

For Resolutions 22, 23, 24 and 25

Appendix A -- Proposed Handbook Edits (Charge 1)

Statement of the Faculty Senate

The *Faculty Handbook* represents a distillation of the policies related to University governance and faculty rights. Many of the sections of this Handbook originated as actions by the Faculty Senate, Provost, President and/or Board of Trustees. All sections of this Handbook apply to all Full-time Faculty² unless otherwise specified.

To the extent that modification and revision of the Handbook do not constitute simple updating of factual materials, or changes to conform to applicable laws, we believe that collegiality requires continued consultation between the Faculty Senate, the Provost and the President in order to maintain the vitality of this document as the basis of University governance. While acknowledging the Board of Trustees has the ultimate fiduciary responsibility for the University, it is the position of the Faculty Senate that:

1. Substantive changes to this *Handbook*, for which procedures are not already mandated by the *Handbook* itself, require the approval of the Faculty Senate;
2. All stages of approval related to modifications of this *Handbook* shall be documented on the Faculty Senate website;
3. Digital archives of Faculty Senate business shall be maintained through Faculty Senate governance;
4. The *Handbook*, along with approved modifications and Senate meeting minutes, must be archived, and must be available in digital form to all faculty in a timely manner.

It is the position of the Faculty Senate that planning and implementation processes at all levels of University administration should reflect the fact that full-time faculty members carry special responsibilities with respect to creation and maintenance of high quality curricula, research programs, nurture of students in the educational process, and overall leadership of the institution.

The Faculty Senate seeks to uphold the One Faculty Model, which makes no substantive distinctions in the rights and responsibilities of various classifications of full-time faculty, with the exception of tenure.

1. Current language was approved by the Faculty Senate on 4/4/2018 and by the Board of Trustees on 4/13/2018. Amended by the Faculty Senate on 2/25/1991. Original version approved by the Faculty Senate on 6/13/1988. Reaffirmed by the Faculty Senate on 5/7/1990, with the additional resolution:

“BE IT RESOLVED

1. That the administration shall consult with the Senate Agenda Committee on any proposed revisions in the *Faculty Handbook*;
 2. That the Agenda Committee shall review all such proposed revisions;
 3. That, unless the Agenda Committee unanimously agrees that the proposed revisions do not substantially alter existing policies, the Agenda committee shall present the revisions in question to the Senate for discussion and vote.”
2. ~~The Full-time Faculty consists of two categories: Tenure-Track & Tenured Faculty and Non-Tenure-track Faculty.~~

Faculty Discipline

The University has the inherent right to discipline a faculty member for just cause.

In the event that a faculty member is accused of violating well-established, University-wide policies or procedures (e.g., those regarding sexual harassment, discrimination, timely submission of grades), the establishment of cause and imposition of discipline should proceed in conformity with the published guidelines.

In the event that a faculty member is accused of violating the established policies or procedures of a College or Department (or equivalent unit), and/or of violating commonly accepted norms of professional conduct, for which no written disciplinary guidelines have been established, the establishment of a violation and imposition of discipline should proceed within the unit whose policies or procedures are alleged to have been violated. If any sanctions are imposed by the unit that are described below, at a minimum the procedures also described below should be followed by the units whose policies or procedures are alleged to have been violated. ~~For Full-Time Non-Tenure Track Faculty with a term appointment, establishment of and repercussions for alleged violations of their specific contract terms may form the basis of disciplinary action pursued under this policy.~~

Appropriate disciplinary measures are sanctions commonly applicable to faculty, including a formal letter of reprimand, a reduction of salary increment, a period of suspension (with or without pay), and dismissal from the faculty, or other appropriate sanctions within this range.

After careful investigation and documentation of the facts underlying the infraction, imposition of a disciplinary sanction other than suspension or dismissal should be

carried out by the appropriate academic administrator (e.g., Department Chair or relevant Unit head, Dean or Provost).

When suspension of a faculty member has been recommended, the decision whether to impose the sanction must be made by the President after careful review of the facts and process leading to the recommendation. Any suspension without pay for a period longer than one year shall only be made following the dismissal procedures.² More than one suspension without pay of the same person shall not be permitted. ~~Non-renewal of contract at its term expiration for Non-Tenure Track Faculty is neither a suspension nor a dismissal for purposes of this policy.~~ *Non-renewal of contract at its term expiration for full-time untenured faculty is neither a suspension nor a dismissal for purposes of this policy.*

In the event that dismissal of the faculty member is sought, there should be a record either of progressive steps of disciplinary action (and related actions, if any, within the Faculty Grievance Procedure), or of the appropriate review procedure when specific circumstances call for it (e.g., alleged sexual harassment) prior to the bringing of dismissal charges. Only in an unusually serious or sudden case of gross personal misconduct (e.g., including assault or sexual harassment), unfitness as a teacher or researcher, or gross neglect of duty ought dismissal charges be brought without a prior record of corrective discipline. ~~In addition, for Full-Time Non-Tenure Track faculty, the establishment of a substantial breach of contract may warrant dismissal under this policy without prior record of corrective discipline.~~

In any instance in which disciplinary action is brought (except actions for dismissal as described above), the faculty member to be disciplined has full access to those avenues of appeal and redress afforded by the Faculty Grievance Procedure set forth in the *Faculty Handbook*.

Performance Expectations

The performance expectations for faculty differ, depending on their position and terms of employment. Faculty members will be evaluated annually in the following three areas as appropriate to their position and/or terms of appointment: (i) research/scholarship/creative activity and/or professional development; (ii) teaching; and (iii) service. In addition, faculty members will be evaluated on contributions to the quality and effectiveness of their unit, their college, and the university in the light of Northeastern's mission. The university recognizes that every faculty member offers a unique combination of accomplishments relative to the criteria listed above, depending on academic field, specialized scholarly interests, varying professional opportunities, and responsibilities for teaching, laboratory and field work. However, while relative weights may vary, all faculty members are expected to be active in each of the three areas over time, or as specified by the terms of their appointment and their unit's workload policies.

