



Texas Wesleyan
UNIVERSITY

FACULTY HANDBOOK

2019-2020

Smaller. Smarter.

TABLE OF CONTENTS

SECTION 1: UNIVERSITY MISSION STATEMENT	1
SECTION 2: INTRODUCTION	1
SECTION 3: EQUAL OPPORTUNITY	2
SECTION 4: ORGANIZATION OF THE UNIVERSITY	2
4 .1 ADMINISTRATIVE ORGANIZATION	2
4 .2 PRESIDENT AND EXECUTIVE AND SENIOR STAFF	2
4 .3 PROVOST/SENIOR VICE PRESIDENT	3
4 .4 VICE PRESIDENT FOR ADMINISTRATION AND FINANCE	3
4 .5 VICE PRESIDENT FOR STUDENT AFFAIRS (VPSA)/DEAN OF STUDENTS	3
4 .6 VICE PRESIDENT FOR UNIVERSITY ADVANCEMENT	3
4 .7 VICE PRESIDENT FOR ENROLLMENT, MARKETING AND COMMUNICATIONS	3
4 .8 ACADEMIC DEANS	4
4 .9 LIBRARY DIRECTOR: THE WEST LIBRARY	4
4 .10 CHIEF OF STAFF AND GENERAL COUNSEL TO THE PRESIDENT	4
4 .11 OTHER DIRECTORS	4
4 .12 ADMINISTRATIVE SEARCHES	4
SECTION 5: ADMINISTRATIVE POLICIES RELATING TO FACULTY	5
5 .1 FACULTY RESPONSIBILITY	5
5 .2 UNIFIED HARASSMENT AND DISCRIMINATION POLICY	6
5 .3 DRUG AND SMOKE-FREE ENVIRONMENT	7
5 .4 STUDENTS WITH DISABILITIES AND NON-DISCRIMINATION ON THE BASIS OF GENDER	7
5 .5 APPOINTMENTS CONTRACTS	8
5 .6 SALARY CHECKS AND INCREASES	8
5 .7 COMMUNICATION CHANNELS	8
5 .8 PUBLIC RELATIONS	9
5 .9 ADVISORS FOR STUDENT ACTIVITIES OR ORGANIZATIONS	9
5 .10 ACADEMIC FREEDOM	9
5 .11 INTELLECTUAL PROPERTY	10
5 .12 THE FACULTY PERFORMANCE APPRAISAL	10
5 .13 TENURE: FUNDAMENTAL CONCEPT; ELIGIBILITY; PRIOR SERVICE CREDIT	11
5 .14 TENURE PROCESS	12
5 .15 APPEALS PROCEDURE REGARDING ADVERSE TENURE DECISIONS	16
5 .16 PROMOTION POLICY	19
5 .17 FACULTY/ACADEMIC STAFF GUIDELINES	22
5 .18 FACULTY TEACHING OVERLOAD	27
5 .19 TWELVE-MONTH FACULTY GUIDELINES	30
5 .20 TERMINATION OF EMPLOYMENT OF A FULL-TIME FACULTY MEMBER	32
5 .21 FACULTY GRIEVANCE PROCEDURE-FILING A GRIEVANCE	35

5 .22 FACULTY SEARCHES	37
SECTION 6: BENEFITS AND PRIVILEGES	37
6 .1 FACULTY SABBATICALS	37
6 .2 OTHER LEAVES	39
6 .3 MEDICAL AND LIFE INSURANCE	41
6 .4 FACULTY DISABILITY POLICY	41
6 .5 SOCIAL SECURITY	41
6 .6 CAMPUS SECURITY	41
6 .7 RETIREMENT	41
6 .8 EDUCATIONAL ASSISTANCE: TUITION WAIVER POLICY	42
6 .9 FACULTY EMERITI	42
6 .10 ENDOWED PROFESSORSHIPS	43
SECTION 7: FACULTY STANDING COMMITTEES	43
7 .1 COMMITTEE ON ACADEMIC AFFAIRS	44
7 .2 COMMITTEE ON ADMISSIONS, SCHOLARSHIP, AND FINANCIAL AID	44
7 .3 COMMITTEE ON ATHLETICS	45
7 .4 COMMITTEE ON ADVANCEMENT AND ALUMNI AFFAIRS	45
7 .5 BLUE + GREEN = GOLD COMMITTEE	46
7 .6 COMMITTEE ON FACULTY BENEFITS, PROFESSIONAL DEVELOPMENT, AND GRIEVANCES	46
7 .7 COMMITTEE ON FACULTY RECOGNITION AND HONORARY DEGREES	47
7 .8 COMMITTEE ON GENERAL EDUCATION CURRICULUM (GEC)	48
7 .9 COMMITTEE ON GRADUATE PROGRAMS	48
7 .10 COMMITTEE ON HONORS PROGRAMS	48
7 .11 COMMITTEE ON INTERNATIONAL EDUCATION	49
7 .12 COMMITTEE ON HEALTH BENEFITS	49
7 .13 COMMITTEE ON STUDENT AFFAIRS	50
7 .14 COMMITTEE ON STUDENT PUBLICATIONS	50
7 .15 COMMITTEE ON TEACHER EDUCATION	51
7 .16 COMMITTEE ON TENURE, PROMOTION, AND ACADEMIC FREEDOM	51
7 .17 COMMITTEE ON UNIVERSITY COLLEGE DAY	52
7 .18 UNIVERSITY JUDICIAL BOARD	52
7 .19 COMMITTEE ON UNIVERSITY PLANNING	53
7.20 COMMITTEE ON EXCELLENCE IN TEACHING AND LEARNING	54
7 .21 BOARD OF TRUSTEES STANDING COMMITTEES	54
SECTION: 8: CHANGES TO THE FACULTY HANDBOOK	55
SECTION 9: CONSTITUTION AND BY-LAWS OF THE FACULTY ASSEMBLY	55
APPENDIX	59

SECTION 1: UNIVERSITY MISSION STATEMENT

Our mission at Texas Wesleyan University is to develop students to their full potential as individuals and as members of the world community.

Texas Wesleyan University, founded in 1890 in Fort Worth, is a United Methodist institution with a tradition in the liberal arts and sciences and a focus on professional and career preparation. The University is committed to the principles that each student deserves personal attention and that all members of the academic community must have freedom to pursue independent thought and to exercise intellectual curiosity.

The University endeavors to create a learning environment where each student is provided an opportunity to pursue individual excellence, to think clearly and creatively, and to communicate effectively. The University also strives to develop a sense of civic responsibility and spiritual sensitivity, with a commitment to moral discrimination and action. Texas Wesleyan University strives to develop informed, responsible, and articulate citizens.

The University actively seeks and employs faculty and staff with commitment and dedication to teaching, inspiring, and serving students. Texas Wesleyan University recognizes its responsibility to the community by providing leadership and talent through programs that enable and enrich society. Undergraduate and graduate programs are offered on campus and through distance education. Faculty scholarship informs teaching and advances knowledge and understanding.

SECTION 2: INTRODUCTION

This Faculty Handbook is designed to provide the faculty of Texas Wesleyan University with basic information concerning subjects relating to the role of the faculty within the University. Each faculty member of the University should become familiar with the responsibilities, opportunities, and obligations set forth in this Handbook. For those policies and procedures not covered in this Handbook, the faculty member is advised to consult the policy and procedure manual for his/her school and to consult the Faculty Guide. The Faculty Handbook was developed in accord with the policies and procedures of the Board of Trustees of Texas Wesleyan University. The Faculty Handbook shall be reviewed by the Faculty Council and Academic Affairs and the Student Life Committee of the Board at least every five years.

For all policies and procedures not covered in this Handbook or in other university policy and procedure manuals, including those of the Board of Trustees, the University and the Board may consult the American Association of University Professors (AAUP) Policy Documents and Reports (current edition) and other higher education professional resources to develop new university policy.

Change in Board policy may affect specific provisions of this Handbook, and Board policy serves as the guide to all other policies and procedures of the University.

The authority to establish or amend University policy rests solely with the Board of Trustees.

SECTION 3: EQUAL OPPORTUNITY

Texas Wesleyan University is an equal opportunity employer.

The University upholds its commitment to provide equal opportunity to all employees and applicants for employment in all phases of employment, including, but not limited to, recruiting, hiring, placement, compensation, benefits, promotion, demotion, discipline, transfer, and termination. The University shall not discriminate in the employment context against any individual because of race, color, religion, creed, national or ethnic origin, gender, age, disability, veterans' status, sexual orientation, or any other reason prohibited by applicable federal, state, or local laws.

The University shall make reasonable accommodations for qualified individuals with known disabilities unless doing so would result in an undue hardship for the University. This policy governs all aspects of employment, including selection, job assignment, compensation, discipline, termination, and access to benefits and training.

Discrimination should be reported to the employee's supervisor, appropriate divisional vice president, associate vice president for human resources immediately. If the employee's complaint is not adequately addressed, the employee should follow the faculty or staff grievance policy.

SECTION 4: ORGANIZATION OF THE UNIVERSITY

The governance of the University is vested in a Board of Trustees, as provided in its 1890 charter. The full Board of Trustees meets in regular session (usually three times per year) and at such other times as may be needed. The Board elects the President of the University, manages the property of the University, and determines general University policy.

4 .1 ADMINISTRATIVE ORGANIZATION

The University has a line-and-staff organization. See the Appendix for the Organizational Chart and listing of administrative positions. The President has the authority to develop the organization necessary to carry out the activities of the University.

4 .2 PRESIDENT AND EXECUTIVE AND SENIOR STAFF

The President is the chief executive officer of the University and is directly responsible to the Board. The President is responsible for overseeing all programs and operations of the University within the guidelines and the policies established by the Board. The Provost, vice presidents, athletic director, and chief of staff/general counsel report directly to the President and make up the executive staff. The Provost/ Senior Vice President, the vice presidents, the academic deans, the associate provost, associate vice presidents, the controller, the registrar, the chaplain, the faculty chair, the athletic director, the director of campus safety and security, the Executive Director of Facilities and the President comprise the membership of the Senior Staff, which meets regularly to consider the policies and administration of the University. In the absence of the President, the Provost/Senior Vice President presides at University meetings and functions. The composition of senior staff may be changed at the discretion of the President.

4 .3 PROVOST/SENIOR VICE PRESIDENT

The Provost/Senior Vice President directs the overall academic program of the University. Responsibilities of the position include overseeing university academic planning, curriculum, faculty, library, and academic life of the University and directing the academic programs and support services of the five schools, Arts and Letters, Business Administration, Education, Health Professions, and Natural and Social Sciences, through the academic deans. The associate provost, deans of the schools, and the directors of Institutional Research, Center for Excellence in Teaching and Learning and the West Library report to the Provost/Senior Vice President.

4 .4 VICE PRESIDENT FOR ADMINISTRATION AND FINANCE

The Vice President for Finance and Administration is responsible for university-wide budgeting, accounting, auditing, purchasing, plant and facilities operation, risk management, information technology, student financial services, and human resources. Reporting to the Vice President for Finance and Administration are, the Controller, Executive Director of Facilities Development Operations, Risk Manager, Associate Vice President for Financial Services and the Associate Vice President of Human Resources and Title IX Coordinator.

4 .5 VICE PRESIDENT FOR STUDENT AFFAIRS (VPSA)/DEAN OF STUDENTS

The Vice President for Student Affairs (VPSA)/Dean of Students is the chief student affairs officer, reports directly to the President. Serves as a member of the President's Executive staff. The VPSA is responsible for providing executive-level leadership and vision for the Division of Student Affairs. The VPSA works collaboratively with other members of the senior leadership team to foster a climate focused on student success, service excellence, and data-informed decisions in alignment with the mission, vision, and goals of Texas Wesleyan University. The Division of Student Affairs includes the functional areas of campus security, career services, student diversity & inclusion initiatives, the fitness center, Greek life, health services, housing & residence life, intramural sports, student leadership & volunteerism, multicultural programming, orientation & new student experiences, student conduct & civility, student engagement, student organizations, and transition programming.

4 .6 VICE PRESIDENT FOR UNIVERSITY ADVANCEMENT

The Vice President for University Advancement is responsible for University development, institutional advancement, and alumni activities. The Vice President coordinates the accrual of financial and other resources supporting the various programs of the University and directs the Annual Fund Drive, which raises funds for the general operating budget, scholarship, and endowment programs of the University. This office maintains relationships with community organizations and businesses.

4 .7 VICE PRESIDENT FOR ENROLLMENT, MARKETING AND COMMUNICATIONS

Serving as the university's chief enrollment, marketing and communications officer, the Vice President acts as a strategic and practical advisor to the President, executive staff and the Board of Trustees in the development and execution of the

university's overall leadership, vision and management of the school's enrollment, marketing & communication plans. Provides leadership for all aspects of the university's efforts to engage the public through admissions, recruitment, marketing, digital communications, media relations, social media, publications, and editorial strategies.

4 .8 ACADEMIC DEANS

Each school—Arts and Letters, Business Administration, Education, Health Professions, and Natural and Social Sciences—has an academic dean who oversees and administers its academic programs. The dean's responsibilities include teaching; overseeing classroom instruction; managing school planning and assessment process; administering the school's budget; supervising the selection of new faculty and staff; evaluating faculty performance; formulating recommendations regarding tenure, promotion, and salary increases for faculty and those staff assigned to the school; encouraging innovative course offerings; and representing the University in a public relations role in the community. Each dean serves on the Committee on Academic Affairs, advises students, oversees degree plans, and evaluates proposed curriculum changes within the school. The deans also serve on the Provost Council with the chairperson of the Faculty Council/Assembly in an advisory capacity to the Provost/Senior Vice President.

4 .9 LIBRARY DIRECTOR: THE WEST LIBRARY

The Director of the West Library supervises the overall operation of the West Library. These responsibilities include preparing and overseeing the library budget; coordinating the acquisition, cataloging, and filing of library material; developing library policies; managing the security of library materials; supervising the selection of new library faculty and staff; and conducting evaluations of library faculty and staff. The Director of the West Library holds faculty status as a University Librarian. For matters involving library faculty and staff of the West Library, the Director serves as a dean and makes recommendations regarding tenure, promotion, and salary increases to the Provost/Senior Vice President.

4 .10 CHIEF OF STAFF AND GENERAL COUNSEL TO THE PRESIDENT

Responsible for the management and operations of the office of the president and its staff. Works closely with senior University administrators and their staff to address issues, assists with key initiatives, and facilitates communication with the president and the Board of Trustees. Chief of Staff coordinates the president's role in multi-jurisdictional meetings, events, and initiatives within the University. As the University's General Counsel, responsibilities include providing legal advice regarding work-related legal matters and inquiries, legal matters involving outside agencies or individuals and serves as the University's primary liaison with retained outside legal counsel.

4 .11 OTHER DIRECTORS

Other director positions may, from time to time, be created to assist the vice presidents. These appointments are staff appointments and do not carry faculty status or rank. Directors are appointed in keeping with University personnel guidelines. The directors serve on advisory councils as appropriate to senior staff.

4 .12 ADMINISTRATIVE SEARCHES

The guidelines for hiring vice presidents and academic deans (those positions specifically noted in sections 4.3–4.9) are analogous to the guidelines for hiring tenure-track faculty. The President appoints a search committee with recommendations regarding faculty representation as received from the chair of the Faculty Council/Assembly. The specific composition of the committee and the number of representatives are determined by the President.

The Equal Employment Opportunity Commission (EEOC) officer, or the individual who functions in such capacity, must approve search committee rosters. The search committee, once formed, shall, to the extent possible, conduct a national search and shall recommend to the appropriate vice president or to the President (for those positions that report directly to the President) the finalists for the position. The President or designee, except in searches for the President, will make the final decision.

The Board of Trustees appoints the President. The Board of Trustees or the Executive Committee acting on behalf of the Board determines the search process for the position of President. Open communication between appropriate faculty and staff is expected so that the individual selected for the position will meet the expectations of both faculty and staff.

The search committee for the position of Provost shall have adequate faculty representation from each school, a current dean (from any school), one administrative officer or administrative staff member other than a dean, and, if appropriate, one alumnus. Such committee will be formed by the faculty in consultation with the President; the committee roster must be approved by the Faculty Council and the Equal Employment Opportunity Commission (EEOC) officer, or the individual who functions in such capacity. The formal appointment of the committee is made by the President.

The search committee for the position of dean shall be a minimum of three faculty members from the school in which the search is conducted, a former or current dean (from any school), one administrative officer or administrative staff member other than a dean and, if appropriate, one alumnus. Such committee will be formed by the faculty in consultation with the Provost/Senior Vice President; the committee roster must be approved by the Faculty Council and the Equal Employment Opportunity Commission (EEOC) officer, or the individual who functions in such capacity. The formal appointment of the committee is made by the Provost/Senior Vice President with the approval of the President.

Search committees for other administrative positions, including those such as, but not limited to, associate or assistant vice president to director positions, will be appointed by the senior officer to which the individual reports and should include representation from appropriate faculty and staff. Such committee rosters must be approved by the Faculty Council and by the President.

SECTION 5: ADMINISTRATIVE POLICIES RELATING TO FACULTY

5.1 FACULTY RESPONSIBILITY

Professional educators are responsible to their students, to their disciplines, to their colleagues, and to themselves. Faculty members are charged to impart to students a knowledge and understanding of their disciplines, to challenge students to further exploration, to respect students as individuals, and to adhere to their proper roles as intellectual guides and counselors, avoiding any exploitation, harassment, or discriminatory treatment of students. Faculty members owe dedication to seeking and stating the truth in their discipline as best practice dictates. Maintaining an effective working relationship with other faculty members, staff, and students will in great measure determine how effective the educational

endeavor will be. Each faculty member should strive to achieve and maintain the highest possible level of professional stature.

Scholarly or creative activity deemed worthy of maintaining high levels of professional stature is eligible for reducing faculty teaching load. Application for this reduction in teaching load will be approved or disapproved by the dean and the Provost and communicated to the Department Chair.

5.1.1 Inside the Classroom

Teaching faculty members are expected to meet their classes at the time and place appointed and to begin and end classes on time. Administrative and personal matters should not interfere with this primary responsibility. Faculty members shall post and maintain reasonable office hours to be available for student advising. They shall also keep accurate records of students' attendance and grades. It is the policy of the University to maintain records from students completing coursework, including specifics of how the course grades were earned, for a period of no less than one year after the completion of the course. Faculty members may be asked to teach some of the courses offered in the evenings and weekends. Each faculty member is expected to notify his/her dean (or department/division chair, if appropriate) and make appropriate arrangements if unable to meet a class.

5.1.2 Outside the Classroom

Faculty duties include certain administrative and committee work; however, no faculty members will supervise student work for academic credit without compensation proportional to their contract. In addition to fulfilling classroom responsibilities and conducting scholarly activities, full-time faculty are expected to hold office hours; advise students; fulfill assigned registration duties; participate in department/division, school, and University meetings; serve as necessary on department/ division, school, and University committees; attend official academic University functions such as convocations and graduations; and represent the University in the community.

5.1.3 Conflict of Interest

It is to the mutual advantage of the University and the faculty for the services of faculty members with expertise in their field to be sought from outside the University. Faculty members may, with prior approval from their dean, perform outside work for pay during the months of regular, full-time employment. Such work shall not interfere with University duties. All such employment must be compatible, not competitive, with the University's interests and be of such a nature that it will not impair the usefulness of the faculty member as a teacher and scholar.

5.2 UNIFIED HARASSMENT AND DISCRIMINATION POLICY

Harassment and discrimination, including sexual harassment and discrimination, are illegal under federal and state statutes, including, but not limited to, Title VII of the Civil Rights Act of 1964, Title IX of the Educational Amendments of 1972, and the Texas Commission on Human Rights Act, and are prohibited at Texas Wesleyan University (the "University").

The University is committed to providing an environment of academic study and employment free from harassment or discrimination to all segments of its community, that is, its faculty, staff, students, guests, and vendors. It is the responsibility of members of the University community to conduct themselves so that their words or actions cannot be reasonably perceived as harassing, discriminatory, sexually coercive, abusive, or exploitive or as interfering with any other individual's ability to study or work productively at the University.

Furthermore, the University strictly forbids retaliation by any member of the University community against anyone who brings a charge of discrimination, sexual harassment, or any other form of harassment. Full policies and procedures are contained in the Employee Handbook.

5.3 DRUG AND SMOKE-FREE ENVIRONMENT

The University maintains a drug-free workplace. Faculty members should recognize the hazards to themselves, to other employees, and to students while working under the influence of drugs or other intoxicants. In order to maintain a drug-free workplace, the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance by an employee is prohibited while within the bounds of the University campus or while conducting University activities.

All faculty members as a condition of their employment must at all times abide by the terms of this policy and must notify the University of any Criminal Drug Statute Conviction for a violation occurring in the workplace no later than five (5) days after such conviction. In this context a "controlled substance" means any substance listed in schedules I through V of section 202 of the Controlled Substances Act (21 USCS section 812). "Convictions" include pleas of nolo contendere, and "criminal statutes" include the state and federal prohibitions against the manufacture, distribution, dispensing, use, or possession of any controlled substance.

Any employee convicted of a violation of the drug-free workplace policy will be subject to disciplinary action, which may include termination of the employment or a required participation in a drug-free assistance or rehabilitation program approved by the federal, state, or local health, law enforcement, or other appropriate agency.

Faculty members who smoke are expected to restrict their smoking as follows: Smoking, including all smokeless tobacco products, is not permitted in the academic, administrative, and student life buildings of the University or in University vehicles. Smoking policies for individual rooms in residence halls are determined by student life. Designated smoking areas outside of buildings are listed in the Appendix.

