, appointment, reappointment, promotion and tenure (where applicable), with concurrence of the other unit(s). Where units share equally in funding the position, recommendations including, but not limited to, reappointment and promotion shall be initiated by the units acting concurrently, with each submitting a separate recommendation.

Section C2: Appointment and Reappointment Procedures

An outstanding faculty is critical to developing and maintaining academic excellence. The faculty is at the core of a University environment that demands the best from all of its participants. Additionally, a well-qualified and productive faculty helps attract other individuals, faculty members, students, staff and administrators to the University who will assist the University in achieving its mission.

The faculty has the responsibility of recommending appropriate action on such matters as faculty appointments, reappointments, promotions, the granting of tenure, and dismissals. The recommendations of the faculty for such matters are based on the fact that its judgment is central to general educational policy. Furthermore, scholars in a particular field or activity are expected to have the chief competence for judging the work of their colleagues. Such competence should be exercised before either adverse or favorable judgments are made. Consideration of these matters is to be by faculty action through established procedures. These actions shall be reviewed by the dean, the Provost and the President, and shall be submitted to the Board of Trustees for final action, when necessary.

When the designated decisional authority regarding initial faculty appointments (the Provost for all temporary appointments and the President for all tenured, probationary tenure-track, and non-tenured renewable term appointments) approves the appointment, the decisional authority will notify the applicant of the approval and enclose the employment contract specifying the rank, salary, full- or part-time status, term of the appointment, and academic unit(s) to which the person is assigned, and referencing the Faculty Handbook (including instructions for accessing it electronically). As noted below, in the course of recruiting new faculty members to the

university, deans and other administrators may send offer letters to prospective faculty members that, besides the particulars noted above, make reference to such additional considerations as release from certain workload responsibilities, access to facilities and equipment, and financial support for travel or research assistance. All such offers of employment are contingent on final approval. Following final approval, the department chair or dean must also inform persons newly appointed to probationary tenure-track positions of the timeline for the pre-tenure review (where applicable) and the promotion and tenure review, as well as the criteria and procedures that will be observed in evaluating him or her for reappointment, tenure, and/or promotion. Persons appointed to non-tenured renewable term appointments must similarly be informed of the timelines, procedures, and criteria that will govern recommendations for their reappointment or (where applicable) promotion.

C2.1 Search Procedures

In principle, the University's commitment to excellence is best expressed by careful and extensive searches designed to find the best qualified persons to fill faculty positions. A diversity of background, experiences, and viewpoints is considered to be an element of strength in a faculty.

C2.1.1 Tenured and Probationary Tenure-Track Faculty Positions

The search process for filling a tenured or probationary tenure-track faculty position shall be as follows:

- 1) The department's chair and APT Committee agree on the need to fill a vacant position or to create a new position. They identify key qualifications of the person they wish to hire, specifically with regard to rank and teaching/research specializations.
- 2) The department chair requests written authorization from the school/college dean, who reviews the request and, if in agreement, seeks written authorization from the Provost to initiate the search. The dean may decline the request altogether or consult with the chair to develop a different set of qualifications, rank, or teaching/research responsibilities. When the authorization is received, the chair notifies the department faculty that a search has been authorized.
- 3) The department establishes a search committee and a chair is selected in the manner prescribed by school/college guidelines.
- 4) The dean charges the committee with the scope of the search.
- 5) The committee finalizes the description of the position and facilitates its being advertised. Searches should be advertised nationally in appropriate general and discipline-specific venues.
- 6) In every search, individuals shall be recruited and recommended for appointment without regard to race, color, religion, national origin, sex/gender, sexual orientation, disability, age, gender identity, gender expression, non-conformance with gender stereotypes,

appearance, political beliefs, veteran status, family status and responsibilities, marital status, genetic information, unemployment status, or any other characteristic protected by Federal and/or District of Columbia law.

- 7) The search committee reviews the applications and identifies a short list of prospective finalists for interviews. These interviews should be open. The department chair and the dean also interview the candidates.
- 8) The search committee makes its recommendations to the dean consistent with the dean's charge.
- 9) The dean makes a written offer to the finalist setting forth the terms and conditions of the faculty appointment, to include rank, tenure status, term of appointment, salary, information about pre-tenure review, and any start-up considerations such as laboratory space and/or equipment, travel funds, summer salary, student research assistants, and the like. Such offers are conditional pending approval by the President at the conclusion of the appointment recommendation process described in Section C2.2.1. The decisions of the dean and President regarding initial appointments are final, and are not subject to any grievance procedure.
- 10) The finalist accepts the offer.

C2.1.2 Non-Tenured Renewable Term Faculty Positions

The search process for an individual to fill a non-tenured renewable term faculty position shall follow the guidelines specified in the Board-approved recommendation creating the category of the position. If the guidelines are silent regarding such searches, recommendations for initial appointments to clinical educator positions will follow the guidelines for tenured and probationary tenure-track openings described above and for master instructor, legal writing instructor, and research faculty may dispense with the formality of a search committee in favor of concurrent recommendations by the APT committee and the administrator of the academic unit to appoint a qualified individual.

C2.1.3 Temporary Faculty Positions

The search process for an individual to fill a temporary faculty position shall be as follows:

- 1) When the department chair sees the need to fill a vacant temporary position or to create a new temporary position, the chair requests authorization from the appropriate dean to initiate the search.
- 2) The chair, usually assisted by members of the faculty, identifies one or more individuals who possess the key qualifications to fill the position, specifically with regard to specialization and teaching ability and experience. These individuals are interviewed by the chair and members of the APT committee, and a decision is made to hire the person best qualified to fill the position.

- 3) In every search, individuals shall be recruited and recommended for appointment without regard to race, color, religion, national origin, sex/gender, sexual orientation, disability, age, gender identity, gender expression, non-conformance with gender stereotypes, appearance, political beliefs, veteran status, family status and responsibilities, marital status, genetic information, unemployment status, or any other characteristic protected by Federal and/or District of Columbia law.
- 4) The chair makes a written offer to the person setting forth the terms and conditions of the faculty appointment. Such offers are conditional pending approval by the Provost at the conclusion of the appointment recommendation process described in Section C2.2.3. The decisions of the chair and Provost regarding initial appointments are final, and are not subject to any grievance procedure.
- 5) The person accepts the offer.

C2.2 Initial Appointment Procedures

C2.2.1 Initial Appointment Procedures for Tenured or Probationary Tenure-Track Faculty Positions

The appointment of an individual to a tenured or probationary tenure-track faculty position shall be as follows:

- 1) The candidate who has accepted the offer from the dean completes the “Faculty Application for Appointment, Promotion and/or Tenure” form, accompanied by a current curriculum vitae and supporting documentation as specified in section D2.4, below.
- 2) The review and approval process is the same as what is described in section D2.5, below, except that the candidate has no right to request reconsideration of negative recommendations or to appeal to the Faculty Grievance Commission.
- 3) Following final approval, the President will notify the applicant of the appointment, enclosing the faculty member’s employment contract.

C2.2.2 Appointment Procedures for Non-Tenured Renewable Term Faculty Positions

The appointment of an individual to a non-tenured renewable term faculty position shall follow the guidelines specified in the Board-approved recommendation creating the category of the position. Final approval of candidates to such positions rests with the President. Following final approval, the President will notify the applicant of the appointment, enclosing the faculty member’s employment contract specifying the rank, salary, category of non-tenured renewable term appointment, term of the appointment, and academic unit(s) to which the person is assigned.

C2.2.3 Appointment Procedures for Temporary Faculty Positions

The appointment of an individual to a temporary faculty position shall be as follows:

- 1) The department chair requests a vote from the APT Committee to hire the person who has been identified. The APT committee submits the results of the vote and its written evaluation of the candidate's qualifications.
- 2) The department chair evaluates the candidate's application file and develops a separate recommendation.
- 3) The written recommendations, together with the prospective faculty member's application file, are forwarded to the appropriate dean.
- 4) The dean seeks the recommendation of the school/college APT Committee. The dean's recommendation, together with all prior recommendations and the prospective faculty member's application file, is forwarded to the Provost for review and final decision.
- 5) Following final approval, the Provost will notify the applicant of the appointment, enclosing the faculty member's employment contract.

In all of these categories of faculty appointments, when the rank, the tenure status, or the type of appointment change, the final approval authority (the Provost for temporary appointments, and the President for all other appointments) will issue a new faculty employment contract to the faculty member.

C2.3 Reappointments

Faculty members may be considered for reappointment at the expiration of their current term, except when such reappointment would extend the appointment beyond the maximum allowable time in a probationary tenure-track or temporary status.

The employment of a faculty member who is denied tenure and who has an active appeal before the Faculty Grievance Commission will be extended by temporary appointment until the appeal process is complete.