Performance criteria in the areas of research/scholarship/creative activity and/or professional development, teaching, and service shall be clearly delineated in each unit's documents concerning merit review, reappointment, and promotion. ~~Units should have in place appropriate guidelines for both tenured/tenure-track and non-tenure-track faculty that make clear the distinct expectations and relative weight of each of the categories of performance. Documents governing tenured and tenure-track faculty shall make clear to those faculty members the unit's criteria for tenure and promotion to associate professor, and the standards for promotion to full professor. Documents governing promotion for non-tenure-track faculty should similarly specify the criteria at each level. Units should have in place appropriate guidelines for all full-time faculty that make clear the distinct expectations and relative weight of each of the categories of performance. Documents governing promotion for full-time faculty should specify the criteria for promotion to each level. Documents governing tenured and tenure-track faculty shall make clear to those faculty members the unit's criteria for tenure.~~ Each unit's policies are subject to review and approval by the dean of the respective college and by the provost.

1. Scholarship/Research/Creative Activity and/or Professional Development

All faculty members are expected to engage in research/scholarship/creative activity and/or professional development as defined by their disciplines and appropriate to their position and terms of appointment. Units shall develop and make available their own criteria of productive scholarship, research, and creative activity and/or professional development consistent with the expectations in the discipline, their position, and with the Faculty Handbook.

2. Teaching

Through their teaching, faculty members are expected to transmit knowledge, extend their students' understanding and vision, and develop in their students the ability for critical and independent thinking. In their roles as teachers, faculty members are expected to maintain and reflect currency in their discipline and to enable students to understand and appreciate the material of the course.

Teaching effectiveness includes the following indications:

1. Clearly stated course objectives;
 2. Adherence to professional standards in the development and delivery of subject matter, approach, and evaluation methods;
 3. The creation of an engaging learning environment responsive to student needs and developments in the field;
 4. Implementation of multiple, mutually independent mechanisms of evaluation, at least one of which is based on input from students.
3. Performance expectations in teaching include a faculty member's adherence to university policies and requirements with respect to an instructor's interactions with students and to meeting scheduled and assigned obligations, including

those governing distribution of syllabi, scheduling of examinations, submission of grades and return of student work.

4. Service

The effective operation and development of the university significantly relies on the service contributions of the faculty. Performance expectations in service, as in teaching and scholarship, include the faculty member's adherence to professional standards. Full-time faculty members are expected to perform service activities within the university and to the profession. Internal faculty service responsibilities may include administrative duties, committee work, advising student organizations, and involvement in other roles that contribute to the unit, college and university. Professional service activities include participation in professional organizations, seminars and colloquia relevant to the individual's academic interests or to the education process. Faculty members also serve by contributing their disciplinary knowledge to the general community. As with the other categories above, expectation of service contributions vary based on the faculty member's position, the unit's needs and workload policies, specifics of the faculty member's term of appointment, and relative weight and productivity expectations of other performance duties.

[Appointments, Terms, and Reappointments](#)

The terms and conditions of every appointment to the full-time faculty shall be confirmed in writing, and a copy supplied to the faculty member.

~~B. A. Full-time non-tenure-track faculty with the exception of research faculty and professors of the practice~~ *Full-time faculty with the exception of tenure-track faculty, tenured faculty, research faculty, and professors of the practice*

Faculty in this classification are appointed to the rank commensurate with their experience and credentials. Appointments are made by the dean on the basis of the recommendation of the full-time faculty and the department chair (or equivalent) in the relevant unit. A faculty member appointed in this classification must hold the doctorate or equivalent terminal degree in the field. A faculty member not holding the terminal degree may be appointed only with the prior approval of the Provost.

Faculty appointments in this classification are renewable, contingent upon several factors at the sole discretion of the University, including satisfactory performance, external funding if appropriate, and unit and university need. Renewals of appointments are made by the college dean on the basis of the recommendation of the full-time faculty and the department chair (or unit head equivalent) in the relevant unit. The renewable terms are as follows:

- a. First level/rank (e.g., Assistant Teaching Professor) is at least one year and no more than two years;
- b. Second level/rank (e.g., Associate Clinical Professor) is three years; and
- c. Third level/rank (e.g., [Full] Teaching Professor) is five years.

All appointments and reappointments are contingent upon faculty in this classification maintaining the appropriate visa status and work authorization. Upon promotion, the new contract will reflect the appropriate term length (e.g., when promoted from Assistant to Associate, the new contract term will be three years).

NOTICE OF NON-REAPPOINTMENT

~~No non-tenure-track faculty appointment, reappointment, or promotion carries a guarantee of future re-appointments or promotions. With the exception of tenure, no full-time faculty appointment, reappointment, or promotion carries a guarantee of future re-appointments or promotions.~~ Non-reappointment of a faculty member in this classification may be based on several factors in the sole discretion of the university, including but not limited to insufficient funding or lack of need, unsatisfactory performance, or for cause. Northeastern University will provide faculty members with written notice of the university's intent not to renew within the following guidelines:

- d. For faculty in this classification **in their first academic year of service**,
 - i. If the appointment expires at the end of that academic year, written notice shall be given no later than March 1 of the first academic year of service;
 - ii. If the appointment ends during the academic year or at the end of a calendar year, written notice shall be given at least three months before the end of that year.
 - e. For faculty in this classification **in their second academic year of service**,
 - i. If the appointment expires at the end of that academic year, written notice shall be given no later than December 15 of the second academic year of service;;
 - ii. If the appointment ends during the academic year or at the end of a calendar year, written notice shall be given at least three months before the end of that year.
 - f. For faculty in this classification **beyond their second academic year of service**, written notice shall be given at least twelve months before the expiration of an appointment.
- B. Where deadlines on notification with respect to the issuance of a terminal contract have been missed by reason of inadvertence, mistake, or misunderstanding, the university shall provide to the faculty member involved a

contract extension equal to the time between the missed deadline and the issuance of the corrected contract.

