

**The Faculty Manual**  
**of**  
**Saint Louis University**

**1994**

Published for the use of present and prospective members of the faculty of Saint Louis University by the authority of the President and Board of Trustees of Saint Louis University.

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## **Policy Statement—Equal Opportunity Employment**

### **Saint Louis University Affirmative Action Plan**

The management of Saint Louis University views Affirmative Action and Equal Employment Opportunity as a major policy commitment and as an important management goal. Thus, it is our policy to recruit, hire, train, promote and in all ways provide fair treatment on the basis of merit without regard to race, color, sex, religion, national origin, sexual orientation, disability, age, or veteran status. All University policies, practices and procedures are administered in a manner consistent with our Catholic, Jesuit identity.

In addition, it is our intent to administer our various personnel programs, such as compensation, benefits, transfers, layoffs, returns from layoff, Saint Louis University sponsored training, education and social activities, in such a manner as to eliminate any practices which might directly or indirectly exclude any employee from deriving benefit from them.

Special efforts will be made to ensure that all employment decisions are based on principles of Equal Employment Opportunity and with the further commitment to ensure that Affirmative Action will be taken so that qualified minority group individuals, females, Vietnam Era Veterans, disabled persons, disabled veterans, and other protected class individuals are introduced into the work force in an atmosphere that encourages them to aspire for promotional opportunities as they arise.

## **I. History, Philosophy and Mission of Saint Louis University**

### **A. Historical Perspective**

Saint Louis University traces its history to the foundation of Saint Louis Academy on November 16, 1818, three years before Missouri became a state. Founded by the Right Reverend Louis DuBourg, Bishop of Louisiana and the Floridas (who was then residing in Saint Louis), the Academy was renamed Saint Louis College in 1820.

In 1823, Belgian Jesuits from Maryland arrived in Missouri at the urgent invitation of Bishop DuBourg and of John C. Calhoun, U. S. Secretary of War. They settled at Florissant, near St. Louis, where they established an Indian school. In 1828, they assumed direction of Saint Louis College, which had been administered for the first ten years of its existence by members of the Congregation of the Mission (Vincentians). On December 28, 1832, Saint Louis College received its charter as Saint Louis University by an act of the Missouri legislature. This was the first university charter granted by any state west of the Mississippi River. The University then assumed a significant role in educational, cultural and religious development not only of Saint Louis and surrounding areas but also of the vast regions of the western United States. From its earliest days, the University has welcomed persons of other faiths among its faculty, students and staff.

The present twelve colleges or schools of Saint Louis University were founded or became part of the University in the following years:

- College of Arts and Sciences (1818)
- Graduate School (1832)
- School of Medicine (1836)
- School of Law (1842)
- College of Philosophy and Letters (1889)
- School of Business and Administration (1910)
- School of Nursing (1928)
- School of Social Service (1930)
- Parks College (1946)
- Saint Louis University in Madrid (1969)
- School of Allied Health Professions (1979)
- School of Public Health (1991)

The primary accreditation of Saint Louis University is with the North Central Association of College and Secondary Schools. In addition, the University has attained accreditation by a number of professional bodies for specific programs. A list of these accreditations is available from the office of the Executive Vice President and Provost.

### **B. The Nature and Purposes of the University**

Saint Louis University is a private, Catholic university sponsored by the Society of Jesus. It is not church-related, in the sense that it does not receive financial support from a church body and it is not under jurisdictional control of a church body. It is similar to other private universities in the U. S. in that the ultimate governing responsibility is vested in an independent Board of Trustees.

According to the Bylaws of the University:

1. The University will be publicly identified as a Catholic university and a Jesuit university.

2. The University will be motivated by the moral, spiritual and religious inspiration and values of the Judeo-Christian tradition.
3. The University will be guided by the spiritual and intellectual ideals of the Society of Jesus.
4. The University, through the fulfillment of its corporate purposes, by teaching, research and community service, is, and will be, dedicated to the education of men and women, to the greater glory of God, and to the temporal and eternal well being of all men and women.

### **C. Statement of Philosophy**

Saint Louis University is a Catholic university sponsored by the Society of Jesus and dedicated to the Society's ideal of striving for academic excellence under the inspiration of the Christian faith. It recognizes the essential importance of the principle of academic freedom to its life as a community committed to the discovery and sharing of truth. In keeping with its Christian vision of the dignity of persons as created in the image of God and as united under the Creator's loving Providence, the University seeks to establish a collegial environment in which those of diverse cultural backgrounds and religious beliefs can participate in this community in a spirit of cooperation and mutual respect.

The Jesuit ideal of academic excellence is based on the conception of the person as a free and responsible agent capable of making a difference for good or ill in the world. Hence, Saint Louis University directs its educational efforts to help students develop as critically reflective and socially responsible persons capable of exercising leadership in advancing the cause of human good in the world. It pursues this goal by providing an environment in which the intellectual, emotional, imaginative, technical, social, religious, and spiritual abilities of students are nurtured and strengthened.

The University's undergraduate curriculum involves the humanities, social sciences, natural sciences, and technology in a unified effort to challenge students to understand themselves, their world, and their relation to God; to make critically informed moral judgements; and to prepare intellectually and professionally for the career of their choice. It seeks to engender critical awareness of the present as rooted in the past and as moving toward a future in which the nations of the world have become more clearly aware of their mutual interdependence. The curriculum seeks to prepare students for the responsibilities they will bear as citizens and leaders to work for peace and justice in their own communities and with its political, economic, cultural, and religious diversity. Saint Louis University is committed to providing its students with opportunities for international and intercultural educational experiences that will enhance their abilities to act responsibly in this world order.

The University's commitment to academic excellence comes to full flower in its graduate programs and professional schools which have a twofold purpose: to advance the frontiers of knowledge and technical expertise in their disciplines and professions, and to prepare students to make their own contributions to such advances and to carry out their responsibilities in an ethical and professional manner.

In keeping with the demands of Christian charity and with the Jesuit commitment to put knowledge to the service of humanity, Saint Louis University provides its students with opportunities to serve the poor and needy. Its professional schools make their services available to those in need. Its hospitals and clinics are open to all regardless of race, color or creed, and they recognize a responsibility to make special efforts to serve the poor, especially those of the St. Louis community.

Inspired by the Christian faith and dedicated to the Jesuit tradition of excellence in research and teaching, Saint Louis University strives to contribute to the building of a world that is at once more human and more divine.

## **D. Mission of the University**

### **1. Statement**

The mission of Saint Louis University is the pursuit of truth for the greater glory of God and for the service of humanity. The University seeks excellence in the fulfillment of its corporate purposes of teaching, research and community service. It is dedicated to leadership in the continuing quest for understanding of God's creation, and for discovery, dissemination and integration of the values, knowledge and skills required to build a world at once more human and divine. As a Catholic, Jesuit university, this pursuit is motivated by the inspiration and values of the Judeo-Christian tradition and is guided by the spiritual and intellectual ideals of the Society of Jesus.

### **2. Specifications**

In support of this mission, the University:

Encourages and supports innovative scholarship and effective teaching in all fields of the humanities, the natural, health and medical sciences, the social sciences, the law, business, aviation and technology.

Enables an academic environment which values and promotes free, active and original intellectual inquiry among its faculty and students.

Maintains and encourages programs which link the University and its resources to its local, national and international communities in support of efforts to alleviate ignorance, poverty, injustice and hunger, to extend compassionate care to the ill and needy, and to maintain and improve the quality of life for all persons.

Strives continuously to seek means to build upon its Catholic, Jesuit identity, and to promote activities which apply that intellectual and ethical heritage to work for the good of society as a whole.

Welcomes students, faculty and staff from all racial, ethnic and religious backgrounds and beliefs and creates a sense of community which facilitates their development as men and women for others.

Nurtures within its community an understanding of and commitment to the faith that does justice.

Wisely allocates its resources to maintain efficiency and effectiveness in attaining its mission and goals.



## **II. Administration and Structure of Saint Louis University**

### **A. The University Corporation**

Saint Louis University is a charitable corporation established by Charter from the Legislature of the State of Missouri, granted on December 28, 1832. It operates, therefore, under the relevant laws of the State of Missouri. According to these laws, full legal authority for the corporation is vested in a self-perpetuating Board of Trustees. Prior to 1967, throughout the long history of the University all members of the Board of Trustees were Jesuits, although the Charter did not specify any qualifications for membership. In 1967, the Board of Trustees was enlarged to include non-Jesuits. Saint Louis University became the first Catholic university in the United States with a majority lay Board of Trustees.

### **B. General Administration**

#### **1. President**

The President is the chief executive and administrative officer of the University and is responsible for the general and active management, control and direction of the business operations, educational activities and other affairs of the University.

#### **2. Executive Committee of the Board of Trustees**

The Bylaws of the Board of Trustees provide for an Executive Committee with power to act for the Board in the intervals between its quarterly meetings. This Committee meets regularly four times a year. The Chairperson of the Board is *ex officio* Chairperson of the Executive Committee. The President of the University and the Vice Chairperson of the Board are *ex officio* members of the Executive Committee. The other members are elected by the Board of Trustees from its own members.

#### **3. Executive Vice President and Provost**

The Executive Vice President and Provost is the chief operating officer and the chief academic officer of the University and is immediately responsible to the President. The Executive Vice President and Provost is responsible for planning, directing, coordinating and managing the activities of the University on all of its campuses.

#### **4. Vice Presidents**

The Vice Presidents have executive responsibilities as members of the Office of the President, and they are immediately responsible to the Executive Vice President and Provost. A Vice President responsible for a campus of the University exercises line authority—both academic and administrative, consistent with established University policies—for all colleges, schools, centers and other units located on that campus. A Vice President with responsibilities for specific activities supporting operations on all campuses has line responsibility for the staff units within that specific area and forms, coordinates and monitors implementation of policies within that area. The following summaries identify major areas of responsibility. Complete position descriptions are available from the Office of the President.

##### **(a) Academic Vice President**

The Academic Vice President is the chief academic officer for the colleges and schools assigned to the Frost campus and the Parks campus. Specifically, he or she is the administrator responsible for the academic activities of the College of Arts and Sciences, the School of Business and Administration, the Graduate School, the School of Law, Parks College, the School of Philosophy and Letters, and the School of Social Services. He or she is also responsible for academic

support services on these campuses, including University libraries, instructional media, academic advising, registration and records.

**(b) Vice President for Business and Finance**

The Vice President for Business and Finance is responsible for the overall supervision of fiscal, business and plant operations of the University.

**(c) Vice President for Health Sciences and Chief Executive Officer of the Health Sciences Center**

The Vice President for Health Sciences and Chief Executive Officer of the Health Sciences Center is responsible for the educational and health care activities of the Health Sciences Center. Specifically, he or she has academic and administrative responsibility for the Health Sciences Center campus and the schools assigned to it, including the School of Allied Health, the School of Medicine, the School of Nursing, the School of Public Health, the Center for Health Care Ethics, the Institute for Graduate Dental Education, and the University hospitals.

**(d) Vice President for Human Resource Management**

The Vice President for Human Resource Management is responsible for staff development, employment, employee and labor relations, compensation and benefits administration.

**(e) Vice President for Institutional Advancement**

The Vice President for Institutional Advancement is responsible for alumni relations, development activities, and public relations.

**(f) Vice President and Legal Counsel**

The Vice President and Legal Counsel is responsible for providing legal counsel to the University and for management of the legal affairs of the University.

**(g) Vice President for the Madrid Campus**

The Vice President for the Madrid Campus is responsible for all of the activities of Saint Louis University in Madrid.

**(h) Vice-President for Student Development**

The Vice President for Student Development is the chief student personnel officer and is responsible for student life and extracurricular activities, admissions, financial aid, housing, student health and counseling programs, athletics, career planning and placement.

**5. Chancellor**

In the administrative structure of the University, the Chancellor is equivalent to a Vice President. The Chancellor is responsible for such duties, and has such powers, as the President or Board of Trustees shall delegate.

**6. Treasurer**

The Treasurer has custody of the corporate funds and securities, and deposits and disburses the funds of the University as directed by the Board of Trustees. He or she shall assist the Vice President of Business and Finance in areas of investments and fiscal management.