C2.3.1 Reappointment of Probationary Tenure-Track and Faculty on Non-tenured Renewable Term Appointments

The procedures, timetable, criteria, and right to appeal a negative recommendation for reappointment involving faculty members on a probationary tenure-track or a non-tenured renewable term appointment track are the same as those outlined for a recommendation for tenure, sections D2.4 and D2.5, below.

C2.3.2 Reappointment of Temporary Faculty

Reappointment recommendations are usually initiated by the department chair, after consulting with the department APT Committee. If both the department chair and the department APT Committee decide not to recommend reappointment, no written recommendation will be generated and the matter is closed. If either the chair or the department APT Committee recommends reappointment, both the chair's recommendation and the department APT Committee's recommendation are forwarded to the dean with appropriate documentation. The dean then obtains a recommendation from the school/college APT Committee, adds the dean's recommendation, and forwards the entire file to the Provost, whose decision is final.

C2.4 Standards for Notice of Non-Reappointment of Non-Tenured Faculty Members

Notice of non-reappointment of non-tenured faculty members must be provided as follows:

- 1) For probationary tenure-track faculty members on three-year contracts, at least 12 months (365 calendar days) prior to the expiration date of the current appointment.
- 2) For non-tenured renewable term faculty members, at least 12 months (365 calendar days) prior to the expiration date of the current appointment.
- 3) For full-time temporary faculty members, at least three (3) months (90 calendar days) prior to the date of termination of the current appointment following two (2) years of service.

Failure on the part of the University to provide timely notification of non-reappointment shall entitle the faculty member to a temporary appointment limited to one (1) academic year for probationary tenure-track and non-tenured renewable term faculty members and to (1) one semester for full-time temporary faculty members.

Late notice does not entitle the faculty member to tenure by default or to continued employment beyond what is necessary to observe the relevant notification requirement.

C2.5 Administrative Appointments

The functions, titles, and status of such academic administrators as the Provost, vice presidents, deans, associate and assistant deans of schools and colleges, directors, and departmental chairs shall be distinct from their functions, titles, and status, if any, as members of the faculty. Academic administrators may hold faculty rank and tenure; however, appointment to an academic administrative position does not, by itself, convey either tenure or faculty status, and no academic administrator holds tenure as an administrator.

Deans, associate deans, and department chairs normally hold tenure within a department or other academic unit, and they retain their faculty status while serving in the administrative role. Although their administrative responsibilities preclude them from participating in all the responsibilities of faculty members, they may continue to teach and they may also apply for

promotion just as any other qualified faculty member may. Upon leaving an administrative position, they may resume full-time faculty responsibilities at their tenured rank in an appropriate academic unit. Academic administrators in the Colleges of the Health Sciences who hold appointments as Clinical Educators retain their faculty status while serving in the administrative role and may resume full-time faculty responsibilities at their Clinical Educator rank in an appropriate academic unit.

An academic administrator without faculty status at the time of the initial administrative appointment may be appointed to a faculty position only after having been reviewed by the appropriate departmental and school/college committees and administrators according to the procedures described in Section C2.2, above, and approved by the Provost or by the President and Board of Trustees, as the case may be.

Section C3: Resignation

Resignation is a severance action in which a faculty member voluntarily seeks to be released from employment at the University. Except in unusual circumstances, resignations from the faculty become effective at the end of the academic year. To allow the academic unit to prepare for the loss of the faculty member, the faculty member should notify the department chair or the director of the unit that the faculty member intends to resign, in writing, as early as possible.

Section C4: Retirement and Related Rights

The customary retirement date for eligible retirees at Howard University is June 30. Early retirement may be requested at least 30 days in advance of the proposed retirement date, provided that the sum of one's age (figured to the nearest one-twelfth of a year) plus the number of years of credited service equals or exceeds 70.

There shall be no presumption of reappointment after retirement, and any such reappointment shall be on a temporary basis for renewable terms not to exceed one (1) year at a time.

Although no faculty member will acquire new rights or privileges within the University upon retirement, certain rights and privileges to which the faculty member was entitled prior to retirement are extended as follows:

- 1) When a retired faculty member is actively engaged in productive scholarship, the University will use reasonable efforts to furnish the faculty member office space as well as assistance from the department administrative staff. However, such space and/or assistance will be granted only if it is available; priority consideration will always be given to the University's full-time and part-time faculty.
- 2) Retired faculty members may file research or travel grant applications. Consent from the appropriate department chair or dean must be obtained prior to submission of any such application. An application will be transmitted further only if the Provost determines that the proposed research project or travel has merit, has the potential to be completed, and

that the University has available office and laboratory space for the applicant to utilize. In the event the University is experiencing a shortage of such space, priority will be given to the University's full-time and part-time faculty.

- 3) Upon express invitation from the dean, retired faculty members may attend meetings of their former departments and schools/colleges and/or participate in the work of the department or school/college committees. However, only those individuals with active faculty status, as identified by current temporary appointment, may vote in these meetings. These individuals can only vote in accordance with the voting rights attendant to that status, as provided by the school/college bylaws. Retired faculty members may participate in University convocations with appropriate academic attire.
- 4) Retired faculty members may attend Faculty Senate meetings.
- 5) Retired faculty members may continue to avail themselves of library use privileges enjoyed by members of the full-time and part-time faculty. They may also apply for access to library space for purposes of conducting research.
- 6) Retired faculty will be listed in the University telephone directory, if they so desire.
- 7) Retired faculty will continue to receive the Howard Magazine and special reports from the University.
- 8) After retirement, a faculty member will be issued a new Howard University identification card upon request, identifying the faculty member as a retiree. The retired faculty member will retain access to a variety of events, facilities, and services that require the card for admission or access.
- 9) Faculty tuition remission benefits are continued to those eligible for such benefits at the time of retirement consistent with University tuition remission policies. If a dependent is pursuing a degree program under the tuition remission plan currently in force at the time of retirement, such benefits will continue in accordance with the policies governing this plan and will be subject to the plan's limitations.

Section C5: Separation of Faculty Due to Financial Exigency

A financial exigency is defined as an imminent fiscal crisis that will result in grave or irreparable harm to the quality of educational or research programs at the University, and which requires termination of faculty appointments to alleviate it. A financial exigency should not be declared merely as an opportunity to implement academic or programmatic reform.

C5.1 Declaration of a State of Financial Exigency

A financial exigency will be declared by a majority of the members of the Board of Trustees of the University, in accordance with the policies and procedures recommended by the President and approved by the Board of Trustees.

C5.2 Development of a Plan of Action

Upon the Board's declaration of a financial exigency, the President will appoint a financial exigency advisory committee to assist with the development of a plan of action to address the exigency. The President shall determine the composition and specific charge of the committee after consultation with the Chair of the Faculty Senate.

The following principles will be adhered to in the development of the financial exigency plan of action:

- 1) The responsibility of the faculty in matters of general educational policy will be recognized and consideration will be given to faculty judgments regarding the best response to the exigency.
- 2) No faculty member with tenure will be terminated unless all faculty members without tenure in the academic department, unit or program designated for retrenchment have been terminated to the extent consistent with the academic purposes of the University.

The President shall present a plan of action to the University community, the appropriate Faculty Senate Committee, and the Board of Trustees in a timely manner.

C5.3 Notification to Faculty Members

All tenured faculty members terminated for reasons of financial exigency will be terminated at the end of the academic year in which termination notice is given. To the extent that termination notice of less than 120 calendar days is given, severance will be paid in order to ensure that the terminated faculty member shall receive a total of 120 days of pay after receipt of the notice of termination. The written notice of termination must include a statement of the faculty member's right to respond and/or to present his or her case to the Faculty Grievance Commission. However, the filing of a grievance will not automatically suspend the termination; the faculty member may be terminated while a grievance is pending with the Faculty Grievance Commission.

C5.4 Rights of Tenured Faculty Members in the Event of Financial Exigency

Before terminating the appointment of a tenured faculty member for reasons of financial exigency, every reasonable effort shall be made to find another suitable position for the faculty member within the University. Departmental transfers may be made, if mutually acceptable, and the President (or the President's designee) will work with the affected parties to achieve an agreeable accommodation. Faculty retraining may be provided if such retraining will prepare the faculty member to perform duties associated with another University position within a reasonable period of time. Faculty members meeting age and service requirements, as determined by the Board of Trustees, will be given the option to retire early. The appropriate Faculty Senate Committee will monitor the University's efforts in seeking to find suitable positions within the University for displaced faculty members. After exhaustion of the aforementioned options, the tenured faculty member may be terminated.