A.B. Tenured and tenure-track faculty

With the exception of appointments clearly limited to a brief association with the institution, and reappointments of retired faculty members under special conditions, all full-time tenured/tenure-track appointments to the rank of assistant professor or higher are of two kinds: (1) appointments with continuous tenure and (2) tenure-track probationary appointments. Tenure-track faculty shall be informed each year in writing of his or her appointment, the number of probationary years remaining, and the year of tenure consideration.

NOTICE OF NON-REAPPOINTMENT

Regardless of the stated term or other provisions of any appointments, written notice that an appointment is not to be renewed shall be given to the faculty member in advance of the expiration of his or her appointment, as follows:

1. For faculty in this classification **in their first academic year of service**,
 1. If the appointment expires at the end of that academic year, written notice shall be given no later than March 1 of the first academic year of service;
 2. If the appointment ends during the academic year or at the end of a calendar year, written notice shall be given at least three months before the end of that year.
2. For faculty in this classification **in their second academic year of service**,
 1. If the appointment expires at the end of that academic year, written notice shall be given no later than December 15 of the second academic year of service;
 2. If the appointment ends during the academic year or at the end of a calendar year, written notice shall be given at least three months before the end of that year.
3. At least twelve months before the expiration of an appointment after a period of service exceeding two years.

C. Non-tenure-track research faculty

- a. Rank, Title and Status
Research faculty members are appointed to the professorial rank (Assistant Professor, Associate Professor or Professor) commensurate with their experience and credentials. All research faculty appointments

are non-tenure track, and may not be converted to tenure-track status. Appointments reside at the department (or equivalent "unit") level.

b. Source and Level of Compensation

Federal regulations recognize that in an academic setting faculty members engage in a range of research, teaching and service activities, and fulfill other administrative obligations to the university. A research faculty member's primary effort is dedicated to research and such appointments should be supported almost exclusively with externally funded research agreements. The percentage of effort charged to those agreements will be based on the maximum effort allowed by the granting agency. Typically research faculty may charge up to 95% of their effort on research. The level of compensation and effort will be determined jointly by the dean and the unit head, and shall be consistent with applicable guidelines/limits of the funding organization and/or the specific grant/contract/award. Normally, research faculty salaries should be commensurate with salaries of tenure-track and tenured faculty of comparable rank in their discipline. Research faculty appointments may be renewed only if external funding continues.

c. Appointment and Term

Research faculty appointments are made by the dean based on recommendations from the unit faculty and subject to the review of the Senior Vice Provost for Research. Every research faculty appointment/renewal must have the potential to further the university's research mission and advance the unit's and the university's current research goals. Research faculty must have earned a doctorate in the field in which they seek appointment or possess the equivalent terminal degree in their discipline. Initial Northeastern research faculty appointments at any level are made for a period of up to a maximum of three years or commensurate with the duration of the funding period, whichever is shorter. No research faculty appointment, reappointment or promotion carries a guarantee of future re-appointments or promotions. All appointments are also contingent upon maintaining the appropriate visa status and work authorization.

d. Reappointment

Research faculty appointments are renewable, contingent upon several factors in the sole discretion of the university, including satisfactory performance, unit and university need, and continued external funding. Upon the recommendations of the unit head and with the approval the dean, renewals of research faculty appointments at the Associate Professor or Professor level may be made for a period of up to three years, concurrent with the current expected duration of outside funding. Research faculty appointments may not be used to extend the

probationary period of a tenure-track faculty member. All reappointments are also contingent upon maintaining the appropriate visa status and work authorization.

D. Professors of the practice

e. Rank, Title and Status

Appointment as “Professor of the Practice” may be offered by the University to a limited number of eminently qualified creative, business, entrepreneurial, law, or other professionals who are recognized by peers as having made significant contributions to fields and disciplines important to Northeastern University programs. Because of the eminent stature of individuals offered these positions, this title has only two ranks: Professor of the Practice and Distinguished Professor of the Practice. Professor and Distinguished Professor of the Practice appointments are non-tenure-track, and service in these ranks may not be applied towards tenure consideration at Northeastern under any circumstances.

For communications purposes, holders of such appointments may be referred to as “Professor [or Distinguished Professor] of the Practice of X;” where X is an academic discipline or specialty.

f. Rights and Responsibilities

A Professor of the Practice makes a continuing commitment to both teaching and academic service and may maintain his or her professional activities outside of the university as long as these activities do not conflict with the duties of his or her academic appointment. Professors of the Practice may be appointed at any fraction of a full-time appointment. Professors of the Practice in benefits-eligible appointments are governed by Northeastern’s Conflict of Commitment and Interest policy; all Professors of the Practice, whatever the status of their appointment, must disclose, and cooperate fully with University officials in managing, potential conflicts of interest. The specific responsibilities and expectations of each Professor of the Practice position, including expectations or agreements concerning continued outside professional activity, will be approved by the dean of the hiring unit and itemized in the faculty member’s letter of appointment. At the discretion of the dean and with the approval of the Senior Vice Provost for Research, a Professor of the Practice may be considered a “Principal Investigator” for the purpose of submitting grants proposals through Northeastern, and may support some or all of his or her salary through external funding.