Alcohol consumption on the campus and at campus functions must be in keeping with Trustee-approved policies. See the Appendix.

5.4 STUDENTS WITH DISABILITIES AND NON-DISCRIMINATION ON THE BASIS OF GENDER

Texas Wesleyan University complies with the Americans with Disabilities Act (ADA) and with section 504 of the Rehabilitation Act of 1973 regarding its employees and its students with disabilities. The University also complies with Title IX of the Education Amendments of 1972 and does not discriminate against students on the basis of gender. It is

the policy of the University that no student shall be denied access to or participation in the services, programs, and activities of the University solely on the basis of her/his disability or gender. Full policy and procedures are contained in the Appendix.

5.5 APPOINTMENTS CONTRACTS

Appointment to the University faculty shall be confirmed in a contract that shall set forth the regular and standard conditions of employment, including salary and period covered. Special provisions and conditions, if any, are included in the contract. The University will send the contract to faculty for signature. The appointee shall sign and date the contract and return the original signed copy to the Office of Human Resources. The contract will then be signed by the President or designees. A copy of the fully executed contract will then be returned to the faculty member. Each contract shall contain information regarding the tenure status of the individual as tenured, on tenure track, or non-tenured. Contracts are not issued to those with staff appointments other than academic staff with instructional appointments. Contracts shall be issued annually by May 31.

5.6 SALARY CHECKS AND INCREASES

During the fall and spring semesters, faculty salary checks shall be issued on the last business day of the month. Faculty salary checks for courses taught in the summer shall be issued at the end of each summer term. Special compensation (such as payments for overload) will be paid as part of regularly established payroll cycles. No checks shall be issued by the University until appropriate employment processing takes place, complete, official documentation (in most instances this will be official transcripts for all institutions from which the individual received a degree) are on file in the Office of the Provost/Senior Vice President, and fully executed contracts are on file in payroll. Full-time faculty members on academic-year contract have the option to be paid in nine- or twelve-month installments. All employees of the University have the option of choosing a direct deposit through the business office.

5.7 COMMUNICATION CHANNELS

Recommendations for salary adjustments originate with the dean of the appropriate school and the directors of the libraries as appropriate. Such recommendations shall be reviewed by the Provost/Senior Vice President and the Vice President for Administration and Finance before transmittal to the President, who shall approve or decline to approve. Assuming favorable action by the Provost/Senior Vice President and the President, the approved adjustments shall be incorporated into the budget. The factors that apply to determining salary adjustments are also used in promotion and tenure matters. (See section 5.12.)

Correspondence from a faculty member that requires action shall be routed through a department/ division head (where applicable), the dean, the Provost/Senior Vice President, and then to the President. Such correspondence, memos, or notices should identify the (1) originator, (2) originator's office, (3) date issued, (4) subject, (5) addressee, and (6) addressee's office. Correspondence involving fiscal or budgetary issues will be shared with the Vice President for Finance and Administration.

The faculty/staff weekly newsletter (currently the Wesleyan Flame) shall be a channel for communicating campus memos to the entire staff, the faculty, the student body, or any substantial portion or distinguishable class of such groups. The student newspaper (currently The Rambler), although not an official channel for University communication, may also be used to announce actions and special events.

5.8 PUBLIC RELATIONS

The Assistant Vice President for Enrollment, Marketing and Communications maintains close working relationships with the various print and electronic media in the region and seeks to enhance the University's positive public image through them. All media releases and requests for coverage by the media must be coordinated through this office.

The importance of a positive public image cannot be overemphasized. Any contact that represents the University to the community constitutes public relations. The Office of the Vice President for University Advancement and the Vice President for Marketing and Communications seeks to present a positive picture to the community. All public relations materials (including newsletters, advertising that will go to the community beyond the campus, special programs including school based activities, etc.) generated on behalf of the University must be coordinated through the Vice President of Marketing and Communications to assure the creative, informative, and consistent use of graphics in all material published.

5.9 ADVISORS FOR STUDENT ACTIVITIES OR ORGANIZATIONS

The advisor for a student activity or organization is selected from faculty or staff members and is approved by the appropriate dean of the school as well as by the Provost/Senior Vice President. The advisor shall aid the organization in attaining its announced objectives and assist the organization in adhering to University policy. Responsibility rests with the organization to ask for the advisor's assistance in solving problems and conducting the business of the organization. The advisor's attendance at each of the organization's meetings is desirable although not mandatory. University rules and policies regarding University organizations may be obtained through the Director of Student Support Services.

5.10 ACADEMIC FREEDOM

All faculty members (full-time, tenured, and non-tenured as well as part-time faculty and teaching assistants or staff who exercise teaching responsibilities) are entitled to full freedom in research and in the publication of results, subject to the adequate performance of other academic duties and in agreement with the AAUP statement on academic freedom. Research for pecuniary return should be based on a prior understanding with the administration. Faculty members are entitled to freedom in the classroom in discussing subject matter but shall not unduly introduce matters that have no reasonable relationship to the subject, nor shall faculty members violate University policy regarding equal opportunity or sexual harassment.

Faculty members are citizens, members of learned professions, and representatives of an educational institution. When speaking or writing as a citizen, faculty members are free from University censorship or discipline, but a faculty member's special position in the community imposes special obligations. A faculty member should at all times be accurate, exercise

appropriate restraint, and respect the opinions of others.

The Committee on Tenure, Promotion, and Academic Freedom serves as the advisory body on all matters concerning University tenure and issues of academic freedom. The specific responsibilities of the Committee on Tenure, Promotion, and Academic Freedom are outlined in the committee section of this Handbook.

5 .11 INTELLECTUAL PROPERTY

Intellectual property includes patents for inventions, discoveries, biological materials, or integrated circuit chips; trade secrets; copyrights for publications or computer software; and trademarks. See the Appendix for complete guidelines and policies pertaining to intellectual property.

5 .12 THE FACULTY PERFORMANCE APPRAISAL

The Faculty Performance Appraisal (annual report), prepared by each faculty member, consists of two parts:

a. A narrative report summarizing the year's activities, commenting specifically on accomplishments and achievement of the faculty member's goals in the following areas:

1. teaching effectiveness and/or job effectiveness,
2. professional development and scholarly productivity demonstrated by discipline recognized or peer reviewed scholarly or creative work as defined by school or departmental guidelines,
3. service to the University, and
4. service to the community.

Evidence that demonstrates that these goals have been reached should be included (i.e., student evaluations, awards and honors, published articles, notices of community activities, etc.). Peer evaluation of teaching of the tenured faculty will be part of each faculty member's Faculty Performance Appraisal (annual report). The faculty member's response to this peer evaluation will become part of the faculty member's evaluation of his/her own teaching and goal setting for the next year. The process for peer evaluation will be determined by each program. Faculty preparing for tenure or promotion review should include documentation in their portfolio, which is to be submitted to their tenure committee or to the dean in the instance of promotion review.

b. Completion of the Projected Goals and Activities sheet listing the faculty member's goals, specific objectives, and evaluation schemes for the next evaluation period.

The annual reports are due in the dean's office by February 1 or the first Monday in February and should encompass activities for the previous spring, summer, and fall semesters. A faculty member in his/her second year of employment or in the year in which a tenure decision is to be made will complete his/her annual report no later than December 1.

The Faculty Performance Appraisal (annual report) shall be used in connection with salary adjustments, promotions, and tenure decisions.

5.12.1 Dean's Personal Meetings, Reviews, Summary Reports

After the faculty member submits the annual report, the dean or his/her designee will schedule personal meetings between the faculty member and the dean or his/her designee for review and discussion of the report. The dean will then prepare a Summary Report for each faculty member to be forwarded to the Provost/Senior Vice President for review and inclusion in the faculty member's file in both the Provost/Senior Vice President's and dean's files with a copy forwarded to the faculty member. The Provost/Senior Vice President makes such Summary Reports available to the President for his/her review.

5.13 TENURE: FUNDAMENTAL CONCEPT; ELIGIBILITY; PRIOR SERVICE CREDIT

The University recognizes the importance of tenure and tenure-track appointments as vehicles for preserving academic freedom, for sustaining continuity in the ranks of the faculty, and for affording security (subject to guidelines for dismissal of tenured employees discussed elsewhere in this Handbook) to faculty members. The University does not have a quota or limit on the number of tenured faculty. Tenure will be granted to those on tenure-track appointments only after careful review and only then to those faculty members who have shown willingness and an ability to make substantial contributions to the University.

The Tenure, Promotion, and Academic Freedom Committee (TPAFC) advises the Provost/Senior Vice President and President on matters of tenure and promotion. The Board of Trustees grants tenure upon specific recommendation of the President. Matters of tenure are customarily brought before the Board at the April board meeting.

There shall be a pre-tenure probationary period of five (5) years. The number of years of prior service credit toward tenure is established at the initial appointment of the faculty member.

The amount of credit for prior service will be outlined in the official "letter of offer," which is extended from the Provost/Senior Vice President. Except under special circumstances approved by the President, the maximum number of years of prior service credit toward tenure is three (3) years and only then for full-time service at an accredited post-secondary institution. For persons who have served as visiting professor at this university and subsequently move to tenure-track status, the maximum credit toward tenure for visiting professor service at this university shall be one (1) year. The granting of prior service credit is neither automatic nor mandatory.

The minimum rank of any person on tenure track is assistant professor.

The award of tenure does not automatically result in promotion in rank. However, in the instance of a recommendation for concurrent tenure and promotion, the tenure time schedule should be followed.

Faculty members on tenure-track appointments will be considered for tenure in their fifth year of service. If tenure is granted, tenure will begin in the sixth academic year. University librarians who are assigned to the West Library and who are considered tenure-track faculty will follow the same guidelines as do other tenure-track appointees.

Consulting professors, adjunct professors, visiting professors, and part-time appointees do not acquire tenure, even if their

appointments involve full-time teaching and/or research. In accordance with AAUP guidelines, faculty members employed as temporary full-time faculty not funded by special grants or funds and teaching a full load of regularly scheduled courses should not be employed by the University beyond three years unless placed on tenure track.

Appointments above the level of department/division chair are considered primarily administrative assignments. Individuals holding these appointments are not eligible for tenure as administrators. However, if such individuals have teaching and/ or research or library responsibilities amounting to at least half a customary load and demonstrate clearly above-average performance in executing those responsibilities, they can be tenured as faculty members in the appropriate department.

Tenure may be granted only to persons holding terminal degrees in their disciplines, except in extraordinary circumstances. For example, extraordinary circumstances may exist in the case of someone of national or international renown. Such extraordinary circumstances shall be determined at hire by a vote of the tenured faculty of the school in which the candidate is to be tenured.

Each School may set different tenure guidelines. However, such guidelines must be submitted in writing and approved by the Provost, President, and Board of Trustees and communicated to the Tenure, Promotion, and Academic Freedom Committee by February 5 each year.

5 .14 TENURE PROCESS

The precise terms and conditions of every appointment shall be stated in writing and shall be in possession of both the University and the faculty member before the appointment is complete. Any special conditions (meaning those other than competent performance and appropriate behavior) upon which continuity of employment may depend shall be stated clearly in writing at the time the appointment is made and shall not be imposed as an afterthought.

In exceptional circumstances, tenure on appointment may be awarded. The process for considering tenure on appointment involves the normal hiring process and requires recommendation of awarding tenure by the search committee, the dean, the Provost, the Academic Affairs Committee of the Board, and the President. The joint recommendation then goes to the Executive Committee of the Board and the full Board for consideration.

All documents pertaining to the tenure process, including, but not limited to, all Faculty Performance Appraisals (Annual Reports), evaluations and recommendations by deans, reports from the ad hoc tenure committee, and records of votes by tenured faculty, must be signed by their originators.

5.14.1 Tenure Guidelines

The following guidelines will apply to all those on tenure track unless otherwise stated in their contract:

- a. Beginning with the first complete year of service at the University, tenure-track faculty members will work with an ad hoc tenure committee recommended by the dean and appointed by the Provost/Senior Vice President. The ad

hoc tenure committee will serve as a mentoring committee for the tenure-track faculty member and issue a yearly written report. By November 1 for each academic year (or February 1 for those in the first probationary year) the ad hoc tenure committee shall meet with the tenure candidate, review his/her portfolio, and address issues of concern. By December 1 (or February 15 for those in the first probationary year) the committee shall submit to the dean and the candidate a written report dated and signed by each committee member. The ad hoc tenure committee report shall refer to evidence related to the candidate's teaching, scholarship and professional development, service to the university, and service to the community, document in detail strengths and weaknesses, communicate concerns and expectations regarding any performance issues, contain an improvement plan, and include a recommendation to continue on tenure-track or not. In the final probationary year, a recommendation for or not for tenure is made. The dean shall, in turn, include the report as part of the Faculty Performance Appraisal (annual report) submitted to the Provost. However, the dean, on the advice of the ad hoc tenure committee, may also convene the tenured faculty within the school or department for advice on mentoring the candidate during any year prior to tenure consideration. For faculty awarded one or more years of credit toward tenure upon hire, the December 1 due date for the first tenure report shall apply.

- b. The ad hoc tenure committee shall consist of no fewer than three tenured faculty members recommended by the dean and appointed by the Provost. At least two of the members should be from within the department/division or school of the tenure-track appointee. One or more committee members may be from outside the department, division, or school.
- c. Tenure-track appointees will, as with all other faculty appointees, prepare the Faculty Performance Appraisal (annual report) on their activities and contributions in teaching, service, scholarly activity, and professional development as discussed in section 5.12.
- d. Tenure-track appointees will develop an annual portfolio to include, for example, the signed Faculty Performance Appraisal (annual report), signed ad hoc tenure committee reports, and other documentation that demonstrates the professional development and contribution of the individual faculty member. The portfolio shall be presented each year to the ad hoc tenure committee, which will critique the portfolio.
- e. If a faculty member is unable to participate in the full array of faculty responsibilities for reasons considered under FMLA, the faculty member may elect to delay the date of the tenure decision. Election of this delay may be exercised by the faculty member during the Tenure Committee's annual deliberations. Election of such delays may not exceed two requests and for not more than two years. Choosing this course of action, the faculty member will elect this delay in agreement with the Tenure Committee in a timely manner prior to the period to be excluded from tenure consideration. This effectively excludes retroactive election.
- f. If a tenure-track ("probationary") faculty member is on a University-approved leave for at least thirty (30) consecutive days, then the faculty member has the option to elect not to delay the date of his or her tenure consideration by one year. Such election must be made by the faculty member in writing prior to the Tenure

Committee's report on the faculty member for that year. The faculty member may elect not to delay the tenure decision only for a total of two semesters. Any additional University-approved leave or leaves for the faculty member consisting of at least thirty (30) consecutive days each will automatically result in the delay of the date of his/her tenure consideration by one year for each such leave.

- g. The President shall receive from the Provost recommendations regarding tenure in a timely manner and will make recommendations to the Board of Trustees at its spring Board meeting. If granted, tenure will commence with the next academic year. The Provost will notify the candidate of the Board's decision no later than one week after the spring meeting of the Board of Trustees.
- h. Following is a time line for events in the final year of the pre-probationary period:
 - 1. By November 1 the ad hoc tenure committee shall meet with the tenure candidate for discussions and review of the final portfolio. All documents that contribute to the tenure process must be signed by appropriate faculty or administrators.
 - 2. By November 15 the ad hoc tenure committee shall meet with the dean and department chair to discuss the candidate's tenure.
 - 3. By December 1 the ad hoc tenure committee shall submit its written report of the candidate to the dean, division/department chair, and candidate. The candidate's portfolio shall then be forwarded to the dean for review. The portfolio shall remain in the dean's office for faculty perusal from December 1 to the time the faculty vote is taken within the school.
 - 4. By January 15 the Provost's office shall publish a list of all candidates for tenure.
 - 5. By January 20 the dean and the ad hoc tenure committee chair shall schedule at least one meeting with the tenured faculty of the division or school to discuss the candidate's tenure and the voting process.
 - 6. By February 1 the tenured faculty (excluding the dean) within the school shall vote on the candidate, using the secret ballot voting procedure outlined in this section of the Handbook.
 - 7. By February 5 the candidate's portfolio with a signed recommendation from the dean shall be forwarded to the Provost for review.
 - 8. By February 10 the Provost shall forward the portfolio to the Tenure, Promotion, and Academic Freedom Committee (TPAFC) for review.
 - 9. By March 1 TPAFC shall review the portfolio and forward its recommendation to the Provost for action and recommendation to the President. Portfolios considered incomplete by TPAFC will be returned to the Provost.

Secret ballot voting procedures shall be observed when faculty groups are asked to vote on tenure candidates. The voting process shall be administered by the dean of the school in which the vote is conducted. The following procedures shall apply:

10. The dean, in consultation with the ad hoc tenure committee chair, shall schedule a meeting with the tenured faculty of the school (or department) to discuss the candidate eligible for tenure. At this meeting the voting period and procedures will be discussed. The voting period shall be no greater than ten (10) days.
11. Ballots equal to the number of eligible tenured faculty of the school shall be prepared and marked distinctly by numbering or stamping. This is to ensure that no duplicate ballots occur. Each ballot shall contain the candidate's name and voting blocks for Yes or No to allow faculty to circle or mark their decision.
12. Each faculty member shall obtain a random ballot from the dean (or designee). The faculty member shall give the ballot, in an unmarked, sealed envelope, to the dean by the voting deadline.
13. At the end of the voting period, the dean and the ad hoc tenure committee shall cross through any unused ballots and place them in an envelope in the dean's office. These ballots will be destroyed after one year.
14. The day following the end of the voting period, the dean and ad hoc tenure committee will tabulate the returned ballots. The ballots will then be placed in a second envelope to be kept in the dean's office. These ballots will be destroyed after one year.
15. The results of the vote, whether positive or negative, shall then be communicated to the Provost by a signed formal memo and included in the candidate's portfolio.

The tenure candidate's final portfolio must include the following:

16. A cover and signature page providing the following information (a) full name of faculty member; (b) departmental affiliation; (c) date of first employment as a tenure-track faculty member, including a notation as to any years of credit for tenure for previous experience; (d) signatures of the dean and ad hoc tenure committee chair; (e) signature lines for Provost, chair of the Tenure, Promotion, and Academic Freedom Committee, and President.
17. Signed Faculty Performance Appraisals (annual reports) of the faculty member.
18. The signed reports from the ad hoc tenure committee.
19. Documentation of professional development, including scholarship, service to the University and to the community, including, but not limited to, reprints of articles, book reviews, musical compositions, or other creative and scholarly work; letters documenting service to the University or community; and newspaper or other evidence of scholarly/community involvement and contribution.
20. Current résumé and updated official transcripts if the individual has continued his/her formal education since his/her initial appointment.
21. A record of the tenure vote by the tenured faculty of the school in which the tenure candidate is appointed.
The portfolio may also include:

22. Summary of measures of teaching effectiveness as used in the department and/or school including but not limited to reports of peer visits to the classroom; written comments about and/or evaluations from faculty colleagues who have worked with the tenure candidate in specific committee, community, or University settings; evaluations by students.
23. Signed evaluations by the department/division chair and dean.
24. Signed recommendations of the dean and/or division/department chair.

5.14.2 Non-reappointment of Tenure-track Faculty

Tenure-track faculty members in their first year with the University whose duties commence with the fall semester of the academic year must be notified by the following March 1 if they are not to be reappointed. Tenure-track faculty members in their first year with the University whose duties commence after November 15 must be notified by the following April 15 if they are not to be reappointed.

Tenure-track faculty members who are in their second year of service with the University must be notified by December 15 if they are not to be reappointed.

Tenure-track faculty members with more than two years of service with the University who are not to be continued will be notified of non-renewal by issuance of a terminal contract at least twelve (12) months before their termination date.

5.15 APPEALS PROCEDURE REGARDING ADVERSE TENURE DECISIONS

5.15.1 Adverse Tenure Decision

Adverse Tenure Decision is defined, for purposes of this appeals procedure, as a denial of tenure by the President. This appeal procedure will also apply to those cases appealed from a committee or school.

5.15.2 Filing an Appeal

Upon issuance of an Adverse Tenure Decision, the subject faculty member may appeal the President's decision by filing a written notice of appeal with the dean of the school for which the faculty member is teaching no later than thirty (30) days following the President's decision. The dean shall provide copies of the notice to the chairperson of the Tenure, Academic Freedom, and Promotion Committee, the Provost, and the President.

5.15.3 Appeals Committee Process

The chairperson of the Tenure, Academic Freedom, and Promotion Committee shall promptly convene the committee to hear the appeal utilizing the following procedures:

- a Time Frames.

The time frames described herein are intended as guidelines.

b. Information Gathering.

The chair shall select two (2) members of the tenured faculty to gather information regarding the subject faculty member's tenure application. Neither the chair nor the two members will discuss any information so gathered before the meeting of the committee except, if necessary, among themselves.

c. Scheduling of Committee Meeting.

The chair shall attempt to schedule a committee meeting within fifteen (15) working days of the completion of the information-gathering phase.

d. Notification of Subject Faculty Member of Committee Meeting Schedule.

The chair shall notify the subject faculty member in writing at least fifteen (15) but not more than thirty (30) calendar days prior to the date of the committee meeting by hand-delivery or by registered or certified mail:

1. that his/her tenure decision is being reconsidered and
 2. of the date, time, and location of the committee meeting at which the decision shall be reconsidered.
- Such notification shall also include copies of this procedure and any other applicable policies and procedures.