## **C. Academic Administration of the University.**

### **1. Colleges, Schools and Departments**

The academic body of the University consists of the faculty, the academic administrators and staff, and the students. The academic body is largely organized into colleges and schools, and then into departments. A college or school is an administrative unit of the University consisting of the Dean, the faculty, the administrative staff and the students of the unit. A department is an academic unit of the University consisting of faculty members who are engaged in instruction, research or administrative work in a given subject area, a department Chairperson or comparable administrator, and appropriate staff members. Centers and institutes that have their own degree program or programs are considered to be comparable to departments. Most departments are subunits of a college or school, but the Center for Health Care Ethics and the Institute for Graduate Dental Education operate independently under the administrative guidance of the Vice President for Health Sciences.

### **2. University Academic Administrators**

The University Academic Administrators consist of the Executive Vice President and Provost, the Academic Vice President, the Vice President for Health Sciences and Chief Executive Officer of the Health Sciences Center, and the Vice President for the Madrid Campus. The responsibilities of these administrators are described in Sec. II.B.

### **3. College and School Administrators**

#### **(a) Dean**

The Dean of a college or school is the chief executive officer and administrator for that unit. The Dean is appointed by the President after consultation with the appropriate Vice President and faculty members (see Sec. III.H.4). The procedures for the evaluation of the Dean are established by the appropriate Vice President, following consultation with the Faculty Assembly or equivalent group of the college or school (see Sec. III.H.4).

The Dean is responsible to the appropriate Vice President for leadership, planning, and administration of the college or school so as to fulfill the mission of the unit and of the University. As chief executive officer, the Dean executes University policies and procedures in the college or school. The Dean has the authority to make administrative decisions on matters that relate solely to his or her own college or school, except in those situations specifically reserved or allocated to the jurisdiction of the Vice President or of University boards, committees or offices. In establishing academic policy within the college or school, the Dean consults with department Chairpersons or comparable administrators and with the faculty members of the school, particularly the Faculty Assembly or equivalent group. The Dean is responsible for assuring that policies, faculty qualifications, and academic programs of the college or school are in compliance with the professional standards necessary for accreditation. The Dean is also responsible for negotiating and recommending approval of clinical affiliations, practica, and internship agreements. The Dean represents the college or school for development, public relations, and alumni activities.

After consultation with the appropriate faculty members and in accord with Sec. III, the Dean appoints search committees and is responsible for recommending initial and emeritus faculty appointments, promotion, tenure, leaves of absence, notices of intent not to renew appointments of untenured faculty, and termination. Faculty workloads are proposed by the Chairpersons or comparable administrators and by the Faculty Assembly or equivalent group and are approved by the Dean. The Dean shall assure that every faculty member, including every Chairperson or comparable administrator, is annually evaluated as provided in Sec. III.I.2. The Dean shall promote the professional development of the faculty and is responsible for recommending merit salary increases and other compensation within the limits of available funds. The Dean is also responsible for recommending the appointments and renewal of appointments of Associate and Assistant Deans, department Chairpersons or comparable administrators, and other

administrative personnel of the college or school.

The Dean is responsible for all academic aspects of the student programs within the college or school except those specifically within the jurisdiction of another college or school or of a University board, committee or office. The Dean shall assure that academic advising is provided for all students. The Dean shall evaluate the credentials of students applying for admission, transfer and graduation, according to the standards established in consultation with the Faculty Assembly or equivalent group. The Dean has the authority to dismiss students who have failed to meet the academic standards of the college or school. Concern for the welfare and academic progress of students is a serious obligation of the Dean.

The Dean has the obligation to consult with the department Chairpersons or comparable administrators and with appropriate faculty and staff on all major matters of policy within the college or school, and to inform them of decisions that have been made. The Dean is empowered to call meetings, to appoint committees, and to obtain information from University sources pertaining to the college or school and its students. Ordinarily, department Chairpersons or comparable administrators, faculty members, and other personnel of the college or school should transmit through the Dean any proposals or recommendations forwarded to the Vice President or to University committees, boards or offices. The Dean shall represent the considered position of the members of the college or school to the University and to the community, and he or she shall represent the views of the Board of Trustees, the President, the Executive Vice President and Provost, and the appropriate Vice President to the members of the college or school. The Dean shall mediate relationships between students, faculty, staff and administrators.

The Dean is responsible for the preparation and administration of the budgets of the departments of the college or school. After consultation with the department Chairpersons or comparable administrators as provided in Sec. III.H.2, the Dean prepares the budget of the college or school for submission to the appropriate Vice President. When the Dean receives the approved budgets, they are conveyed to the department Chairpersons or comparable administrators for administration. The Dean supervises the expenditure of approved funds and has the authority to reallocate the approved funds, in consultation with the department Chairpersons or comparable administrators of the affected departments, from and to the various departments in the best interests of the college or school. In cooperation with the department Chairpersons or comparable administrators, the Dean is responsible for the appropriate and productive use of building space assigned by the appropriate Vice President.

#### **(b) Department Chairperson**

The department Chairperson or comparable administrator is appointed by the appropriate Vice President on recommendation of the Dean of the college or school, who will have consulted with all faculty members of the department. The appointment is a twelve month commitment, renewable annually for a three year term; longer terms may prevail in the health sciences. After evaluation by the faculty members of the department, and upon recommendation by the Dean, a Chairperson or comparable administrator may be reappointed.

In most instances, the department Chairperson or comparable administrator reports to the Dean of the college or school to which the department belongs. For matters relating to the Graduate School, he or she reports to the Dean of the Graduate School.

The department Chairperson or comparable administrator is the academic leader and administrative head of the department. As such, he or she executes within the department the policies and regulations of the college or school and of the University. As academic leader, he or she consults with the faculty members of the department as provided in Sec. III.H.3 and is responsible for establishing departmental goals, promoting excellence in teaching and research, encouraging and stimulating faculty members in professional development, providing academic advising for students, working towards obtaining appropriate resources, and establishing a climate of collegiality. As administrative head, he or she is responsible for the professional excellence of the department and has the obligation to consult with the faculty and staff on all major matters of policy within the department, and to inform them of decisions that have been made. The department

Chairperson or comparable administrator shall represent the considered position of the members of the department to the college or school.

After consultation with the appropriate faculty members and in accord with Sec. III, the department Chairperson or comparable administrator makes recommendations to the Dean of the college or school for initial and emeritus faculty appointments, promotion, tenure, leaves of absence, notices of intent not to renew appointments of untenured faculty, termination, and faculty workloads. He or she supervises instruction and the personnel of the department, reviews each full-time faculty member's performance annually, and discusses the evaluation with the faculty member before sending it to the Dean. In consultation with and at the direction of the Dean of the college or school, or of the Dean of the Graduate School, the department Chairperson or comparable administrator assigns faculty members to teach courses at prescribed times and places. In meeting the responsibilities for the academic well-being of the department, the department Chairperson or comparable administrator shall consult with the other members of the department and work toward a consensus on courses offered within the department, course prerequisites, examinations and standards, department schedules, and teaching assignments. The faculty members share with the department Chairperson or comparable administrator responsibility for participation in registration procedures, for bulletin and catalog materials relating to the department, for development of library holdings, and for advice concerning departmental purchases. The Chairperson or comparable administrator solicits agenda items, calls and presides at meetings of the faculty members of the department at least once each semester.

In developing the budget of the department, the Chairperson or comparable administrator shall consult with the faculty members as provided in Sec. III.H.2. He or she is responsible for the expenditure of department funds, for safekeeping department equipment and supplies, and for maintaining an inventory of department equipment and property.

#### **(c) University Librarian**

The University Librarian is appointed by the President and is immediately responsible to the Academic Vice President for the overall administration of every library operated by the University except those of the School of Law, the Health Sciences Center, and the Madrid campus. The University Librarian acts as manager of personnel of the libraries under his or her jurisdiction and initiates and recommends to the University Committee on Academic Rank and Tenure all new appointments to the professional staff of those libraries. The University Librarian: prepares and submits to the Academic Vice President a budget covering all operations of the libraries under his or her jurisdiction; prepares such reports as are required by the University administration and various accrediting and governmental bodies; organizes, expands, completes and makes available the holdings of the libraries under his or her jurisdiction; and represents the University at appropriate meetings.

#### **(d) Registrars**

The Registrars have charge of the academic records of University students, past and present. They are responsible for planning and directing the registration of students, for providing faculty members with class rosters and grade reporting policies, and for permanent retention of the records of grades as reported by faculty members. The University Registrar is responsible for the schedule of classes and the assignment of classroom space, under the supervision of the appropriate Deans as provided in Sec. II.C.3(a).

#### **(e) Dean of Academic Services**

The Dean of Academic Services administers the Academic Services Center, which oversees the academic advising of entering freshmen, transfer students, and students with undeclared majors at the Frost campus. In coordination with the appropriate Deans as provided in Sec. II.C.3(a), the Academic Services Center also evaluates course work of undergraduate students transferring to the Frost campus from other institutions; coordinates student orientation, academic testing and scholastic intervention programs; and assists faculty members in their roles as academic advisors.

## **D. University Boards and Committees**

### **1. Faculty Senate**

The Faculty Senate is the primary means by which the faculty members of the University participate in governance of the University as a whole. It consists of approximate 45 faculty members elected by the full-time faculty of the various colleges and schools (except the Graduate School) and of the University libraries, according to a system of proportional representation. The work of the Faculty Senate is accomplished principally through the deliberation and reports of its committees, both standing and *ad hoc*.

### **2. University Committee on Academic Rank and Tenure**

The University Committee on Academic Rank and Tenure considers and recommends to the Executive Vice President and Provost and to the President for final action nominations for promotion and the awarding of tenure. It also reviews all new appointments to the faculty as provided in Sec. III.B.1, reviews the college or school evaluation standards for making such appointments as provided in Sec. III.E.2, and performs the other duties assigned to it in Sec. III. The chairperson of the University Committee on Academic Rank and Tenure is appointed by the President from a list of at least three names recommended by the Faculty Senate; he or she votes on matters before the committee only in the case of tie votes. The members of the committee are ordinarily tenured Professors (or tenured Associate Professors in schools with fewer than two tenured Professors) whose primary duties are teaching and research. One member is elected by the Faculty Assembly or equivalent group of each college or school (except the Graduate School) and of the University libraries.

### **3. Institutional Review Board**

All research projects involving human beings as subjects of research or using human material are reviewed and approved by the Institutional Review Board prior to initiation of the research, whether conducted by or under the direction of any faculty member, employee, student, or other agent of the University and regardless of source of funding or location of the study. Members and alternate members are appointed by the Vice President for Health Sciences and Chief Executive Officer of the Health Sciences Center, as set forth in the University policy relating to the Institutional Review Board. A copy of this policy may be obtained from the Research Administrator for the Health Sciences Center campus.

### **4. Animal Care Committee**

The Animal Care Committee provides oversight of all institutional programs and facilities for the care and use of laboratory animals, enhances quality research and teaching, and ensures compliance with all relevant laws and regulations. Appointments to the committee are made by the President, as set forth in the University policy relating to the Animal Care Committee. A copy of this policy may be obtained from the Research Administrator for the Health Sciences Center campus.

### **5. Other Boards and Committees**

From time to time the University establishes boards and committees, both standing and *ad hoc*. A list of these boards and committees and their members is available from the Executive Vice President and Provost.

### III. Faculty

#### A. Definition of Faculty

All officers of instruction and professional librarians are members of the faculty of Saint Louis University. Other employees of the University are members of the faculty if their contracts or letters of appointment so state and if they are among the types of faculty listed in Sec. III.D. Faculty members who hold regular appointments according to Sec. III.B.1 but whose salary is fully or partly paid by University-affiliated institutions are governed by this Manual. Voluntary faculty who serve without pay are members of the faculty of Saint Louis University; they are not governed by this Manual but will be reviewed by the department Chairperson or comparable administrator, who will make annual recommendations to the appropriate Dean for reappointment and advancement.