g. Appointments, Terms, and Reappointments

Faculty appointments as Professor or Distinguished Professor of the

Practice are made by the dean with the approval of the Provost, following consultation with the faculty in the professor's unit(s) of appointment. Faculty members are appointed to these ranks on the basis of outstanding and sustained professional accomplishment, which may or may not include possession of an earned terminal degree. Professors of the Practice will be appointed for a minimum of one semester or quarter and a maximum of five academic years, to be stipulated in the appointment letter, and the appointment may be renewed for a period of up to five years, to be stipulated in the new appointment letter at the discretion of the dean and with the concurrence of the faculty of the unit(s) and the Provost. A faculty member initially appointed at the rank of Professor of the Practice may, at the discretion of the dean and with the agreement of the Provost, be reappointed at the rank of Distinguished Professor of the Practice.

All appointments and reappointments are contingent upon documentation of U.S. citizenship or upon maintaining the appropriate visa status and work authorization.

Promotion

I. Criteria

1. Promotion by change in academic rank of a faculty member results from recognition by the university of significant professional achievement and the expectation that this level of attainment will be sustained and/or exceeded in the future. The primary consideration in evaluating the record of achievement shall always be the degree to which this achievement improves the academic quality of the university.
2. The university recognizes that every faculty member offers a unique combination of accomplishments, depending on academic field, specialized scholarly interests, varying professional opportunities, and contracted responsibilities for (i) teaching, (ii) research/scholarship/creative activity and/or professional development and/or (iii) service. Consequently, when a judgment is made of the total contribution of a faculty member, the evaluation criteria shall be weighted according to primary assignments during the period under consideration.
3. Eligibility for promotion is governed by academic rank and appointment.
~~Full time non-tenure-track faculty members may request consideration for promotion to the next academic rank after completing at least three years of full-time service at the faculty member's current rank. Full time faculty members, with the exception of tenured faculty, may request consideration~~

for promotion to the next academic rank after completing at least three years of full-time service at the faculty member's current rank.

II. Procedures for Promotion with Tenure

The procedures for consideration for promotion with tenure for tenure-track faculty are specified in the Tenure module of the Faculty Handbook.

~~III. Procedures for Promotion to Full Professor for Tenured Faculty and Promotion to All Ranks for Full-Time Non-Tenure-Track Faculty~~ *Procedures for Promotion for Full-Time Faculty, Except Promotion With Tenure*

1. DEFINITIONS

1. Unit – The term unit, as used in this section, refers to the local academic unit (whether called a department, school, group, or college) where the evaluation process begins.
2. Promotion Committee – As used in this section, Promotion Committee refers to the standing department committee or a single college committee in non-departmentalized colleges.
3. Advisory Committee – As used in this section, Advisory Committee refers to a standing college committee whose function is to review the actions of the unit promotion committees and make recommendations to the dean or deans.
4. Candidate's submission – The candidate's submission includes all material submitted by the candidate as required by the rules of the unit/college/university.
5. Dossier – As used in this section of the Faculty Handbook, the dossier includes the candidate's submission and all evaluative letters or reports from external reviewers, the unit head, the dean, and the unit, college, or university committees who are identified below as playing a role in the promotion review process, as well as any responses of the candidate to any of the above.
6. Confidential Material – Documents developed in the promotion procedure involving the understanding and expectation that they are confidential shall not be made available to the candidate. Such documents include, but are not limited to, letters and/or reports from external reviewers, evaluation forms, and minutes of promotion committees.
7. Unsolicited Material – Any material that is neither solicited by the unit promotion committee nor included in the candidate's initial dossier submission, nor placed in the dossier at subsequent review levels in accordance with these procedures shall be considered to be unsolicited material.

2. The Promotion Committee shall be composed of no fewer than three members of the candidate's department or comparable unit. The majority shall be of an academic rank above that of the candidate.
 1. Committee size and membership shall be determined according to the procedures established by each unit and college. The unit chair may be a nonvoting ex officio member.
 2. If the unit has fewer than three members of appropriate rank, the dean of the college shall, in consultation with the faculty members of the unit, choose the necessary additional members from the faculty holding the appropriate ranks in allied disciplines. During this process the candidate's suggestions shall be sought by the dean; however, such suggestions shall not be binding on the dean. The membership of such a committee shall be subject to review by the provost.
3. If during its review of a dossier and preparation of its report, any reviewing entity identifies an item or issue which it believes needs clarification or explanation before it can reach a fully informed decision, it should make such items or issues known and request clarifying or explanatory material from the candidate and/or from any previous reviewing body before its report is finalized.
4. The promotion committee shall consider the promotion of each eligible faculty member when the faculty member so requests consistent with paragraphs 1) through 5) in this section.
 1. Due dates for faculty to request promotion consideration and for units to submit promotion dossiers to the college are established by units and colleges as needed in order to meet the February 15 deadline for submission of all promotion dossiers to the Office of the Provost.
 2. The candidate's submission to the unit head and promotion committee is due October 1. The candidate may not add any further information to the dossier after the dossier has been submitted except as provided below for responses to the reports of the promotion committee, advisory committee (if one exists) or the dean, or in response to a request from any reviewing entity seeking clarification of material in the dossier. However, updates concerning the status of already submitted materials may be added with the approval of the unit promotion committee which may append appropriate updates.
 3. The promotion committee shall evaluate all appropriate evidence, including a written evaluation by the unit head, which will become part of the candidate's dossier.
 4. The promotion committee shall prepare a written report, which shall be submitted first to the candidate and then, after the candidate has had ten calendar days to respond in writing, to the advisory committee, where one has been established, and/or the dean of the college.