Review of Documents and List of Potential Witnesses: The subject faculty member, in person, shall have the right to review, at least seven (7) calendar days prior to the committee meeting, all written information concerning the decision being reconsidered, including the right to examine the list of potential witnesses developed by the committee. During the subject faculty member's review of documents, he/she shall provide the chair with a list of potential witnesses appearing on his/her behalf. The committee and the subject faculty member shall each inform their respective witnesses of the time, date, and place of the committee meeting.

e. Committee Meeting Procedures:

1. The committee shall meet at a location reasonably convenient to the committee members and the subject faculty member;
2. The meeting shall continue as long as is required for the committee to consider all pertinent information;
3. The meeting may be adjourned and continued at a later time and date, at the discretion of the chair;
4. The subject faculty member has the right to be present throughout the presentation of the information phase of the committee meeting and to make a verbal statement, ask questions of committee members, respond to questions from the committee, present any relevant evidence, either oral or written, call live witnesses in his/her behalf, and provide a written statement. However, if the subject faculty member does not appear, the meeting shall proceed as scheduled;
5. The subject faculty member is not entitled to have an attorney present at the committee meeting unless the committee and/or the University is represented by an attorney at the meeting;
6. The subject faculty member may not cross-examine witnesses except at the discretion of the chair;

7. Proceedings of the meeting shall not be recorded by anyone; however, minutes shall be made and retained by the committee, with a copy provided to the subject faculty member;
 8. The order of the presentation of the information phase of the meeting will be:
 - i. Opening statements (chair, dean, and subject faculty member)
 - ii. Presentation of witnesses and written evidence (committee and subject faculty member)
 - iii. Question and answer session between committee members and subject faculty member and
 - iv. Summation statement (subject faculty member)
 9. Upon the conclusion of the presentation of the information phase of the meeting, the subject faculty member and all other individuals who are not members of the committee shall be excused from the meeting. The committee shall consider and decide by majority vote with secret ballot whether to recommend that tenure be granted.
- f Recommendation.
- The committee shall issue its recommendations in writing to the President through the Provost within five (5) calendar days following the date the tenure vote is taken;
- g Original File.
- The original file shall be kept by the chair in a secure location.

5.15.4 Confidentiality

Confidentiality shall be maintained regarding the tenure decision being reconsidered. Members of the committee shall be apprised upon appointment, annually thereafter, and upon each occasion that the Committee is convened, of the requirements of confidentiality stated below:

- a. Information. No committee member, no one assisting the committee, and no one attending the committee meeting shall disclose any information, either verbal or written, generated or gathered during the course of the review or during a committee meeting, to anyone not authorized for such disclosure, at any time.
- b. Penalties. Breach of confidentiality shall be grounds for immediate expulsion from the committee.
- c. Rights of the Subject Faculty Member
- d. Equitable Process. The right to minimum due process during the committee meeting process;
- e. Notification. The right to be notified of the committee meeting within reasonable time to prepare pertinent information;
- f. Access to Information. The right to have access to the information collected by the committee;

- g. Attendance. The right to be present at committee meetings;
- h. Information. The right to make statements verbally and/or in writing to the committee; to request that certain witnesses appear before the committee; and to bring any evidence related to the adverse tenure decision to the committee.

5.16 PROMOTION POLICY

The ranks for full-time faculty are instructor, assistant professor, associate professor, and professor. Initial appointments are typically at the rank of instructor or assistant professor.

The rank of associate professor is reserved for faculty members who excel in teaching, service, and scholarship. Associate rank is typically reserved for people with terminal degrees.

The rank of full professor is awarded to faculty members who have demonstrated outstanding achievements in their areas of expertise and have been clearly above average in teaching, service, and scholarly endeavor. Full professor rank is reserved for terminally degreed faculty members, except in demonstrably extraordinary circumstances.

Full-time faculty members may be employed at the rank commensurate with their teaching experience, record of scholarship, business or professional experience, public service experience, or other indices proper for the determination of rank in a professorial context. All such employment considerations must be approved by the dean and the Provost/ Senior Vice President and are subject to review by the President.

Promotion is not automatic because of number of years in rank but is based on excellence in teaching, outstanding service, and scholarly merit. Generally a time in rank of at least five (5) years should precede a request/recommendation for promotion. Early promotion can occur but only in the case of unusually strong evidence of scholarly merit, exceptional teaching, and above-average service.

The award of tenure does not automatically result in promotion in rank. However, in the instance of a recommendation for concurrent tenure and promotion, the tenure (rather than promotion) guidelines and time schedule should be followed.

The role of the faculty in promotion matters is very important; thus, faculty members should have primary, though not exclusive, influence in evaluating a fellow faculty member's performance. Factual data, student opinion, and colleague judgments should be central in the promotion procedure, and such procedure should involve faculty discussion and vote. The faculty's considered judgment should constitute the basic recommendation to the next level of responsibility. And if the dean's recommendation is contrary to that of the faculty, the faculty should be informed of the dean's reasons and should be given an opportunity to respond to the dean's view before a formal recommendation is made.

Final promotion decisions should be made in accordance with the AAUP Statement of Government of Colleges and Universities: "The governing board and president should, on questions of faculty status, as in other matters where the faculty has primary responsibility, concur with the faculty judgment except in rare instances and for compelling reasons which should be stated in detail."

The formal promotion process begins with a written request. The faculty member, faculty colleague, or the dean may recommend promotion for a faculty member. Whoever makes the recommendation, however, these promotion guidelines apply.

All documents pertaining to the promotion process, including, but not limited to, all Faculty Performance Appraisals (Annual Reports), evaluations and recommendations by deans, and records of votes by tenured faculty above the candidates rank, must be signed by their originators.

The promotion process generally parallels the tenure process. Thus, a promotion candidate must submit, along with the written request for promotion, a portfolio that includes the following:

- a. A cover page and signature page providing the following information: (1) full name of faculty member; (2) department/division affiliation; (3) date of first employment as a tenure-track faculty; and (4) date candidate was awarded tenure, if applicable; (5) signature lines for dean, Provost, chair of TPAFC, President, and chair of Trustees.
- b. Current vita and updated official transcripts if the candidate has continued formal education within the last six (6) years.
- c. Faculty member's annual reports for the last six (6) years.
- d. The last five (5) years' annual evaluations by department chairperson and/or dean.
- e. Documentation of teaching effectiveness as used in the department/division and/or school. These may include reports of peer visits to classrooms; written comments about and/or evaluations of advising; testimonials from faculty colleagues who have worked with the candidate in specific committee, community, or university settings; student evaluations of the faculty member. Such documentation should reflect the candidate's last six (6) years of teaching.
- f. Documentation of (1) professional development, (2) scholarship, (3) service to the University, and (4) service to the community over the last five (5) years. Such documentation may include reprints of articles, book reviews, musical compositions, or other creative and scholarly work, letters documenting service to the University or community, news clips, or other evidence of involvement and contribution.

A list of candidates for promotion shall be published in a campus-wide publication by the Provost's office. The Provost's office shall also publish a list of promoted candidates immediately after approval.

In keeping with AAUP guidelines on promotion, there should be a period of review and comment by faculty peers. Thus, the dean shall schedule at least one meeting for tenured faculty within the school to discuss those faculty member requesting promotion. The candidate's portfolio should be available in the dean's office for faculty perusal several weeks prior to this scheduled meeting. Before a formal promotion recommendation is made, every effort should be made to resolve disagreement between tenured faculty* and the dean concerning a candidate's promotion.

Following is a time line for events in the promotion process:

- a. By November 1 the candidate shall submit to the division/department chair and dean a written request for promotion along with his/her promotion portfolio.
- b. The dean and division/department chair shall meet with the candidate to discuss the merits of the candidate's request and promotion materials.
- c. The dean and division/department chair shall meet to decide on a positive or negative recommendation for promotion. The two individuals may disagree; in either case the request shall proceed forward.
- d. By November 15 the dean shall notify the Provost of faculty requesting promotion.
- e. By December 1 the Provost's office shall publish a list of all candidates for promotion.
- f. By January 20 the dean and department chair shall schedule at least one meeting for tenured faculty* (excluding the promotion candidate) within the school to discuss the candidate's promotion.
- g. By February 1 the tenured faculty* (excluding the promotion candidate) within the school shall vote on the promotion candidate, using the secret ballot voting procedures outlined below.
- h. The dean and department chair shall tabulate the votes and report the results to the candidate.
- i. By February 5 the dean shall forward the promotion materials (portfolio, dean's recommendation, division/ department chair's recommendation, and the vote results) to the Provost for a recommendation.
- j. In the instance of a positive recommendation, the Provost shall forward the candidate's promotion material to the Tenure, Promotion, and Academic Freedom Committee (TPAFC) for review by February 10. In the instance of a negative recommendation, the Provost shall return the candidate's promotion material to the dean, who shall return it to the candidate.
- k. By March 1 the TPAFC shall review the candidate's promotion material and forward its recommendation to the Provost for action and recommendation to the President. If the promotion candidate is a member of the TPAFC, he/she must recuse him/herself from the TPAFC meetings at which the promotion is discussed. Incomplete portfolios shall be returned to the Provost by the TPAFC.

*The only faculty involved in the promotion decision shall be those who are tenured and who are at or above the rank to which the candidate is requesting promotion.

At any time during the promotion process, the candidate may withdraw his/her request for promotion.

Secret ballot voting procedures shall be observed when faculty members are asked to vote on promotion candidates. The voting process shall be administered by the dean of the school in which the vote is conducted. The following procedures apply:

The dean, in consultation with the division/department chair, shall schedule a meeting with the eligible faculty* of the school (or division/department) to discuss the promotion candidate. At this meeting the voting period and procedures will be reviewed. The voting period shall be no fewer than five (5) days and no greater than ten (10) days.

1. Ballots equal to the number of eligible faculty* of the school shall be prepared and marked by numbering or stamping. This is to ensure that no duplicate ballots occur. Each ballot shall contain the candidate's name and voting blocks for Yes and No to allow faculty to circle or mark their decision.
2. Each eligible faculty member* shall obtain a random ballot from the dean or designee. Under no circumstances shall a record of ballots received by the faculty be kept. The faculty member shall give the ballot, in an unmarked, sealed envelope, to the dean by the voting deadline.
3. At the end of the voting period, the dean and the division/department chair shall cross through any unused ballots and place them in an envelope to be kept in the dean's office. These ballots shall be destroyed after one year.
4. Immediately following the end of the voting period, the dean and department chair will tabulate the returned ballots and place these ballots in a second envelope to be kept in the dean's office. Such ballots will be destroyed after one year.
5. The results of the vote shall then be communicated to the candidate and to the Provost and included in the candidate's portfolio.

*The only faculty involved in the promotion decision (and thus eligible to vote) shall be those who are tenured and who are at or above the rank to which the candidate is requesting promotion.

Individuals promoted in rank are eligible for adjustments to their base salary. Such adjustments are made in accordance with the scale as approved by the Provost/Senior Vice President and President. All adjustments are made from the funds allocated to the salary pool and are effective with the new contract year. Such adjustments are in addition to any merit or cost-of-living increases, which may be recommended by the dean and approved by the Provost/Senior Vice President and President.

5.17 FACULTY/ACADEMIC STAFF GUIDELINES

For all faculty appointments, the following guidelines shall be met prior to appointment:

- a. Faculty appointees must document through official transcripts that they have earned a Master's degree and a minimum of eighteen (18) graduate hours in their teaching discipline. Official transcripts must be filed in the office of the Provost/Senior Vice President prior to the commencement of the first working day under the faculty appointee's contract. Occasional exceptions to this policy may be made, subject to the approval of the Provost/Senior Vice President, which will be based upon ample documentation that the faculty appointee has the requisite qualifications to teach the subject even though he/she may not have the eighteen (18) hours of graduate work in the discipline. Official transcripts are required for each earned degree as listed in the résumé

of the individual and as listed in the catalogs of the University.

- b. Faculty appointees must demonstrate their oral and written competence in the language in which they will teach the subject. It is generally expected that tenure-track or full-time applicants will teach a class or present a seminar at the time of their on-campus interview.
- c. Faculty appointees must be recommended with appropriate department advice; recommendations will be made to the dean and are subject to approval by the Provost/Senior Vice President and the President.
- d. The customary on-campus faculty interview will typically include an opportunity for the applicant to meet with the appropriate faculty/administrators at the school level and will also include interview time with the Provost/Senior Vice President and President. Exceptions to this may be made for teaching interns and part-time faculty as discussed below.
- e. To clarify the faculty appointments of the University, the University has defined the faculty as follows:

5.17.1 Full-time Faculty

Full-time faculty are expected to teach twelve (12) hours or its equivalent in the fall and spring semesters. The deans of the respective schools, subject to approval by the Provost/Senior Vice President, have discretion in assigning faculty teaching responsibilities. In determining a “customary load,” the following illustrations are suggested. There will be some variation within these general illustrations for the schools of the University. Substantial variation from these illustrative guidelines must be approved by the Provost/Senior Vice President.

- a. Typically a faculty member will be assigned four (4) three-credit courses per semester, and thus the “customary load” is four courses per semester. Work load credit may be granted for the following reasons:
 - 1. Student teaching supervision with the expectation that the field supervision of six students is equivalent to one (1) three-credit course. Consideration of this guideline is particularly important in the field-based component of teacher education.
 - 2. Internship supervision with the expectation that such supervision should include effective site visits, employer contacts, grading of assignments, and related duties. Supervision of eight students is equivalent to one (1) three-credit course.
 - 3. Graduate instruction with the expectation that a graduate course should involve considerable one-on-one conferencing, additional graded assignments, heightened preparation, and adherence to the graduate faculty policies approved through Academic Affairs.
 - 4. Individual or private lessons, typically in music, may be credited on a 3:2 ratio; that is, three (3) students in one-hour lessons per week will be equivalent to two hours of work load credit. Thus, a faculty member who teaches only individual lessons would be expected to have a minimum of eighteen (18) students, each receiving one hour lesson or the equivalent. Variations on this scenario would be appropriate for

instruction in ensembles, studio art courses, and related areas. In theatre, faculty members may be considered for three (3) hours of work load credit for each major production they direct or teach. It is the expectation that an individual faculty member will have a combination of responsibilities to include studio as well as lecture, ensemble, and performance.

5. Faculty members teaching courses with laboratory components will typically have three lecture sections and two laboratories, two lecture sections and three laboratories, or the equivalent. If the entire work load is laboratory courses, the customary load may be defined as three laboratory courses each consisting of lecture and one laboratory carrying four (4) credit hours in combination. Under this illustration it is anticipated that the faculty member not only is the instructor of record for the laboratory but also has principal on-site responsibilities for laboratory instruction.
 6. Work load credit can also be granted by the dean with the approval of the Provost/Senior Vice President for responsibilities such as leadership of a department/division, coordination of a special program, conducting special projects, offering unusual credit hour coursework, Weekend University service, extended travel as part of a course requirement, international program development, and unusually heavy committee responsibilities. This category is subject to the proviso that advising students; serving on department, school, and University committees; and providing service to the community, along with professional growth, are part of the general expectations of full-time faculty members. Generally, these duties, within a reasonable range, are to be undertaken as part of a faculty member's "customary" work load and are not to generate work load credit.
 7. Librarians with faculty status are typically appointed to annual contracts. Customarily, work load assignments will be made in terms of an assigned number of hours of duty in a variety of areas appropriate to the specific faculty position, including, but not limited to, instruction, reference, technical services, or other areas of library service. Librarians with faculty status share the university service and professional development responsibilities of other members of the faculty. (For University Librarians see also section 5.19.)
- b. In addition to fulfilling classroom responsibilities and conducting scholarly activities, the full-time faculty member is expected to hold office hours; advise students; fulfill assigned registration duties; participate in department/division, school, and University meetings; serve as necessary on department/division, school, and University committees; attend official academic University functions such as convocations and graduations; and represent the University in the community.
 - c. Full-time faculty members are expected to participate in faculty governance and will have a vote in the meetings of the Faculty Assembly. Faculty member appointments are typically for nine months, and the contract will contain a statement of tenure status. Exceptions to the contractual length are possible and would customarily relate to a twelvemonth appointment. Positions are filled in accord with affirmative action guidelines, and efforts will be made to diversify the faculty in terms of gender, ethnicity, and geographic origin. The University is an equal opportunity/affirmative action employer.

- d. Tenured and tenure-track faculty members will have priority over non-tenure-track or academic staff appointees in the determination of summer or interterm schedules. Such priority is subject to meeting the curricular needs of the department or program.

5.17.2 Non-tenure-track Faculty

The University recognizes the need to have non-tenure-track faculty appointments. Such appointments have the full rights of faculty, and their work load assignments are made subject to the guidelines delineated for tenure-track or tenured faculty.

The following additional guidelines apply:

Non-tenure-track appointments are made for one year with the maximum renewal of two additional years. The total appointment shall not exceed three years except in extraordinary circumstances that are mutually beneficial to the program and to the individual. At the conclusion of the non-tenure-track appointment, the faculty member will be eligible to apply for an advertised tenure-track position (should one be available) but may not be renewed on a non-tenure-track basis. (See Faculty Searches, section 5.22.) If the faculty member applies for a tenure-track appointment, prior service credit toward tenure may be granted. For persons who have served as visiting professor at this University and are subsequently hired for a tenure-track position, the maximum credit for tenure for visiting professor service at this University shall be one year. (See Tenure Guidelines, section 5.14.) Such credit is to be based on approval and recommendation by the dean and is subject to approval by the Provost/Senior Vice President. Such credit is neither automatic nor mandatory.

- a. Except if otherwise specified, non-tenure-track assignments shall not include service on faculty standing committees nor student advising.
- b. An ad hoc mentoring committee will meet with the full-time appointee, address issues of concern, and submit an annual report to the dean no later than December 1.
- c. Non-tenure-track faculty members receive benefits such as health, retirement, Social Security, and other benefits appropriate to full-time status. Given the nature of these appointments and the length of time required for vesting under the University retirement plan, it is not anticipated that these faculty members will become “vested” under said retirement plan.
- d. Non-tenure-track faculty members are eligible for faculty development funds and/or school, department/division, or University travel funds.
- e. Appointment contracts for non-tenure-track faculty are for nine months; the priority for summer or interterm teaching will be subject to the limitations noted above in section 5.17.1.
- f. Non-tenure-track appointments will generally be made at the instructor or assistant professor level. It is expected that an individual must have the terminal degree to be afforded the title of assistant professor. Exception to this may be made subject to recommendation by the dean and approval by the Provost/Senior Vice President or President. These may include, but are not necessarily limited to, such titles as “Visiting Professor” “Executive-in-Residence,” or “Artist-in-Residence.” These individuals can be afforded a title commensurate with their academic preparation and experience.

- g. Non-tenure-track, full-time faculty members shall be evaluated on the same basis as tenure-track faculty members. This will include, but will not necessarily be limited to, annual review by the department chair/dean.

5.17.3 Part-time/Adjunct Faculty

Certain circumstances dictate the use of part-time/adjunct faculty, for example, unanticipated enrollment increases, the need to instruct in areas where there is not the appropriate expertise on the faculty, and the need to assure flexibility in long-term commitments. According to University policy, the use of part-time/adjunct faculty will not exceed 25% of the total faculty for this institution as a whole and 35% of any individual department.

Part-time/adjunct faculty guidelines are as follows:

- a. Part-time/adjunct faculty members are limited to a total of eight (8) three-credit courses or their equivalent per calendar year with no more than three courses per fall or spring semester.
- b. Part-time/adjunct faculty members are encouraged but are not required to engage in professional development associated with their teaching. Part-time faculty are also encouraged to take advantage of University-sponsored professional development opportunities.
- c. Part-time/adjunct faculty members are not expected to engage in service such as student advising, committee work, and community service such as is expected of full-time faculty.
- d. These guidelines limit part-time/adjunct faculty members to fewer than 19.5 hours per week and 1,000 hours per fiscal year. For purposes of this calculation, it is assumed that the average course credit hour is equal to 2.58 contact hours per week.
- e. The part-time/adjunct faculty member is expected to hold office hours or to arrange to assist students before or after class. These office hours should be in keeping with standard University practice. No additional duties may be required.
- f. The part-time/adjunct faculty member may participate, but may not vote, in the department, school, and University meetings and functions.
- g. The part-time/adjunct faculty member will not have competitive access to travel and other support.
- h. The contract for part-time/adjunct faculty members will be issued on a semester-by-semester basis; such contracts are issued as soon as possible after review of the budget and confirmation of course enrollment.
- i. Part-time/adjunct faculty will not customarily be eligible to teach interterm or summer courses. Appointments will be valid and contracts will be issued only if, in the determination of the dean and in consultation with the Provost/Senior Vice President, a course has sufficient enrollment for the University to offer the course.

- j. Part-time/adjunct faculty members will not receive compensation for courses that are canceled.
- k. Part-time/adjunct faculty members are not eligible for employee benefits.
- l. The hiring of part-time/adjunct faculty is primarily the responsibility of the department chair or dean, subject to approval by the Provost/Senior Vice President. The credentials for part-time/adjunct faculty members must adhere to the same general guidelines that apply to all faculty members.
- m. Part-time/adjunct faculty members will have the teaching of their courses evaluated by their immediate supervisor (dean/department chair/director) for both summative and formative purposes. The evaluation will be reviewed in a manner that is consistent with University practice for full-time faculty. Evaluations may include, but will not be limited to, student opinions, annual reports, peer review as appropriate, and other methods in keeping with University practice.
- n. Part-time/adjunct faculty members will, at the time of appointment, be given titles commensurate with their academic credentials and experience.

5.17.4 Academic and Professional Staff

The University recognizes that from time to time members of the academic and professional staff will be needed to assist in the instructional program. Such appointments are subject to the guidelines noted above for all faculty members. The immediate supervisor of the staff member subject to review shall address work load credit for such teaching assignments with the appropriate dean, vice president, Provost/Senior Vice President, or President.