#### B. Appointments and Titles

##### 1. Regular Appointments

The department Chairperson or comparable administrator must obtain approval from the appropriate Dean and Vice President before a search can begin for a new faculty member. When such a search is likely to involve the appointment for the following academic year of a person who is presently a faculty member at another institution, it will be started as early as possible and normally completed by May 1. The University will follow high ethical standards in recruiting faculty members from other institutions.

For full-time positions, as defined in Sec. III.C, a search committee composed primarily of faculty members ordinarily will be established to identify and interview candidates. The Equal Employment Opportunity Policy and Affirmative Action Plan of the University will be followed in searching for, interviewing, and choosing among candidates. A copy of this Faculty Manual shall be available to prospective faculty members.

Relationship by family or marriage to another employee of the University shall constitute neither an advantage nor a deterrent to appointment as a faculty member, although University employees will not participate in decisions relating to initial appointment, retention, promotion, salary, leaves of absence, or other significant decisions when a relative is involved or when there are other conflicts of interest.

When the search committee and department Chairperson or comparable administrator desire to make an offer to a candidate, a request for approval must be submitted to the appropriate Dean, accompanied by an up-to-date curriculum vitae and appropriate academic transcripts. The Dean shall recommend the terms of employment to the appropriate Vice President before making offers to prospective faculty members. Only after securing approval from the Vice President is the Dean authorized to make offers and commitments to new faculty members. **All conditions of employment must be in writing. No oral commitments will be honored. Copies of all such offers and commitments must be sent promptly to the appropriate Vice President and the University Committee on Academic Rank and Tenure.**

The type of faculty position and rank offered a new faculty member must be in accord with the descriptions in Secs. III.D and III.F, and must be reported promptly to the University Committee on Academic Rank and Tenure for its review. Appointments not recommended by the committee will not be renewed unless specifically approved by the Executive Vice President and Provost.

Each faculty member will be appointed to a specific department or comparable academic unit, subject to its prior advice and consent. For the purpose of academic records, the titles of faculty members will include the rank and department name (Example: Tenure-Track Assistant Professor of Biochemistry). Faculty members with appointments as librarians in the University

libraries, in clinical instruction, in research positions, or as aviation specialists have titles reflecting their professions. (Examples: Acquisitions Librarian with the rank of Non-Tenure-Track Assistant Professor; Non-Tenure-Track Assistant Clinical Professor of Law; Research Chemist with the rank of Non-Tenure-Track Assistant Professor; and Aviation Specialist with the rank of Non-Tenure-Track Assistant Professor.)

Initial employment of faculty members shall be by contract or letter of appointment, signed by the faculty member and the appropriate Vice President. One copy of the contract or letter of appointment shall be forwarded to the University Committee on Academic Rank and Tenure. Continued employment shall be by a contract or letter of appointment, normally tendered by May 1, indicating the rank and salary for the following academic year. Acceptance of a contract or a letter of appointment shall be deemed to include an agreement by both the faculty member and the University to comply with the terms embodied in the contract or letter of appointment and this Faculty Manual, as amended from time to time according to Sec. IV.

All faculty contracts and letters of appointment are bilateral and cannot be terminated during the term of the agreement except by resignation as described in Sec. III.I.1, retirement, medical reasons as described in Sec. III.H.9(b), death, mutual agreement or for one of the causes for termination listed in Sec. III.I.5. In cases of termination of a contract for cause during the contract period, the procedure that will be followed is described in Sec. III.I.

Once a faculty member has been awarded tenure according to the procedures in Sec. III.E and the norms in Sec. III.F, his or her contractual status becomes permanent, as described in Sec. III.D.1

## 2. Joint Appointments

A faculty member who possesses the skills and competencies to justify a secondary appointment in another department may be given a joint appointment, subject to the approval of the department Chairperson or comparable administrator of the primary department. The titles of faculty members with joint appointments will include each rank and department name unless, in specific cases, the University Committee on Academic Rank and Tenure has approved and recommended a different practice. The primary appointment will be listed first in the title but both the discipline and department of the secondary appointment will be given. (Examples: Tenure-Track Associate Professor of Sociology and Non-Tenure-Track Assistant Professor of Sociology in Psychiatry; and Tenure-Track Professor of Internal Medicine and Non-Tenure-Track Associate Professor of Pediatrics.)

The following conditions apply to joint appointments:

- a. Appointments must be made to each department separately, but not necessarily simultaneously, using the same procedures as for regular appointments.
- b. The academic ranks in the departments may differ.
- c. The annual reviews described in Sec. III.I.2 and applications for advancement according to Sec. III.E will follow the normal procedures in each department, except that the Chairperson or comparable administrator of the other departments involved will be consulted.
- d. Faculty members holding joint appointments must be willing and able to participate in the activities of each department according to the standards established by the separate departments and specified in writing at the beginning of the joint appointment.
- e. Secondary appointments are non-tenurable and may be discontinued, with appropriate notice, by the faculty member or by the Chairperson or comparable administrator of the secondary department, after consultation with the chairperson or comparable administrator of the primary department.
- f. In cases where there is a sharing of salary between departments, the primary department bears the ultimate responsibility for the faculty member's salary unless there is a written agreement with the faculty member providing otherwise.



### **3. Members of Centers and Institutes**

Centers and institutes that have their own degree program or programs are considered to be comparable to departments, and the policies governing their faculty members are the same as those that apply to departments.

An individual primarily occupied with work in a center or institute that does not have its own degree program must have a primary appointment from another department, center or institute that does have its own degree program. The primary appointment must be awarded using the procedures in Sec. III.B.1. The primary appointment will be listed first in the title for such a faculty member, but the center or institute will also be given. (Example: Adjunct Associate Professor of History in the Center for Interdisciplinary Studies.)

### **4. Appointments in Non-Departmental Disciplines**

Faculty members who profess a discipline that is not represented by the name of the department or comparable unit through which they have obtained their appointment in the regular manner shall be designated by both their discipline and the department. (Example: Tenure-Track Professor of Chemistry in Science and Mathematics.)

### **5. The Graduate Faculty**

The Graduate Faculty, as an academic body, consists of all those faculty members of the various colleges and schools who have been individually approved for the Graduate Faculty. Qualifications for appointment to the Graduate Faculty are established by the University Board of Graduate Studies, subject to the approval of the Graduate Dean and the appropriate Vice Presidents. Individuals may be nominated for the Graduate Faculty by a department Chairperson or comparable administrator. Their credentials shall be reviewed by the Membership Committee of the Graduate Faculty, which will forward recommendations to the Dean of the Graduate School. Applicants approved by the Membership Committee and the Dean of the Graduate School are appointed for five years to the Graduate Faculty for teaching, advising, and examining graduate students and for directing theses and dissertations. Such appointments may be renewed using the same procedure as for initial appointments, or following a program review.

Some faculty members may be appointed for the purpose of graduate instruction only. Such temporary appointments require only recommendation by a department Chairperson or comparable administrator and approval by the Dean of the Graduate School.

## **C. Part-Time Faculty**

Full-time faculty members give their full time and attention to their duties at the University during the entire academic year (in some cases an entire calendar year, and in others a period of from nine to eleven months), unless excused by the appropriate administrator or absent on leave or regular vacation. Part-time faculty members are appointed for less than a full academic year or are assigned to University duties requiring less than their full time and attention. They are not eligible for many of the benefits available to full-time faculty.

A full-time faculty member who has tenure but who requests and receives the status of a part-time faculty member of the University automatically relinquishes tenure, unless there is a prior, explicit agreement in writing among the faculty member, the appropriate Dean and the appropriate Vice President that tenure is retained. Part-time status due to medical reasons is covered by Sec. III.H.9(b).

## D. Types of Faculty

### 1. Tenure-Track Faculty

Tenure-track faculty members are individuals who have tenure or are eligible for tenure. The four ranks of tenure-track Faculty are, in ascending order, Tenure-Track Instructor, Tenure-Track Assistant Professor, Tenure-Track Associate Professor, and Tenure-Track Professor. However, the adjective Tenure-Track in the titles is used for internal University record-keeping purposes only.

Tenure is a contractual recognition of the faculty member's right to continuing employment that is subject to termination only by resignation as described in Sec. III.I.1, retirement, medical reasons as described in Sec. III.H.9(b), death, mutual agreement or for one of the causes for termination listed in Sec. III.I.5. In cases of termination of a contract for cause during the contract period, the procedure that will be followed is described in Sec. III.I.

The University upholds the value of having most of its faculty members as tenure-track faculty. Tenure is normally awarded through the review and promotion process described in Sec. III.E, according to the norms described in Sec. III.F. It is normally associated with the ranks of Tenure-Track Associate Professor and Tenure-Track Professor. However, when the initial appointment is to one of these ranks, tenure is ordinarily withheld for at least two years, unless specific exception to this rule is made by the President or his designee.

The University normally will make a final decision to grant tenure to a faculty member no later than the completion of the sixth year of service (eighth year of service in the School of Medicine) as a tenure-track faculty member at Saint Louis University. An academic year normally corresponds to one year of service. In exceptional, individual cases, approval may be granted to count an academic year as less than one year of service. Such situations include, but are not limited to, leaves of absence and administrative assignments. Written approval for the individual cases must be obtained in advance (for example, at the time of administrative appointment or at the granting of a leave of absence) from the appropriate Dean and Vice President and the appropriate college or school Rank and Tenure committee, or comparable faculty committee. A copy of the written approval will be forwarded to the University Committee on Academic Rank and Tenure by the appropriate Vice President. In no case will more than eight calendar years constitute less than six years of service.

It is the responsibility of the faculty member to apply for tenure prior to or during the year in which a final decision must be made, according to provisions of Sec. III.E. A faculty member has the responsibility and the right to seek and rely upon a written statement from the appropriate Vice President indicating the year of the final decision. However, each college or school may establish procedures for the timely and accurate notification of faculty regarding time toward tenure. Appropriate administrative procedures should be established to insure proper consideration of tenure requests. Each person in the decision-making process shall act in a proper and timely manner. The University does not recognize *de facto* tenure; a tenure-track faculty member who is not awarded tenure before or during the year in which the decision must be made will be given a one-year terminal contract, at the end of which the faculty member's appointment ends.

Time served in faculty positions other than tenure-track cannot be counted as years of service toward tenure. Previous service at institutions comparable to the University may be substituted for not more than three years of service. The amount of previous service to be substituted shall, in each case, be agreed to in writing by the faculty member and the appropriate Dean and Vice President, normally prior to initial appointment but no later than the end of the first calendar year of service to the University. Unless agreed to by this deadline, previous service may not be claimed. A copy of the agreement will be forwarded to the University Committee on Academic Rank and Tenure by the appropriate Vice President.

## **2. Non-Tenure-Track Faculty**

Non-tenure-track faculty members are individuals who are not eligible for tenure but have appointments that are renewable. Non-tenure-track faculty members function on a full-time basis in clinical service or supervision, in research positions supported by grants or contracts from organizations outside the University, as aviation specialists, in research, clinical or teaching positions whose long-term existences are not assured, or under other conditions that make the attainment of tenure according to the norms in Sec. III.F a practical impossibility. Professional Librarians ordinarily are non-tenure-track faculty members, but for example, the Law Librarians, if so recommended by the Law School Faculty, may be appointed to the Law faculty with academic rank and tenure eligibility. The four ranks of Non-Tenure-Track Faculty are, in ascending order, Non-Tenure-Track Instructor, Non-Tenure-Track Assistant Professor, Non-Tenure-Track Associate Professor, and Non-Tenure-Track Professor. However, the adjective Non-Tenure-Track in the titles is used for internal University record-keeping purposes only.

A non-tenure-track faculty member who has not been on the tenure track at Saint Louis University may apply to appropriate search committee for an available tenure-track position. A non-tenure-track faculty member who has had a previous appointment as a tenure-track faculty member may not apply for another tenure-track appointment, unless the previous appointment was prior to 1993. The committee will investigate the qualifications of the faculty member and will solicit opinions from those it deems appropriate. Favorable recommendations will be handled as in Sec. III.B.1 for new appointments.