5. The candidate shall have the right to have their response, so long as the response was submitted within the ten calendar day response period provided in 4) above, appended to the documents sent to the advisory committee, where one has been established, and/or to the dean.
5. The promotion committee's recommendations and the unit head's recommendation, whether favorable or unfavorable to the candidate, shall be considered in turn by the advisory committee where one has been established, the dean of the appropriate college or unit, and the provost.
 1. The decision in each instance shall be communicated, in writing, to the individual candidate, giving them ten days to respond in writing before it is sent on to the next level; the last decision to be communicated by the provost.
 2. ~~In the case of a full-time non-tenure-track faculty member, denial of promotion does not preclude reappointment at the current faculty rank, nor does it preclude reconsideration for promotion at a later date.~~ *With the exception of a tenure-track faculty member, denial of promotion does not preclude reappointment at the current faculty rank, nor does it preclude reconsideration for promotion at a later date.*
 3. A faculty member may not be reconsidered for promotion until two years after the previous unsuccessful promotion consideration.
6. A faculty member who, in good faith, feels that a procedural violation has occurred in connection with their consideration for promotion may initiate a grievance in accordance with currently applicable Faculty Handbook procedures.

Rights and Responsibilities

A. Rights and responsibilities for all full-time faculty

A university's faculty is the core of an institution that must contribute to the good of society in ways that go beyond just the advancement of individual faculty members' interests. Full-time faculty contribute to the university's purpose of transmitting, evaluating, and extending knowledge for the greater good of society, actively engaging in research/scholarship/creative activity and/or professional development, as well as participating in service to the university, the community, and the profession.

Faculty members' employment relationships and roles with the university vary according to position. Faculty members carry special and varying responsibilities with respect to the creation and maintenance of high quality curricula, scholarship, nurture of students in the educational process, and overall governance of the institution.

Faculty members enjoy academic freedom – the right to teach, study, and engage in research toward the end of transmitting, evaluating and extending knowledge, under conditions permitting independence of thought and

expression.

~~Academic units shall have clearly defined voting and other governance rights and responsibilities in their bylaws for full-time faculty, including tenured, tenure-track, and non-tenure-track.~~ *Academic units shall have clearly defined voting and other governance rights and responsibilities in their bylaws for full-time faculty.*

Faculty members must adhere to professional standards of conduct. No faculty member shall make any representations to, or enter into any agreement with, or act toward any student or other person in any manner which is not in conformity with established university policies, practices and procedures, including those contained in the Faculty Handbook, student handbooks, and university catalogues.

Northeastern expects that full-time faculty members will engage in some combination of teaching, research/scholarship/creative activity, and/or professional development, and service as designated by their appointment letters, discipline, assignments, and unit workload policies. Professional development and service expectations for full-time faculty members are focused toward the needs of the unit, the college, and the university.

The attainment of promotion is accompanied by greater responsibility to the university. Promoted full-time faculty members have greater latitude and responsibility in shaping their careers within the mission of the university. While continuing to focus on the application of their knowledge to their responsibilities, promoted full-time faculty members may be expected to provide support and guidance to their junior colleagues and to become increasingly involved in the life and governance of the university.

B. Rights and responsibilities for tenured and tenure-track faculty

In this community of scholars, tenure is designed (paraphrasing the words of the AAUP's "1940 Statement of Principles on Academic Freedom and Tenure" and "1982 Recommended Institutional Regulations on Academic Freedom and Tenure") to ensure that the university remains a marketplace of ideas that cannot require conformity with any orthodoxy of content or method in fulfilling its purpose of transmitting, evaluating and extending knowledge for the greater good of society. Tenure is established as a means to maintain freedom of teaching, research, scholarship, creative activities, and service. Tenure at Northeastern University is defined in the tenure module of the Faculty Handbook. With the right of academic freedom, tenured and tenure-track faculty members also assume its responsibilities. According to the AAUP "1940 Statement of Principles on Academic Freedom and Tenure," "College and University teachers are citizens, members of a learned profession, and officers of an educational institution. When they speak or write as citizens, they should be free from institutional censorship or discipline, but their special position in the Community

imposes special obligations. As scholars and educational officers, they should remember that the public may judge their profession and their institution by their utterances. Hence, they should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that they are not speaking for the institution.”

Northeastern expects that tenure-track faculty members will ordinarily launch their careers with a dual focus on effective teaching and on establishing a mature research/scholarship/creative activity and/or professional development agenda capable of carrying them to tenure and beyond. Service expectations for tenure-track faculty members at the beginning of their careers will generally be lighter than those for faculty members who are tenured or are close to a tenure decision and are geared not only toward the needs of the unit, but toward introducing tenure-track faculty members to the life of the university.

The attainment of tenure is accompanied by greater responsibility to the university. Tenured faculty members have greater latitude and responsibility in shaping their careers within the mission of Northeastern. While continuing to focus on the application of their knowledge to teaching and on the expansion of their research/scholarship/creative activity and/or professional development agenda, tenured faculty members are expected to provide support and guidance to their junior colleagues and to become increasingly involved in the life and governance of the university. This includes taking on a greater service load and mentoring tenure-track faculty members toward success in their fields and in their quest for tenure.