A tenured faculty member terminated for reasons of financial exigency will be allowed to participate in the University group health insurance program, consistent with the University's insurance plan, for up to 18 calendar months following the date of termination, unless a different period is required by law. The faculty member is entitled to other rights and benefits of terminated employees as may be specified by the Board of Trustees.

C5.5 Other Rights Pertaining to All Faculty in the Event of Financial Exigency

Faculty members terminated for reasons of financial exigency will have the opportunity to receive counseling services regarding employment opportunities outside the University. If a program that has undergone significant reduction or elimination as a result of financial exigency is reinstated or strengthened by reinstated full-time employees within three (3) years after termination of the state of financial exigency, tenured faculty terminated as a result of said reduction or termination will have the right to be reinstated, if positions are available, before new faculty are hired.

Under established policies and procedures, a faculty member whose appointment is terminated for reasons of financial exigency has the right to appeal to the FGC in cases where other faculty members in the same department are retained. However, the filing of a grievance will not automatically suspend the termination; the faculty member may be terminated while the faculty member's grievance is pending.

C5.6 Financial Exigency Sunset Provisions

A declaration of financial exigency is valid for a period fixed by the Board of Trustees. In any case, after a period of one (1) year from the date of declaration of a financial exigency, the status of the University should be reviewed by both the President and the financial exigency advisory committee, and a report should be issued to the Board of Trustees containing recommendations for appropriate action.

Chapter D: Faculty Tenure, Promotion and Evaluation

Section D1 Purpose and Definition of Academic Tenure

The tenure system consists of rules, policies and procedures that enable an academic institution's scholars to enjoy a continuity of existence to pursue knowledge and to disseminate their findings among students, colleagues, and other interested groups both inside and outside of the institution. It is through these pursuits that tenured faculty members (and persons on probationary tenure-track appointments) uphold the principle of academic freedom that all other members of the University community enjoy. The tenured and tenure-track members of the faculty are the heirs and custodians of the institution's academic and research programs, maintaining and enriching the past legacy for the future benefit of students, faculty members, Howard University, and society at-large.

The tenure system enables Howard University and other similar institutions of higher learning to maintain a permanent faculty that helps to fulfill the following obligations of the academy to contemporary society:

- 1) The discovery and dissemination of new knowledge;
- 2) The communication of that knowledge to students and the cultivation of the understanding and skills needed to enable them to engage productively in the further pursuit of knowledge;
- 3) The preparation of students for entry into professions that require a systematic body of specialized knowledge; and
- 4) The performance of service to the larger community—locally, nationally, and internationally.

In intellectual matters, a university faculty is not merely an assemblage of individual scientists, teachers, and scholars; it must possess a collective presence and create an atmosphere that stimulates the work of colleagues and students. Faculty members depend on the University's provision of a tenure system for the effective fulfillment of their responsibilities in the areas of research, teaching, and service. The tenure system ensures the presence and continuity of a distinguished core of faculty members (tenure recipients) whose proven records of fulfilling those responsibilities at the highest level helps to sustain the intellectual community of the University.

D1.1 Basic Principles of the Tenure System

A faculty member's tenure resides in the University as a whole; in recognition of varying disciplinary cultures and for purposes of governance, tenure-track and tenured faculty members are appointed specifically to one or more local academic units. A faculty member who has received tenure has a continuous appointment, made by the Board of Trustees, that extends until resignation, retirement or death, subject only to termination for just cause or financial exigency.

In the event of termination for just cause or financial exigency, tenure entitles a faculty member to a grievance proceeding as provided herein. Tenure ends at retirement. Appointments to the faculty after retirement are on a temporary basis and are mutually agreed on by the individual faculty member and the appropriate administrators at the school/college level and approved by the Provost.

The choices the University makes in granting tenure are crucial to its goals of maintaining academic excellence. A decision to grant tenure must reflect an assessment of high academic and professional competence and performance measured against University and external standards. The award of tenure is based on a thorough evaluation of the candidate's total contribution to the University. In the same spirit, tenure shall not be granted by default or simply by virtue of an individual's having served to the limit of the probationary period prescribed for his or her rank.

The decision to grant tenure is a deliberate action indicating that the candidate has been selected as a member of the permanent faculty because of demonstrated high-quality performance and relative merit. An award of tenure is based on a thorough evaluation of the candidate's total contribution to the University. Basic competence or mere satisfactory performance in itself is not sufficient to justify granting tenure.

In addition to the candidate's professional qualifications, other considerations, including the particular needs of the department and the changed circumstances of the University, may be taken into account in recommendations to award tenure. Therefore, a decision not to grant tenure does not necessarily reflect an unfavorable judgment of the candidate. A probationary tenure-track faculty member has no contractual right to receive tenure.

D1.2 Authority to Award Tenure

Tenure is awarded only by the Board of Trustees of the University upon the recommendation of the President who is guided by the judgment of the faculty committees and the responsible officials in the prior levels of review.

A recommendation for a tenure track appointment may be made only when a tenured position has been authorized in writing by the Provost.

Section D2 Standards and Procedures for Reappointment, Promotion, and Tenure

D2.1 General Criteria for Appointment, Promotion, and Tenure (APT Criteria)

In the interest of maintaining quality, every academic unit should periodically re-evaluate and revise the criteria for faculty appointments, tenure, and promotion. Faculty members on probationary tenure-track appointments will be evaluated for promotion and tenure according to the criteria communicated to them at their initial appointment. While specific responsibilities of faculty members may vary because of special assignments or the particular mission of an

academic department or unit, all evaluations shall address each candidate's performance in the broad areas of teaching, scholarship, and service.

D2.2 Criteria for Tenure

Tenure is awarded to faculty members who have achieved excellence in carrying out their faculty responsibilities and demonstrated promise for continued achievement. The responsibilities of a faculty member fall into three major categories: teaching, scholarship, and service.

The faculty, in cooperation with the department chair and the dean, will develop the criteria for appointment, promotion, and tenure that are specific to and appropriate for the varied and diverse academic units of the University. The criteria must be consistent with the Faculty Handbook and the bylaws of the respective schools/colleges. The school/college criteria for the award of tenure are subject to review by the Provost and the President, and approval by the Board of Trustees.

D2.3 Tenure Clock Extensions

Under normal circumstances, the maximum probationary period for Assistant Professors is seven years (7) from the start of the tenure-track appointment, with the mandatory review for tenure and promotion occurring in the sixth year. The maximum probationary period for Associate Professors is five (5) years, with the mandatory review for tenure in the fourth year. In certain circumstances, however, the tenure clock may be stopped and an extension may be granted beyond the customary maximum probationary periods.

Probationary tenure-track faculty members may request a one-year stoppage of the tenure clock for life events that may significantly interfere with their ability to achieve promotion and/ or tenure within the conventional time frames. Such life events include but are not limited to the following:

- 1) The addition of a child into the faculty member's household. If both parents are probationary faculty members, each is eligible for a one-year tenure- clock extension;
- 2) A serious health condition (as defined in the Federal and District of Columbia Family and Medical Leave Acts) of the faculty member, or of a domestic partner or family member for whom the faculty member acts as the primary caregiver;
- 3) The death of a parent, child, spouse, or domestic partner;
- 4) Active military service;
- 5) Unforeseen circumstances that adversely affect the faculty member's ability to conduct scholarly work or fulfill other faculty responsibilities.

The procedure for requesting the extension is as follows. Interested persons must submit a written request to the chair of their department (or dean of their school/college) explaining the

underlying circumstances. The department chair shall forward a recommendation to the dean, who shall forward a recommendation, with that of the department chair, to the Provost for final decision. Such requests for tenure clock extensions must be made as soon as practicable once the relevant circumstance(s) has been identified. The Provost will decide the merits of the case within two (2) weeks of receiving the request and the accompanying recommendations. Seeking a tenure clock extension does not obligate the faculty member to exhaust the duration of the probationary period before requesting tenure review.

Each faculty member is limited to two (2) one-year extensions during his or her probationary period, except as required by law. No more than one year of tenure-clock extension will be approved per person for any single life event. Tenure clock extensions will not be granted to faculty members who have already been notified that they will not be recommended for reappointment, promotion, or tenure.

The request for, and granting or denial of, a tenure-clock extension is independent from any requests for leave made by the faculty member for the same life event(s).

The granting of a tenure clock extension does not imply any guarantee of reappointment, promotion or tenure. The existence of this policy does not preclude or prevent a faculty member from being terminated before the end of her/his term consistent with the Faculty Handbook and/or any Federal or District of Columbia laws.

D2.4 The Application for Tenure

The Provost shall announce the annual timeline for the tenure review process well in advance of the application submission deadline to enable candidates to assemble their portfolios. The timeline shall include deadlines for actions at the respective levels of review, with clear specifications of the points at which candidates may request reconsideration of negative recommendations and appeal to the Faculty Grievance Commission. As a general principle, no individual may participate in the review of or vote on an application at more than one level.