## **3. Visiting Faculty**

Visiting faculty members are individuals who, while holding equivalent faculty rank at another university, are temporarily serving as faculty members of the University. The four ranks of Visiting Faculty are, in ascending order, Visiting Instructor, Visiting Assistant Professor, Visiting Associate Professor, and Visiting Professor. The titles Visiting Scholar and Visiting Scientist are equivalent to the title Visiting Instructor. Visiting faculty members are not eligible for tenure at the University and may not apply for advancement or transfer to another type of faculty position. They may, however, apply for an open position according to the procedures in Sec. III.B.1.

## **4. Adjunct Faculty**

Adjunct faculty members are individuals who teach or do research in an academic area of the University, usually on a part-time and irregular, but continuing, basis. A full-time member of the University may be appointed as an adjunct faculty member in another department, college or school only with the prior approval of the department Chairperson or comparable administrator of the primary department and of the appropriate Dean and Vice President. The four ranks of Adjunct Faculty are, in ascending order, Adjunct Instructor, Adjunct Assistant Professor, Adjunct Associate Professor, and Adjunct Professor. Adjunct faculty members are not eligible for tenure at the University and may not apply for transfer to another type of faculty position. They may, however, apply for an open position according to the procedures in Sec. III.B.1.

## **5. Artists-in-Residence**

Artists-in-Residence are individuals who have attained notable public recognition for achievement in one of the performing or fine arts and are therefore qualified as full-time or part-time faculty members. Appointment as an Artist-in-Residence is for an academic year, but may be renewed by mutual agreement between the department Chairperson or comparable administrator, the appropriate Dean and the Artist-in-Residence. Artists-in-Residence are not eligible for tenure and may not apply for advancement or transfer to another type of faculty position. They may, however, apply for an open position according to the procedures in Sec. III.B.1.

## **6. University Professor**

University Professorships are awarded occasionally to very distinguished continuing or newly appointed faculty members who have attained national and international renown. The title, duties and responsibilities of a University Professor are specified in writing at the time of appointment. Such professorships may be either permanently endowed chairs or *ad hoc* appointments made by the appropriate Vice President, under authorization of the President. Normally, an appointment as University Professor is made after consultation with the faculty members of the department or comparable unit in which he or she will serve and with the University Committee on Academic Rank and Tenure. Written guidelines for endowed professorial chairs are available from the Executive Vice President and Provost.

## **7. Emeritus Faculty**

Upon recommendation of the college or school Rank and Tenure Committee, the appropriate Dean, the University Committee on Academic Rank and Tenure, and the appropriate Vice President, emeritus status may be granted to retiring faculty members with ten years of full-time service or more. In extraordinary circumstances, retiring faculty members with a shorter period of service may be considered for emeritus status. Policies governing emeritus faculty and outlining their privileges are available in writing from the Executive Vice President and Provost.

## **E. Advancement**

### **1. Applications**

Application for advancement—whether for promotion, for tenure, or for both—is the responsibility of the faculty member. Applications for advancement should be submitted by the date specified by, and according to the procedures established by, the college or school Rank and Tenure Committee or comparable faculty committee, in compliance with the schedule of the University Committee on Academic Rank and Tenure. Applications submitted late or not in accord with written procedures normally will not be reviewed until the next academic year.

### **2. College or School Evaluation Standards**

The college or school Rank and Tenure Committee, or comparable faculty committee, will evaluate an application for advancement using the norms in Sec. III.F. However, the appropriate Dean and the college or school Faculty Assembly, or equivalent group, may adopt: more specific standards; relative weightings to be applied to teaching, student counseling, research and scholarly activities, and University and community service; and interpretations of the norms for the specific circumstances of that college or school, or for a department within that college or school. The University Committee on Academic Rank and Tenure will review new or revised standards, relative weightings and interpretations to ascertain that they are consistent with this Manual, and it will make recommendations to the appropriate Vice President and the Executive Vice President and Provost. When adopted, these standards, relative weightings and interpretations will be made available upon request from the appropriate Dean, and they will be used to decide applications for advancement.

Evaluations by the college or school Rank and Tenure Committee, or comparable faculty committee, will be based on: documents prepared by the applicant and presented with the application; recommendations submitted by the department Chairperson or comparable administrator, by colleagues, and by students; and other information presented to the committee. The committee may solicit information that it deems necessary.

### **3. Tenure-Track and Non-Tenure-Track Faculty**

For applications for advancement by tenure-track and non-tenure-track faculty members, the recommendation of the college or school Rank and Tenure Committee, or comparable faculty committee, will be communicated by the committee to the applicant, who may request an explanation

and/or written reasons for a negative recommendation. The applicant may decide to withdraw the application at that time. If the faculty member decides to continue the application, the recommendation of the committee will be forwarded to the appropriate Dean, who will forward it to the University Committee on Academic Rank and Tenure along with all supporting materials, including his or her own, separate recommendation. For members of the Graduate Faculty, the separate recommendation by the Graduate Dean will also be forwarded to the committee.

The University Committee on Academic Rank and Tenure will evaluate an application for advancement using the norms in Sec. III.F and the standards, relative weighting and interpretations described in Sec. III.E.2. The evaluation will be based primarily on the documents presented to the Committee. However, the Committee may solicit additional information that it deems necessary. The Committee will normally complete its consideration of applications for advancement by March 15.

The recommendation of the University Committee on Academic Rank and Tenure will be forwarded to the Executive Vice President and Provost along with all supporting materials and with a separate recommendation by the appropriate Vice President. The final decision rests with the Executive Vice President and Provost, who will normally complete the consideration of applications for advancement by April 15. When the decision is adverse, the applicant may request an explanation or written reasons from the Executive Vice President and Provost. In responding to the request, the Executive Vice President and Provost may disclose the recommendations of the college or school Rank and Tenure Committee, the appropriate Dean or Deans, the University Committee on Academic Rank and Tenure, and the appropriate Vice President.

#### **4. Adjunct Faculty**

Each college or school will establish procedures for deciding applications for advancement by adjunct faculty members. The recommendations of the college or school will be forwarded by the appropriate Dean to the appropriate Vice President along with all supporting materials, including his or her own, separate recommendation. The final decision rests with the Vice President, who will notify the University Committee on Academic Rank and Tenure of the decision.

### **F. Norms for Appointment and Advancement**

All of the norms below apply to tenure-track faculty members. For other faculty members, appropriate modifications of these norms may be adopted by the Dean and the college or school Faculty Assembly or equivalent group and filed with the University Committee on Academic Rank and Tenure.

#### **1. Instructor**

Appointment to the rank of Instructor ordinarily presupposes the following qualifications:

- a. Possession of adequate training and preparation for teaching or research, as appropriate, and as evidenced by degrees earned and by educational and/or professional experience.
- b. Respect for the educational philosophy of the University.
- c. Possession of those qualities of character and personality expected in a faculty member engaged in teaching, student counseling, research and scholarly activity, and University and community service.
- d. Potential to meet the norms for the rank of Assistant Professor.

#### **2. Assistant Professor**

Appointment or promotion to the rank of Assistant Professor ordinarily presupposes the qualifications for the rank of Instructor and the following qualifications in addition:

- a. Possession of the doctorate, or of the terminal degree ordinarily required for teaching and research in the faculty member's discipline. An exception may be made to this

requirement, in rare and unusual circumstances, if all the following are demonstrated: the practical impossibility for the faculty member in question to obtain the doctorate or terminal degree; exceptional value in the educational program of the University; and a record of distinguished and recognized service in one of the professions.

- b. Evidence of ability to teach effectively on a University level.
- c. Evidence of ability to counsel students effectively in academic matters.
- d. Evidence of ability to engage in productive research and scholarly activity.
- e. Evidence of ability to serve the University and community.
- f. Where such practices are customary in a discipline, certification by the appropriate credentialing board of sufficient skill and knowledge to practice a particular specialty.

### **3. Associate Professor**

Appointment or promotion to the rank of Associate Professor and the granting of tenure ordinarily presupposes the qualifications for the rank of Assistant Professor and the following qualifications in addition:

- a. In most of the colleges and schools, five years of service at the rank of Assistant Professor at the University or at another university of equal standing.
- b. Evidence of continuing and increasing ability to teach effectively on a university level. Consideration will be given to such subsidiary evidence as direction of student research activities, guidance of clinical students, and significant participation in teaching development activities.
- c. Evidence of continuing and increasing ability to counsel students effectively in academic matters. Consideration will be given to such subsidiary evidence as formal advising assignments, letters from previous students, and significant participation in counseling and extracurricular activities of the University.
- d. Evidence of continuing and increasing achievement in scholarship and research, particularly scholarly publication and other academically recognized creative achievements. Consideration will be given to such subsidiary evidence as direction of, or significant participation in, research projects, acquisition of external funding for research, training or teaching, participation in the scholarly activities of professional societies, and professional consultative service.
- e. Evidence of continuing and increasing service to the University and community. Consideration will be given to such subsidiary evidence as participation in and leadership of committees within the school or college, the University, professional societies, or community organizations of significance.
- f. Evidence of recognition by colleagues in the same discipline, both inside and outside the University, as possessing the appropriate skill and knowledge of the field.
- g. Evidence of recognition by colleagues in the same Department and school or college as possessing qualities of collegiality, such as the ability to work cooperatively and professionally with others.

Tenure decisions are not based on a maximum percentage basis within divisions, departments, schools, colleges or campuses.

### **4. Professor**

Appointment or promotion to the rank of Professor ordinarily presupposes the qualifications for the rank of Associate Professor and the following qualifications in addition:

- a. In most of the colleges and schools, five years of service at the rank of Associate Professor at the University or at another university of equal standing.

b. Evidence of such outstanding abilities in teaching, counseling of students, and service to the University and the community as to merit general recognition throughout the University, particularly among its faculty and students, as an effective educator, advisor and faculty member.

c. Evidence of such outstanding achievements in scholarship and research, particularly scholarly publication and other academically recognized, creative achievements, as to merit attention among recognized scholars. Consideration will be given to such subsidiary evidence as direction of, or significant participation in, research projects, acquisition of external funding for research, training or teaching, participation in the scholarly activities of learned societies, and professional consultative service. An exception may be made to this requirement, in rare and unusual circumstances, if all the following are demonstrated: general recognition beyond the University and the local area as a master of the field and as a University teacher and director of students; and a minimum of twenty years of service, at the University or at another university of equal standing, as a distinguished teacher, counselor, and director of students.

## **G. Responsibilities of Faculty Members**

### **1. Teaching**

The normal teaching assignment for full-time, tenure-track faculty members is established by the appropriate Dean, in consultation with the Faculty Assembly or equivalent group of the school or college and the appropriate Vice President. The normal teaching assignments vary by school, ranging from six to twelve credit hours per semester. The teaching assignment for other types of faculty is established at the time of appointment. Normally, teaching assignments and class times are made by the department Chairperson or comparable administrator, subject to review by the appropriate Dean.

The foremost responsibility of a faculty member with a teaching assignment is to conduct scheduled classes to the best of his or her ability. Absences for foreseen reasons, such as attendance at a national meeting, must be approved in advance by the department Chairperson or comparable administrator, or the appropriate Dean. When a faculty member cannot conduct a class for unforeseen reasons, such as illness, accident or other emergencies, he or she must inform the department Chairperson or comparable administrator, or the appropriate Dean, as promptly as possible. In either case, appropriate arrangements must be made for providing students with the content and experiences of the missed classes.

It is the duty of each faculty member to know and follow the academic regulations of the University and the academic regulations and procedures established by the Faculty Assembly or equivalent group in his or her college or school, and available in writing from the appropriate Dean. In addition, each faculty member is expected to know and follow the grading system of the college or school in which the course is offered. It is the sole responsibility of the faculty member to determine when course requirements have been met and what grades will be assigned to individual students, within the grading policies of the college or school.

In the classroom and in student counseling, faculty members should encourage free discussion, inquiry and expression. They must allow students to take reasoned exception to the data or views they present and to reserve judgment about matters of opinion, although they must hold students responsible for learning the content of the courses in which the students are enrolled and they must evaluate student performance on academic grounds. Faculty members must not make prejudiced or capricious academic evaluations of students, and it is the responsibility of the department Chairperson or equivalent administrator, and of the appropriate Dean, to uphold this standard.