The following guidelines also apply:

- a. Staff may be assigned up to nine (9) semester undergraduate credit hours (or the equivalent) teaching duties per semester.
- b. Appointments may be for nine (9) or twelve (12) months and will contain a statement that the appointment is a staff position. Staff positions are not faculty positions and thus are not tenure track. Service as an academic staff member does not count toward tenure should the individual apply for and be appointed to a tenure-track position. Academic staff with instructional responsibilities are issued an annual contract at the time that full-time faculty are issued a contract. Notwithstanding regular teaching or instructional responsibilities on the part of the staff member, staff members are employed under guidelines outlined in the Staff Handbook of the University. Staff members who teach must meet the academic qualifications established for others of parallel rank and status by the Commission on Colleges of the Southern Association of Colleges and Schools and must be compensated accordingly.

5.18 FACULTY TEACHING OVERLOAD

The customary faculty teaching load at the University is twelve (12) semester hours or its equivalent. On an academic year basis, faculty are expected to teach twenty-four (24) semester hours. Faculty members also have an obligation to hold scheduled office hours, advise students, engage in University and professional/community service, and engage in

professional development.

The University recognizes that, in order to maintain a summer program, there will be teaching opportunities during the summer sessions, including Weekend, all summer sessions, and interterm courses. There are not, nor can there be, any guarantees of Weekend, summer, or interterm teaching opportunities. When such opportunities are available and recommended by the appropriate director or dean, the full teaching load for the combined summer sessions is a maximum of twelve (12) hours. The full teaching load for an interterm is three credit hours.

The University recognizes that from time to time there will be extraordinary circumstances that necessitate authorization for a teaching assignment beyond twelve (12) semester hours, i.e., an overload. These circumstances should be the exception rather than the rule.

Instructional and University standards are set with the knowledge that solid performance in teaching, professional development, and service will constitute a full-time commitment to the University. The mere fact that an individual is willing to teach an overload does not, in and of itself, represent reason to authorize one. It is axiomatic that when too much time is committed to scheduled instruction, other aspects of professional responsibility, including scholarship and service, invariably suffer.

It is important to outline those situations where it is appropriate to authorize overloads. These would include the granting of an overload when no part-time/adjunct assistance is available and the granting of an overload for an individual to add new courses without giving up other courses. Before proposing a new course, the department/division chair/dean should be cognizant of the impact that such a course will have on departmental and instructional assignments.

Although exceptions to the standard teaching load can be made, with appropriate justification and case-by-case approval, in no case will a faculty member be authorized to teach more than sixteen (16) credit hours or its equivalent in a given semester.

When overloads are authorized, the rate of compensation will be that of a part-time/adjunct faculty member with comparable credentials and experience. Overloads may be authorized only on recommendation of the director or department head with the approval of the dean and the Provost/Senior Vice President.

5.18.1 Graduate Faculty Appointments and Responsibilities Policy

Preamble

In keeping with its stated mission and with its strategic plan, Texas Wesleyan University continually reviews and improves graduate programs. Graduate programs include those in education, counseling, business, nurse anesthesia, and nurse practitioner. The University publishes a separate graduate catalog. The University is guided by the SACSCOC Principles regarding graduate programs and graduate faculty. To that end, the University has adopted the following guidelines for the appointment and responsibilities of graduate faculty.

There are two categories of graduate faculty: appointed graduate faculty and contributing graduate faculty. All graduate courses at Texas Wesleyan University are taught by graduate or contributing graduate faculty members.

Appointment

- a. Only full-time tenured or tenure-track faculty of the University or faculty of the School of Health Professions are eligible to be appointed to the graduate faculty.
- b. To be appointed to the graduate faculty, an individual must:
 1. Be nominated by his/her dean and/or the Program Director, after review by the appropriate school/program-based faculty committee consisting of graduate faculty. The Committee on Graduate Programs reviews the nomination process. Nominations are then sent to the Provost who in turn makes the appointment. The nomination shall consist of a letter in which the nominator summarizes the nominee's graduate teaching assignments, academic preparation qualifying him/her for the appointment, and summarizes the instructional quality and professional development of the nominee. The letter must include a demonstration or documentation of the commitment to the academic community, the institution served, their students and their academic discipline. The nomination letter should be accompanied by the most recent faculty appraisal form and recent vitae.
 2. Have an earned terminal degree (or ABD with satisfactory progress) in the discipline or disciplines of the graduate courses being taught or must otherwise meet accreditation guidelines. It is expected that the candidate meet the "18 hours in a field" guideline and/or have clinical and/or unique qualifications.
 3. Demonstrate successful teaching in the discipline.
 4. Demonstrate intellectual activity at the graduate level, or show progress towards intellectual activity at the graduate level. Intellectual activity will be determined by each School.
 5. Hold the University rank of Assistant Professor or higher or the title of administrative faculty in the School of Health Professions.
- c. The appointment process and appointments are reviewed by the Committee on Graduate Programs (see Section 7.9 of the Faculty Handbook).
- d. Appointments to graduate faculty are for five years. The appointments are renewable upon review by his/her Dean/Program Director, the appropriate school/program-based faculty committee consisting of graduate faculty, and the committee on graduate programs. Review initiates in the 4th year of the appointment.
- e. Members of the graduate faculty will be dropped from the graduate faculty roster if they have not taught a graduate course within five years.

Responsibilities of Appointed Graduate Faculty

- a. Members of the graduate faculty shall be eligible for membership on graduate committees, able to vote on issues affecting the graduate programs of the University and assist the deans and the Office of the Provost in developing policies appropriate to the graduate programs of the University.

- b. Graduate Faculty (teaching only Graduate courses) should have a maximum load of 6 courses (9 month (3/3) or 12 month (2/2/2) faculty).
- c. Graduate faculty teaching undergraduate courses who teach one or more graduate course(s) will receive a 1 course release in the semester in which the graduate course(s) is/are taught by the faculty member unless otherwise arranged with the Dean.
- d. In light of added release for teaching graduate courses, higher research and publication expectations are inferred along with other implied activities such as, but not limited to: additional time for course preparation, grant writing, mentorship/supervision of graduate students, clinical practice, and supervision of theses, dissertations, and student research papers.

Contributing Graduate Faculty

Full time, adjunct, and/or part-time faculty, called contributing graduate faculty, may be invited or assigned to teach graduate courses on a semester by semester basis. The invitation or assignment is made by the dean of the school and a school-based faculty committee, and the process is reviewed by the Committee on Graduate Programs.

5.19 TWELVE-MONTH FACULTY GUIDELINES

The University employs some faculty members on twelve-month appointment contracts rather than for the typical nine-month term. Therefore, certain aspects of the twelve-month appointment require clarification. The following section states the guidelines for twelve-month appointments.

5.19.1 General Guidelines

- a. Faculty members who are on a twelve-month appointment contract are eligible for tenure-track appointments, subject to recommendation from their respective director or dean and approval by the Provost/Senior Vice President and President. Such faculty members are issued an appointment contract, which operates on a fiscal year basis, June 1–May 31.
- b. At the point of initial employment, the respective director or dean will recommend the tenure status of a prospective twelve-month faculty member and will appoint the ad hoc tenure committee. If any prior service credit toward tenure is to be granted at the time of appointment, such credit will be given in accordance with procedures outlined in section 5.13. The respective director or dean shall work with the twelve-month faculty member to ensure adherence to the tenure guidelines in both process and substance.
- c. Twelve-month faculty members may be continued from year to year in keeping with the general guidelines of this Handbook.
- d. Because twelve-month faculty members may be eligible for tenure, they follow the same tenure guidelines for all

University faculty.

- e. Because twelve-month faculty members may be eligible for appraisal and promotion, they follow the same appraisal and promotion guidelines for all University faculty.
- f. Individuals on a twelve-month faculty appointment are expected to complete monthly absence reports which are submitted to their immediate supervisor and forwarded to payroll.

5.19.2 Vacation Policy

Administrators determined by the president (and including the president) to have status as the president's staff as defined in section 6.2 shall have vacation leave as follows:

- (1) 22 days beginning with the first full month of employment to be available for immediate use and to be taken with the approval of the president; (2) An additional 22 days June 1 of each year; (3) Unused vacation time during the fiscal year may be accrued, but shall not exceed 33 days; (4) The president may authorize additional vacation leave based on unusual or exceptional circumstances for the president's staff.
- (2) Twelve-month faculty members, including academic directors, are awarded twenty (20) days of vacation leave on June 1 of each year as long as they are on a twelve-month appointment contract.

5.19.3 Sick Leave Policy

Twelve-month faculty members are awarded twelve (12) days of sick leave on June 1 of each appointment contract year. Unused sick leave may be carried forward to the next fiscal year subject to the limitation that no more than thirty (30) days of sick leave may be accumulated at any time. Employees shall not receive pay for accumulated but unused sick leave upon termination of employment.

Twelve-month faculty members must report sick leave on their monthly absence report. Sick leave of more than three days' duration requires documentation from the faculty member's physician upon return from sick leave. Documentation should include a statement that the faculty member is capable of performing the essential functions of the position.

5.19.4 Responsibilities of University Librarians

The assigned tasks (whether those be bibliographic instruction, archival work, cataloguing, reference, or other library functions) of the University librarians will constitute the bulk of their instructional responsibilities. University librarians will also engage in appropriate University and community service as well as in a continuing program of professional growth and development. Although University librarians may be asked to teach in the more formal classroom settings of the University, library teaching is not generally understood to be classroom teaching. At the same time, it is generally understood that when classroom-teaching assignments are made, the University librarians will have parallel adjustments made in their other library assignments so as not to create a work overload. This guideline should not be construed to preclude the University from employing University librarians as adjunct professors outside their regularly assigned duties.

5 .20 TERMINATION OF EMPLOYMENT OF A FULL-TIME FACULTY MEMBER

Termination of a full-time faculty member (tenured, tenure-track, or multi-year contract) before the end of the specified term may be effected by the University for the following reasons: cause, financial exigency, or the discontinuance of a program or department of instruction not mandated by financial exigency.

5.20.1 Termination for Cause

Any faculty member may be immediately terminated for cause, customarily cited as gross incompetence or moral turpitude. Cause may include gross professional incompetence, continued neglect of academic duties or responsibilities, exploitation of students for private advantage, conviction of a crime indicating behavior incompatible with a faculty position, or such other serious violation of applicable professional ethics, University policy, or responsibility as would constitute cause for dismissal. A faculty member shall promptly notify his/her dean and the Provost/Senior Vice President if he or she is charged with or convicted of a crime for which incarceration is a possible punishment.

The existence of cause shall be determined by equitable procedures, affording protection to the rights of the faculty member and to the interest of the University. If the faculty member so chooses, he/she may offer his/her resignation in writing.

If termination of a tenured faculty member takes the form of a dismissal for cause, it will be pursuant to the procedures specified below.

Pending the filing of formal charges of cause, an effort will be made by the University to resolve the matter. The Provost, the dean of the school in which the faculty member resides, and the Associate Vice President for Human Resources will initiate the effort. Only after such an effort has been made shall formal charges be filed.

In the case of formal charges, the faculty member shall be informed in writing of the allegations, which, on reasonable notice, will be heard by the University Judicial Board composed of five (5) members chosen from the ten (10) tenured faculty members elected annually by the Faculty Council. The Faculty Council shall designate two (2) members of the University Judicial Board, and the Provost in consultation with the President shall designate two (2); these members of the University Judicial Board shall not be advised of the source of their selection. The four previously selected members of the committee shall select a fifth member from the above-mentioned panel.

Either the tenured member who has been charged or the University may challenge, without cause, the fitness to serve of one (1) member of the University Judicial Board. The replacement shall come from the same source as the challenged member. A faculty member shall chair the committee, and the Associate Vice President for Human Resources will sit in on all committee meetings and advise the chair on matters regarding employment practices and policies.

In every hearing the faculty member shall have the right to appear in person and question witnesses. A peer of his/her choice may accompany the faculty member but may serve only as an advocate. Having the right to testify, he/she may introduce any evidence, written or oral, that may be relevant. Legal counsel for either party is not permitted at the hearing. The Office of Human Resources shall provide a neutral third party to take a stenographic record of the proceedings, a copy of which shall be provided to the President, the Provost, and the faculty member.

The University Judicial Board, by a majority of its total membership, shall report its finding to the faculty member, Provost, and the President or to his/her designee. The report shall be in writing and include the material facts of each allegation and make specific recommendations to the President and Provost with regard to each allegation. The committee, by a majority of its total membership, may make any supplementary suggestions it deems proper concerning the disposal of the case. If minority findings, recommendations, or suggestions are made, they shall be similarly treated.

If the President rejects the report of the University Judicial Board, the President will state the reasons for doing so in writing to the University Judicial Board and to the faculty member and provide an opportunity for response before making a recommendation to the Board. If the President accepts the special report of the University Judicial Board, he/she shall make his/her recommendations to the Board in writing. He/she shall afford the University Judicial Board and the subject faculty member the opportunity to review his/her recommendation and respond before final submission to the Board.

The Board shall make a determination based on the recommendations. The Board's decision is final.

5.20.2 Financial Exigency

The existence and declaration of a condition of financial exigency are a serious issue. Only the Board of Trustees may make such a declaration, resulting from a recommendation from the President.

Prior to such declaration, University administration will have discussions with faculty and staff concerning these conditions and will consider faculty and staff input before making a recommendation to the Board. The Board's decision on a declaration of financial exigency is final, as is its release of the University from this condition.

Termination of a full-time faculty member's appointment before the end of the specified term may occur under extraordinary circumstances because of a demonstrable condition of financial exigency.

To provide for faculty participation in identifying program cuts and/or faculty terminations in the case of financial exigency, the Committee on Academic Affairs, with input from the Committee on University Planning, will evaluate the overall academic program. In its deliberations of terminations of appointments, this committee will consider such issues as educational policy, equal opportunity, and faculty status. As a cross-section of the faculty, the Committee on Academic Affairs will also exercise responsibility in determining the criteria for identifying the individuals whose appointments are to be terminated. These criteria should include considerations of length of service. The recommendations regarding criteria for termination will be subject to a majority vote of the Faculty Council and Faculty Assembly.

If the administration issues notice to a particular faculty member of an intention to terminate the appointment because of financial exigency, the faculty member will have the right to a full hearing before a special hearing faculty committee. The hearing need not conform in all respects with a proceeding conducted for termination for cause, but the essentials of an on-the-record adjudicative hearing will be observed. The issues in this hearing may include: the validity of the educational judgments and the criteria for identification for termination and whether the criteria are being properly applied in the individual case. The recommendations of a faculty body on these matters will be considered.

If the university because of financial exigency, terminates appointments, it will not at the same time make new appointments except in extraordinary circumstances where a serious distortion in the academic program would otherwise

result. The appointment of a faculty member with tenure will not be terminated in favor of retaining a faculty member without tenure, except in extraordinary circumstances where a serious distortion of the academic program would otherwise result.

Before terminating an appointment because of financial exigency, the University, with faculty participation, will make every effort to place the faculty member concerned in another suitable position within the University.

In all cases of termination of appointment because of financial exigency, the tenured, tenure-track, or multi-year contact faculty member will be given notice or terminal salary as prescribed in section 5.20.4. In all cases of termination of appointment because of financial exigency, the place of the faculty member concerned will not be filled by a replacement within a period of three (3) years unless the released faculty member has been offered reinstatement and given thirty (30) days to accept or decline it. The Board's decision on financial exigency is final.

5.20.3 Discontinuance of Program or Department Not Necessitated by Financial Exigency

Termination of a full-time faculty appointment (tenure, tenure-track, or multi-year contract) before the end of the specified term may occur as a result of bona fide formal discontinuance of a department or program. The following standards and procedures will apply.

The formal decision to discontinue a department or program will be based upon the Program Review process established by the University.

Before the University issues notice to a faculty member of its intention to terminate an appointment because of formal discontinuance of a program or department of instruction, the University will make every effort to place the faculty member concerned in another suitable position. If placement in another position would be facilitated by a reasonable period of training, financial and other support for such training will be proffered. If no position is available within the University, with or without retraining, the faculty member's appointment then may be terminated, but only with provision for notice or terminal salary not less than as prescribed in section 5.20.4.

A faculty member may appeal the University's decision using the Faculty Grievance Procedure (see section 5.21).

5.20.4 Terminal Salary and Notice

If the appointment of a full-time faculty member (tenured, tenure-track, or multi-year contract) is terminated, the faculty member will receive salary or notice in accordance with the following schedule. Under the condition of financial exigency every effort will be made to follow this schedule. However, in circumstances when institutional survival is threatened by the financial burden of terminal salary payment, the Board reserves the right to modify the schedule as necessitated by available funds. The President or the Board, in determining what terminal salary might be paid beyond the effective date of dismissal, may take into account the length and quality of service of the faculty member.

In the event that a faculty member is terminated for cause, the provisions of section 5.20.4 shall not apply.

Date of Final Decision to	Academic Years of Faculty Service	Months of Notice Prior to Termination	Period of Terminal Salary
March 1	Less than 1 year	3 months	Completion of
December 15	Greater than 1 year,	6 months	Completion of
Anytime	Greater than 2 years	12 months	1 academic year
Anytime	Tenured	12 months	1 academic year

5.20.5 Disciplinary Action

Deans may use written warnings or letters of concern to inform faculty members of performance or behavioral issues that do not singularly jeopardize tenure. Human Resources must be consulted on these matters before warnings or letters are issued. Copies must be forwarded to the offices of the Provost and Human Resources.

5.21 FACULTY GRIEVANCE PROCEDURE-FILING A GRIEVANCE

Within forty-five (45) calendar days from the date of the event forming the basis of the grievance, the aggrieved faculty member shall file a Grievance Notice with the dean of the school in which the faculty member is employed. The Grievance Notice shall include all facts and information upon which the faculty member relies in asserting the grievance. The dean or director shall promptly provide copies of the Grievance Notice to the chair of the Committee on Faculty Grievances, the Provost, and the President (see Committee on Faculty Grievances, section 7.6).

5.21.1 Grievance Committee Process

- a. Within a reasonable time from the date the Grievance Notice is received, the chair of the Grievance Committee shall forward a copy of the Grievance Notice to any person from whom a response would be required (the "Respondent").
- b. If any Respondent disputes the information contained in the Grievance Notice, the Respondent shall file a written response by the date designated by the chair of the Grievance Committee. The response shall include all facts and information upon which the Respondent relies in disputing the Grievance.
- c. The chair, in his/her sole discretion, may forward additional requests for information to the aggrieved faculty member, the Respondent, or any third person. The chair may issue additional requests for submission of written information at any time in the process of resolving the grievance.
- d. Upon receipt of all responses to the Grievance Notice and any additional written information requested by the chair of the Grievance Committee, the chair shall promptly convene the Grievance Committee to consider the grievance. The chair of the Grievance Committee may forward to members of the committee any written materials received by the chair.

- e. **Grievance Committee Meeting Procedures.**
 - 1. The Grievance Committee may meet at any location on the campus of the University that is reasonably convenient to the committee members.
 - 2. The meeting shall continue as long as is required for the committee to consider all written submissions that pertain to the grievance(s) before the committee.
 - 3. The meeting may be adjourned and continued at a later time and date at the discretion of the chair.
 - 4. Neither the aggrieved faculty member nor any Respondent has the right to be heard at the Grievance Committee meeting. The committee's deliberations and recommendations shall be based solely upon the written submissions of the parties and any written information provided to the committee by third persons pursuant to a request of the chair.
 - 5. The Grievance Committee proceedings shall be closed and shall not be recorded by anyone. However, minutes shall be made and retained by the secretary of the committee.
 - 6. All matters addressed by the Grievance Committee shall be determined by majority voice vote on a motion properly seconded. Upon request of no less than three members of the Grievance Committee, a vote on any motion shall be conducted by secret ballot.
 - 7. If the grievance concerns any matter relating to the terms and conditions of the University's employment of a faculty member, including, but not limited to, the issuance of an appointment or terminal contract, the Grievance Committee shall determine only whether the University and/or the Respondent abused its discretion or acted maliciously or capriciously in connection with the matter that is the subject of the grievance.
 - 8. The Grievance Committee shall issue its recommendation in writing to the President through the Provost within five (5) business days following the date upon which the committee's vote was taken. Within ten (10) business days following the receipt of the committee's recommendations, the President through the Provost will notify all affected parties of the committee's recommendation and the President's decision to concur in or reject the recommendation.
 - 9. The chair will be responsible for ensuring that the original file pertaining to the grievance includes all written submissions received by the committee and that the original file is maintained in a secure location.
- f. **Quorum.** A quorum of the Grievance Committee shall consist of fifty (50) percent of the total committee membership.
- g. **Confidentiality.** All Grievance Committee proceedings are confidential and shall not be disclosed to anyone other than members of the Grievance Committee, the President, the Provost, and the dean of the school in which the aggrieved faculty member is employed. Any breach of confidentiality by a member of the Grievance Committee shall be grounds for immediate expulsion from the committee.
- h. **Time Frames.** Except for the deadline set forth in section 5.20.1 of these procedures, the time frames described

herein are intended as guidelines only. In establishing deadlines, considerations shall be given to the nature and circumstances of the grievance.