Each candidate for tenure will assemble a portfolio of supporting documentation and submit it to the department chair (or the dean in the Schools of Divinity, Law, and Social Work) by the announced deadline. The portfolio shall contain a completed “Faculty Application for Appointment, Promotion and/or Tenure” form, available from the Office of the Provost and a current curriculum vitae. Following the section headings of the application form, each portfolio will document the candidate’s record in the areas of teaching, scholarship, and service. While different information may be relevant or appropriate to various fields, in general this documentation should address the applicant’s:

- 1) Educational and professional qualifications: besides a complete and current curriculum vitae containing information of past educational and professional experience, this documentation may include copies of relevant certificates and awards, copies of performance evaluations given to the applicant since his or her last change in faculty rank

or tenure status, and any other relevant professional material that the candidate wishes to be considered in the tenure review process;

- 2) Teaching experience: this should include copies of course syllabi and other materials as well as descriptions of courses taught; results of student course evaluations are required; evaluations of the applicant's classroom performance, conducted by faculty colleagues and department chairperson should also be included;
- 3) Scholarship: copies of research publications or evidence of creative work appropriate to the applicant's academic field or discipline; evidence of externally sponsored research grants, contracts, or awards; copies of presentations at conferences, seminars or symposia; and status reports on any work that is under review for publication or presentation should be included;
- 4) Service: evidence of service to the department, the school/college, the University, and the wider community should be included, as should evidence of leadership in professional associations and participation in other professional activities such as serving on editorial boards and reviewing manuscripts and grant applications.

Each candidate for tenure will include with the application the names of two external reviewers, who are experts in the applicant's area of research or creative production and who are affiliated with a research university or comparable institution other than Howard University. Each reviewer should hold the academic rank of Associate Professor (or its equivalent) or higher.

After completing the application form and assembling the supporting documentation, the applicant submits the entire portfolio in electronic form to the administrator of the local academic unit (department chair or dean).

D2.5 The Review Process

Upon receipt of the application for tenure, the chair of the department (or the chair of the Appointment, Promotions and Tenure Committee) will contact four (4) external reviewers (two recommended by the candidate and two by the department) to determine their ability to participate in the evaluation process on the prescribed timeline. The reviewers must be persons external to the University, who are experts in the applicant's discipline and who are affiliated with research universities or comparable institutions. The chief purpose of these letters is to obtain an objective evaluation of the applicant's scholarship.

The local unit administrator or chair of the APT committee will then forward the applicant's curriculum vitae and copies of research publications or facsimiles of creative productions to each external reviewer for evaluation, along with a statement of the relevant criteria for tenure and/or promotion to the faculty rank the applicant is seeking.

Given their central importance to the overall process, faculty committees and administrators at every level of review must take the external evaluations into account before formulating their recommendations regarding the application.

D2.5.1 Department Level Review, Recommendation and Reconsideration

Since the decision to award tenure has far-reaching importance to the individual faculty member, the department, school/college, and the University, tenure review at the department level must be thorough. The first step in the process is a review of the candidate's file by the department's tenured members, who comprise the departmental APT Committee. In the event a department does not have at least three (3) faculty members eligible to vote, the dean, in consultation with the faculty, will establish an ad-hoc APT Committee of faculty in the same or related field as the applicant; the ad-hoc committee members may be from the same or from a different school/college as the candidate.

The departmental review will observe the following procedures, completing the review within three (3) weeks of having assembled the full application file:

- 1) The department chair informs the members of the APT Committee that the completed file of an applicant for promotion with tenure is available for their review;
- 2) Following review of the applicant's file by the department's APT Committee, the department's APT Committee chair will call a meeting of the APT Committee, excluding the department chair, for the announced purpose of evaluating the applicant's performance in the three areas of teaching, scholarship, and service and voting whether or not to recommend tenure and promotion; and
- 3) The department's APT Committee chair will record the vote and transmit the results and the required evaluative statement of the candidate's performance along with the application file to the department chair.
- 4) The department chair will perform an independent evaluation of the candidate in the three areas, recommend to the dean whether or not the candidate merits tenure (and promotion), and include an evaluative statement of the candidate's performance.

Within one (1) academic week of completing the departmental review, the chair will communicate to the applicant in writing the results of the evaluation. In cases where either of the recommendations (the APT Committee's or the chair's) is negative, the communication will explain—within the limits required to preserve confidentiality—the reasoning behind the negative recommendation(s) and inform the applicant that he or she may request reconsideration.

If the applicant wishes to have any negative department recommendation reconsidered, the applicant shall respond to the department chair, in writing, within two (2) academic weeks of receiving this explanation. In the written request for reconsideration the applicant may address

any issue that he or she deems appropriate and may also present new information in support of the request for reconsideration.

The department has two (2) academic weeks to reconsider. In cases where the APT Committee's original recommendation was negative, after reviewing the request for reconsideration, it will conduct a second vote. By the end of the two-week period, the department chair will communicate the results of the reconsideration with an appropriate explanation to the applicant.

Upon completion of the departmental review, including any requests for reconsideration, the chair of the department shall forward to the dean the original application file with its supporting documentation (including the letters of external reviewers), the recommendations of the department APT Committee and the chair, as well as all correspondence and recommendations resulting from a request for reconsideration by the deadline stipulated in the Provost's annual review calendar.

D2.5.2 School/College Level Review, Recommendation and Reconsideration

After the department's initial review, recommendation, and reconsideration (if any) are completed, the recommendations are reviewed by the school/college dean and APT Committee. The school/college APT Committee is typically comprised of tenured faculty members holding the faculty rank of Professor or Associate Professor, however each school/college may further restrict the membership through its bylaws, subject only to approval by the Board of Trustees. The school/college APT Committee will not include department chairs, directors of centers, deans (assistant, associate, and full), and any faculty member from the applicant's home department. After review, the school/college APT Committee will submit its recommendation to the dean. The dean will then conduct a review of the application file and all accompanying recommendations and render an independent recommendation. Within six (6) academic weeks of receiving the application file from the department, the dean will notify the candidate and the department of the results of the school/college level of review in writing. If the recommendation of the APT Committee or the dean is negative, the dean's notice will also include a detailed explanation for the negative recommendation and notice of the right to request reconsideration. Within two (2) weeks of receipt of the dean's notice, a candidate who wishes to request reconsideration will do so in writing, setting forth in detail the grounds for the appeal. Within two (2) weeks of receiving the request, the dean and/or the school/college APT committee will consider the evidence, conduct a new vote (if necessary), and the dean will inform the applicant and the department of the final recommendation. In the case of a negative decision, the dean shall advise both the applicant and the department of their right to appeal to the Faculty Grievance Commission.

D2.5.3 Appeal to the Faculty Grievance Commission (FGC)

If the final recommendation of either the dean or the school/college APT Committee is negative, either the applicant, or the department, or the applicant and department in concert, may file an appeal to the Faculty Grievance Commission before the recommendation is forwarded to the

Provost for review. Final action by the Provost will be held in abeyance until the FGC appeal process is concluded.

The grounds for such an appeal and the procedures for the FGC's review are detailed in Section E3 below.

D2.5.4 University Level Review and Recommendation

Following the school/college review and the conclusion of all requests for reconsideration and appeals, the dean will forward the complete application file as well as all recommendations produced at the departmental and the school/college levels, along with all other documents pertinent to the case, to the Provost. The Provost will review and evaluate the application file and submit a recommendation to the President.

Within seven (7) academic weeks of receiving the applicant's completed file, the Provost will notify the dean of the President's final decision.

The President will present to the Board of Trustees for approval the candidates recommended for tenure and promotion. Following the Board's approval, the President will notify the applicant and the dean. In cases where the President does not recommend a candidate to the Board for approval, the Provost will explain, within the limits set by the need to preserve confidentiality, to the candidate and the dean the reasons for the negative recommendation.

D2.5.5 Procedures for Promotion to Professor

The criteria for promotion from the faculty rank of Associate Professor with tenure to Professor include excellence in teaching, a sustained record of scholarship appropriate to the discipline, substantial service appropriate to the discipline, and an assessment of whether the individual has fulfilled the promise on which tenure was originally granted.

The procedures, timetable, criteria and right to request reconsideration of a negative decision regarding promotion to full Professor are the same as those outlined for the recommendation for tenure; the only procedural difference involves the composition of the department and the school/college APT committees.

The department APT Committee reviewing applications for promotion to full Professor shall consist of at least two (2) full Professors and all tenured faculty members in the department. In the event a department does not have at least three (3) faculty members eligible to vote, the dean, in consultation with the faculty, may establish an ad-hoc committee of faculty in the same or related area as the applicant; the ad-hoc committee members from outside the department may be from the same or a different school/college as the applicant, but each must hold the rank of full Professor.