Faculty members may provide assessment of ability and character of an individual student, normally with the student's knowledge and consent. It is a violation of professional ethics to disclose information about a student's views, beliefs and political associations without prior

consent. Faculty members will follow the Student Records Policy of the University in regard to the confidentiality of student records. Copies of the Student Records Policy are available in the Registrar's Office on each campus.

Failure to comply with the deadlines for submitting grades may seriously inconvenience students and substantially add to the work load of University staff members. Therefore, only very serious reasons and the permission of the department Chairperson or equivalent administrator excuse a faculty member from the obligation of submitting grades by the designated deadlines.

Because of the occasional but important need to recheck student performance, faculty members must retain records of student grades for at least three years and sets of final or other critical examination papers for at least six months after the end of a course.

## **2. Student Counseling**

The University regards teaching as incomplete if it is limited to the classroom, lecture hall or laboratory. All faculty members are expected to counsel students about academic matters, as the occasion arises either by formal assignment to advising duties or as a necessary supplement to classroom contact. Faculty members should provide ample scheduled office hours as well as opportunities for informal discussions, and should encourage students to consult them about academic matters.

Faculty members may assist students by discussing personal problems. However, when such problems exceed the capabilities of the faculty member, the student should be referred to the professional counseling services offered by the University.

## **3. Research and Scholarly Activity**

Each faculty member shares with the entire University the responsibility for discovering, exploring and communicating new knowledge. Research and scholarly activity is essential for reinforcing and vitalizing teaching. Such research should not be a detriment to teaching.

No experiment that violates a fundamental human right can ever be justified on the grounds that it contributes to truth. Therefore, no such research or scholarly activity may be conducted. Any research investigation that involves human subjects must receive prior approval of the Institutional Review Board and any research investigation that involves animal subjects must receive prior approval of the Animal Care Committee.

High standards of personal conduct are demanded in order to meet the mission of the University. Each faculty member must avoid fraud and other misconduct in research, including fabrication or other falsification of data, plagiarism, and deliberate and knowing failure to comply with federal, state, or University rules and regulations governing the conduct of research, and other practices that seriously deviate from those that are commonly accepted within the academic community for proposing, conducting, or reporting research. However, misconduct does not include honest error or honest differences in interpretations or evaluations of data. A separate procedure exists for dealing with allegations of research fraud and other misconduct and, as amended and revised from time to time in consultation with the Faculty Senate, is expressly incorporated in this Manual; it may be obtained from the appropriate research administrator.

The University has adopted as policy the Joint Statement "On Preventing Conflicts of Interest in Government-Sponsored Research at Universities", first issued by the American Council on Education and the American Association of University Professors in 1965. A copy of the Joint Statement is available from the Executive Vice President and Provost. The standards of procedure and conduct contained in that statement are equally applicable to all research conducted within the University.

From time to time the University adopts or modifies policies and procedures concerning patents, copyrights and other intellectual property rights. Copies of the adopted policies are available from the Executive Vice President and Provost. These policies will not be changed without prior consultation with the Faculty Senate.



#### **4. Extramural Activities**

Full-time faculty members give their full time and attention to their duties at the University during the entire academic year (in some cases an entire calendar year, and in others a period of from nine to eleven months), unless excused by the appropriate administrator or absent on leave or regular vacation. Therefore, no full-time faculty member may be employed in any other occupation that may interfere with the thorough, efficient, and earnest performance of his or her responsibilities. Specifically, the teaching of any course, beyond those assigned by the appropriate officials of the University, is likely to be incompatible with full-time employment and must therefore be approved in advance and in writing by the appropriate Dean and Vice President.

Full-time faculty members may, and indeed are encouraged to, engage in extramural research, consulting, scholarly and clinical activity, so long as this activity is proper to their academic and University positions and is of benefit to them, their students, the community, and the University. As long as such extramural activities do not, on the average, exceed a total of approximately one day a week during the academic year, the faculty member may accept and retain financial remuneration for them. Faculty members engaging in extramural activities should notify the department Chairperson or equivalent administrator. These activities are subject to review by the appropriate Dean or other administrator for compliance with the limitations stated above and as provided in the University policy on conflicts of interest.

Unless specifically required by law or the University policy on conflicts of interest, when a faculty member has an academic year that is shorter than a calendar year, no restrictions are placed on his or her extramural activities during the time not covered by contract or letter of appointment. When the extramural activities of a full-time faculty member exceed a total of approximately one day a week during the academic year, the specific prior approval of the appropriate Dean is required. This approval will be granted only for very compelling reasons, in which case any additional financial remuneration beyond that allowed for normal extramural activities will accrue to the University or, if professional or legal regulations prohibit this, returned to the extramural sponsor. Physician services are the subject of a separate rule set forth in Sect. III.G.6.

Whenever extramural activities involve a written agreement under which faculty members assume a continuing obligation, this written agreement, after approval by the department Chairperson or comparable administrator and by the appropriate Dean, must be submitted to the appropriate Vice President for administrative review and approval. Whenever extramural activities involve the use of University facilities or equipment, such as laboratories or computers, the appropriate Vice President must approve this use and may require reimbursement to the University in appropriate situations.

#### **5. University and Community Service**

The University recognizes the value of faculty participation in the shared governance of the University, as described in Sec. III.H.2. Therefore, faculty members are expected to serve on the appropriate committees of their department, their college or school, and the overall University. They are expected to participate in academic planning and formulation of University policies, and to a limited extent, administration of the University.

The University mission encompasses service to the community around it. Faculty members are therefore encouraged to participate in community projects and organizations, helping to carry out the programs of community service that are appropriate to the mission of the University and the professional identity of the faculty member.

#### **6. Physician Services**

All physician services provided by full-time faculty in clinical departments of the School of Medicine are to be billed on behalf of the faculty member and the income assigned to the appropriate clinical income fund. Medical expert witness testimony and patient consultation are considered physician services. There will be no provision of physician services that is compensated directly to the faculty member, except where the faculty member is employed by an affiliated

health care organization that pays directly instead of by contract with the University, in which case that individual's total professional compensation is to be approved by and reported to the department Chairperson or comparable administrator and to the Dean of the School of Medicine. Royalties and consultations not involving patient services, such as books, films and other media productions, and NIH or similar consultations, will accrue to the faculty member.

## **7. Professional Activities**

When speaking or writing simply as citizens, faculty members are free from institutional censorship, but their special positions as, simultaneously, citizens, members of disciplines or professions, and officers of instruction of the University impose special obligations. As persons of learning and as University officers, faculty members should remember that the public may judge their disciplines or professions, or the University itself, by their conduct. Hence, they should always attempt to be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should particularly make it clear, whenever circumstances might indicate otherwise, that they are not representing the University.

No faculty member, in any opinion or certification that is to be used for advertising or commercial promotion of any product, service, or business organization, may use the official title of the University or any of its parts, or refer to their professional connection with the University, without recommendation of the appropriate Dean and the express approval of the President.

Faculty members may not solicit gifts on behalf of the University without following the University policy that is available from the Office of Institutional Advancement. All grants and contracts awarded to faculty members are to be reported to the Office of Research Services.

## **H. Rights of Faculty Members**

### **1. Academic Freedom**

Essential to the purpose of a university is the free and unhampered pursuit and communication of knowledge and truth. All members of the University, especially the students and faculty members, have not only the right but also the duty to participate in this task of freely seeking after and sharing truth. Every student and every faculty member will, therefore, have the freedoms of thought, of discussion, and of action that are required by the common pursuit of truth. Teachers will be free to adapt their methods to the conditions under which they work, to their own personalities, to the nature of the subject matter with which they are dealing, and to the talents, the character and the maturity of their students.

The search for knowledge is an effort to achieve truth. For this reason, all scholars are welcomed within the University, without the imposition of any personal religious requirement. In a Catholic university the different ways that have been developed for searching for knowledge are recognized in their diversity. The path of scientific experimentation and discovery, the path of philosophical analysis, the path of experience and humanistic insight, and the path of Christian scriptures and tradition are all taken together as yielding to men and women a knowledge of themselves and of the world.

In their teaching, research and other academic activities, faculty members should be guided by the search for knowledge and truth, not by benefactors, public opinion or partisan political policy, nor by any interest group. It is the right of every faculty member of the University to be protected by the University as a whole from all such inappropriate pressures and harassments.

Faculty members should be involved in the search for knowledge and truth while fulfilling their course assignments. The specific material covered in a course is not to be determined for them by the opinion of administrators, trustees, fellow faculty members, or students, so long as it is appropriate to the course objectives, description or syllabus adopted by the college or school and so long as it adequately prepares students for subsequent courses. Faculty members can and should present to students accepted as well as newly discovered facts and laws, new

developments or new applications of old knowledge, and accepted as well as new hypotheses and theories that may be advanced in explanation of facts and laws.

The central freedom of an individual in the University lies within the framework of human activity and human life, and hence is subject also to limitations and norms:

- a. Teaching, student counseling, research and scholarly activity, and service to the University and community must be carried on within the framework of legal norms, the ethical requirements of the respective disciplines and professions, and the Christian scriptures and tradition.
- b. While faculty members are expected to challenge students to reexamine their beliefs and opinions, they are also expected to protect the rights of students. Faculty members must be careful not to attempt to use their positions to force upon students their own personal views and partisan loyalties.
- c. All persons joining the faculty of the University are expected to understand and respect the fact that they are coming into an institution in which Christian scriptures and tradition are recognized as a source of knowledge as valid as natural human experience or reason, and where theology is recognized as a discipline. This expectation, of course, does not prevent them from stating and explaining their own personal views.

## **2. Shared Governance**

The variety and complexity of the tasks performed by the University produce an inescapable interdependence among the Board of Trustees, the President and other members of the administration, the faculty members, the students, and members of the University staff. This interdependence calls for adequate communication among these groups, for full opportunity for appropriate joint planning and effort in a variety of forms, and for shared governance of the University. Shared governance means that important areas of action will involve, at one time or another, the initiating capacity and decision-making participation of each of the institutional components. Differences in the weight of each voice, from one point to the next, will be determined by reference to the responsibility of each component for the particular matter at hand, as outlined in Sec. II.

The faculty, acting through the faculty organizations described in Sec. III.H.3, has primary responsibility for: setting the course requirements for the degrees offered by the University; determining the contents of University courses and the methods of instruction to be used; setting standards for admission of students to the University; recommending the specific individuals who will be granted earned degrees; and recommending faculty appointments, promotions and tenure according to the norms and procedures of Secs. III.B, D and E.

The faculty also has a major role in establishing or modifying general policies that affect the academic mission of the University. On these matters, the views of faculty members will be solicited through the Faculty Senate or the appropriate Faculty Assemblies or equivalent groups before action is taken.

The University recognizes the value of participation by faculty members in developing budgets. For this reason, the Faculty Senate has representatives that participate in the deliberations of the University Budget Committee. In formulating the budget for a college or school, the Dean consults with the chairpersons and the appropriate committees of the Faculty Assembly or equivalent group. Similarly, in developing the budget for a department, the department Chairperson or comparable administrator takes into account the financial needs and recommendations established in department meetings.

## **3. Faculty Organization**

There are three major avenues for faculty participation in governance of the University. At the University level, the faculty acts primarily through the Faculty Senate, which is empowered by the faculty to represent it or act for it on any matter. The Faculty Senate organizes an assembly of all faculty members at least twice a year. The written constitution and by-laws of the Faculty

Senate are available from the Senate Officers.

Also at the University level, faculty members participate in governance by serving on University committees, boards and councils, whether advisory, judicial or administrative. In particular, faculty members serve on those committees dealing with such fundamental areas as curriculum, subject matter and methods of instruction, academic affairs, research, and faculty status. The recommendation of faculty members to serve on University committees will normally be done by the Faculty Senate, but members of the University Committee on Academic Rank and Tenure will be elected by the appropriate Faculty Assemblies or equivalent groups.

At the college or school level, a Faculty Assembly or equivalent group is the means by which faculty members discuss matters of interest in their college or school, initiate proposals, or communicate their views and recommendations to the Faculty Senate, to the administration of their college or school, or to the administration of the University, as appropriate. The specific organization and regulations for each Faculty Assembly or equivalent group are determined by its own custom, constitution and bylaws. Copies of written procedures are available from the Faculty Assembly Officers.