5 .22 FACULTY SEARCHES

The University is committed to the development of a highly qualified, diverse faculty that is dedicated to fulfilling the mission of the University. To that end, vacancies for faculty positions will be filled with the utmost care. The guidelines for hiring tenure-track faculty are as follows:

- a. Once a vacancy is determined and the position is allocated to the school, the dean of the school will receive from the Provost a “permission to search” letter that outlines the basic considerations to be used in undertaking the search.
- b. The faculty of the school and/or department/division shall serve as primary consultants in the search process. An advertised search shall be conducted.
- c. The dean will appoint a search committee subject to approval by the Provost/Senior Vice President. Search committees for tenure-track faculty shall consist of at least three (3) faculty members within the school in which the individual will serve. The committee may also include faculty outside the school.
- d. At the conclusion of the search, the search committee will forward its recommendation to the department/division chair (if applicable) and to the dean.
- e. The President upon recommendation of the Provost/Senior Vice President and after the review by the budget officer will make final decisions regarding a faculty appointment. Open communication between the faculty and administration is expected so the person selected for the position will meet expectations of both faculty and administration. Under no circumstances shall faculty be hired unilaterally without substantial faculty input.

SECTION 6: BENEFITS AND PRIVILEGES

6 .1 FACULTY SABBATICALS

The University supports a program of sabbatical leaves of tenured faculty. Sabbaticals are intended to promote professional development. It is expected that the sabbatical will result in enhanced teaching effectiveness, institutional service, and/or scholarly endeavors and serve as a time of personal renewal.

6.1.1 Eligibility

Tenured faculty members are eligible for consideration for a sabbatical at seven-year intervals after a period of full-time faculty service at the University of six or more years. Faculty members are obligated to continue to remain employed at the University for at least one academic year after the completion of the sabbatical.

6.1.2 Time Frame and Salary

Faculty members may select a one-semester sabbatical with full pay or a two-semester sabbatical at one-half pay. Regardless

of the applicant's choice, benefits and consideration for raises and promotion are unaffected by the sabbatical period.

6.1.3 The Sabbatical Request

The faculty member must initiate the process by submitting a written request for sabbatical to the dean of his/her school no later than September 15 of the academic year prior to the requested sabbatical leave. This request shall include: (1) a statement of the years of service rendering the faculty member eligible for the sabbatical; (2) if applicable, the last dates on which the faculty member had a sabbatical; (3) the dates for which the faculty member seeks the sabbatical; (4) the faculty member's desired time/pay option; (5) a statement of anticipated sabbatical activities; and (6) a statement of the ways in which the faculty member anticipates that the sabbatical activities will result in enhanced teaching effectiveness, institutional service, and/or scholarly endeavors. In all cases, but especially when the anticipated sabbatical activities are contingent upon the actions of parties or institutions other than the University, the statement of anticipated sabbatical activities should include sufficient detail to indicate that the faculty member will actually be able to engage in the described activities.

6.1.4 Consideration Of The Sabbatical Request

6.1.4.1 Consideration by the Dean

The dean of the faculty member's school shall consider whether the request satisfies the procedural requirements for requesting a sabbatical; whether the sabbatical activities are likely to result in enhanced teaching effectiveness, institutional service, and/or scholarly endeavors; and whether the school's financial and personnel conditions would allow for the sabbatical as requested. By October 1 of the academic year prior to the requested sabbatical leave, the dean will provide copies of the faculty member's request to: (1) the Provost/Senior Vice President and (2) the Committee on Faculty Benefits and Professional Development. The dean shall include with these copies a recommendation as to whether the sabbatical request should be granted as requested, granted only with an identified modification, or denied, along with a description of the reasons for the recommendation. If the dean recommends that the request be granted (either as requested or with modification), the dean should also include a specific recommendation regarding the coverage of instructional assignments during the time of the sabbatical.

6.1.4.2 Consideration by the Committee on Faculty Benefits and Professional Development

The Committee on Faculty Benefits and Professional Development shall consider whether the request satisfies the procedural requirements for requesting a sabbatical and whether the sabbatical activities are likely to result in enhanced teaching

effectiveness, institutional service, and/or scholarly endeavors. By November 1 of the academic year prior to the requested sabbatical leave, the committee shall submit to the Provost/Senior Vice President its recommendation as to whether the sabbatical request should be granted as requested, granted only with an identified modification, or denied, along with a description of the reasons for the recommendation. The committee shall submit this recommendation even in the event the dean has recommended denial of the request.

6.1.4.3 Consideration by the Provost/Senior Vice President

Taking into account the reports of the dean and the Committee on Faculty Benefits and Professional Development, but not bound thereby, the Provost/Senior Vice President shall consider whether the request satisfies the procedural requirements for requesting a sabbatical; whether the sabbatical activities are likely to result in enhanced teaching effectiveness, institutional service, and/or scholarly endeavors; and whether the University's financial and personnel conditions would allow for the sabbatical as requested. By November 15 of the academic year prior to the requested sabbatical leave, the Provost/Senior Vice President shall submit to the President a recommendation as to whether the sabbatical request should be granted as requested, granted only with an identified modification, or denied, along with a description of the reasons for the recommendation and copies of the reports of the dean and Committee on Faculty Benefits and Professional Development.

6.1.4.4 Decision by the President

The final decision to award a sabbatical is that of the President. The Provost/Senior Vice President shall notify the faculty member of the President's decision on the request no later than November 30 of the academic year prior to the requested sabbatical leave.

6.1.5 Post-sabbatical Responsibilities

At the conclusion of the sabbatical, the faculty member may present the outcome of his/her sabbatical to peers in a formal scholarly session. The faculty member is expected to summarize the results of his/her sabbatical in a report to the dean, which is reviewed by the dean and forwarded to the Provost/Senior Vice President.

6.1.6 Restrictions

As circumstances of the University dictate, additional conditions may be imposed on faculty members who are granted sabbaticals. These conditions may include a requirement that the faculty member engage in the activities as described in the request or submit an amended request in the event the anticipated activities become impossible or impracticable. These conditions, if any, will be made explicit as part of the decision to approve the requested sabbatical. Notice of restrictions will be contained in the documents of approval as issued from the office of the Provost/Senior Vice President. Faculty may elect to accept these conditions or to decline the sabbatical.

6.2 OTHER LEAVES

6.2.1 Sick Leave

Faculty members should inform their dean immediately (before their next scheduled class) if they will be unable to meet the class due to accident or illness. Full-time faculty members who meet eligibility requirements are covered by a disability policy. If a faculty member anticipates being absent from work for more than three consecutive business days, he/she should contact the Office of Human Resources immediately. Customarily, a person's salary will not be affected during the period

of medical absence; however, prolonged absences from work may result in salary adjustments (see section 6.4 and section 5.18).

6.2.2 Family and Medical Leave

Full-time faculty members may receive up to twelve (12) weeks of unpaid leave per year under the Family Medical Leave Act (FMLA). Faculty members should contact the Office of Human Resources for more detailed information.

6.2.3 Professional Development Leave

The University shall reasonably permit and encourage faculty members to attend professional meetings and conferences if such attendance enhances the prestige of the University, contributes to the professional development of the faculty member, and advances knowledge within the faculty member's professional field. The dean has the authority to approve requests to attend professional meetings and conferences. Written requests for leaves shall be initiated with the dean well in advance of the date of departure and should indicate how all class activities and assignments will be handled during the absence.

The University encourages its faculty to seek funds from outside the University to support research and study over an extended period of time. For leaves of absence of one year or less, the period of leave should count as part of the probationary period for those faculty members on tenure track. While on approved leave, the faculty member retains membership in the University retirement plan. Medical benefits continue during professional development approved leave. Contracts with outside funding sources involving leaves require approval from the Provost/Senior Vice President and the Vice President for University Advancement.

Faculty travel for University and related purposes shall be coordinated and approved by the deans of the schools. The Business Office shall reimburse faculty members for official University travel. Reimbursement rates are adjusted periodically, and faculty members should inquire about the current rate when requesting reimbursements. All travel expenses to be paid by the University shall require prior approval by the dean and/or Provost and the submission of an expense report with supporting documents.

Faculty members desiring leave for reasons other than those named above, including sabbaticals, should discuss that request with their dean and the Provost regarding permission, terms, pay status, time frame, and other elements on an individual basis. Leaves referenced in this section would include, but are not limited to, exchanges, visiting professorships, and educational leaves. Applications for such leave should be initiated with the dean.

See also the policies concerning sabbaticals found elsewhere in this Handbook.

6.2.4 Jury Duty and Funeral Leave

It is understood that faculty may have to request personal leave for attendance at a funeral. The dean or director should be notified prior to departure.

The University supports civic involvement by encouraging faculty members to serve jury duty.

6.3 MEDICAL AND LIFE INSURANCE

Current full-time faculty members are eligible to participate in the group medical plan as described in the schedule of benefits for the plan. The University pays a portion of premiums for current faculty members. The faculty member pays any premiums for eligible dependents he/she may choose to be covered by the plan. A summary of the plan may be obtained from the Office of Human Resources.

The University also provides all full-time faculty members with a group life insurance policy. Faculty members become eligible for life insurance after 90 days of continuous employment. The Office of Human Resources maintains details of the life insurance plan.

Medical and life insurance enrollment forms must be completed and returned to the Office of Human Resources before coverage can begin. The University also provides optional related benefits in which full-time members may participate, at their expense. The Office of Human Resources will provide information that describes the details of these plans.

6.4 FACULTY DISABILITY POLICY

The University recognizes that faculty members may from time to time have medical conditions that prevent them from performing their job duties. Each full-time faculty member is eligible for disability coverage after ninety (90) days of service.

In the case of a claim, the faculty member should contact the Office of Human Resources as soon as possible in order to process the claim. Records regarding claims will be maintained in a file separate from the faculty member's personnel file in the Office of Human Resources.

6.5 SOCIAL SECURITY

All faculty members of the University are covered by Old Age and Survivor's Insurance (Social Security). Under the Social Security program, faculty member contributions are deducted from their paychecks, and the University matches the contribution.

6.6 CAMPUS SECURITY

The University employs a security force to patrol the campus. All University employees, including all faculty members, share a responsibility to ensure the safety and protection of everyone on the campus and all University property. Any evidence of violence, theft, breaking and entering, other illegal activity, or breach of law should be reported immediately to University Security or to the Fort Worth Police. A University identification card should be carried at all times, so that security officers may readily identify those having proper access to the buildings and grounds. Faculty have an obligation to assist with campus security by fully locking and securing rooms under their supervision.

6.7 RETIREMENT

The University's retirement plan has two components: the Texas Wesleyan University Retirement Plan and Trust, which

is a 401(a) plan, and the Texas Wesleyan University 403(b) plan. Full-time faculty members may choose to participate in the 403(b) plan immediately upon employment. In this plan, faculty members can designate a pre-tax deduction amount from their paycheck and designate their investment choice(s) from a specific list of mutual fund choices or from choices provided by investment providers.

Summary plan descriptions are available for both plans. Questions concerning the University retirement plans should be addressed to the Office of Human Resources.

6.8 EDUCATIONAL ASSISTANCE: TUITION WAIVER POLICY

The first full semester after a faculty members hire date, their spouses, and dependent children are entitled to full tuition waiver at the University. Please see Employee Handbook for the full policy and procedures.

6.9 FACULTY EMERITI

A faculty member who has retired after at least ten (10) years of full-time employment, who has rendered outstanding service to the University, and has attained senior rank (associate professor or professor) may receive the designation “Emeritus” or “Emerita,” as appropriate, from colleagues and the Board. The designation signifies that both the individual and the University wish to continue a mutually beneficial relationship.

Outstanding service is evidenced by: (1) quality of teaching as testified to by students and peers; (2) scholarship as indicated by significant research and writing; (3) contributions to the University; (4) contributions to the community or profession; or (5) any combination of these.

Faculty apply for emeritus status within the calendar year of retirement. Candidates are encouraged to begin the process in the months before retirement. Faculty in phased retirement apply in the last calendar year of the phased retirement program.

The following procedure will be employed: (1) The candidate either initiates the process or can be nominated with a letter of interest, and three letters of support from current, tenured faculty. (2) The candidate’s school organizes a vote of the tenured faculty. Approval by a majority of the tenured faculty of the school in which the nominee served must be obtained; (3) Nominations and the results of the school vote are forwarded to the Committee on Faculty recognition/honors for review. (4) The committee forwards the completed applications to the faculty council for review. (5) The committee on Faculty recognition/honors arranges for a vote by faculty assembly. Endorsement by a majority in the Faculty Assembly by closed ballot is required; (6) The faculty chair forwards the application and results of voting to the President and the Board of Trustees. Approval by both President and Board of Trustees is required. (7) Regardless of when it is approved, Emeritus status begins on the day after retirement. (8) Faculty who receive emeritus status will be recognized at the annual awards day ceremony.

The Emeritus/Emerita title precedes the highest rank attained. Recipients of the designation are so listed in the University Catalog. They are provided with offices if space is available, though not necessarily their previous office. They will enjoy all faculty rights and privileges except for voting but including discounts/tickets; library/laboratory use; supplies; university

email account; mailing; and secretarial assistance as available for University business only.

6.10 ENDOWED PROFESSORSHIPS

The University actively seeks to endow professorships through funds secured by the Office of University Advancement. Endowed professorships provide, at a minimum, a salary supplement for the faculty member holding the professorship, a professional development stipend, and funds with which to employ adjunct faculty to provide workload relief to the holder of the endowed professorship.

The Board of Trustees has approved the following endowed professorships: (1) the Bebenssee Professorship (2) the McCann Professorship, and 3) the A.M. Pate History Professorships.

SECTION 7: FACULTY STANDING COMMITTEES

Except as otherwise noted under a specific committee, the following faculty standing committees report to the Faculty Council. The faculty standing committees are composed of only full-time tenured or tenure-track faculty members appointed by the Faculty Council with the approval of the President, unless the committee composition is otherwise described below. Faculty standing committee rosters are developed by the Faculty Council and forwarded to the Provost/Senior Vice President, who processes and recommends the roster to the President. Faculty members serve as chairs of committees unless otherwise specified in this Handbook. Faculty standing committee assignments begin with the fall semester and are for one full year (from August 1 through July 31). The first faculty member listed on the committee roster will serve as temporary chairperson until such time as the committee is able to convene and select a permanent chairperson. The temporary chairperson will convene the committee as soon as practicable after the distribution of the approved committee roster.

Faculty members are encouraged to suggest agenda items for committee discussion by contacting committee members.

From time to time the President, Provost/Senior Vice President, and/or faculty chair may also appoint ad hoc committees to address issues that are not otherwise assigned to a faculty standing committee. Such ad hoc committees will include faculty and staff members with primary interest and/or expertise in the subject matter of the committee. The President, Provost/Senior Vice President, and/or faculty chair may also appoint “task forces” that have the same characteristics but a more focused agenda than ad hoc committees. Such ad hoc committees or task forces shall not supersede the responsibilities of standing committees.

To assist faculty standing committees, ad hoc committees, and task forces with such administrative tasks as processing minutes, arranging meeting times, or following through on related issues, the President and/or Provost/Senior Vice President may appoint a “staff liaison” to work with the committee. The committee may also request staff assistance. Unless the staff liaison is specified as a voting member of the committee, the staff liaison will be non-voting for any committee with which he/she is asked to consult or with which he/she is asked to assist.

Student members of committees, if any, shall be appointed by the Student Government Association through its officers. Student members of committees do not have voting rights unless otherwise stated in this Handbook.

Minutes of all faculty standing committee meetings (including mention of those members present and absent) shall be sent to the Faculty Council (via the Faculty Secretary) and will be made available to the campus community through the faculty share drive except those committees where confidentiality is required, e.g., Grievance Committee, University Hearing Board, and Tenure, Promotion, and Academic Freedom Committee. It is suggested that committee minutes also be sent to the Provost/Senior Vice President in order to facilitate assistance with the work of the committee as appropriate.

7.1 COMMITTEE ON ACADEMIC AFFAIRS

This committee recommends policy on academic matters. The committee develops the standards for admission to the University and for retention and academic suspension as these apply to students.

Other responsibilities of the committee include preparing the University calendar and catalog copy, establishing procedural guides for faculty and students, and developing long-range academic plans, including evaluation of institutional effectiveness and recommendations for modification of courses, programs, and degrees. The committee provides continuity and consistency in the academic areas.

Membership includes:

- Provost/Senior Vice President (chair of the committee)
- Deans of the schools
- Director of the West Library
- Chair and Chair-elect of the Faculty Council
- Two faculty representatives elected by each school
- Chair of the General Education Curriculum Committee
- One faculty representative from the graduate programs committee (appointed by the Committee on Graduate Programs)
- A representative from Admissions (non-voting)
- Associate Provosts (non-voting)
- Registrar (non-voting)
- President of the Student Government Association (non-voting)

Membership on this committee is by position, and thus there is no set term of office, except for the faculty representatives, whose term of office is two academic years. In the absence of the Provost/Senior Vice President, the chair of the Faculty Assembly shall serve as chair of the committee.

7.2 COMMITTEE ON ADMISSIONS, SCHOLARSHIP, AND FINANCIAL AID

This committee reviews admission policy, suggests recruitment procedures, and approves all exceptions to the admission policy before admissions decisions are final.

It recommends criteria for awarding scholarships and periodically reviews the criteria for the awards; reviews student appeals concerning the loss of scholarships and other types of financial aid; reviews student appeals concerning the loss of

athletic scholarships; makes decisions concerning future eligibility for scholarships and financial aid based on published criteria and the information contained in the appeal.

Membership includes:

- Two faculty representatives from each undergraduate school
- Director of Financial Aid or designee (non-voting)
- Director of Advising (non-voting)
- Dean of Freshman Success (non-voting)
- Staff Representative of Student Life (non-voting)
- Associate Vice President of Enrollment (non-voting)

Term of office for faculty representatives is three academic years (staggered); no faculty representative shall be eligible for reappointment to the committee for at least one year following the conclusion of his/her current term.

7.3 COMMITTEE ON ATHLETICS

This committee recommends to the President policy on intercollegiate athletics and prepares and reviews statement of aims and objectives in the intercollegiate athletics program as recommended in the NAIA bylaws.

Membership includes:

- One faculty representative from each undergraduate school
- Chair of the Kinesiology Department or designee
- Provost/Senior Vice President (non-voting)
- Registrar (non-voting)
- Director of Athletics (non-voting)
- Faculty Athletic Representative

President approves committee membership as recommended in the NAIA bylaws. Term of office for faculty representatives is two years (staggered). No faculty representative shall be eligible for reappointment to the committee for at least one year following the conclusion of his/her current term.

7.4 COMMITTEE ON ADVANCEMENT AND ALUMNI AFFAIRS

This committee evaluates and makes recommendations regarding institutional advancement, including those matters that will enhance the University's image and disseminate information about the University to the widest possible audience. The committee also recommends ways to maintain the close relationship of the University with its alumni.

Membership includes:

- Four faculty representatives
- Vice President for University Advancement
- Director of Alumni

- Vice President of Marketing and Communications
- Student representative (non-voting)
- President of the Alumni Association
- Director of Purchasing

Term of office for faculty representatives is two years (staggered). Members may be reappointed.

7.5 BLUE + GREEN = GOLD COMMITTEE

To promote efficient energy and water use and natural resource conservation throughout campus; to advise the administration on matters of university resource use and conservation to achieve strategic sustainable practices; to promote concern among the campus administration, faculty, and student body about transportation, energy and water use, paper, plastic, and metal recycling, and campus grounds to minimize environmental risk, reduce carbon footprint and mitigate impacts of campus activities; to work with the administration to schedule and implement monitoring, identify budgetary priorities, and hold open hearings prior to annual University budget adoption.

Membership includes:

- One faculty representative from each undergraduate school
- One faculty member representing the graduate programs
- One faculty member representing the library
- Two students-at-large: one representing on-campus housing and one representing commuter students
- Dean of Students
- Executive Director of Facilities Development, Operations & Emergency Services
- Director of Purchasing

The committee is to meet monthly during the Fall semester to gather monitoring information for budgetary consideration in November and then periodically in the Spring semester to insure implementation. The term of office for the faculty representatives is two years (staggered). Reappointment is permitted after one year following the conclusion of current term.

7.6 COMMITTEE ON FACULTY BENEFITS, PROFESSIONAL DEVELOPMENT, AND GRIEVANCES

This committee recommends ways to improve the economic, intellectual, social, and physical wellbeing of the faculty, which will in turn benefit the University. It makes recommendations regarding the policies for faculty development (including policies regarding the distribution and use of faculty development funds such as the “Bass Fund”) and sabbaticals. It hears all disputes involving faculty members on matters other than those concerning tenure, promotion, and academic freedom or sexual harassment.

On matters of grievance, proceedings of the committee shall remain confidential, and the committee shall forward its report to the Provost/Senior Vice President and the President as prescribed in section 5.20. On matters of grievance, the Provost/Senior Vice President and the Assistant Vice President of Human Resources shall be recused from the meeting.

Membership includes:

- , Two faculty representatives from each school
- One representative from the West Library
- Provost/Senior Vice President or his/her designee (non-voting)
- An Associate Provost (non-voting)
- Associate Vice President of Human Resources (non-voting)

Term of office is either by position or two academic years (staggered). Faculty representatives may be reappointed after a lapse of one year following the conclusion of their current term.

7.7 COMMITTEE ON FACULTY RECOGNITION AND HONORARY DEGREES

This committee solicits nominations for and recommends faculty members to receive awards (when appropriate) for academic, civic, community, professional, scientific, or scholarly achievements beyond their teaching and professional responsibilities, using the criteria established by the University or the organization making the award. The committee coordinates the nomination and voting of the Earl Brown Distinguished Faculty Award by the Faculty Assembly. The committee coordinates the process for application for faculty emeriti status and voting by the faculty assembly.