The school/college APT Committee reviewing full Professor promotions shall consist of full Professors only, and will not include department chairs, directors of centers, deans (assistant and associate), and members of the applicant's department. In the event a school/college APT

Committee does not have at least three (3) faculty members eligible to vote, the dean, in consultation with the faculty, will establish an ad-hoc committee of faculty in the same or related area as the applicant; the ad-hoc committee members may be from the same or from a different school/college as the applicant.

Chapter E: Disciplinary Matters

When an administrator of an academic unit receives information alleging that a faculty member failed to perform assigned duties, violated a University policy, or engaged in conduct that interferes with the effective operation of the unit, the administrator should first speak with the faculty member to determine the veracity of the charge and its seriousness. However, in certain cases, where a specific University-wide procedure applies such as in cases where discrimination or harassment has been alleged, or in cases where there is possible criminal conduct or immediate harm to the University or any individual, the administrator is required to make the appropriate referral of the matter.

If the administrator determines that the allegation lacks substance, the matter is closed. In this and in all similar conversations between the faculty member and an administrator, the faculty member may choose to be accompanied by another faculty member or by the Faculty Ombudsperson. The appropriate resolution of disciplinary matters requires that all participants must be guided by the principles of confidentiality and the preponderance of the evidence standard.

If, in the judgment of the administrator, the allegation has merit but it involves a minor infraction of faculty responsibilities or University policy, the administrator will seek to identify a mutually agreed upon resolution, which may include a verbal warning.

The following sections outline procedures for disciplinary actions involving either a written reprimand or a recommendation to impose a major sanction. Only faculty members who are tenured or probationary tenure-track, or who hold a non-tenured renewable term appointment, may appeal a recommended major sanction to the Faculty Grievance Commission. When a temporary faculty member (including all full-time faculty on appointments of one-year or less, as well as part-time adjunct faculty who are not covered by a collective bargaining agreement) is recommended for a written reprimand or a major sanction, the procedures governing the administration of a written reprimand described in Section E2 below, including the provision for a final appeal to the Provost, will apply, however, those faculty members may not appeal to the Faculty Grievance Commission. Disciplinary procedures regarding faculty members in a collective bargaining unit are covered by the applicable collective bargaining agreement.

The provisions of this chapter of the Faculty Handbook enumerate the grounds and procedures for disciplining faculty. They provide notice to members of the University community of the basis for disciplining faculty and a process for resolving such matters that is intended to facilitate clear communication and graduated opportunities for correction and improvement. These provisions also provide a system for the timely resolution of disciplinary matters in order to facilitate the work and community of the University.

For allegations that a faculty member has violated the University's Title VII (Employee) Policy Against Sexual Harassment in the Workplace and/ or Title IX (Student) Policy on Prohibited Sexual Harassment and Gender-Based Discrimination in Education Programs and Activities, the procedures for disciplinary action stated in the University's Title VII and Title IX policies, up to and

including suspension or termination, are followed instead of the procedures described in this section.

Faculty members who have been subjected to discipline that is unwarranted or imposed in a manner that is inconsistent with the procedures stated in this Handbook may file a grievance with the Faculty Grievance Commission as stated in Chapter F.

Section E1: Types of Disciplinary Sanctions

Disciplinary actions against a faculty member may include written reprimands, which may also require satisfying the terms of a corrective action plan, and the major sanctions of reduction in pay or rank, removal of teaching responsibilities, revocation of tenure, demotion, suspension (with or without pay), and termination for just cause.

As a general rule, the principle of graduated discipline shall apply, with the disciplinary action commensurate with the behavior. Written reprimands attempt to correct objectionable behavior without otherwise affecting the faculty member's rank, status, or the terms and conditions of employment. Major sanctions involve actions that may affect the faculty member's rank, status, or the terms and conditions of employment.

A single incident involving a serious violation of University policies or procedures, a violation of local, state or federal law, or behavior that suggests the faculty member may pose a risk to persons or property, or may expose the University to immediate legal liability, may warrant an immediate suspension pending further investigation and a formal recommendation. In these cases, the suspension may be with or without pay.

Section E2: Written Reprimands

If the allegation brought to the attention of the administrator of an academic unit involves neglect of faculty responsibilities or violation of university policies or one that was the subject of previous charges, the administrator may issue a written reprimand. The administrator will notify the faculty member of the charge(s) and the proposed sanction and provide an opportunity for discussion and, if possible, resolution. The faculty member may, but is not required to, request that the Executive Committee review the matter and make a recommendation to the administrator before the reprimand is issued. If the sanction involves a corrective action plan, requiring participation in workshops or other appropriate professional development activities to achieve specifically stated goals and objectives, the notice will specify a timeline for completion and any other terms and conditions that apply. At the faculty member's request, the administrator will meet to discuss the proposed plan. The faculty member may be accompanied by another faculty member or by the Faculty Ombudsperson. If the sanction involves a letter of reprimand, the administrator will meet with the faculty member to discuss its contents before issuing it.

A faculty member who receives a written reprimand may, within two (2) weeks from receipt of the communication, submit a written request for reconsideration. If the administrator decides

to let the reprimand stand, the faculty member may request review by the next higher administrative authority, who will have two (2) weeks to make a decision and inform the faculty member and the relevant administrator in writing. The decision of the administrator who hears the appeal is final, and is not subject to grievance to the Faculty Grievance Commission.

Section E3: Major Sanctions

In light of the professional consequences, a recommendation to impose a major sanction is initiated by an academic dean or by the Provost. Except in the serious cases that justify immediate suspension, a recommendation to impose a major sanction shall be preceded by discussions between the faculty member and the appropriate academic administrator(s) looking toward a resolution. The faculty member may be accompanied by another faculty member or by the Faculty Ombudsperson. The President is the final decisional authority regarding the imposition of a major sanction.

The following grounds may lead to a recommendation for a major sanction:

- 1) Continued neglect of academic duties, despite oral and written warnings;
- 2) Falsification or misrepresentation of credentials or professional experience;
- 3) Professional misconduct or loss of required professional certification or licensure;
- 4) Serious personal misconduct;
- 5) Deliberate and serious violations of the rights and freedom of fellow faculty members, administrators, or students;
- 6) Serious violation of the Faculty Handbook, the Employee Handbook, and other University policies, typically after oral and/ or written warning; and
- 7) Admission or conviction of a felony or misdemeanor involving moral turpitude

The following procedures shall be observed:

- 1) A recommendation to impose a major sanction will normally be initiated by the dean in whose budget the majority of the faculty member's salary resides, after consultation with the department chair and the department Executive Committee. However, the Provost or other appropriate administrator may initiate the recommendation.
- 2) The administrator who initiates the recommendation will communicate the charges, a summary of supporting evidence, and the recommended sanction to the faculty member in writing and provide the faculty member with an opportunity to meet and present a defense. The faculty member may be accompanied by another faculty member or by the Faculty Ombudsperson.

- 3) If the matter is not resolved as a result of that meeting, the dean will forward the recommendation to the Provost.
- 4) If the faculty of a school/college has, by resolution, requested the dean to investigate whether a colleague merits suspension or termination, the dean has two (2) months from the date of the resolution to reply. If, at that point, the dean has not reported back on the matter, has not initiated proceedings for suspension or termination, or has declined to initiate such proceedings for reasons that the faculty deems inadequate, the faculty may forward such a recommendation directly to the Provost for further action.
- 5) Upon receipt of a recommendation to impose a major sanction, the Provost will review any documentation submitted and conduct any additional meetings or interviews for purposes of gathering additional information or seeking a resolution. Prior to reaching a final decision, the Provost will offer the faculty member an opportunity to meet with the Provost, the dean and, where applicable, the department chair or other appropriate administrator. The faculty member may be accompanied by another faculty member or by the Faculty Ombudsperson. If, after reviewing the case, the Provost concurs with the dean's recommendation, the Provost will inform the faculty member in writing of his or her intent to recommend the imposition of a major sanction to the President. The Provost's communication to the faculty member will specify the recommended sanction; identify the policy, rule or procedure that has allegedly been violated; summarize the evidence supporting the recommended sanction; and notify the person that he or she has two (2) weeks from receipt of the communication to appeal to the Faculty Grievance Commission. If the faculty member does not submit an appeal with the Faculty Grievance Commission (FGC) within two (2) weeks, the faculty member waives the right of appeal, and the Provost forwards the recommendation along with the case file of related information to the President for final action. If a grievance is not timely filed with the FGC, the President will receive the recommendation and case file from the Provost, and will determine the final action. The President will inform the Provost of this final action, and the Provost will communicate this final action to the faculty member within three (3) weeks of receipt by the President of the Provost's recommendation. The President will inform the Provost of this final action, and the Provost will communicate this final action to the faculty member within three (3) weeks of receipt by the President of the Provost's recommendation.
- 6) If the faculty member chooses to file a grievance, the Provost will forward the recommendation for the sanction as well as the case file to the Office of the Faculty Senate to the attention of the FGC Chair, at which point the procedures described below in Section F2 apply. If the recommended sanction is either suspension or termination, the faculty member may be suspended with or without pay during the pendency of the appeal.