At the department level, department meetings offer an important forum for faculty discussion and participation. Here faculty members have the responsibility to develop the aims of the department, to devise means by which the aims will be accomplished by the Chairperson or comparable administrator and by the entire department, to address the concerns of the department members, and to oversee the results of their efforts and the execution of their decisions.

#### **4. Participation in the Selection and Evaluation of Administrators**

A search committee will ordinarily be established to help the Board of Trustees or the appropriate administrator locate and interview candidates for the position of Dean, Vice President or President. Faculty members shall form the majority of search committees for the position of Dean. For other administrative positions, the number of faculty members on this committee will reflect the extent of direct faculty involvement with the position. When the position has University-wide responsibilities, faculty members of this committee will be recommended by the Faculty Senate. For other positions, the appropriate Faculty Assembly or equivalent group will make the recommendation. The person chosen for an administrative position normally will be selected from among those found by the search committee to be qualified for the position.

Faculty members participate in the ongoing evaluation of academic administrators. These evaluations are a significant factor in the decision to retain or terminate an administrator. The procedures for the evaluation of a Dean are established by the appropriate Vice President, following consultation with the Faculty Assembly or equivalent group.

#### **5. Participation in Evaluations for Accreditation**

Accreditation is a joint enterprise between the University and the various accrediting commissions of regional or professional associations to evaluate a program, a department, a college or school, or the entire University on a regular basis. Evaluations conducted as part of accreditation review require the cooperative effort of the faculty and the administration, and to a limited extent the Board of Trustees.

The accrediting commission ordinarily will establish the contents, standards and procedures for its evaluation. Generally, the primary responsibility for an evaluation will rest with an *ad hoc* committee whose members include faculty members nominated by the Faculty Senate for University-wide evaluations, or nominated by the appropriate Faculty Assemblies or equivalent groups for more specific evaluations.

Prior to its submission to the accrediting commission, a completed evaluation will be made available for review and comment to all faculty members and administrators participating in the program or programs being evaluated. During a visit to the University by an accrediting commission, and if not prohibited by the rules of the accrediting commission, representative faculty members will be given an opportunity to meet with the evaluators to discuss questions of

concern, in a manner determined by the accrediting commission or by the program evaluators. All faculty members and administrators participating in the program or programs evaluated shall be informed of the results and significant recommendations resulting from the evaluation.

#### **6. Participation in Program Reviews**

A program review is an evaluation of a program, a department, or a college or school that is initiated by the appropriate Chairperson, Dean or Vice President. Program reviews require the cooperative effort of the faculty and the administration. In particular, before a program review begins, notification of the purposes of the review will be given to the affected departments and to the appropriate college or school Faculty Assembly or equivalent group. The possible outcomes of both positive and negative evaluations will be discussed.

Faculty members from the department, college or school under review bear a substantial responsibility in the program review. An *ad hoc* committee of these faculty members will prepare a self-study and will propose relevant standards for the evaluation. Following this internal procedure, evaluators external to the unit—whether faculty members or others from within or outside the University—may participate in the program review.

Prior to its submission to the appropriate Chairperson, Dean or Vice President, a meaningful summary of the evaluation will be made available to all faculty members, department Chairpersons and administrators affected by the evaluation. Opportunity will be provided for amending or responding to the evaluation, and provisions will be made for reflecting significant differences of opinion.

The affected departments will be given an opportunity to respond to a negative evaluation from a program review. If academic reorganization is recommended, the procedures of Sec. III.I.8 will be followed.

#### **7. Political and Public Service Activity**

Many kinds of political and public service activity by a faculty member represent service to the community that is consistent with the mission of the University, and with the responsibilities of faculty members according to Sec. III.G. Included among these are holding part-time office in a political party, seeking election to an office under circumstances that do not require extensive campaigning, and serving by appointment or election in a part-time political office. Faculty members have the right, therefore, to participate in such activities.

Other kinds of political and public service activity are so extensive that they require the faculty member to seek a leave of absence for a limited period of time. Included among these are substantial campaigning for elective office, serving in a legislative body, or serving a limited term in a full-time political, military, judicial or other public service position. When such activities will clearly add to the teaching effectiveness, research productivity or professional status of the faculty member, or when they are required by law or evident public welfare, leaves of absence without pay will be granted as provided in Sec. III.H.9.

#### **8. Legal Representation and Indemnification**

The University shall indemnify faculty members who are parties, or are threatened to be made parties, to any legal action, suit or proceeding by reason of the fact that they are employees or agents of the University against expenses (including attorneys' fees), judgments, fines and amounts paid in settlement actually and reasonably incurred by them, if they acted in good faith and in a manner they reasonably believed to be in, or not opposed to, the best interests of the University, and, with respect to any criminal action or proceeding, had no reasonable cause to believe their conduct was unlawful, all as more specifically set forth in Article VIII of the Bylaws of Saint Louis University, as amended or revised from time to time.

## **9. Vacations and Leaves**

### **(a) Vacations**

Normally, each full-time faculty member with an academic year of twelve calendar months is entitled to one month (22 working days) of vacation with pay during that academic year, taken at times approved by the appropriate Dean. Faculty members with an academic year that is shorter than a calendar year, and those who sever connections with the University prior to the expiration of their contract, are not entitled to a vacation with pay.

### **(b) Medical Leaves of Absence and Termination for Medical Reasons**

Faculty members are entitled to receive medical leaves of absence when they are unable to perform their assigned duties for medical reasons, although the University will require proof of disability before granting a medical leave of absence. Faculty members on medical leaves of absence will receive full pay as long as the condition continues, for a period not to exceed six calendar months. If the condition extends beyond six months, the faculty member may request a special leave of absence, consisting of partial or complete relief from duties, with corresponding reduction or cessation of salary, for one full semester. Alternatively, if the condition extends beyond six months, the faculty member may qualify for long-term disability insurance benefits, terms of which are available from the University Benefits Office.

If there are repeated leaves of absence for medical reasons, or if a faculty member does not qualify for long-term disability insurance benefits and is unable to perform his or her assigned duties for medical reasons extending beyond the additional semester of the special leave of absence, the contractual agreement between the University and the faculty member may be terminated by the University, with the possibility of renegotiation by mutual agreement at a later date. The University's decision to terminate for medical reasons will be based upon clear and convincing medical evidence that the faculty member cannot continue to fulfill the terms and conditions of the appointment and that a reasonable accommodation of the disability cannot be made. The decision to terminate will be reached only after the faculty member concerned, or someone representing the faculty member, has been informed of the basis of the proposed action and has been afforded an opportunity to present the faculty member's position and to respond to the evidence. If the faculty member or representative so requests, the evidence will be examined by the Professional Relations Committee of the Faculty Senate, which shall then make a recommendation to the President before a final decision is made.

The President shall make the final decision to terminate for medical reasons and will notify the faculty member in writing promptly of that decision. A faculty member whose appointment has been terminated shall be entitled to receive full salary for four months if in the first year of employment, six months if in the second year, and twelve months otherwise, less any salary paid during the previous twelve months under a medical leave of absence.

In cases in which a medical leave of absence has not been requested, the University reserves the right to terminate or place a faculty member on medical leave of absence if, in the judgment of the President based upon clear and convincing medical evidence, the faculty member cannot continue to fulfill the terms and conditions of the appointment for medical reasons and a reasonable accommodation of the disability cannot be made. In such a case, the procedures, standards and compensation described in the preceding paragraphs shall apply.

For a tenure-track faculty member, a medical leave of absence normally will not be counted as a year or part of a year of service toward the eligibility for tenure according to Sec. III.D.1. The appropriate Vice President will specify in writing whether the medical leave of absence will or will not be counted as a year or part of a year of service. A copy of this specification will be forwarded to the University Committee on Academic Rank and Tenure by the appropriate Vice President.

**(c) Leaves of Absence without Pay**

Leaves of absence without pay for up to one calendar year at a time may be granted to a full-time faculty member whenever such leaves will clearly add to the teaching effectiveness, research productivity, or professional status of the faculty member. They may also be granted for political activity or public service according to Sec. III.H.7, or for family matters demanding the attention of the faculty member. Requests should be forwarded to the appropriate Dean, who will then forward his or her recommendation to the appropriate Vice President for a final decision.

For a tenure-track faculty member, a leave of absence without pay normally will be counted as a year or part of a year of service toward the eligibility for tenure according to Sec. III.D.1, except that a leave of absence for family matters will ordinarily not be counted as a year or part of a year of service. Upon recommendation of the department Chairperson or comparable administrator and the appropriate Dean, and the Graduate Dean if necessary, the appropriate Vice President will specify in writing whether the leave of absence without pay will or will not be counted as a year or part of a year of service. A copy of this specification will be forwarded to the University Committee on Academic Rank and Tenure by the appropriate Vice President.

**(d) Sabbatical Leaves**

Full-time, tenured faculty members, including Department Chairpersons or comparable administrators, are eligible to apply for a sabbatical leave of one semester at full salary, one academic year at half salary, or the equivalent as defined in a University Faculty Development Plan recommended by the Faculty Senate and approved by the Executive Vice President and Provost, so long as there has been at least six years of full-time service since their initial appointments or since they completed their last sabbatical leaves. The purpose of a sabbatical leave is professional development and renewal.

Eligibility does not imply an automatic right to, nor an automatic granting of, a sabbatical leave. Moreover, the possibility of a sabbatical leave does not accumulate if an application is not submitted by the faculty member when eligibility is attained.

Sabbatical leaves will be granted by the appropriate Vice President on the basis of a judgment that the leave is recommended by the appropriate Dean and by the appropriate committee of the college or school Faculty Assembly or equivalent group, and that the leave proposal meets the specific standards established by the Faculty Assembly or equivalent group and the general norms given here:

- a. Applications for sabbatical leaves must be submitted, at least ten months before the beginning of the semester in which the proposed leave will occur, to the appropriate committee of the college or school Faculty Assembly or equivalent group.
- b. Applications must contain a plan for the sabbatical leave that promises professional development and/or renewal. Examples of such plans include full-time study at another educational institution, full-time research on a clearly defined topic, and full-time writing to complete a project whose theme and outline are clearly given.
- c. Applications must contain a statement from the department Chairperson or comparable administrator containing appropriate recommendations as to how the department can minimize the effects of the absence of the faculty member. In departments or schools structurally unable to adjust internally for the effects of the absence of the faculty member on teaching or other academic obligations, the University shall provide funding for a temporary replacement or other means of meeting those obligations, subject to the priority in scheduling and timing constraints set forth in Sec. III.H.9(d).
- d. Priority in scheduling approved sabbatical leaves shall be made on the basis of seniority. Approved sabbaticals that cannot be funded within a particular year will be given priority in the following year.
- e. A sabbatical leave may not be used merely to obtain additional salary. During the leave, no faculty member may receive compensation for teaching at another institution. However,

faculty members may receive recompense from outside sources for moving expenses, for travel, and to replace the reduction of University salary that a two-semester sabbatical entails, provided the policies of the granting agency are followed.

f. The recipient of a sabbatical leave must submit a report of his or her activities, within one semester after return, to the appropriate committee of the college or school Faculty Assembly or equivalent group. This report shall serve as a record of benefits derived from the program. Failure to file such a report is grounds for denial of subsequent applications for a sabbatical leave by the recipient.

g. A faculty member who receives a sabbatical leave must agree to return to the University after completion of the leave, and to remain in service until the completion of one academic year.

### **(e) Developmental Leaves**

Full-time untenured and non-tenure-track faculty members may be offered a developmental leave according to written guidelines and procedures established in advance by the appropriate Dean and Faculty Assembly or equivalent group of a college or school with the approval of the appropriate Vice President and the Executive Vice President and Provost.

### **10. Eligibility for Graduate and Professional Degrees**

Faculty members of the University seeking graduate and professional degrees from the University must avoid the conflicts of interest that can arise when a colleague is also a student. A faculty member who can demonstrate that such a conflict of interest does not exist may apply for permission to pursue a graduate or professional degree. The procedures to be followed and the criteria upon which a decision will be based are available in writing from the Executive Vice President and Provost.