The committee reviews nominations for honorary degrees and determines whether or not to forward such nominations to the Faculty Council, the Faculty Assembly, the President, and the Board of Trustees, all of which must agree to the awarding of the honorary degree.

The individual nominated for an honorary degree must have made significant contributions to humankind, the community, or the University. Any person may make nominations for honorary degrees to the committee. It is the responsibility of the nominating party to furnish supporting data.

Since the degrees are the highest honor the University can bestow, a rare and precious accolade, it is expected that, except under unusual circumstances, no more than two such degrees will be conferred in any single year, and it is not mandatory to confer any honorary degrees in a given year. Since persons receiving honorary degrees represent the entire University, particularly the faculty, faculty input into the honorary degree process is regarded as essential. Therefore, all nominations for honorary degrees must be approved (although not necessarily initiated) by the Committee on Faculty Recognition and Honorary Degrees. Nominees may not hold a position on the Board of Trustees at the time of the nomination. The committee will send its recommendations to the Faculty Council and, if it is approved by the council, on to the Faculty Assembly. Under no circumstances shall honorary degree candidates be chosen unilaterally without involvement of the Committee on Faculty Recognition and Honorary Degrees.

The committee should receive nominations at least one semester before the commencement or other event in which the honorary degree is to be conferred. Committee decisions likewise shall be made at least one semester prior to conferral.

Membership includes:

- One faculty member from each school

- One faculty member from the West Library

Any committee member nominated for an award must recuse him/herself from the process.

Term of office is two academic years (staggered). No member may be eligible for reappointment to the committee for at least one year following the conclusion of his/her current term.

7.8 COMMITTEE ON GENERAL EDUCATION CURRICULUM (GEC)

This committee reviews the general education curriculum and recommends to the Committee on Academic Affairs procedures for evaluation and amendment of the requirements common to all degrees. All substantive changes, whether procedural, substitution, etc., related to general education requirements must be approved by the Committee on General Education Curriculum (GEC).

Membership includes:

- Two faculty representatives from each undergraduate school
- Provost/Senior Vice President or Associate Provost (non-voting)
- General Education Coordinator (non-voting)

Term of office for faculty representatives is three academic years (staggered). No faculty representative may be eligible for reappointment to the committee until at least one year after the conclusion of his/her term.

7.9 COMMITTEE ON GRADUATE PROGRAMS

This committee provides a forum for graduate program issues and academic affairs. It makes recommendations for graduate faculty to the Provost (see section 5.18.1). It reviews the process for the hiring of contributing graduate faculty (see section 5.18.1) and reviews assessment and evaluations of all graduate programs.

Membership includes:

- Director of each graduate discipline
- One faculty member from each graduate program
- One dean from among the schools that contain graduate programs, term limit of one year, (non-voting)
- Provost/Senior Vice President (non-voting)
- Associate Provost (non-voting)
- Director of West Library (non-voting)
- Director of Graduate Admissions (non-voting)

Term of office for faculty representatives is three academic years (staggered).

7.10 COMMITTEE ON HONORS PROGRAMS

This committee reviews and approves students qualified to participate in the Wesleyan Scholars Honors Program and reviews and approves courses for the University Honors Program and the Departmental Honors Program. The committee

will also determine Wesleyan Scholars Program policies and procedures.

Membership includes:

- Two faculty representatives from each undergraduate school
- West Library faculty representative
- Director of Wesleyan Scholars Honors Program (non-voting)

Term of office is three academic years (staggered). No faculty representative may be eligible for reappointment to the committee until at least one year after the conclusion of his/her term.

7.11 COMMITTEE ON INTERNATIONAL EDUCATION

This committee promotes international education and assists international students. The committee shall determine

policies related to the development of new concepts of international education, the recruitment of international students, curriculum, study abroad, and campus international awareness. Additionally, the committee will serve in an advisory role for the minor in International Studies. It reports to the Committee on Academic Affairs.

Membership includes:

- One faculty representative from each undergraduate school
- West Library faculty representative
- Two students, one of whom is a foreign national
- Representative for Student Life (non-voting)
- Director of International Programs (non-voting)
- International Student Advisor (non-voting)
- Faculty Liaison to the minor in International Studies

Term of office for faculty representatives is two academic years (staggered). No faculty representative shall be eligible for reappointment to the committee for at least one year following the conclusion of his/her current term.

7.12 COMMITTEE ON HEALTH BENEFITS

This committee oversees the administration of benefit plans and makes recommendations to the President and/or to the Trustees through the President. The committee has a responsibility for faculty-staff input into University election of health care and retirement benefits.

Membership includes:

- Four at-large faculty representatives
- Four staff representatives
- Four retirees (two faculty and two staff)
- Associate Vice President for Administrative Services and Human Resources (non-voting)

- Vice President for Finance and Administration (non-voting)
- Provost/Senior Vice President (non-voting)
- President (non-voting)

Term of office for faculty representatives is three academic years (staggered); faculty representatives may be reappointed immediately.

7.13 COMMITTEE ON STUDENT AFFAIRS

This committee acts as a channel of communication between the Division of Student Affairs and the faculty. The committee advocates for students by participating in the Orientation Advisory Board and the State of Student Affairs meetings, in addition to providing advice and recommendations as needed on issues that impact the student experience. All members of this committee have voting privileges.

Membership includes:

- One faculty representative from each undergraduate school
- VP of Student Affairs/Dean of Students
- Representative of the Counseling Center
- Staff representative of Student Affairs
- University Chaplain
- Dean of Freshman Success
- President of Student Government Association
- Two Student Athletes: one male and one female appointed by the Director of Athletics
- Director of Dining Services
- International Programs Representative

Term of office for faculty representatives is three years, and reappointment is permitted. Students serve for one academic year and may be reappointed.

7.14 COMMITTEE ON STUDENT PUBLICATIONS

This committee recommends the editors for The Rambler (student newspaper), approves student staff members selected by the respective editors, and establishes policies for this publication. All members of this committee have voting privileges.

Membership includes:

- A faculty representative, at large, selected by the Faculty Council
- Two student representatives, at large, appointed by the President of the Student Government Association
- President of the Student Government Association
- Media and Classroom Support Manager
- Chair of the Department of Communication

- A representative from each of the following departments and disciplines:
 - Student Life
 - Languages and Literature
 - Visual Arts
 - University Advancement
- Faculty advisor and editor: The Rambler and Aries

Term of office for faculty representatives is one year, and reappointment is permitted. Student appointments are for one year and may be reappointed.

7 .15 COMMITTEE ON TEACHER EDUCATION

This committee approves and/or recommends curricular offerings in teaching fields and recommends related catalog changes, contractual arrangements with schools, general policies on teacher education, and candidates for admission, student teaching, and certification. It reports through the Committee on Academic Affairs. The chair shall be the Coordinator of Teacher Certification.

Membership includes:

- Coordinator of Teacher Education (chair)
- Dean, School of Education
- All members of the Department of Education
- Representatives(s) from each teaching field in teacher certification
- At least one professional educator from public/private schools (non-voting)
- Provost/Senior Vice President (non-voting)

Membership is by position; there are no term limits.

7 .16 COMMITTEE ON TENURE, PROMOTION, AND ACADEMIC FREEDOM

This committee interprets and supervises the University's policy with regard to individual situations concerning tenure, promotion, and academic freedom. The President is responsible for administering the policy on tenure, promotion, and academic freedom. However, any member of the faculty, deans, the Provost/Senior Vice President, the President, or the Board of Trustees may refer matters pertaining to the tenure, promotion, and academic freedom policy to the Committee on Tenure, Promotion, and Academic Freedom, which shares the responsibility for interpreting and applying the University's policy.

The TPAFC does not make recommendations as to tenure but as to procedures and process regarding tenure. The proceedings of this committee shall remain confidential; therefore, the committee will forward its reports through the Provost/Senior Vice President to the President as described in section 5.14.

Membership includes:

- One tenured faculty representative from each school One tenured faculty from West Library
- President (non-voting)
- Provost/Senior Vice President (non-voting)
- President of Texas Wesleyan chapter of AAUP, if that individual is tenured (non-voting)

Term of office for faculty representatives shall be three years (staggered).

7.17 COMMITTEE ON UNIVERSITY COLLEGE DAY

This committee plans and implements activities and programs for University College Day and other related activities.

The purpose of University College Day is for students and faculty to share scholarship between and among the disciplines. The University, as a community, values interdisciplinary teaching and scholarship across all fields of study.

Membership includes:

- Two faculty representatives from each undergraduate school
- 1 faculty representative from the School of Health Professions
- 2 faculty at large
- The Director of Marketing and Communications (non-voting)
- Student Government Association Representative

The term of office for rotating members will be three years, staggered. Student representatives shall not serve on the submissions sub-committee that evaluates student proposals.

7.18 UNIVERSITY JUDICIAL BOARD

This board consists of ten tenured faculty members elected annually by the Faculty Council to serve as a pool of members from which five may be chosen to hear formal charges of faculty dismissal for cause. This board also hears student disciplinary cases if the student(s) involved prefer(s) that the case be heard by this board rather than by the Dean of Students. Proceedings of this board shall remain confidential. Decisions of this board may be appealed to the President.

See Section 5.20.1 (Termination for Cause) for selection and hearing procedures. Terms of service are one (1) year, with the possibility of reappointment, such appointment occurring at the last meeting of the Faculty Council in each academic year.

Membership includes:

- Ten tenured faculty members elected annually by Faculty Council
- Two faculty alternates
- At least 3 of the faculty members must be graduate or contributing graduate faculty
- Two student representatives appointed by the President of the Student Government Association

- Two student alternates appointed by the President of the Student Government Association.
- One graduate student

No more than two of the students (representatives and alternates) may be members of the Student Government Council. All student representatives must be at least sophomores and have attended the University for at least one academic year. Alternates will serve on the committee if one of the regularly appointed members of the committee is ineligible or unable to serve. Neither of the student alternates may be a senior.

When this committee meets to discuss faculty issues, only tenured faculty members will be called to meet.

When this committee meets to discuss student issues, at least seven members must be present (four faculty representatives or alternates and three student representatives or alternates). When the judicial board meets for a graduate student issue, the committee will be formed with at least 2 graduate or contributing graduate faculty and 1 graduate student. A majority vote is required, and a confidential record of the proceedings with a specific recommendation for adjudication will be attached to the majority report on the case and forwarded to the President and Vice President for Student Affairs/Dean of Students.

7.19 COMMITTEE ON UNIVERSITY PLANNING

This committee works through the appointed faculty liaisons to the Board of Trustees standing committees to assure that all program developments are consistent with the strategic plan. It coordinates with the Program Review Process of the University and assists the Provost in accreditation and assessment matters, as needed. It works with the administration on budgetary priorities and schedules open budget hearings before the University budget is set for the coming fiscal year.

The committee should meet according to the following approximate time line:

1. December 1—examine budget requests from each school and other pertinent requests
2. February 1—match requests to revenues
3. March 1—conduct final revenue check and schedule open budget hearing
4. April 1—review the pending approved budget
5. Membership includes:
 - Two tenured faculty representatives from each school
 - West Library faculty representative
 - Provost/Senior Vice President (non-voting)
 - Vice President for Finance and Administration (non-voting)
 - One faculty member representing the graduate programs
 - Director of Institutional Research (non-voting)

Term of office for faculty representatives is three years (staggered). Reappointment is permitted after one year following the conclusion of the current term.

7.20 COMMITTEE ON EXCELLENCE IN TEACHING AND LEARNING

This committee provides advice, counsel and input into the programming and research activities of the CETL and ensures that programming remains relevant and inclusive across the disciplines, departments, and instructional modalities of the University. The committee advises the Director of the Center for Excellence in Teaching and Learning.

Committee members act as departmental and college-wide representatives for innovative and effective professional development, research and teaching practices to ensure that CETL programs increasingly meet campus faculty needs.

The committee will meet at least two times during the academic year. Additional meetings may be called by the committee chair(s) if an important issue arises between meetings. Committee members may submit agenda items for meetings to the committee chair(s).

The committee may also recommend additional discovery task forces as needed in areas such as educational technology and distance education.

Membership includes:

- The Director of the CETL,
- A West library faculty representative
- One faculty representative from each school
- One at-large faculty representative
- A Student Government Association representative (non-voting)

Term of office for faculty representatives is two years (staggered). Members may be reappointed. Students serve for one academic year and may be reappointed.

7.21 BOARD OF TRUSTEES STANDING COMMITTEES

The Faculty Council shall appoint, with the approval of the President, one tenured faculty member to serve as an ex-officio member on each of the following standing committees of the Board of Trustees:

Academic Affairs and Student Life Committee

- Advancement Committee
- Finance and Audit Committee
- Investment Sub-committee

Such faculty members serve at the pleasure of the Board. Following attendance at Board committee meetings, faculty representatives should make a report to the Faculty Council. The Faculty Chair shall serve as the faculty representative on the Academic Affairs Committee and will therefore serve a term of one academic year. Term of office for all other faculty representatives is three academic years; no faculty representative shall be eligible for reappointment to the committee for at least one year following the conclusion of his/her term.

SECTION: 8: CHANGES TO THE FACULTY HANDBOOK

Changes to the Faculty Handbook may be proposed by the faculty, administration, or the Board of Trustees. Faculty proposed changes to this Handbook shall be proposed by the Faculty Council or by presentation to the Chair of the Faculty Assembly of a petition signed by twelve or more members of the Faculty Assembly. Notice of proposed changes must be published at least two calendar weeks prior to a vote in the Faculty Assembly. Proposals to change the Faculty Handbook require a two-thirds vote of the faculty. Final authority to change the Faculty Handbook rests with the Board of Trustees.

SECTION 9: CONSTITUTION AND BY-LAWS OF THE FACULTY ASSEMBLY

Preamble:

This organization shall assist the University in carrying out its responsibilities with maximum effectiveness and integrity by providing a direct line of communication from the faculty to the administration, thereby giving the faculty a major role in determining the academic progress of the institution.

ARTICLE I. NAME

The name of this organization is the Faculty Assembly.

ARTICLE II. MEMBERSHIP

Section 1.

The Faculty Assembly shall be composed of all the full-time faculty of the institution. The term “full-time faculty” refers to faculty members so designated by their contracts in the ranks of instructor, assistant professor, associate professor, or professor. Part-time faculty are encouraged to participate but shall have no vote.

Section 2.

There shall be an executive committee of the Faculty Assembly known as the “Faculty Council.” Membership of the council shall include the following:

- a. Two representatives elected by each school, all of whom shall be tenured unless exceptions are made by the council
- b. One tenured librarian
- c. Chair (elected from the full-time faculty; must be tenured)
- d. Chair-elect (elected from the full-time faculty; must be tenured)
- e. Two at-large representatives (elected from the full-time faculty; may be untenured)

Four representatives, one of whom shall be chair and one of whom shall be chair-elect, shall be elected at-large from the full-time faculty. Such election shall take place in the spring of each year at a meeting of the Faculty Assembly. At-large representatives need not be tenured, except in the case of the chair and the chair-elect, who must be tenured. In the first year of the election for chair-elect (1998), the Faculty Assembly shall elect both a chair and a chair-elect from

the four at-large representatives. From then on, only a chair-elect will be elected each year. The chair shall serve as presiding officers in both the Faculty Assembly and the Faculty Council. Administrative officials, deans, and non-tenured faculty may not serve as officers in the Faculty Assembly and the Faculty Council. Membership on the Faculty Council is not a prerequisite to being elected chair or chair-elect, nor shall the usual prohibition against serving more than two consecutive years on the Faculty Council apply. Thus, a person currently serving his/her final year term on the Faculty Council may be elected as chair or chair-elect for the next year. If the person elected is also a Faculty Council member, the method by which that person was elected to the council shall be used to elect a replacement.

The chair of the Faculty Assembly and the Faculty Council shall be granted, for the time of his/her service, release time equivalent to one-half teaching load or one-quarter teaching load and stipend totaling the equivalent of one 3 credit course each Fall and Spring which shall be funded and coordinated through the office of the Provost/Senior Vice President.

In the event that the chair-elect does not assume the position of chair the year following his/her term as chair-elect, the Faculty Assembly will elect a replacement by the same procedure described above.

The term of office for the presiding officers of the Faculty Assembly and Faculty Council shall be from August 1 to July 31.

Section 3.

The Faculty Council shall also annually appoint a parliamentarian who shall serve in the Faculty Assembly. The parliamentarian need not be a member of the Faculty Council.

Because attendance is crucial for representation, after three absences per year, the representatives may be removed from the Faculty Council.

Section 4. Meetings

- a. The Faculty Assembly shall meet as often as necessary but at least twice each semester. The Faculty Council shall set the dates and times of the regular meetings.
- b. Special meetings of the Faculty Assembly shall be called as necessary by the chair of the Faculty Council, President, or Provost. The chair of the Faculty Council shall call a special meeting upon receipt of a request signed by twelve or more members of the faculty. Forty-eight (48) hours' notice shall be given to faculty members of time, place, and agenda.
- c. The Faculty Council shall meet as necessary. The chair shall set time and place of meetings.
- d. The agenda for all meetings of the Faculty Assembly shall be prepared by the Faculty Council and distributed in writing or electronically to all members of the Faculty Assembly not later than forty-eight (48) hours prior to the time of the meeting.

Section 5.

A quorum of the Faculty Assembly shall consist of forty (40) full-time faculty. A quorum of the Faculty Council shall consist of eight (8) of its members.

Section 6.

A simple majority of those present and voting shall constitute approval of any motion except items considered “new business” that were not on the agenda. Items considered new business not on the agenda shall require the approval of three-fourths of the persons present and voting.

Section 7.

Unless otherwise specified, the latest edition of Robert’s Rules of Order will be followed in conducting the business of the organization. Concerning a majority vote, Robert’s Rules states: Any legitimate motion requires for its adoption only a majority vote, that is, more than half of the votes cast, ignoring blanks (abstentions), at a legal meeting where a quorum is present, unless a larger vote for its adoption is required by the rules of the assembly (<http://www.parlpro.org/robertsrules.htm>).

Section 8.

The Faculty Council, the Faculty Assembly, all University standing committees, and all University-wide ad hoc committees (except committees of specific schools) will not accept proxy votes.

ARTICLE III. ELECTIONS**Section 1.**

The term of office for each member of the Faculty Council shall be two years. No member shall be eligible for reelection to the Faculty Council for at least one year. Seven members shall be elected one year and eight members the next year.

Section 2.

Each spring, the Faculty Assembly shall nominate and elect at-large members to the Faculty Council to take office the following August 1. Representatives elected by each school and the libraries will take office on August 1. School representatives shall be nominated and elected within their respective school. Representatives at-large, including the chair and/or chair-elect, shall be elected at the spring meeting of the Faculty Assembly by written ballot. In the event of a tie, a run-off election shall be held. At least fifty (50) percent of a faculty member’s teaching duties must be in the school from which he/she is elected.

Section 3. Vacancies

- a. The absence of a council representative on leave of more than one semester shall constitute a vacancy.
- b. Any unexpired term of a representative elected by a particular school shall be filled at a regular or called faculty meeting of the school following the occurrence of the vacancy. The candidate shall fill any unexpired term of a representative-at-large for at-large membership who at the previous annual election received the largest number of votes and was not elected to membership or to a vacancy. That person shall fill the vacancy until the next annual election, at which time the vacancy shall be filled in accordance with the provisions of Article III.

ARTICLE IV. FUNCTIONS AND DUTIES

Section 1. The Faculty Assembly

- a The Faculty Assembly shall consider all matters of general University interest. Actions taken by the Faculty Assembly shall be submitted to the President as recommendations. If the President disapproves a recommendation, he/she shall respond within thirty (30) days to the Faculty Assembly stating his/her reasons for disapproval.
- b It shall be the duty of the Faculty Assembly to review actions of the Faculty Council and the committees of the faculty. The Faculty Assembly may refer matters to the Faculty Council and the committees of the faculty and may recommend additional committees as needed.

Section 2. The Faculty Council

- a The Faculty Council is the representative body of the Faculty Assembly designed primarily to express the views of the faculty. Actions of the Faculty Council shall be subject to review of the Faculty Assembly and may be revoked at a meeting of the Faculty Assembly by a majority vote of the members present and voting. Minutes of the Faculty Council meetings shall be distributed to all members of the Faculty Assembly within one week after council meetings. Approval of these minutes at the next meeting of the Faculty Assembly shall constitute approval of the actions of the council. Failure to approve the minutes of the council will result in an item-by-item vote by the Faculty Assembly of the Faculty Council's actions. On matters of sufficient importance, the council may present individual recommendations to the assembly for consideration and decision.
- b The Faculty Council may discuss and express its views upon any matter affecting the University. This provision shall be understood to include, but not to be limited to, the following: degree requirements, admission, continuing enrollment, curricula, student financial aid, athletics, the libraries, publications, finances, standards of instruction, questions of academic freedom, tenure, promotions, faculty welfare, student behavior, student-faculty relations, faculty-administration relations, budget policies, and selection of all senior staff.
- c Many of these matters (Part b above) shall be the direct responsibility of the standing committees of the University. The Faculty Council shall nominate, subject to the approval of the President, all faculty members of these standing committees. The council may recommend the creation of new standing committees as needed and the dissolution of existing standing committees.
- d The Faculty Council may establish such ad hoc committees and subcommittees as it chooses to aid in the performance of its duties and may invite persons not members of the council to serve on these committees and subcommittees.