Chapter F: Faculty Grievances, the Faculty Grievance Commission (FGC), and FGC Procedures

Section F1: Grievable Matters

A grievance is a complaint alleging that a disciplinary action (or other adverse action) has been taken that has the potential to affect the faculty member's appointment status or the terms and conditions of employment or to abridge another right that all faculty members enjoy. The processes described below address four kinds of grievances: 1) appeals of recommended major disciplinary sanctions; 2) appeals of negative recommendations for reappointment, tenure, and/or promotion; 3) grievances against another faculty member, or 4) grievances against administrators in cases that do not involve disciplinary actions.

F1.1 Eligibility of Faculty Members to Initiate Grievances

The grievance process described here is available to full-time tenured and probationary tenure-track faculty members and faculty in one of the Board-approved categories of non-tenured renewable term appointments.

The following categories of faculty employees may not participate in the University's faculty grievance process:

- 1) Administrative officers (includes the President, Provost, associate and assistant provosts, deans, associate and assistant deans, department chairs, directors, etc.). However, faculty members serving as administrative officers may utilize the grievance procedures if an action arises while they are serving as a regular member of the faculty, and their position as a regular member of the faculty is affected by the action they seek to grieve;
- 2) Temporary faculty (whether full- or part-time).

For allegations that a faculty member has violated the University's Title VII (Employee) Policy Against Sexual Harassment in the Workplace, and/ or Title IX (Student) Policy on Prohibited Sexual Harassment and Gender-Based Discrimination in Education Programs and Activities, the procedures in those policies for disciplinary action, up to and including suspension or termination, are followed instead of the procedures described in this section.

For sanctions imposed as a result of falsification or misrepresentation of credentials or experience, or admission or conviction of a felony, there shall be no grievance right.

F1.2 The Faculty Grievance Commission (FGC)

The Faculty Grievance Commission (FGC) consists of one representative from each of the schools and colleges (except the Graduate School), elected at-large by the faculty of the respective schools and colleges. No faculty member can serve on the FGC for more than two consecutive 2-year terms, although subsequent reelection is permitted. No administrative officer or

department chair may serve on the FGC. The FGC will conduct business during the summer months as well as during the academic year, with a simple majority constituting a quorum.

The FGC shall annually elect a chair from among its current members. The chair shall serve as the presiding officer of meetings of the FGC.

Failure of FGC members to fulfill their responsibilities and duties may result in their removal from the FGC. One or more members of the FGC may submit a recommendation to the Council of the Faculty Senate, with appropriate justification for the removal of a member of the FGC, including the chairperson. After giving the individual an opportunity to respond to the removal recommendation, the Council shall decide, by majority vote, whether to accept the recommendation. Replacement of FGC members shall be guided by the school/college provisions for elections.

F1.2.1 The FGC's Authority

The Faculty Grievance Commission has authority in four varieties of cases: 1) an administrator's recommendation for a major disciplinary sanction against a faculty member; 2) a negative recommendation for reappointment, promotion, and/or tenure at the school/college level; and 3) an action by another faculty member involving intimidation, infringement of academic freedom or matters affecting terms or conditions of employment; or 4) an administrator that has not invoked the disciplinary process but that may have, nonetheless, adversely affected a faculty member's professional standing or reputation or terms or conditions of employment.

The procedure for resolving each is somewhat different as described below.

F1.2.2 Hearing Lists

Each school/college (except the Graduate School) will elect three (3) tenured faculty to serve as members of the Hearing List. The members of the Hearing List will, as selected, serve as members of Formal Hearing Panels as described in Section F2.3. Members of the Hearing List shall be elected for three-year terms, staggered so that the terms of approximately one-third of the members shall expire each year. Members of the Hearing List may be re-elected to a second three-year term, but no person shall serve more than two (2) terms consecutively. Persons elected to serve on the FGC may not serve simultaneously as a member of the Hearing List.

Members of the FGC and of the Hearing List shall receive appropriate training regarding the proper procedures for conducting hearings.

An independent legal officer shall assist the FGC in its operations. The legal officer's professional responsibility shall be to the Senate, and the terms and conditions of employment shall be determined by the Senate.

F1.2.3 Principles of Confidentiality and Preponderance of Evidence

All parties concerned in grievance matters will maintain confidentiality both during the process and following its conclusion. Decisions and resulting recommendations will be based on the preponderance of evidence.

Section F2: Procedures Governing Appeals of Recommendations to Impose Major Disciplinary Sanctions or Termination

F2.1 Appeals of Major Disciplinary Sanctions or Termination

A major sanction is one that, if implemented, will have significant impact on the person's professional standing or reputation. Eligible faculty members who are recommended to receive one or more of the following seven (7) major sanctions, for which the President is the final decisional authority, may appeal to the Faculty Grievance Commission (FGC):

- 1) Dismissal for just cause or termination;
- 2) Suspension;
- 3) Demotion;
- 4) Revocation of tenure;
- 5) Removal of teaching or research or clinical responsibilities for disciplinary reasons;
- 6) Salary reduction;
- 7) Terminations pursuant to Section B3.3.2.3; and
- 8) Any other action that may seriously affect a person's professional standing or reputation; however, this does not include any form of oral or written warning.

F2.2 Filing a Complaint

When a faculty member who has been recommended for a major sanction informs the Provost of his or her intention to appeal to the FGC, the Provost notifies the chair of the FGC and forwards the recommendation to impose the major sanction with the case file of supporting documentation. The chair of the FGC forwards copies of the recommendation and the case file to the grievant with instructions that he or she has thirty (30) days to file the complaint. The complaint must:

- 1) Identify the recommended major sanction that is being challenged and the alleged action(s) specified in support of the recommendation;
- 2) Provide any relevant information and supporting documentation to rebut the charges; and

3) Identify the redress or relief sought.

Upon receiving the complaint submitted by the faculty member (i.e., the grievant), the chair of the FGC will: a) acknowledge receipt to the grievant and to the Provost (i.e., the respondent); b) provide the Provost with a copy of the complaint and supporting documentation; and c) inquire if the parties wish to submit the matter to mediation. If the grievant and respondent agree to mediation, a professionally trained and mutually agreed upon mediator will be retained. If at the end of thirty (30) calendar days, the mediation does not result in a written agreement memorializing the terms of resolution, the chair of the FGC will move the complaint into the Formal Hearing process. If the grievant and respondent do not agree to mediation, the complaint is referred to a Hearing Panel, subject to the procedures described below. In either case, the Formal Hearing process is considered initiated at this time.

F2.3 The Formal Hearing

F2.3.1 The Hearing Panel

Within three (3) academic weeks of when the chair of FGC initiates the formal hearing process, the FGC chair will constitute a Hearing Panel as follows: The grievant and administrator shall each select two candidates respectively from the elected Hearing List. The FGC chair shall select a fifth who shall act as chair. Members of the Hearing List who have a personal bias or conflict of interest, either at the request of either party or on their own initiative, will remove themselves from consideration. Additionally, members of the Hearing List with current and pending complaints against the University may not serve, nor may members of the same department as the complainant or the respondent. The final decision with respect to whether a member should hear the grievance rests with the remaining panel members. Once the Hearing Panel is constituted, the FGC chair will forward all materials in the case to the Hearing Panel chair.

F2.3.2 Hearing Procedures

Within two (2) academic weeks after the Hearing Panel is constituted, the Hearing Panel chair will notify all parties, in writing, that formal proceedings will be initiated and the time and place of the hearing. The Hearing Panel chair will also send to the Provost a summary statement of the evidence proposed to be presented by the grievant, a list of witnesses to be called, and copies of relevant documents.

Grievance hearings are not formal judicial proceedings; they are internal University proceedings. Their purpose is to provide a fair and neutral evaluation of the allegations listed in the complaint.

During the Formal Hearing, the Hearing Panel may receive and review any relevant evidence supporting the positions of both sides, as long as the documentation is not subject to attorney-client and/ or work-product legal privilege, and provided that the privacy rights protected by law of third parties are maintained. Oral arguments, written evidence, and witnesses may be presented by the grievant, the respondent, and the Hearing Panel. The University will make a reasonable effort to facilitate the appearances of witnesses, when appropriate. The grievant may

be assisted by one or more advisors and/ or counselors in preparing and presenting the case to the Hearing Panel. A transcript of each hearing will be prepared and a copy will be made available, upon request, to both parties without cost.