### **11. Tuition Remission**

All full-time faculty members are eligible to register for courses at the University without tuition charge provided that they satisfy the requirements outlined in the policy available in writing from the University Benefits Office. These requirements will not be changed without prior consultation with the Faculty Senate.

Tuition remission for courses taken at the University, and leading to a first undergraduate degree, is available to the spouses and children of faculty members who have served continuously and full-time for three years. Applicants must meet the requirements available in writing from the University Benefits Office before tuition remission will be granted. These requirements will not be changed without prior consultation with the Faculty Senate.

The Faculty Children Exchange Program (FACHEX) was established by the Association of Jesuit Colleges and Universities in 1971. It permits children of full-time employees who are eligible for tuition remission at the University to apply to receive tuition remission at another participating Jesuit institution. However, limitations agreed upon by all of the participating institutions mean that placement through FACHEX cannot be guaranteed to all eligible applicants. Complete information about the FACHEX program is available from the Academic Vice President.

### **12. Benefits**

Faculty benefits, including health insurance, dependent care, life insurance, dental plans, retirement plans, long-term disability insurance, social security, and accidental death and dismemberment insurance, are administered through the University Benefits Office. This office regularly publishes a complete description of all benefits and will provide full information regarding faculty benefits upon request. Faculty benefits will not be changed without prior consultation with the Faculty Senate.

University contributions to benefits continue during leaves of absence with half-salary or more. Faculty members anticipating unpaid leaves of absence or leaves of absence at less than half-



salary should contact the University Benefits Office concerning possible continuation of benefits.

## **I. Contract Rules**

### **1. Contractual Status**

**All provisions of this Manual, and all subsequent amendments as provided in Sec. IV, are incorporated by reference in the contractual relationship between the University and individual faculty members.**

Tenure is a contractual recognition by the University of a faculty member's right to continuing employment. Contracts between the University and tenured faculty members are permanent in the sense that they may be terminated by the University only for situations involving medical or other extended leaves, and then only as provided for in Sec. III.H.9, or for cause, and then only on the grounds given in Sec. III.I.5 and only according to the procedures given in Sec. III.I.6 or 8.

Contracts between the University and untenured faculty members on the tenure track are normally for a period of one academic year. The University may terminate the contract of an untenured faculty member on the tenure track during the term of the contract only for situations involving medical or other extended leaves, and then only as provided for in Sec. III.H.9, or for cause, and then only on the grounds given in Sec. III.I.5 and only according to the procedures given in Sec. III.I.6 or 8. The University may decline to renew the contract of an untenured faculty member on the tenure track, subject to the specifications in Sec. III.I.3, so long as adequate notice of nonrenewal has been provided. Official notice of nonrenewal must be given in writing by the appropriate Vice President during the first year of appointment no later than four months before the end of the appointment. Notice must be given in writing during the second year no later than six months before the end of the appointment. During the third and subsequent years of employment, notice of nonrenewal must be given in writing no later than twelve months before it will become effective.

Contracts between the University and non-tenure-track faculty members and Artists-in-Residence are normally for a period of one academic year. The University may terminate the contract of such faculty members during the term of the contract only for situations involving medical or other extended leaves, and then only as provided for in Sec. III.H.9, or for cause, and then only on the grounds given in Sec. III.I.5 and only according to the procedures given in Sec. III.I.6 or 8. The University may decline to renew the contract of such a faculty member, subject to the specifications in Sec. III.I.3, so long as adequate notice of nonrenewal has been provided. Official notice of nonrenewal must be given in writing by the appropriate Vice President, no later than four months before the end of the appointment for Non-Tenure-Track Instructors, no later than six months before the end of the appointment for Non-Tenure-Track Assistant Professors, and no later than twelve months before the end of the appointment for Non-Tenure-Track Associate Professors and Non-Tenure-Track Professors.

Tenure-track faculty members, non-tenure-track faculty members and Artists-in-Residence who do not intend to accept an appointment for the next academic year should give notice in writing at the earliest possible opportunity, but not later than 30 days after receiving notification of the terms of appointment for the following year. Faculty members may request a waiver of this requirement of notice in case of hardship or in a situation where they would otherwise be denied substantial professional advancement or other opportunity.

Contracts between the University and Visiting Faculty and Adjunct Faculty are normally for a specific period shorter than one year. Their contracts specify details concerning termination and renewal terms.

## 2. Annual Review

Every full-time faculty member should be evaluated annually by the department Chairperson or comparable administrator, and it is the responsibility of the appropriate Dean to ensure that such evaluations are timely and consistent with the mission of the University and the provisions of this Manual. All evaluations of faculty members should be done openly with the faculty member's full knowledge. All material collected should be held in confidence in a manner determined by the college, school or comparable academic unit.

The criteria for the evaluations should be based on the norms for advancement in Sec. III.F and the requirements of the respective college, school or comparable academic unit, as provided for in Sec. III.F. The instruments and standards should be determined by the appropriate Dean and faculty group.

The primary purpose of the annual review is to provide information that will allow the faculty member to improve his or her teaching, student counseling, research and scholarly activity, and University and community service. It may also be used to establish the salary to be offered the faculty member in a subsequent contract and to provide information for an advancement decision. Because the purpose of the annual review includes faculty development, the process used for advancement decisions should be separate from the process used for the annual review. A faculty member will be allowed reasonable access to his or her own records and will be allowed to add additional material.

## 3. Nonrenewal of Contracts

An untenured faculty member on the tenure track, a non-tenure track faculty member, or an Artist-in-Residence who has been informed that his or her contract will not be renewed, and who wishes to contest the decision, should first discuss the decision with the department Chairperson or comparable administrator and then with the appropriate Dean. Upon request of the faculty member, the appropriate Vice President will review the decision to determine that it was not discriminatory, was not in violation of academic freedom, and was made after seeking the advice and counsel of other faculty members, as appropriate.

When such a faculty member alleges that nonrenewal of his or her contract is discriminatory, he or she should follow the complaint procedures set forth in the University's Equal Employment Opportunity Policy. A copy of this policy is available from the Affirmative Action Office.

When such a faculty member alleges that nonrenewal of his or her contract is in violation of academic freedom as described in Sec. III.H.1, he or she should first follow the process set forth above. The faculty member may then file a written complaint with the Professional Relations Committee of the Faculty Senate, with a copy being given to the appropriate Dean and Vice President.

The Professional Relations Committee will review the case, interview the principals involved, and determine within fifteen working days whether *prima facie* grounds exist for believing that the nonrenewal may be in violation of academic freedom, and thus warrants the establishment of an *ad hoc* Judicial Committee to consider the matter. If they so determine, the Faculty Senate President will select, within ten working days, three members for the *ad hoc* Judicial Committee, by lot from among the past and present members of the University Committee on Academic Rank and Tenure who have completed at least one year on that committee and are willing to serve on the *ad hoc* Judicial Committee.

Within ten working days of its formation, the *ad hoc* Judicial Committee will establish a specific time and place for the hearing. In setting the date, at least fifteen working days will be allowed for the faculty member to prepare a case. The committee will inform the faculty member and the appropriate Vice President in writing of the location, time and date of the hearing. The faculty member should state in reply whether he or she continues to request a hearing. If so, the faculty member may supplement his or her previous statement, so long as this additional material is given in writing to the committee and the appropriate Vice President, not less than five working days before the date set for the hearing.

In general, the hearings of the *ad hoc* Judicial Committee are private, and public statements about the nonrenewal by the faculty member, the administration, or the *ad hoc* Judicial Committee should be avoided. However, at the discretion of the committee and with the agreement of both the faculty member and the appropriate Vice President, the hearings may be held in public.

Both the faculty member and the appropriate Vice President (or their designees) have the option of attendance during the hearing and of engaging counsel or other representation. However, the committee will determine the order of proof, may secure the presentation of evidence important to the case, and may question witnesses.

The *ad hoc* Judicial Committee is not required to follow formal rules of court procedure during the hearing. An opportunity will be given to the faculty member, designee, counsel or other representative to make an oral presentation, and a similar opportunity will be given to the Vice-President, designee, counsel, or other representative. The burden of proof will be on the faculty member. If any facts are in dispute, the testimony of witnesses and other evidence concerning the matter will be received. The faculty member normally will have the opportunity to confront all adverse witnesses. Where unusual and urgent reasons move the committee to withhold this opportunity, or where the witness cannot appear, the reasons for this and the identity and statements of the witness will be disclosed to the faculty member. All parties will have the right to question witnesses who testify orally at the hearing, within reasonable limits to be established by the *ad hoc* Judicial Committee. A record of all proceedings will be kept.

After all evidence has been received, the *ad hoc* Judicial Committee should reach its decision in private conference, on the sole basis of the evidence presented at the hearing. The committee may proceed to its decision promptly, without having the record of the hearing transcribed, or it may await a transcript if its decision would be aided thereby. It should make explicit findings with respect to each of the disputed reasons for nonrenewal, should indicate the reasons for its findings, and should report its findings to the Executive Vice President and Provost. The Vice President and the faculty member should also be notified of the decision in writing and, at their request, given a copy of the record of the hearing.

The Executive Vice President and Provost will transmit to the President the full report of the *ad hoc* Judicial Committee and a copy of its written decision, along with his or her own, separate recommendation. If the President or the Board of Trustees chooses to review the case, its review should be based on the record of the hearing, the report of the *ad hoc* Judicial Committee, and written arguments by the principals involved or their representatives.

#### **4. Suspension from Duties**

A faculty member may be immediately suspended from any or all of his or her assigned duties only when the President judges that serious, immediate harm would come otherwise to the faculty member, to students, to other individuals, or to the University. Notice of such suspension, together with a specific statement of the causes for the action, should be promptly provided to the faculty member. Full salary and other compensation will continue to be provided to the faculty member during a suspension from duties.

Ordinarily the University will promptly begin dismissal proceedings against a faculty member who has been suspended from duties based on the grounds listed in Sec. III.I.5, using the procedure in Sec. III.I.6. However, suspension for other serious reasons can remain in effect indefinitely or can be lifted at any time by the President.

#### **5. Grounds for Termination of Contract or Letter of Appointment**

Contracts and letters of appointment between the University and faculty members cannot be terminated during their effective period except for medical reasons as set forth in Sec. III.H.9(b), by mutual consent or for the following reasons:

- a. Misrepresentation of fact relevant to University obligations, such as false claims of academic degrees or of previous academic or professional experience.

- b. Irresponsibility in discharging University obligations, incompetence in meeting the faculty responsibilities described in Sec. III.G, or inability to meet the faculty responsibilities due to medical reasons as provided for in Sec. III.H.9(b).
- c. Serious violation of clearly-established, written policies and procedures of the University such as those governing sexual harassment and research fraud.
- d. Use of the classroom or of University-sponsored activities to deride or attack the Catholic faith. However, the terms deride and attack are to be construed strictly; they do not include the scholarly and relevant criticism of such things as Catholic organizations, Catholic leaders, Catholic activities, and particular theological opinions and traditions. Moreover, faculty members have the right to express and explain their own beliefs, even though these may disagree with Catholic doctrine.
- e. An action that is seriously contrary to clearly-established principles of professional ethics (such as those of the American Association of University Professors available from the Executive Vice President and Provost) or of Christian scriptures and tradition, so long as this action is committed during the discharge of professional obligations and is not part of the private or personal life of the faculty member.
- f. Conviction for a crime that would greatly affect the faculty member's discharge of University responsibilities or would greatly interfere with the mission of the University.
- g. Financial exigency or academic reorganization as described in Sec. III.I.8.
- h. In the case of medical school faculty with major clinical responsibilities and assignments, failure to maintain licensure to practice medicine and/or appropriate hospital credentials necessary to carry out assigned duties.