C. ~~Rights and responsibilities for full-time non-tenure-track faculty~~

~~Northeastern expects that full-time non-tenure-track faculty members will engage in some combination of teaching, research/scholarship/creative activity, and/or professional development, and service as designated by their appointment letters, discipline and assignments. Professional development and service expectations for full-time non-tenure-track faculty members are focused toward the needs of the unit, the college, and the university.~~

~~The attainment of promotion is accompanied by greater responsibility to the university. Promoted full-time non-tenure-track faculty members have greater latitude and responsibility in shaping their careers within the mission of the university. While continuing to focus on the application of their knowledge to their responsibilities, promoted full-time non-tenure-track faculty members may be expected to provide support and guidance to their junior colleagues and to become increasingly involved in the life and governance of the university.~~

The General Faculty Advisory Board and Bylaws

1. The General University Faculty Advisory Board

The General University Faculty Advisory Board, comprising both the Full-time Faculty and other members as defined below, is the senior faculty advisory body at Northeastern University, and is properly concerned with all matters affecting the welfare of the University. It makes available its aid and counsel to the President and Board of Trustees. Under ordinary circumstances, the faculty expresses its opinion through the various College faculties or through the Faculty Senate. There may be occasions, however, when it is necessary to convene a meeting of the Full-time Faculty or the General University Faculty Advisory Board to deal with matters that cannot effectively be delegated to a smaller group. Bylaws governing such meetings are given below.

2. Bylaws Defining the General University Faculty Advisory Board

A. Membership

The members of the General University Faculty Advisory Board comprise two voting groups, the Full-time Faculty and the Other Voting Members. There is also one non-voting group, the Nonvoting Members. These three groups are defined as follows:

1. *The Full-time Faculty* consist of:

1. ~~Tenure-track and Tenured Faculty – Full-time faculty with the academic ranks of:~~
 1. ~~Assistant Professor, Associate Professor, or Professor;~~
 2. ~~Academic Deans of the Colleges;~~
 3. ~~Associate Deans and other administrators who hold academic appointments with the tenured/tenure-track ranks of Assistant Professor through Professor in the Deans' offices of the Colleges.~~
2. ~~Non Tenure-track Faculty – Full-time faculty with the academic ranks of:~~
 1. ~~Research Assistant Professor, Research Associate Professor, or Research Professor;~~
 2. ~~Clinical Instructor, Assistant Clinical Professor, Associate Clinical Professor, or Clinical Professor;~~
 3. ~~Assistant Academic Specialist, Associate Academic Specialist, or Senior Academic Specialist;~~
 4. ~~Assistant Teaching Professor, Associate Teaching Professor, or Teaching Professor;~~
 5. ~~Assistant Co-op Coordinator, Associate Co-op Coordinator, or Senior Co-op Coordinator;~~
 6. ~~Lecturer, Senior Lecturer, or Principal Lecturer~~

- ~~7. Professor of the Practice or Distinguished Professor of the Practice;~~
 - ~~8. Associate Deans and other administrators who hold academic appointments with a full-time non-tenure track faculty rank.~~
- a. Assistant Professor, Associate Professor, or Professor;
 - b. Academic Deans of the Colleges;
 - c. Associate Deans and other administrators who hold academic appointments with the tenured/tenure-track ranks of Assistant Professor through Professor in the Deans' offices of the Colleges;
 - d. Research Assistant Professor, Research Associate Professor, or Research Professor;
 - e. Clinical Instructor, Assistant Clinical Professor, Associate Clinical Professor, or Clinical Professor;
 - f. Assistant Academic Specialist, Associate Academic Specialist, or Senior Academic Specialist;
 - g. Assistant Teaching Professor, Associate Teaching Professor, or Teaching Professor;
 - h. Assistant Co-op Coordinator, Associate Co-op Coordinator, or Senior Co-op Coordinator;
 - i. Lecturer, Senior Lecturer, or Principal Lecturer
 - j. Professor of the Practice or Distinguished Professor of the Practice;
 - k. Associate Deans and other administrators who hold academic appointments with a full-time non-tenure track faculty rank.
2. *Other Voting Faculty* consist of:
- a. The President, the Provost, Vice Provosts, and Associate Provosts;
 - b. Presidents Emeriti, and Vice Presidents (not included under II.A.1 above);
 - c. Academic administrators (not included under II.A.1 above)
 - d. Directors, Associate and Assistant Directors, Coordinators and Managers of principal administrative offices and departments;
 - e. Academic Advisors, Coaches and full-time professional-level staff of academic units and of academic support departments;
 - f. University Registrar, Associate and Assistant Registrars and the Director of Scheduling (not included in II.A.1 above);
 - g. Academic program directors (not included under II.a.1 above)
 - h. The Chair of the Department of Military Science;
 - i. Research Institute or Center Directors, Associate Directors, and Assistant Directors (not included under II.A.1 above);
3. *Nonvoting Faculty* consist of:

- a. Members of the Department of Military Science, with or without professional rank, and Reserve Officers' Training Corps Staff, consisting of commissioned and noncommissioned officers of the Department of Military Science loaned to the University by the Department of the Army; or other Military Services, whose primary responsibilities are at Northeastern.
 - b. Temporary faculty (faculty with appointments for less than 39 weeks of the year);
 - c. Persons who are appointed to carry less than a full load in teaching, research, or administration, whether for part or all of the academic year
 - d. Affiliate Faculty.
 - e. Graduate students at Northeastern University who hold regular appointments as Stipended Graduate Assistants.
2. The body comprising the *Full-time Faculty* and the *other voting members* shall be referred to as the General University Faculty Advisory Board voting members. Titles may be added to the list of other voting members upon the concurrence of the President, the Provost and the Senate Agenda Committee. Titles may be added to, or deleted from, the list of *nonvoting* members at the discretion of the President.
3. Conduct of Meetings
 1. Convening a Meeting

A meeting of either the Full-time Faculty or the General University Faculty Advisory Board may be called at the initiative of:

 1. The President or the Provost;
 2. Fifty percent of the membership of the Faculty Senate; or
 3. Twenty-five percent of the members of the relevant body through a signed petition in which the proposed agenda has been specified.
 2. A meeting called under option a) will be convened and chaired by the caller of the meeting. A meeting called under either of the other two options will be convened and chaired by the Chair of the Senate Agenda Committee.
 3. Agenda

The agenda for a meeting will be established by the party who called the meeting. Once a meeting has been convened, the agenda may be modified by a two-thirds vote of the voting members of the appropriate body who are present. The agenda and related documents will be distributed to the members at least two weeks prior to the meeting, unless emergency circumstances make this impossible. In any event, the announcement of a meeting will be accompanied by the agenda of the meeting.
 4. Quorum

A quorum to conduct business will consist of 50 percent of the voting

members of the appropriate body. In the absence of a quorum, one-third of the voting membership may recess by majority vote in order to seek a quorum. If a quorum is not present after two consecutive recesses, the meeting will be considered adjourned.

5. Conduct

Robert's *Rules of Order* (Revised or Newly Revised) will be the parliamentary guide, unless it conflicts with these bylaws. The Chair will appoint a parliamentarian for the meeting.

6. Attendance and Participation

Any member of the General University Faculty Advisory Board may attend meetings of either the Full-time Faculty or the General University Faculty Advisory Board. In order to facilitate the conduct of the meeting, those who will not vote at the meeting will be asked to sit in a designated area. Further, nonvoting members may be afforded the right to speak at a meeting by recognition from a voting member.

This right may be withdrawn by majority vote of the voting members. A motion to confer or withdraw speaking privileges will be subject to limited debate with no more than three people speaking for the motion and no more than three speaking against the motion. These procedural motions shall always be in order. When the participation privilege has been voted, the floor may be granted to a nonvoting member by the Chair or by a voting member who yields his or her position.

The voting members of the appropriate body at any meeting may go into, or out of, executive session at any time by a majority vote of the voting members present. When in the executive session, only voting members of the appropriate body and persons invited by the Chair may be present. A motion to move into executive session is always in order, and is nondebatable.

Motions at a meeting may be initiated only by voting members of the appropriate body.

7. Visitors

A visitor is anyone who is not a member of the General University Faculty Advisory Board. Visitors are not normally permitted to attend or to participate in meetings. However, designated groups of visitors may be admitted to a particular meeting, as spectators, by a two-thirds vote of the voting members present.

Visitors, once present, may be asked to leave by a majority vote of the voting members present. A motion to admit or expel visitors will be subject to limited debate, with no more than two members arguing for, and two members against, the motion. The Chair may invite persons required by the business of the meeting. Such persons might be invited because of their expertise (e.g., a parliamentarian or a lawyer), or because

of the service they will render (e.g., a recorder), nor will the proceedings be broadcast outside of the meeting room.

8. Identification of Speakers

Each speaker will identify himself or herself by name and title.

9. Minutes

Minutes will be kept by a secretary appointed by the Chair, and will be distributed to all members of the appropriate body within seven calendar days.

4. Revisions to Bylaws

Proposed changes to the bylaws may originate in the Faculty Senate by a vote of 60 percent of its membership, or by petition of 25 percent of the General University Faculty Advisory Board voting members. Proposed changes must be distributed to the voting members of the General University Faculty Advisory Board at least two weeks before they are to be acted upon.

Revisions of the bylaws will be ratified by approval of two-thirds of those voting members of the General University Faculty Advisory Board casting ballots in a balloting process supervised by the Faculty Senate.

Sabbatical

~~The purpose of the sabbatical leave program is to provide professional growth for the tenured faculty member and to promote the faculty member's academic contributions to the University. The purpose of the sabbatical leave program is to provide professional growth for the full-time faculty member and to promote the faculty member's academic contributions to the University.~~ The award of a sabbatical leave is a privilege and is not guaranteed. To secure a sabbatical leave, the faculty member must have an approved program of activities that furthers the fulfillment of the program's purposes as described more fully below.

1. Eligibility

~~Faculty members are eligible to apply for sabbatical leave if at the proposed start of the leave they will have tenure, are in good standing (that is, faculty member who is not in the midst of any disciplinary actions), will hold the rank of Associate Professor or above, and, will have served at least six years as a full-time Northeastern University faculty member.~~ Faculty members are eligible to apply for sabbatical leave if at the proposed start of the leave they are full-time faculty members in good standing (that is, faculty member who is not in the midst of any disciplinary actions), will hold a second level/rank or above (as defined in the *Appointments, Terms, and Reappointments* module), and, will have served at least six years as a full-time Northeastern University faculty member. Once a sabbatical leave has been taken, a faculty member will only become eligible again after

having served another six academic years as a full-time faculty member at Northeastern University, beginning with the end of the previous sabbatical leave. If a leave has been postponed or deferred for the administrative convenience of the Unit or College but is subsequently granted, the six-year eligibility period for subsequent leave will commence at the time when the postponed or deferred leave would originally have ended.

2. Sabbatical Leave Plan and Compensation

Faculty members must specify one of two plans for their sabbatical leave: (1) two semesters at 50 percent of the faculty member's academic year salary or (2) one semester at 100 percent of the faculty member's academic year salary.

Faculty members whose ~~locus of tenure~~ *home appointment* resides in a College or School that operates on a quarter calendar, must specify either of two plans: (1) three quarters at 50 percent of the faculty member's academic year salary or (2) one and one-half quarters at 100 percent of the faculty member's academic year salary. A faculty member cannot be compensated for more than 100% of their academic year salary when taking a two-semester sabbatical leave without prior approval from the Provost. Both summer terms in the same calendar year are counted together as one semester for any faculty member whose base contract includes the full summer as one of their two semesters.