The Hearing Panel must complete its hearings and reach its final decision within eight (8) academic weeks of the notice. The grievant may request an extension of time if a hearing is scheduled for the summer and the grievant or the grievant's witnesses are unavailable. In such circumstances, or any extraordinary circumstances that may justify an extension, the Hearing Panel chair will communicate in writing to the chair of the Faculty Senate a request to extend the completion deadline for a stipulated period. If approved, the Hearing Panel chair will inform the grievant and the Provost in writing.

F2.3.3 Recommendation

The Hearing Panel's final recommendation shall be based solely on the preponderance of evidence presented during the hearing. No later than thirty (30) business days after the conclusion of the hearing, the Hearing Panel chair will transmit the recommendation and the case file to the FGC chair, and the FGC chair will forward a copy of the recommendation to the grievant and to the Provost. The Hearing Panel may request a time extension from the Faculty Senate Chair; if granted, such an extension may not to exceed ten (10) business days.

F2.3.4 Appeal

If either the grievant or the respondent wishes to appeal, the request for an appeal must be filed, in writing, with the FGC chair within fifteen (15) business days of receiving the Hearing Panel's recommendation. Upon receipt of an appeal, the chair will convene the FGC. Members of the commission who have a personal bias or conflict of interest, either at the request of either party or on their own initiative, will remove themselves from consideration. Additionally, members of the FGC with current and pending complaints against the University may not serve, nor may members of the same department as the grievant. New evidence material to the case that was not previously available through the exercise of reasonable due diligence may be considered during the appeal at the discretion of the FGC. Within thirty (30) business days of receiving the notice of appeal, the FGC members hearing the appeal will decide, by majority vote, whether to sustain, modify or remand the Hearing Panel recommendation and notify all the parties of the decision. In cases that are remanded, the Hearing Panel has ten (10) business days to report back to the FGC. After the FGC concludes the appeal process, the case is returned to the Provost for reconsideration. Within ten (10) business days of receiving the report, the Provost will forward the recommendation and the entire case file to the President for review and final decision.

If neither the grievant nor the respondent chooses to appeal the findings of the Hearing Panel, the chair of the FGC will forward the case file to the Provost, who, in turn, will forward the entire case file to the President for final decision.

F2.3.5 Final Decision

The President's decision will be communicated, in writing, to the FGC Chair, the Provost, the grievant, and the respondent within thirty (30) business days of receiving the recommendation from the FGC. Whether or not the President imposes the recommended sanction, the seriousness of all disciplinary cases that result in a recommendation for a major sanction warrants that the President will provide a full explanation of his or her decision.

If the final decision supports the imposition of a major sanction, the President will, in a separate communication, notify the grievant, the dean and the Provost, informing him or her of the sanction and the effective date(s). In cases wherein, the recommended sanction was termination, the President may impose a lesser penalty; the President may not, however, impose a greater penalty than that recommended by the FGC. The President's decision is final and is not subject to further grievance to the FGC.

Section F3: Procedures Governing Appeals of Negative Recommendations at the School/College Level Regarding Applications for Reappointment, Tenure, or Promotion of Tenured, Probationary Tenure-Track, and Non-Tenured Renewable Term Appointment Faculty Members

Tenured faculty members, probationary tenure-track faculty members, and faculty members who hold non-tenure track renewable term appointments may grieve negative recommendations at the school/college level on applications for reappointment, promotion, and/or tenure.

F3.1 Filing the Appeal

When a school/college completes its final review (including all requests for reconsideration) of an application for reappointment, tenure, or promotion submitted by a faculty member in one of the above-referenced categories and one or both of the recommendations is still negative, the dean will notify the faculty member and the department in writing, explaining fully the reasons for the negative recommendation. The candidate or the department, or the candidate and the department in concert, may appeal the decision. The written appeal must be filed with the FGC, with a copy to the dean of the school/college, within three (3) academic weeks of receiving notice from the dean of the negative recommendation. The appellant(s) will explain the grounds for the appeal and furnish whatever information is relevant to establishing his or her case.

F3.2 The Formal Review

In its review of such an appeal, the FGC will determine if the negative recommendation:

- 1) Violates established University, departmental, and/or school/college policies and procedures;
- 2) Is not supported by the record;

- 3) Reflects the consideration of factors unrelated to performance of faculty responsibilities;
or
- 4) Violates the candidate's academic freedom.

Appeals of negative recommendations are heard by the FGC acting as a body. A simple majority will constitute a quorum. Persons from the same department as the appellant and those who participated in a school/college APT committee's review of the application are disqualified from participating in the FGC review.

F3.2.1 Review Procedures

The FGC shall recognize the central role of peer judgment in reappointment, tenure, and promotion decisions. Therefore, the FGC cannot substitute its assessment of the appellant's professional qualifications for those of the department and the experts outside the department who have been asked to submit evaluations. The FGC's role in judging professional merit shall be limited to determining whether the recommendation of the dean and/or of the school/college APT Committee was arbitrary and capricious or based on improper considerations. In reaching that conclusion, the FGC may reference other similar cases, but each appeal must be evaluated on its own merits, based upon the documentation in the applicant's file.

F3.2.2 Recommendation

Within thirty (30) days of accepting the appeal, the FGC will conclude its review and notify the appellant and the dean in writing of its final recommendation with an appropriate explanation. The chair of the FGC will return the file to the dean. If the FGC does not recommend reconsideration, the dean will forward the original application file and its supporting documentation, along with all correspondence and recommendations associated with requests for reconsideration and the appeal to the FGC, to the Provost to complete the review process. If the FGC recommends reconsideration, the school/college will complete the appropriate review within two (2) academic weeks, and the dean will notify the appellant and the chair of the FGC of the result and forward the complete file to the Provost.

Section F4: Procedures Governing Grievances Involving Faculty Complaints against Another Faculty Member for Non-Disciplinary Actions

When a faculty member objects to an action by another faculty member, the faculty member is advised to seek an informal resolution by bringing the matter before an appropriate administrator and/or the Faculty Ombudsperson. If the informal process does not resolve the matter and the complaint involves allegations of intimidation, an infringement of academic freedom, or an action that adversely affects the terms or conditions of employment, the faculty member may submit a formal, written complaint directly to chair of the FGC (in care of the Office of the Faculty Senate) for review.

Complaints regarding discrimination, harassment, or retaliation must be addressed to the Office of Equal Employment Opportunity and Diversity in the Office of Human Resources. Such matters are not subject to the jurisdiction of the FGC.

F4.1 Jurisdiction of the FGC and Acceptance of the Complaint

The FGC's jurisdiction extends only to cases involving allegations of intimidation, an infringement of academic freedom, or an action that adversely affects the terms or conditions of employment.

Except in extraordinary circumstances, as recognized by the chair of the FGC and communicated, in writing, to both the faculty grievant and the person against whom the grievance is directed, within two (2) academic weeks of receiving a written complaint, a simple majority of the FGC will decide whether the FGC has jurisdiction over the grievance and whether it merits investigation.

Upon making this determination, the FGC must inform the parties of its decision, in writing and with supporting justification, to:

- 1) Decline to accept the grievance and dismiss the complaint; or to
- 2) Accept the grievance.

F4.2 The Formal Hearing

If the FGC accepts the grievance, it will first attempt to resolve the matter through mediation. If both parties agree to mediation, a professionally trained and mutually agreed upon mediator will be retained. If at the end of thirty (30) calendar days, the mediation does not result in a written agreement memorializing the terms of resolution, the chair of the FGC will move the grievance into the Formal Hearing process.

Procedures for a formal hearing in such cases are similar to those in appeals of recommended major disciplinary sanctions, except that the final recommendation of the Hearing Panel (or the FGC, in cases of appeal) will be communicated to the Provost. The Provost will review the underlying facts of the matter and the recommendation of the FGC, and based upon this review, will make a final determination as to any necessary course of action. This determination is not subject to any further grievance or appeal.

Section F5: Procedures Governing Grievances Involving Complaints against Certain Administrators

When a faculty member objects to an action by department chair, a program director, a dean (including associate and assistant deans), that does not involve a disciplinary matter, the faculty member is advised to seek an informal resolution by bringing the matter before that administrator's supervisor or the Faculty Ombudsperson. If the informal process does not resolve the matter and the complaint involves allegations of bullying, disciplinary action outside of the procedures that are prescribed in this Faculty Handbook, an infringement of academic freedom, or an action that adversely affects the terms or conditions of employment, the faculty

member may submit a written complaint directly to chair of the FGC (in care of the Office of the Faculty Senate) for review.