## 6. Procedures for Termination

When reason arises to question the fitness of a tenured faculty member, or of an untenured faculty member on the tenure-track, a non-tenure-track faculty member or an Artist-in-Residence whose contract or letter of appointment has not expired, for any of the reasons in Sec. III.I.5 except financial exigency or academic reorganization, the department Chairperson or comparable administrator and the appropriate Dean should ordinarily discuss the matter with the faculty member in a private conference. The matter may be resolved by mutual consent at this point or, at the request of the faculty member, may be forwarded to the Grievance Committee of the Faculty Senate for mediation according to the procedures in Sec. III.I.7. If no resolution is reached, the appropriate Vice President shall inform the faculty member and the Professional Relations Committee of the Faculty Senate in writing of his or her intent to dismiss the faculty member.

Within fifteen working days of the referral, the Professional Relations Committee will review the case, interview the principals involved, and send to the President and the faculty member a recommendation as to whether dismissal proceedings should be continued. If the committee recommends that dismissal proceedings should be continued, or if the President expresses his conviction that proceedings should be continued even after receiving a contrary recommendation from the committee, a communication will be addressed to the faculty member by the President containing the statement of the grounds for proposed dismissal and indicating that dismissal will occur on a particular date unless the faculty member requests a hearing to contest the dismissal. Such request must be made in writing to the President within five working days of receipt of the communication, with a copy being given to the Faculty Senate President. Within ten working days of such request, the Faculty Senate President will select three members for an *ad hoc* Judicial Committee, by lot from among the past and present members of the University Committee on Academic Rank and Tenure who have completed at least one year on that committee and are willing to serve on the *ad hoc* Judicial Committee.

Members bearing bias or personal interest in the case will remove themselves from service on the *ad hoc* Judicial Committee. In addition, either the faculty member whose dismissal is being sought or the President may petition the Faculty Senate President to remove a member on the basis of bias or personal interest, so long as such challenges are made within three working days

of the formation of the committee. Members who remove themselves or who are removed from the *ad hoc* Judicial Committee will be replaced by the Faculty Senate President using the procedure above.

At the time of establishment of the *ad hoc* Judicial Committee, or at any point thereafter, the faculty member whose dismissal is being sought may, at his or her own request only, be temporarily relieved of University duties in order to prepare a defense. Full salary and benefit payments will continue during such relief from duties.

Within ten working days of its formation, the *ad hoc* Judicial Committee will establish a specific location, time and place for the hearing. In setting the date, at least fifteen working days will be allowed for the faculty member to prepare a defense. The faculty member will be informed in writing of the location, time and date of the hearing. The faculty member should state in reply whether he or she continues to request a hearing. If so, the faculty member should answer the statements in the President's letter in a written communication addressed to the committee, with a copy given to the President, not less than five working days before the date set for the hearing.

In general, the hearings of the *ad hoc* Judicial Committee are private, and public statements about the dismissal by the faculty member, the administration, or the *ad hoc* Judicial Committee should be avoided. However, at the discretion of the committee and with the agreement of both the faculty member and the President, the hearings may be held in public.

Both the faculty member and the President (or their designees) have the option of attendance during the hearing and of engaging counsel or other representation. However, the committee will determine the order of proof, may secure the presentation of evidence important to the case, and may question witnesses.

In cases in which the alleged cause for dismissal is Sec. III.I.5(d) or (e), the *ad hoc* Judicial Committee shall have the authority to determine, in consultation with experts in Catholic moral theology and canon law or other appropriate disciplines, whether the alleged actions "deride or attack the Catholic faith" or are "seriously contrary to clearly-established principles of professional ethics . . . or Christian scriptures and tradition." Thus, the committee shall be empowered not only to determine the fact of commission but also the seriousness of the offense. If the faculty member admits the fact of commission but states that he or she acted in good faith, without any reasonable suspicion that the action was covered by sections Sec. III.I.5(d) or (e), and if the committee determines that this statement is true, the faculty member's contract or tenure shall not be terminated except on subsequent repetition of the act in question.

The *ad hoc* Judicial Committee is not required to follow formal rules of court procedure during the hearing. An opportunity will be given to the faculty member, designee, counsel or other representative to make an oral presentation, and a similar opportunity will be given to the President, designee, counsel or other representative. The burden of proof will be on the President. If any facts are in dispute, the testimony of witnesses and other evidence concerning the matter will be received. The faculty member normally will have the opportunity to confront all adverse witnesses. Where unusual and urgent reasons move the committee to withhold this opportunity, or where the witness cannot appear, the reasons for this and the identity and statements of the witness will be disclosed to the faculty member. All parties will have the right to question witnesses who testify orally at the hearing, within reasonable limits to be established by the *ad hoc* Judicial Committee. A record of all proceedings will be kept.

After all evidence has been received, the *ad hoc* Judicial Committee should reach its decision in private conference, on the sole basis of the evidence presented at the hearing. The burden of proof that adequate cause exists for termination rests with the University and will be satisfied only by clear and convincing evidence in the record considered as a whole. The committee may proceed to its decision promptly, without having the record of the hearing transcribed, or it may await a transcript if its decision would be aided thereby. It should make explicit findings with respect to each of the charges in the President's letter, should indicate the reasons for its findings, and should report its findings to the President and the faculty member in writing. The President and the faculty member will be given a copy of the record of the hearing, at their request.

The President will transmit to the Board of Trustees a full report of the activities of the *ad hoc* Judicial Committee. If the Board of Trustees chooses to review the case, its review should be based on the record of the hearing, the report of the *ad hoc* Judicial Committee, and written arguments by the principals involved or their representatives.

## **7. Grievances**

A faculty member who feels that he or she has cause for grievance in situations of nonrenewal of contract or termination should follow the procedures in Secs. III.I.3 and 6, respectively. A faculty member who feels that he or she has cause for grievance in any other matter should first pursue the case through normal administrative channels. If the grievance is not resolved in this manner, the faculty member may petition the Grievance Committee of the Faculty Senate. The petition shall set forth in detail the nature of each grievance and shall state against whom the grievance is directed. It shall contain any data which the faculty member deems pertinent to the case. If the committee determines that all regular channels for resolving the grievance have been exhausted, they will then decide whether the issue merits a detailed investigation. Submission of a petition will not automatically entail investigation or detailed consideration.

The Grievance Committee may appoint a mediator to seek to bring about a settlement of the issue satisfactory to all parties involved. Ordinarily the mediator will not be a member of the Grievance Committee and will have previous experience or training in such functions. All statements made in the process of mediation are privileged and may not be used for any purpose in other proceedings.

If a mediated settlement is not reached in a case of potential dismissal, the procedure in Sec. III.I.6 takes effect. If a mediated settlement is not reached in a case other than dismissal, the Grievance Committee shall investigate the complaint and shall report its findings and recommendations in writing to the petitioner, to the other parties involved, and to the appropriate administrators. The mediator shall not participate in the activities of the Grievance Committee and shall not provide information to the committee. The University will not retaliate against a faculty member for instituting a grievance.

## **8. Financial Exigency or Academic Reorganization**

Financial exigency is a condition in which the University's existence, or that of a college or school, is in serious jeopardy for financial reasons. A current operating deficit or mere financial pressure which does not threaten survival shall not constitute financial exigency. Before formally determining the existence of financial exigency, the President shall consult with the Faculty Senate—and in the case of financial exigency of a college or school, the Dean and all the faculty members of the school—giving the reasons and relevant evidence. The Board of Trustees shall ultimately determine the existence of financial exigency. The Faculty Senate—or in the case of college or school, the Dean and the Faculty Assembly or equivalent group—shall have the right to present recommendations directly to the Board of Trustees or its designated committee.

For the purposes of this section, academic reorganization is defined as the reduction or discontinuance of a program, department, college or school that may result in the termination of faculty members, following one or more program reviews as described in Sec. III.H.6 and based upon educational considerations other than financial exigency. The educational considerations must reflect long-range judgements that the educational mission of the University will be enhanced by the reorganization. Examples of educational considerations are academic quality, relationship to the mission of the University, and a change in enrollment that is not cyclical or temporary in nature. After considering the program review and before formally determining the need for academic reorganization, the President shall consult with the Faculty Senate—and with the Dean and all the faculty members of the affected colleges or schools—giving the reasons and relevant evidence. The Board of Trustees shall ultimately determine the need for academic reorganization. The Faculty Senate—and the Dean and the Faculty Assembly or equivalent group of the colleges or schools affected—shall have the right to present recommendations directly to the Board of Trustees or its designated committee.

Following a declaration of financial exigency or a decision to carry out academic reorganization that may result in the termination of faculty members, a committee shall be established to use the criteria given below to identify academic areas and faculty positions for reduction or discontinuance and to make recommendations to the President within thirty days of the establishment of the committee. This committee shall include appropriate administrators, representatives of the Faculty Senate, the Dean, and representatives of the Faculty Assembly or equivalent group of the colleges or schools affected. The committee shall make every effort to consult with all faculty members that might be affected, including nontenured faculty members.

The recommendations of the committee will meet the following criteria:

- a. continued employment of tenured faculty members whose responsibilities before the declaration of financial exigency, or before the determination of the need for academic reorganization, continue to be fulfilled afterwards by untenured faculty, even if under significantly different form in another subdivision of the University. The University shall make a good faith effort to continue to employ a tenured faculty member who has skills and abilities that satisfy the requirements of other positions within the University.
- b. retention of tenured faculty members in preference to untenured and non-tenure-track faculty members, except in extraordinary circumstances where an essential part of the academic program could not otherwise be carried out.
- c. provision of at least a year of notice, or a year's salary, when there is no realistic choice other than to terminate the services of a tenured faculty member.
- d. completion of a term of appointment of an untenured or non-tenure-track faculty member, with a minimum of four month's salary or four months notice.
- e. not making new faculty appointments in academic areas that have been reduced or discontinued within two years of the termination of faculty positions, except in extraordinary circumstances where an essential part of the academic program could not otherwise be carried out.
- f. before making new faculty appointments in academic areas that have been reduced or discontinued, within three years following the termination of faculty positions, offering contracts at the same rank and tenure status to released faculty members with the same or similar skills and abilities and providing them a reasonable time in which to accept or decline the offer before a replacement faculty member is sought.
- g. in circumstances which require a choice between two or more tenured faculty, primary consideration will be given to the overall good of the University. The criteria for retention might include teaching effectiveness, departmental curricular needs, length of service, scholarly productivity, and diversity.

The President shall provide each faculty member affected by financial exigency or academic reorganization with a written statement of the basis for the initial decision, the criteria by which individual faculty members were chosen for termination, the general information and data on which the President relied, the effective date of termination, and notification of the right to a review of the decision using the procedures of Sec. III.I.9, even after separation from the University.

## **9. Appeals during Academic Reorganization or Financial Exigency**

A faculty member who believes that his or her rights have been violated during academic reorganization or financial exigency according to Sec. III.I.8 should first discuss the situation with the department Chairperson or comparable administrator, then with the appropriate Dean and, if not satisfied, with the appropriate Vice President.

If a faculty member has appealed through administrative channels and still alleges that his or her rights have been violated, he or she has the right to appeal to an *ad hoc* committee composed of four faculty members selected by the Faculty Senate and three people selected by the Executive Vice President and Provost. The request for review should be filed in writing with the Executive

Vice President and Provost within 30 days of the notice of termination, or in case of violations of Sec. III.I.8(e) or (f) within 30 days of the new appointment.

The *ad hoc* committee will hold a hearing to consider the following issues:

- a. whether a state of financial exigency or the need for academic reorganization was declared by the Board of Trustees in accordance with the provisions above.
- b. whether the criteria used to identify faculty members to be terminated were properly applied.
- c. violation of provisions of Sec. III.I.8(e) or (f).

Upon completion of the hearing, the *ad hoc* committee will convey its conclusions and recommendations to the President and the faculty member. The President will make the final decision.



#### **IV. Periodic Review and Amendments**

This manual shall be subject to review every five years. The review will begin with the Faculty Senate, which will solicit opinions from faculty members, Deans and Vice Presidents. The Faculty Senate may submit any proposed changes to the Executive Vice President and Provost, who will consult with Deans and Vice Presidents and then may appoint a committee consisting of representatives of the Faculty Senate and administration to reconcile differing views. The Executive Vice President and Provost may submit any agreed upon changes to the President for review and approval. Amendments require approval by the Faculty Senate and the Board of Trustees to become effective.