- e. The Faculty Council shall acknowledge and report to the Faculty Assembly on all recommendations made to it by standing and ad hoc committees. When the Faculty Council does not endorse an action of a committee, the chair of the Faculty Council refers that action back to the committee with reasons for its failure. Then the committee may (1) resubmit the action to the Faculty Council, (2) call a joint session with the Faculty Council to discuss a mutually agreeable action, (3) allow the action to fail.
- f. The Faculty Council in consultation with the President shall have the responsibility for recommending the composition of all search committees to fill major academic positions, such as Provost, deans, and directors. The composition of a search committee shall reflect the primacy of faculty interest, and a representative body of the faculty shall choose the faculty component of the committee. The search committee shall evaluate candidates and recommend no more than three finalists to be voted on by the full-time faculty of the school or area affected. The vote of the faculty shall be submitted to the President for positions reporting to the President and to the Provost/ Senior Vice President for positions reporting to him/her.

ARTICLE V. BEST PRACTICE

Unless otherwise specified in this Constitution and By-Laws, the best practices of the profession, as outlined in the latest edition of AAUP Policy Documents and Reports, shall be followed.

ARTICLE VI. AMENDMENT AND RATIFICATION

This Constitution shall become effective when recommended by a two-thirds vote of a quorum of the Faculty Assembly present and when approved by the President and the Trustees of the University. Amendments to this Constitution may be initiated by the Faculty Council or by the presentation to the chair of the Faculty Assembly of a petition signed by twelve or more members of the Faculty Assembly. Notice of such amendments must be published at least ten teaching days prior to a vote. Amendments shall be approved by a two-thirds vote of those present and voting at the Faculty Assembly. Amendments become effective when approved by the President and the Board of Trustees of the University.

APPENDIX

ALCOHOL POLICY

Generally, the University prohibits the possession, use or distribution of alcohol on the University's campuses. However, alcohol may be served at University sponsored, student and third-party events with approval. Upon approval, the President's Suite, Trustee Board Room, the Baker Martin House, the Louella Baker Martin Pavilion, and other areas and at such times as deemed appropriate and approved by the president or his or her designee. Approval is required for all events serving alcohol on campus and for all student events whether on or off campus. Typically, the president or vice president for advancement approves University sponsored events. The dean of students or the vice president for enrollment and student life approves student events. The associate vice president for administrative services and human resources approves third-party facility use events.

The Alcohol Permit Form must be completed and approved for all events on campus and all student events serving alcohol off campus.

Basic Requirements for All Events Serving Alcohol

1. A third-party vendor (licensed bartender covered by site liability) sells and/or distributes the alcoholic beverages.
2. Neither the sale nor use of alcoholic beverages shall in any way violate state or local laws.
3. Alcoholic beverages are not the focus of the activity.
4. Advertisements of the event may not use alcohol as a draw.
5. An off-duty Fort Worth Police Officer is mandatory for all student and third-party events. The cost is assumed by the event sponsor.

Procedures for Student Off-Campus Events Serving Alcohol

All off-campus student events that are sponsored by the University and serve alcohol must have proper authorization. An Alcohol Permit Form must be completed and approved by the dean of student life or the vice president for enrollment and student life. For approval, the following federal guidelines must be met:

1. A variety of non-alcoholic beverages will be conveniently and readily available.
2. Adequate food (non-salty preferred) must be provided.
3. A carding and labeling procedure must be enforced.
4. Alternate transportation arrangements must be available.
5. A designated person responsible for compliance, monitoring of the event, and enforcing University, local, state and federal policies or laws.
6. All alcoholic beverages must be kept in a secure area.
7. An off-duty Fort Worth Police Officer is mandatory for student and third-party events. The cost is assumed by the event sponsor.

Student organizations that violate these policies may be subject to the following sanctions:

1. The loss of on or off-campus alcoholic privileges for up to one year.
2. The loss of campus reservation privileges for up to three months.
3. The student organization or group may be fined \$100.
4. The organization or group's president may be fined \$50.

At its sole discretion, the University may disapprove the use of alcohol at any event for any reason.

DISABILITY INSURANCE

Eligibility for coverage for full-time, regular employees commences after ninety (90) days of continuous employment. The University will provide 100% compensation to full-time regular employees the first thirty (30) calendar days of continuous disability after notification and documentation by a physician that the employee is disabled. Compensation for the first thirty (30) days of continuous disability includes utilization of all accrued sick days and vacation days, if any.

If an employee has more than 30 days of vacation and sick leave benefits available, he or she may utilize the remainder of those benefits at a rate of 40% per day (3.2 hours per day) in addition to receiving 60% disability income benefits through the University's disability insurance policy. The University pays all premiums for employee disability insurance. Except as stated above, disability insurance will provide 60% of the employee's customary salary beginning on the 31st day of continuous disability. The employee may remain on disability until either the disability is resolved or the employee reaches age 65, whichever occurs first. Employees wishing to take advantage of the disability benefit must submit the appropriate claim forms, including their doctor's verification form, to the Office of Human Resources. Submission of these forms should be done within two weeks of the last day worked, if the employee anticipates being unable to return to work full-time before day 30. The employee also will receive written materials that describe the group disability plan.

The University shall pay the premiums for the employee's group health benefits. However, the employee still must pay additional premiums for optional benefits or for other eligible members. Premium payments that are late by more than 30 days will result in the termination of any insurance benefit specific to that premium. In that event, insurance benefits shall be restored when the employee returns to work. No other benefits shall accrue.

In the event of a claim, the employee should contact the Office of Human Resources as soon as possible in order to process the claim. Records of disability will be maintained in the employee's confidential file in the Office of Human Resources.

Employees approved for salary continuation of short-term or long-term benefits are required to provide updates (verified by physician) as requested. Failure to do so in a timely manner may result in loss of benefits. Employees with questions regarding claims or benefits should contact the Office of Human Resources.

Optional Benefits

The University may, at its sole discretion, provide optional benefits that full-time employees may enroll in, at their expense. These may include dental, flex spending, etc., and are subject to the same open enrollment periods as other benefits.

UNIFIED HARASSMENT AND DISCRIMINATION POLICY

Statement

Harassment and discrimination, including sexual harassment and discrimination, are illegal under federal and state statutes, including but not limited to, Title VII of the Civil Rights Act of 1964, Title IX of the Educational Amendments of 1972, and the Texas Commission on Human Rights Act, and is prohibited at Texas Wesleyan University (the "University").

The University is committed to providing an environment of academic study and employment free from harassment or discrimination to all segments of its community, that is, its faculty, staff, students (current or former), guests and vendors. It is the responsibility of members of the University community to conduct themselves so that their words or actions cannot be reasonably perceived as harassing, discriminatory, sexually coercive, abusive or exploitive, or as interfering with any other individual's ability to study or work productively at the University.

Furthermore, the University strictly forbids retaliation by any member of the University community against anyone who brings a charge of discrimination, sexual harassment or any other form of harassment.

Once the University has knowledge of conduct or behavior that could be reasonably construed as harassment or discrimination, action under this policy must be initiated and followed to its conclusion.

Restroom Access Policy

In keeping with the University's policy of nondiscrimination, all employees, including transgender employees, have access to restrooms that correspond to their gender identity.

Faculty/Staff-Student Relationship Policy

The University prohibits relationships of a dating, intimate or sexual nature between faculty/staff and any student with whom the faculty or staff member has professional responsibility, even if the relationship is consensual. Professional responsibility may include, but is not limited to athletics, committee work, university sponsored activities or events, and any other direct educational or University employment related control that gives the faculty or staff member authority or power over the student that could subsequently affect the student's academic or work environment and/or success. These types of relationships are strongly discouraged even when there is no direct relationship with authority/power that could be exerted over the student.

In addition, faculty members may not teach or take any action that may influence the grade of an immediate family member enrolled at the University. Immediate family members are defined as the spouse, significant other, children (natural, adoptive or step) or any dependent person residing with the faculty member. An exception to this policy may be authorized by the dean of the school in question. Faculty members may request an exception, in-writing, to the dean by outlining the reasons that support the requested exception.

Definition of Sexual Harassment

Sexual harassment is any unwelcome sexual advance, request for sexual favors or other verbal, visual or physical conduct of a sexual nature when:

1. Submission to, or rejection of, such conduct is used as the basis for employment or academic decisions or is made a term or condition of employment or academic success; or
2. Such conduct has the purpose or effect of unreasonably interfering with one's work or academic performance by creating an intimidating, hostile or offensive work or academic environment.

Other Forms of Harassment

1. Any verbal, physical or visual act or conduct which denigrates, threatens or shows hostility toward any individual or group because of a protected status, and which has the purpose or effect of unreasonably interfering with one's work or academic performance by creating an intimidating, hostile or offensive work or academic environment.
2. Any threat or act of violence.
3. Such harassment may be based on, but is not limited to, race, color, national origin, ethnicity, gender, age, religion, disability, sexual orientation or other legally protected status.

Definition of Discrimination

Any act or conduct that is prejudicial toward another person's race, color, national origin, ethnicity, gender, age, religion, disability, sexual orientation or other legally protected status.

Sanctions

Any violation of any aspect of this policy toward any faculty member, staff member, student, guest or vendor will subject the violating faculty member, staff member, student, guest or vendor to appropriate disciplinary action or sanction, which may include: dismissal from employment for faculty and staff, cancellation of student status for students, and loss of business or other campus privileges for vendors and guests.

Timing of Complaint

Any complaint, either oral or written, must be communicated to the appropriate University representative immediately as indicated by this policy, but no later than 180 calendar days from the most recent occurrence of the alleged behavior.

Confidentiality of Proceedings and Records

All persons involved in the investigation, adjudication or resolution of complaints shall preserve the confidentiality of information relating to such investigation, adjudication or resolution, to the extent possible. Such confidential information shall only be disclosed on a need-to-know basis to those in the University or their designees and legal representatives (including outside counsel) authorized to participate in the investigation, adjudication or resolution, or to those outside the University, as required by court order or otherwise required by law. The University cannot guarantee confidentiality.

Proceedings

Once the complaint has been received, the appropriate authority, as defined by this policy, shall promptly initiate the specific complaint and investigation procedure applicable for the accused individual, according to this or other appropriate University policy. Upon deciding to open an investigation, the University must notify the responding party and reporting party of the identity of the parties, the specific section of the code of conduct alleged to have been violated, the precise conduct alleged to constitute a violation, including the date and location of the incident. The notification is to occur at least three (3) business days prior to any interview or hearing to allow time to prepare for meaningful participation.

Complaint Procedures in General

The University recognizes the need for each of the three segments of the University community (faculty, staff and students), with their unique missions and roles, to have their own respective complaint procedures. Although this is a unified policy for the University community, specific complaint procedures are listed for each segment, depending upon which member of the University community is being charged with harassment or discrimination. Complaints against vendors and guests should follow the complaint procedures for charges against staff employees.

Complaints should be delivered in writing to the appropriate person as specified in this policy. However, verbal complaints may be accepted. Complaints must provide the name of the person alleged to have harassed or discriminated against the complainant, specific details of the alleged conduct or act, a list of witnesses (if any), a desired remedy, and any other pertinent details.

Who May Use the Procedure

The complaint procedure described herein shall be available to any faculty member, staff member, student, vendor or guest who believes that he or she has been harassed or discriminated against by a faculty member, staff member, student, vendor or guest in the context of the accused individual's performance of University-related functions.

TITLE IX OVERVIEW

Title IX of the Education Amendments Act of 1972 (amending the Higher Education Act of 1965) specifically provides: “No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving federal financial assistance.”

The United States Department of Education, Office of Civil Rights (“OCR”) is the primary federal agency responsible for enforcing Title IX, and it has developed regulations that require education programs to take steps to prevent and address sex discrimination.

OCR Contact Information:

Office	for	Civil	Rights
U.S.	Department	of	Health and Human Services
200	Independence	Avenue,	SW
Room	509F,	HHH	Building
Washington, D.C. 20201			

Toll-free: (800) 368-1019
 TDD toll-free: (800) 537-7697

<https://www.hhs.gov/ocr/index.html>

Title IX Scope

Title IX’s prohibition against sex discrimination is broad, protecting students, faculty, and staff in federally funded education programs, and applies to every aspect of the program, including admissions, recruitment, academics, employment, athletics, and student services. Title IX’s broad prohibition against sex discrimination also includes sexual harassment, and holds schools responsible for addressing and remedying harassment.

Under Title IX, an educational institution’s athletic programs must insure effective accommodation of interests and abilities, equivalence in availability, quality and kinds of other athletic benefits and opportunities, including coaching, equipment, practice and competitive facilities, recruitment, scheduling of games and publicity, and equivalence in financial assistance. Title IX regulations provides that if an institution sponsors an athletic program, it must provide equal athletic opportunities for members of both sexes.

All, faculty, staff or student, complaints of sex discrimination, including sexual harassment or violence, must be reported immediately to the Title IX coordinator (817) 531-4403 or to any assistant coordinator immediately. The Title IX coordinator will take action within a reasonable period to effectively correct the situation, prevent a recurrence and remedy any effects of any unlawful harassment. Title IX complaints may also be reported to the OCR.

The Title IX coordinator is responsible for providing a prompt and equitable resolution of all Title IX complaints including conducting a reliable and impartial investigation or coordinating such an investigation through his/her appointment of Title IX assistant coordinators or others at the senior staff level.

Retaliation against any individual who files a complaint or participates in a harassment inquiry is strictly prohibited.

Title IX Coordinator: Associate Vice President of Human Resources (817) 531-4403

Deputy Title IX Coordinators:

Vice President of Student Affairs/Dean of Students (817) 531-6504

Assistant Dean of Students (817) 531-4872

Associate Provost – Academic Affairs (817) 531-4405

Athletic Director (817) 531-4874

Director of Purchasing (817) 531-4298

LODGING OF COMPLAINT INVOLVING A FACULTY

Member Investigation

Any complaint of harassment or discrimination against a faculty member shall be reported immediately to the Provost. The Provost shall promptly assign the complaint to two (2) appropriate administrators of at least the senior staff level or someone who directly reports to the senior staff. These administrators shall investigate the complaint, interview the parties and others in possession of pertinent information, review relevant documentation and evidence, reach an initial determination of whether harassment or discrimination has occurred and, depending upon its severity, seek to resolve the matter informally.

If the administrators believe that immediate harm to either party or the integrity of the investigation is threatened by the continued performance of the accused faculty member's customary duties or responsibilities, the administrators may recommend to the Provost that the accused faculty member be suspended with pay, or reassigned pending the completion of the investigation.

The investigation shall be completed within 60 calendar days of the receipt of the complaint by the Provost, unless notice of delay is given. Within this time frame, the administrators shall prepare a written report of the investigation, which shall include their initial determination.

Informal Resolution

Upon completion of the investigation and depending upon its severity, the administrators are authorized to resolve the matter to the satisfaction of the University, the complaining party and the accused faculty member. If a resolution satisfactory to the University and both parties is reached through the efforts of the administrators, a written statement, a copy of which shall be attached to the administrators' report, shall indicate the agreement reached by the parties and shall be signed and dated by each party and by the administrators. At that time, all action contemplated under the

agreement shall be taken and the investigation shall be closed.

Determination of Merits of Complaint

In arriving at a determination of the existence of harassment or discrimination, the administrators shall consider the evidence as a whole, the totality of the circumstances, and the context in which the alleged events occurred. An investigation report will be written on the complaint. The University will provide both parties with the opportunity to respond within three (3) business days to the report in writing in advance of the determination of responsibility. The determination of the existence of harassment or discrimination shall be made from the facts on a case-by-case basis.

Determination of No Harassment or Discrimination

If the administrators determine that no harassment or discrimination has occurred based on a preponderance of the evidence, they shall dismiss the complaint, giving prompt written notice of said dismissal to each party involved. The complaining party or the University has the right to appeal said dismissal in writing, within fifteen (15) business days of the date of the notice of dismissal, to the Provost. If no appeal is filed within fifteen business days (15) period, the matter is automatically closed. If a determination of no harassment or discrimination is appealed, the Provost shall make a written recommendation to the President within seven (7) business days. The President shall notify all parties of his or her decision in writing within seven (7) business days after receipt of the Provost's recommendation. The President's decision is final.

Determination of Harassment or Discrimination

If the administrators determine that harassment or discrimination has occurred based on a preponderance of the evidence, and that a particular sanction is appropriate, they shall promptly notify the parties without providing details of the sanctions to the complainant. The accused faculty member, the complaining party or the University may appeal said determination, in writing, to the Provost within fifteen (15) business days of the date of notice of determination. If no appeal is filed within the fifteen business days (15), the matter is automatically closed. If a determination of harassment or discrimination is appealed, the Provost shall make a written recommendation to the President within seven (7) business days. The President shall notify all parties of his or her decision in writing within seven (7) business days after receipt of the Provost's recommendation. The President's decision is final.

Revocation of Tenure and Termination as Possible Sanction for Harassment or Discrimination

If the administrators determine at any stage in the investigation that the evidence of harassment or discrimination is sufficiently clear and severe, and the Provost concurs in writing, so as to warrant the immediate commencement of proceedings to revoke tenure and/or terminate a tenured faculty member, the case shall be removed from the complaint procedures contained herein and resolved in accordance with the revocation of tenure and termination policies and procedures for faculty members. The faculty member shall be suspended, with pay, pending formal resolution of the matter.

LODGING OF COMPLAINT INVOLVING A STAFF EMPLOYEE, GUESTS OR VENDOR

Persons who have complaints alleging harassment or discrimination against a staff employee, guest or vendor are encouraged to raise them either orally or in writing to the Associate Vice President of Human Resources, Director of Purchasing, a

supervisor, the department head, Dean, Divisional Vice President or the Provost. It is recommended, although not required, that the complainant follow the “chain of command.” For example, staff employees are encouraged to lodge complaints within their respective work area. The person receiving the complaint shall communicate it promptly to the Associate Vice President of Human Resources. The Office of Human Resources shall be responsible for investigating complaints. In the event of a conflict of interest involving the Office of Human Resources, the Associate Vice President of Human Resources shall assign the complaint for to a Divisional Vice President for investigation. Nothing in this policy shall require a complainant to file a complaint with the individual who is accused of harassment or discrimination.

Investigation

Upon receipt of a complaint of harassment or discrimination against a staff employee, guest or vendor, the Office of Human Resources shall investigate the complaint itself or assign it to two (2) administrators, each of whom must be either a Vice President, Associate Vice President or someone who directly reports to a Vice President, Associate Vice President and who is employed at least at the director level.

The Office of Human Resources or the assigned administrators shall investigate the complaint, interview the parties and witnesses involved and gather all pertinent information. The investigation shall be completed within 60 calendar days of receipt of the complaint, unless notice of delay is given. A written report shall be prepared, unless advised otherwise by University legal counsel.

At any stage in the investigation, an accused employee may be suspended with pay or reassigned. If the complaint is against a guest or vendor, the guest may have his or her privileges as a guest suspended, or the vendor may have its business dealings with the University suspended, or the guest or vendor may be prohibited from having contact with faculty, staff, students, guests or vendors of the University until the complaint is resolved. The Office of Human Resources or the administrators shall promptly inform the accused employee, guest or vendor of the complaint and shall, during the investigation, obtain the employee’s, guest’s or vendor’s version of the facts. The Office of Human Resources or the administrators, in arriving at a determination of whether harassment or discrimination has occurred, shall review the information as a whole in the totality of the circumstances and in the context in which the alleged incident or incidents occurred. The determination shall be made from the facts on a case-by-case basis. An investigation report will be written on the complaint. The University will provide both parties with the opportunity to respond within three (3) business days to the report in writing in advance of the determination of responsibility.

Determination

Upon completion of the investigation, the Office of Human Resources or the administrators are authorized to take the following actions:

- a. Determine that the claim of harassment or discrimination was not substantiated based on a preponderance of the evidence, and provide written notice of such determination to the employee, guest or vendor, and the complainant;
or

- b. Determine that the claim of harassment or discrimination was substantiated based on a preponderance of the evidence, and issue appropriate disciplinary action against the employee, guest or vendor with notification to the complainant that appropriate action is being taken against the employee, guest or vendor, without providing details of the nature of such action.

Appeals

Either party may appeal the determination by the Office of Human Resources or the administrators to the President in writing within fifteen (15) business days of receipt of notification of the determination. If the President does not act to change the determination within seven (7) business days of receiving the appeal, the determination shall become final under the executive authority of the President. The President's decision is final.

Employment-At-Will

The utilization of these procedures shall not affect the employment-at-will nature of the employment relationship.

LODGING OF COMPLAINT INVOLVING A STUDENT

Persons who have complaints alleging harassment or discrimination against students are encouraged to raise them either orally or in writing to the Vice President of Student

Affairs/Dean of Students, the Provost, a Dean, or the Office of Human Resources. The person receiving the complaint shall communicate it promptly to the Vice President of Student Affairs/Dean of Students in his or her absence.

Amnesty For Students

For Victims

The University provides amnesty to student victims who may be hesitant to report to University officials because they fear that they themselves may be accused of minor policy violations, such as underage drinking, at the time of the incident. Educational options will be explored, but no conduct proceedings or conduct record will result.

For Those Who Offer Assistance (Good Samaritan)

To encourage students to offer help and assistance to others, the University pursues a policy of amnesty for minor violations when students offer help to others in need. At the discretion of the Dean of Students, amnesty may also be extended on a case-by-case basis to the student receiving assistance. Educational options will be explored, but no conduct proceedings or conduct record will result.

For Those Who Report Serious Violations

Students who are engaged in minor violations but who choose to bring related serious violations by others to the attention of the University are offered amnesty for their minor violations. Educational options will be explored, but no conduct proceedings or record will result.

Abuse of amnesty requests can result in a decision by the Dean of Students not to extend amnesty to the same person repeatedly.