Complaints regarding discrimination, harassment, or retaliation must be addressed to the Office of Equal Employment Opportunity and Diversity in the Office of Human Resources. Such matters are not subject to the jurisdiction of the FGC.

F5.1 Jurisdiction of the FGC and Acceptance of the Complaint

The FGC's jurisdiction extends only to cases involving allegations of bullying, disciplinary action outside of the procedures in this Handbook, an infringement of academic freedom, or an action that adversely affects the terms or conditions of employment. The FGC's jurisdiction does not extend to Board-approved matters regarding academic program closures or Board-approved policies.

Except in extraordinary circumstances, as recognized by the chair of the FGC and communicated, in writing, to both the faculty grievant and the person against whom the grievance is directed, within two (2) academic weeks of receiving a written complaint, a simple majority of the FGC will decide whether the FGC has jurisdiction over the grievance and whether it merits investigation.

Upon making this determination, the FGC must inform the parties of its decision, in writing and with supporting justification, to:

- 1) Decline to accept the grievance and dismiss the complaint; or to
- 2) Accept the grievance.

F5.2 The Formal Hearing

If the FGC accepts the complaint, it will first attempt to resolve the matter through mediation. If both parties agree to mediation, a professionally trained and mutually agreed upon mediator will be retained. If, at the end of thirty (30) calendar days, the mediation does not result in a written agreement memorializing the terms of resolution, the chair of the FGC will move the complaint into the formal hearing process.

Procedures for a formal hearing in such cases are similar to those in appeals of recommended major disciplinary sanctions, except that the final recommendation of the Hearing Panel (or the FGC, in cases of appeal) will be communicated to the Provost. The Provost will review the underlying facts of the matter and the recommendation of the FGC, and based upon this review, will make a final determination as to any necessary course of action. This determination is not subject to any further grievance. If the Provost is the subject of the complaint, the recommendation of the Hearing Panel (or the FGC) will be communicated to the President for final disposition.

Chapter G: REVISING OR AMENDING THE FACULTY HANDBOOK

Section G1: Revisions to Chapter A and any Appendix

At any time, information contained in Chapters A, except A2.1, A2.4, A2.5, A2.6, A3.1, A4.2.1, and A4.2.2 may be amended by the President or Board of Trustees or through an administrative update, as needed.

Section G2: Revisions to Chapters B, C, D, E, F, and G, and Selected Provisions of Chapter A.

The Faculty Handbook revision process addressed herein governs potential revisions and amendments to Sections A2.1, A2.4, A2.5, A2.6, A3.1, A4.2.1, and A4.2.2 of Chapter A, and all of Chapters B, C, D, E, F, and G.

The University and Faculty Senate commit to act in good faith in their efforts to amend the Faculty Handbook. Both parties also agree to adhere to the Faculty Handbook revision process outlined below and strive to reach agreement on policy issues affecting faculty employment.

The Faculty Handbook revision process is based on the following three (3) interconnected principles:

- 1) To address the need for an orderly process that allows all segments of the University to contribute, each in a proper capacity, to the formulation or alteration of University policies and procedures;
- 2) To improve the effectiveness of the amendment process by allowing all voices to be heard, but also limiting endless debate; and
- 3) To recognize that the final adoption of University policies and procedures, however formulated or proposed, is among the powers reserved to the Board of Trustees.

Section G3: Process to Revise or Amend Chapters B, C, D, E, F, and G, and Selected Provisions of Chapter A.

Proposals to revise or amend Sections A2.1, A2.4, A2.5, A2.6, A3.1, A4.2.1, and A4.2.2, of Chapter A, and all of Chapters B, C, D, E, F and G, may be made by the Board of Trustees, the President, the Provost, the Faculty Senate Faculty Handbook Committee, or any person or committee connected with the University. In addition, the Faculty Handbook will be reviewed a minimum of every five (5) years by a review committee appointed by the Provost. Before constituting the committee, the Provost shall consult with the chair of the Faculty Senate regarding the appointment of faculty members to serve. The committee shall be largely composed of members of the faculty, and shall reflect the shared responsibility for the review and revision of the Faculty Handbook. Upon completing their work, the committee shall submit their Faculty Handbook

revision recommendations to the Provost. The Provost will submit the proposed revisions, in writing, to the Faculty Handbook Committee as described below.

While the approach to making such proposals is a matter of individual style and custom, the following is expected:

- 1) Written proposals will be submitted to replace or amend, in whole or in part, any current expression of the Faculty Handbook, including any section or provision covered by this section.
- 2) If multiple recommendations are submitted in one proposal document, each revision or amendment will receive its own separate and individual evaluation.
- 3) Each revision or amendment may be accompanied by a brief explanation of the reason(s) for the proposal.
- 4) Recognized governing bodies or committees may be asked to review proposed amendments by their own procedures or by a simple majority vote of the voting membership

G3.1 Role of the Faculty Senate

Every Faculty Handbook revision or amendment proposal, regardless of where it originates, will be considered by the Faculty Handbook Committee of the Faculty Senate. Upon receipt of a revision or amendment proposal, this Committee may:

- 1) Transmit the proposal to the Steering Committee of the Council of the Faculty Senate without change or comment;
- 2) Endorse the proposal and attach its endorsement to the original proposal;
- 3) Alter or amend the proposal with the consent of the author before transmitting it to the Steering Committee of the Council; or
- 4) Object to the proposal and attach its reasons for objecting to the proposal or, in the event that the author and the committee cannot reach a mutually agreeable resolution to the objection, offer an amendment or revision to the proposal and attach this amendment or revision to the proposal before sending it to the Steering Committee of the Council.

The Steering Committee of the Council of the Faculty Senate will receive the proposal as transmitted by the Faculty Handbook Committee.

Upon receipt, the Steering Committee may avail itself of the courses of action outlined above before placing the proposal, together with all recommendations (if any), on the agenda of the next meeting of the Council of the Faculty Senate or sixty (60) days, whichever comes first.

If any proposed amendment or revision, or any portion of a proposed amendment or revision (other than those submitted by Provost at the conclusion of the five-year review process described above) is not approved by the Council of the Senate, the part that is not approved returns to the Faculty Handbook Committee where it may be revised or ended. Any part that is approved by the Council of the Senate shall be forwarded to the Provost for submission to the President for consideration and review.

If any proposed amendment or revision (or any portion of a proposed amendment or revision) is submitted by the Provost at the conclusion of the five-year review process described above and not approved by the Council of the Senate, the part that is not approved returns to the Faculty Handbook Committee for revision. Any part that is approved by the Council of the Senate shall be forward to the Provost for submission to the President for consideration and review.

The revision process for any part of a proposal submitted by the Provost at the conclusion of the five-year review process that is not approved by the Council of the Faculty Senate should involve efforts at cooperation and collaboration with the administration that do not compromise the right of the Council of the Faculty Senate to reject the objectionable part of the original proposal. After the revision process, the Faculty Handbook Committee will re-submit the subject part of the original proposal to the Council of the Faculty Senate for reconsideration. If the subject part of the original proposal is rejected by the Council of the Senate, that part of the original proposal does not move forward for further review and approval, and the Council of the Faculty Senate will provide the Provost with a detailed explanation for the rejection of the subject part of the original proposal.

If the Council of the Faculty Senate approves the proposal, it will be sent forward through the Provost to the President for consideration and review. In cases where the Provost or the President makes any change of a proposal approved by the Council of the Faculty Senate, including changes for legal sufficiency, the change shall be returned to the Council for review and vote while the remainder of the unaltered proposal is forwarded to the Board of Trustees. If the Council approves the substantive change, then the substantive change returns to the Provost and the President for submission to the Board of Trustees. If the Council of the Faculty Senate rejects such a change, then it shall be submitted to the Faculty Handbook Committee for revision and reconsideration. The process for revision and reconsideration of a change that is not approved by the Council of the Faculty Senate is the same as the revision process for a proposal from the Provost at the conclusion of the five-year review process that is not approved by the Council of the Faculty Senate.

G3.2 Role of the Board of Trustees

Faculty Handbook proposals containing revisions or amendments that have been forwarded through the Provost to the President will be submitted to the Board of Trustees in a timely manner according to procedures adopted by the Board. The action of the Board is final.

G3.3 Emergency Revision Procedure

When the Provost, the Faculty Senate Handbook Committee, and the chair of the Faculty Senate agree that it is necessary and within the best interest of Howard University to modify sections of the Faculty Handbook covered by this procedure, they will submit a petition for a special Board review in order to have the specific change reviewed.

The petition will be sent to the President for submission to the Chair of the Board of Trustees with a request that it be placed on the agenda at the next regular or emergency Board of Trustees meeting. It shall be fully at the discretion of the Board to accept or reject such a petition.