Texas Wesleyan University will not take disciplinary action against a student who, in good faith, reports being the victim of, or a witness to, an incident of sexual harassment, sexual assault, dating violence, or stalking, for a violation by the student of the Code occurring at or near the time of the incident, regardless of the location at which the incident occurred or the outcome of the disciplinary process regarding the incident.

This amnesty provision does not apply to a student who reports their own commission or assistance in the commission of sexual harassment, sexual assault, dating violence, or stalking.

Texas Wesleyan University reserves the right to investigate to determine whether a report of an incident of sexual harassment, sexual assault, dating violence, or stalking was made in good faith. Texas Wesleyan University has the discretion to determine good faith, but in no event will good faith exist if the student is found responsible for sexual harassment, sexual assault, dating violence, or stalking at or near the time of the incident.

Investigation

Upon receipt of a complaint of harassment or discrimination against a student, the Vice President of Student Affairs/Dean of Students, in collaboration with the Title IX Coordinator, shall investigate or assign the complaint to two (2) administrators, each of whom must be either a Vice President, Associate Vice President or someone who directly reports to a Vice President or Associate Vice President and who is employed at least at the director level. The Office of Human Resources shall serve in an advisory capacity for complaints involving students.

The above-mentioned staff or the assigned administrators shall investigate the complaint, interview the parties and witnesses involved and gather all pertinent information. The investigation shall be completed within 60 calendar days of receipt of the complaint, unless notice of delay is given. A written report shall be prepared, unless advised otherwise by University legal counsel.

At any stage in the investigation, the accused student may be suspended until the matter is resolved. In the event a student is suspended and subsequently exonerated, the student shall be allowed to make-up missed assignments or tests, if possible. If that is not possible, the student shall be refunded any tuition or fees lost. The accused student shall be promptly notified of the complaint and shall, during the investigation, provide his or her version of the facts. In arriving at a determination of whether harassment or discrimination has occurred, the information as a whole in the totality of the circumstances and in the context in which the alleged incident or incidents occurred shall be reviewed. The determination will be made from the facts on a case-by-case basis. An investigation report will be written on the complaint. The University will provide both parties with the opportunity to respond within three (3) business days to the report in writing in advance of the determination of responsibility.

Determination

Upon completion of the investigation, the Vice President of Student Affairs/Dean of Students or the administrators are authorized to take the following or actions:

1. Determine that the claim of harassment or discrimination was not substantiated based on a preponderance of the evidence, and provide prompt written notice of such determination to the student and the complainant; or
2. Determine that the claim of harassment or discrimination was substantiated based on a preponderance of the evidence, and issue appropriate disciplinary action against the student with notification to the complainant that appropriate action is being taken against the student, without providing details of the nature of such action. If the disciplinary action against the student is expulsion, the President must first be notified and approve the expulsion.

Appeals

Either party may appeal the determination by the investigating administrators in writing within fifteen (15) business days of receipt of notification of the determination. Upon receipt of appeal, the Title IX Coordinator will refer the appeal(s) to the appropriate party, which may include the Vice President for Student Affairs/Dean of Students or, in the event the Vice President for Students Affairs/Dean of Students made the determination, the University President. If the Vice President for Student Affairs/Dean of Students and/or the University President does not act to change the determination within seven (7) business days of receiving the appeal, the determination shall become final. The decision made upon appeal to the Vice President for Student Affairs/Dean of Students and/or the University President is final.

Notice

This policy does not create contractual rights of any kind for students, faculty, staff, guests or vendors. This policy may be amended, amplified or withdrawn by the University, in its sole discretion, at any time.

Campus Hotline

The University provides a third-party campus hotline that all University constituents may use to report concerns. The third-party provider may be reached by calling 866-943-5787.

General Safety Rules

The following are general safety rules. The list is not intended to be all-inclusive. Additional safety precautions may be warranted in your specific work area. Please ask your supervisor.

1. Report all injuries to your supervisor immediately.
2. Report all unsafe conditions or work practices immediately.
3. Horseplay is prohibited.
4. The use of illegal drugs or the consumption of alcoholic beverages on campus or while performing work for the University is absolutely prohibited under all circumstances. Employees must not work if under the influence of any drug, inhalant or alcohol.

5. Appropriate clothing, footwear or personal protective equipment (including eye protection) necessary to perform work safely must be worn or used at all times.
6. No employee should attempt to perform work that is likely to aggravate a prior injury or medical condition that could pose a health risk or for which the employee is untrained or not qualified.
7. Safety devices, guards or signs shall not be removed, modified, disregarded or circumvented.
8. All work areas should be kept clean and free from rubbish, debris, hazards and unsanitary conditions.
9. First aid is rendered on a Good Samaritan basis only.
10. Additional safety policies and programs, as contained in the University's safety manual or as prescribed by your supervisor, shall be followed.
11. Employees shall comply with all applicable state and federal safety and health regulations.

DRUG AND SMOKE FREE ENVIRONMENT

The University maintains a drug free workplace. Employees should recognize the hazards to themselves, to other employees and to students while working under the influence of drugs, inhalants or other intoxicants. In order to maintain a drug free workplace, the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance by an employee is prohibited within the bounds of the University campus or while conducting University activities.

All employees, as a condition of their employment, must at all times abide by the terms of this policy. All employees

must notify the University of any criminal drug conviction for a violation occurring in the workplace no later than five days after such conviction. In this context a "controlled substance" means any substance listed in schedules I through V of Section 202 of the Controlled Substances Act (21 USCS Section 812). "Convictions" include nolo contendere, and "criminal statutes" include state and federal prohibitions against the manufacture, distribution, dispensation, possession or use of any controlled substance.

Any employee convicted of a violation of the drug free workplace policy will be subject to disciplinary action, which may include termination of employment or required participation in a drug free assistance or rehabilitation program approved by the federal, state or local health, law enforcement or other appropriate agency.

Note: The University has an alcohol policy for University-sponsored functions and events. That policy is contained in Appendix N and must be followed by all employees.

Employees who smoke are expected to restrict their smoking as follows:

Smoking, including all smokeless tobacco products and electronic cigarettes, are not permitted in any University

building or any owned or leased University vehicle. This includes academic, administrative, residential, or any other University facility. Designated smoking areas will be clearly identified. Used smoking material must be disposed of properly in designated containers. Additional breaks to accommodate smoking are not authorized. Smoking is permitted in designated areas only on an employee's own time or scheduled breaks.

INTELLECTUAL PROPERTY POLICY

PURPOSE OF TEXAS WESLEYAN INTELLECTUAL PROPERTY POLICY

Texas Wesleyan University (the "University") recognizes that research and creative activity are vital functions of a university and encourages participation by faculty, staff, and students in this process. Accordingly, this Intellectual Property Policy (the "Policy") establishes the basic criteria used in determining the ownership and management of all types of intellectual property produced by all persons employed by the University, whether full-time, part-time, or student employees ("Employees").

OBJECTIVES OF TEXAS WESLEYAN INTELLECTUAL PROPERTY POLICY

The objectives of the Texas Wesleyan Intellectual Property Policy are:

- a. To define and identify intellectual property.
- b. To establish provisions for the ownership and use of intellectual property.
- c. To establish procedures to be followed by Employees and the University administration regarding intellectual property.
- d. To detail a process for resolving issues and disputes with regard to ownership of intellectual property.
- e. To detail the process for dissemination and review of the Intellectual Property Policy.
- f. To define allocation of royalties received from the licensing for commercial use of any intellectual property assigned to or owned by the University.
- g. To provide for the consideration of intellectual property creation during tenure and promotion proceedings.

DEFINITION OF INTELLECTUAL PROPERTY

Under this Policy, "Intellectual Property" includes, without limitation, any invention, discovery, know-how, creation, trade secret, technology, scientific or technological development, research data, work of authorship, software (including source code and object code), multimedia or audiovisual material, photographs, and authored course materials, regardless of whether subject to protection under patent, trademark, copyright, or other laws.

POLICY ON OWNERSHIP OF COPYRIGHTABLE WORKS

Copyright law (e.g. 17 U.S.C. §101, et. seq.) provides that the copyright to a work created by a person in the course of his or her employment (a "Work for Hire") belongs to the employer rather than the individual creator. However, universities have traditionally developed exceptions to this general rule that apply to their unique academic settings. Therefore, subject

to the exceptions below, it is the policy of the University that the copyright in all materials created by University faculty, postdoctoral associates, or students (hereinafter “University Authors”) in the course of their academic responsibilities resides in the University Authors.

University Authors maintain all copyright ownership in any material which is a copyrightable work, including scholarly, creative, musical, literary or architectural work, in the author’s field of expertise (a “Scholarly Work”), such as scientific or scholarly research papers, popular nonfiction, novels, textbooks, computer programs, poems, musical compositions, films, webpages, lecture notes, digital presentations, syllabi, dramatic works or other works of artistic imagination. The ownership held by University Authors in copyrightable work extends to Scholarly Work created for use within an online environment, regardless of the platform used for the delivery of such Scholarly Work.

The University may hold copyright ownership to works created by faculty, staff, or others, in whole or in part, under the following specific circumstances:

a. Assigned Tasks.

The University owns the copyright to works created: (i) by staff members (other than faculty or postdoctoral scholars) or student employees within the scope of their employment; and (ii) by faculty members or postdoctoral associates as an Assigned Task. An “Assigned Task” is any task within the scope of employment that is not a Scholarly Work or associated with a Scholarly Work.

b. Outside/Specific Agreements.

Where copyrighted materials are developed in the course of sponsored research funded by an outside agency, the University, or other entity pursuant to a specific written agreement, copyright ownership of such materials shall be determined according to the terms of that written agreement.

c. Institutional Works.

The University shall retain ownership of works created as Institutional Works. “Institutional Works” include works that are supported by a specific allocation of University funds or that are created at the direction of the University for a specific University purpose. Institutional Works also include works whose authorship cannot be attributed to one or a discrete number of authors but rather result from simultaneous or sequential contributions over time by multiple faculty and/or students. For example, software tools developed and improved over time by multiple faculty and students where authorship is not appropriately attributed to a single or defined group of authors would constitute an Institutional Work. However, the mere fact that multiple individuals have contributed to the creation of a work shall not cause the work to constitute an Institutional Work.

d. Extraordinary Support.

Extraordinary Support is present in instances where the University provides assistance to a faculty member to support creative endeavor that is significantly in excess of that available to members of the University faculty as a whole. Such support may include financial proceeds, personnel, facilities, equipment, and materials, but only to the

extent that said resources are made available at a level that is significantly in excess of what is afforded typically to University faculty as a whole. “Extraordinary Support” may occur when use of University resources is at least three times what is customary for faculty in a given position.

For the purposes of this policy, the following are NOT considered extraordinary support:

- Use of University computing resources and networks that are available to all faculty and staff, including platforms for the delivery of online courses;
- Use of university services designed to assist and support the academic work of the University, including: IT support services, media services, the University’s Center for Teaching and Learning, University studios, laboratories, library facilities, and other similar service, unless the extraordinary support conditions identified below;
- Use of standard office workstation equipment and software applications provided by the university or purchased through university budget allocations, gifts, or endowments;
- Use of equipment and software applications purchased through Federal grants;
- Funding received through instructional development grants or research grants, unless the extraordinary support conditions identified below apply;

The following ARE considered extraordinary support:

- Employment of a faculty member outside the normal academic year contract for the specific purpose of creating an Institutional Work or Assigned Task, as enumerated above;
- Granting of release time for a faculty member equivalent to 50% of an academic year course load, with the specific expectation that the time be utilized for the purpose of creating an Institutional Work or Assigned Task, as enumerated above; but, in no instance shall the award of sabbatical leave be counted as release time for the purposes of this provision;
- Provision of University resources at levels of at least three times that afforded typically to University faculty for like or comparable projects, but, in no instance, shall the award of sabbatical leave be included in the calculation of University resources expended for such projects.

OWNERSHIP RIGHTS AND INTERESTS IN PROPERTY CREATED WITH EXTRAORDINARY SUPPORT

U.S. Courts have recognized an “academic exception” to general workplace expectations that the product of creative endeavor produced during employment belongs to the employer. This academic exception reflects the value of creative endeavor by faculty members upon the broader educational process and, accordingly, encourages that ownership interests in and control over intellectual property created within the scope of normal teaching, research, and scholarly activities remain with its creator. At the same time, certain projects are of sufficient scope that they demand the utilization of a broader array of resources than are normally available to faculty. When the University expends an extraordinary level of resources to support faculty creative endeavor, significantly beyond what would normally be provided to support faculty work, a joint ownership interest in the resultant Intellectual Property may be created.

In general, when the University believes that a faculty member has received Extraordinary Support from the University, the University may petition the Intellectual Property Advisory Committee (see paragraph VI, *infra*) to determine whether Extraordinary Support has occurred. The University must do so within a reasonable time period. If the Committee determines that the University has provided Extraordinary Support, the faculty creator(s) and the University will be deemed to hold equivalent ownership interests in the resultant Intellectual Property. If the contributions of one party are believed to be sufficiently significant to merit a disproportionate ownership interest in such Intellectual Property, the party may petition the Intellectual Property Advisory Committee to seek a redistribution of ownership interest shares. Regardless of the proportional distribution of the ownership interests in Intellectual Property, whenever an instance of joint ownership between the University and one or more faculty members arises, each party is to be granted specific rights, as enumerated below.

In the context of a joint ownership situation involving both the University and one or more faculty members, the following rights apply to faculty co-creators as joint owners of the resultant Intellectual Property:

- The right to use the work(s) in the pursuit of their profession, at Texas Wesleyan University and elsewhere;
- The right to make reproductions of the work(s) for use in teaching, scholarship, and research;
- The right to make derivative works;
- The right to alter the work(s), add to the work(s), or to update the content of the work(s);
- The right to be identified as the author(s) of the work(s);
- The right of portability; that is, the right to take the work(s) to, and use the work(s) with, a new employer;
- The right to license others to use the work(s), with any revenues to be shared between themselves and the University, in accordance with the terms enumerated in this document;
- The right to be informed in advance of any uses, reproductions, distributions, and dispositions of the copyrighted work(s) by the University; and
- The right to exclusive control of all decisions related to publication of the work(s) to further academic research and investigation.

In the context of a joint ownership situation involving both the University and one or more faculty members, the following rights apply to the University as a joint owner of the resultant Intellectual Property:

- On a limited, nonexclusive basis, the right to assign or allow other Texas Wesleyan University faculty and students to use the work(s) in their own teaching and/or research;
- The right to control whether the University's name or logo is displayed in association with the work(s);
- The right to require an appropriate acknowledgment of university support of the creation of the work(s);
- The right to license others to use the work(s), with any revenues to be shared between faculty and the University, in accordance with the terms enumerated in this document;
- The right to demonstrate the work(s) to others for uses directly related to advancing the mission or maintaining the culture of the University; and

- The right to be informed in advance of any uses, reproductions, distributions, and dispositions of the copyrighted work(s) by the faculty creator.

POLICY ON OWNERSHIP OF PATENTABLE WORKS

In the course of teaching, research, and other intellectual and administrative activity by faculty, staff, fellows, students, and other individuals in the University community, discoveries or inventions both patentable and practical may occur. Unless otherwise provided pursuant to a written agreement between the parties, all inventions made by an individual with (i) a University appointment in furtherance of his/her university responsibilities, and/or (ii) with the use of university resources, including those provided through an externally funded grant, contract, or other type of award or gift to the University, belong to the University. An invention that was made by an individual on his/her own time and unrelated to his/her University responsibilities and was conceived or reduced to practice without the use of significant University resources belongs to the individual.

- a. All inventions made by individuals with a University appointment and/or with the use of significant University resources must be disclosed promptly in writing to the Provost's Office. Such disclosure will include documentation to fully describe the invention's prior art, and the potential utilization. The Intellectual Property Advisory Committee (see section VII, *infra*) will then determine ownership interests in the invention.
- b. The University will evaluate all disclosed inventions for their commercialization potential and determine the appropriate means for protecting and promoting the development of the invention within 3 months, during which time the subject of the invention will not be disclosed. After this period of time, the University will either protect the invention via filing a provisional or utility patent or inform the inventor in writing that it has no intention of doing so and thus all rights in the invention revert to the inventor, who is free to proceed as she/he sees fit. Inventors will cooperate with the University or its designee in the University's effort to evaluate and protect University inventions. When a patent application has been authorized on a disclosed invention, the Provost's Office or a specialized attorney designated by it will work with the inventors to prepare a patent application. Inventors are required to provide a reasonable level of assistance in this process. Patent applications are filed in the name of the University. The Provost's Office is responsible for responding to any requests for further information from a foreign patent office or the U.S. Patent and Trademark Office.

If the Intellectual Property Advisory Committee determines that the disclosed invention is not a University invention, all rights to the invention shall revert to the inventor(s), and the University shall have no further obligation to protect or commercialize the invention.

TRADEMARKS

The University owns all right, title, and interest in and to the trademarks designating the goods and/or services of educational

or other University programs, including but not limited to marketing efforts, public relations, and training programs. All income from the licensing of trademarks shall belong to the University. Employees may use University trademarks pursuant to the trademark policies of the University.

INTELLECTUAL PROPERTY ADVISORY COMMITTEE AND DISPUTES

The purpose of the Intellectual Property Advisory Committee, which acts on behalf of the University, is (1) to oversee the implementation of the Intellectual Property Policy; (2) to determine when Extraordinary Support has occurred; (3) to regularly review the Policy; and (4) to resolve ownership issues associated with an Employee's intellectual creation in the event of a dispute.

The Intellectual Property Advisory Committee shall be constituted by the President, and be comprised of two tenured faculty members from the university appointed by the Chair of the University Faculty Council, each appointed to a two-year term; one tenure-track faculty member from the university appointed by the Chair of the Faculty Council, also appointed to a two-year term; and two representatives of the university administration and staff appointed by the President, for a term of office designated by the President. The Provost will be a non-voting chair of the Intellectual Property Advisory Committee, for a total committee membership of six persons.

- a. If questions of ownership, distribution, and policy arise, the Intellectual Property Advisory Committee shall resolve them in a timely fashion. All parties have 30 days after cause for the dispute arises to submit necessary data to the Intellectual Property Advisory Committee, through its Chair, for evaluation. The Committee is expected to complete a review within 30 days after receiving all necessary data for the review, and inform the Employee and the University promptly of its decision.
- b. In any case where a dispute arises between the Employee and the Intellectual Property Advisory Committee, the Employee has the right to request a hearing from an appeal committee to resolve the dispute. This appeal committee shall consist of the chair of the faculty assembly, a member of the faculty or staff representing the intellectual discipline involved in the dispute to be appointed by the chair of the faculty assembly, a dean or administrative head in the department in which the invention arose, and two representatives of the university administration and staff appointed by the President.

The Employee and/or the University shall provide the Committee with the facts, in writing, relating to the dispute and with the reasons why there is a disagreement with the decision of the Intellectual Property Advisory Committee. The appeal committee will report its recommendations to the President within 2 weeks of obtaining facts relating to the dispute. The decision of the appeals committee is final.

ROYALTY DISTRIBUTION

Only external expenses of securing any intellectual property rights will be deducted from the gross income from the sale or licensing of University-owned Intellectual Property. Such expenses may include patent application and attorney fees, patent maintenance fees, and copyright registration fees. Operation costs for the University or other overhead will be deducted

from the University's share of the proceeds.

Royalty income resulting from Intellectual Property owned by the University shall be distributed as follows, assuming full ownership by the University (partial ownership requires pro-ration):

- a. 5% of total income after expenses are deducted will be kept by the University toward covering the expenses of administering research and grant programs.
- b. 60% of remaining income will go to the inventor/authors as soon as administrative costs are covered.
35% of the remaining income will be retained by the University and directed to the department where the income-producing creation originated for the support of other research and intellectual endeavors.

MARKETING OF INTELLECTUAL PROPERTY

The University may decide to develop commercially its Intellectual Property for the benefit of the University, of the creator of the Intellectual Property, and of the citizenry at large. Those participating in the marketing of the aforementioned property will be compensated from the income and royalties, which result from the marketing of the aforementioned property. Appropriate committees will be assigned as needed by the President in order to ascertain the University's interest in marketing of University Intellectual Property and to engage in marketing strategy and planning. The Vice President Marketing and Communications or his or her designee and the creator of the intellectual property under consideration will be members of each ad hoc committee, with the Vice President for Marketing and Communications serving as chair. Each ad hoc committee established pursuant to this policy shall also include at least one tenured faculty member of the university, to be appointed by the Chair of the Faculty Council. Additional members deemed appropriate by the President will serve. Assignments related to the aforementioned committee's work would be considered part of the Employee's work responsibility. The committee will recommend to the President for his or her approval specific marketing plans and the employees recommended to participate in the marketing scheme of University-owned Intellectual Property.

The creator of Intellectual Property and other employees assisting in the marketing of such property by the University may receive compensation for their work. Such compensation will be negotiated between the Employees and whoever is designated to develop the Intellectual Property.

CONSIDERATION OF INTELLECTUAL PROPERTY CREATION DURING PROMOTION AND TENURE

The successful creation of Intellectual Property will be considered during any review of a faculty member for retention, promotion, or tenure.

DISSEMINATION OF POLICY

This Policy will be disseminated in hard copy or by electronic mail on a regular basis to all Employees and others to whom it applies. In addition, the Policy will be referenced in the official University Catalog, the University Student Handbook, the University Faculty Handbook, other appropriate University printed materials and be readily available on the University

website.



OFFICE OF THE PROVOST

1201 Wesleyan Street
Fort Worth, Texas 76105

Phone: 817-531-4405
provost@txwes.edu

► **TXWES.EDU**

A Methodist Institution Since