Faculty members continue to receive the following fringe benefits during the sabbatical leave:

1. medical, dental, life, and disability insurance, unless it is covered by the temporary employer;
2. group medical plan, if the faculty member continues regular contributions, either on a monthly or prepaid basis for the leave period.
3. if participating in the retirement program, the University will match up to 10 percent of the portion of the individual's sabbatical salary provided the faculty member contributes a minimum of 5 percent of the same salary; and
4. tuition remission benefits for family, and dependent care assistance if the faculty member will be paid through Northeastern University for the duration of the leave.

3. Application for and Approval of Sabbatical Leave Process and Schedule

Each College will have a sabbatical leave committee that evaluates all proposals for leave in the College and provides leave recommendations to the dean. The composition of the committee, the criteria for evaluation of sabbatical leave proposals, and the evaluation process will be determined by procedures approved by the faculty of the Unit, the Dean, and the Provost.

The sabbatical leave applicant must submit a proposal containing a detailed plan of the leave's activities, objectives, and location, a timetable indicating the beginning and ending leave dates, a statement identifying all sources of leave

funds, and a statement concerning other essential arrangements (benefits, etc.), where the applicant will be a visitor to another organization.

The proposal, and the unit head's recommendation, when appropriate, shall be submitted, on or before November 15, to the college sabbatical committee for evaluation. Based on the evaluation, the Committee will make a recommendation to the Dean of the College. The Dean of the College, in turn, will forward a recommendation to the Provost, together with the Committee's recommendation. The Provost's recommendation is submitted to the President for final action.

Each academic year, before the end of spring semester, the College Dean will notify all faculty members who are or will be eligible for sabbatical leave that they may apply in the following academic year. These faculty members will also be provided with a report that indicates, for the College's previous year sabbatical program, the number of faculty members who were eligible, the number who actually applied, and the number of leaves granted.

At the same time, the Provost will establish the timeline for consideration of sabbatical applications and transmittal of recommendations from each step. This timeline will be distributed to eligible faculty members with the Dean's notification in spring semester.

Applicants for sabbatical leave shall be notified of the President's decision by January 15 of the academic year before the leave is to begin. The Provost may authorize consideration of an eligible faculty member's sabbatical application outside of the timeline. Applicants whose sabbatical application is denied, postponed, or deferred may appeal to the Provost within two weeks of notification.

4. Obligations to Northeastern University

Upon returning to Northeastern University after the sabbatical leave, the faculty member will submit a written report of the sabbatical leave activities to the Dean, with a copy to the unit head. In addition, faculty members must resume their usual duties at the University for at least one academic year following the completion of the sabbatical leave.

~~Dismissal Proceedings: Tenured and Tenure-Track Faculty~~

- Remove this section and move content to a new section of the Dismissal Proceedings: Full-Time Faculty module

~~Dismissal Proceedings: Full-Time Non-Tenure Track Faculty~~ *Dismissal Proceedings: Full-Time Faculty*

Tenured and Tenure-Track Faculty

Dismissal of a Tenure-Track Faculty whose term appointment has not expired or a Tenured faculty member is the most severe sanction which the University may impose. An administrative officer who intends to request that dismissal proceedings begin should do so only when there is clear evidence to show adequate cause (see Section I.A.2) for dismissal. Except in an unusually serious or sudden case of gross personal misconduct (including sexual harassment), gross neglect of duty, or unfitness in one's professional capacity, a request for dismissal proceedings should come forth only after a history of prior formal disciplinary action has been established.

1. Preliminary Proceedings Concerning Cause for Dismissal of a Faculty Member

When reason arises to consider dismissal of a faculty member, the Provost (or a representative specifically designated by the Provost) should discuss the matter with them in personal conference and provide them with a copy of this Dismissal Proceedings procedure module of the Faculty Handbook. The matter may be terminated by mutual consent at that point, a corrective disciplinary sanction may be imposed (with the faculty member retaining their rights under the Faculty Grievance Procedure), or a request to commence dismissal proceedings may be made by the President to the Faculty Senate Agenda Committee.

1. In the request the President shall state, in general terms, the grounds for dismissal of the faculty member and shall state that a bill of particulars has been prepared which will be delivered to a Committee of Inquiry when it commences its investigation.
 1. At the same time that the request for dismissal proceedings is sent to the Senate Agenda Committee a copy of that request shall be delivered to the faculty member.
 2. The bill of particulars shall include:
 1. The specific charge(s) that would establish cause for dismissal, clearly identifying the rules, regulations, policies, and/or norms of professional conduct alleged to have been violated.
 2. For each charge alleged as the basis for dismissal:
 1. the time or times of alleged cause;
 2. the place or places of alleged cause;
 3. the manner in which alleged cause was committed (the activity or failure to act);
 4. the means, if any, employed to commit the alleged cause;
 5. the name or names of person(s), if any, other than the accused, present during commission of alleged cause

and of whom the University currently has knowledge (or upon whom the University plans to rely in proof of its case).

3. For each charge alleged as the basis for dismissal: A statement detailing previous disciplinary action taken against the faculty member with respect to each charge alleged as the basis for dismissal.
 3. At the same time that the bill of particulars is sent to the Committee of Inquiry a copy shall be delivered to the faculty member.
2. When the Senate Agenda Committee has received the President's request, it shall appoint a Committee of Inquiry consisting of five faculty members not part of the department or equivalent academic unit to which the person under investigation belongs.
 1. The function of the Committee of Inquiry shall be to conduct an informal inquiry into the situation specified in the bill of particulars and to determine whether, in its view, there is sufficient evidence to demonstrate probable cause for dismissal.
 2. It is the burden of the University to present the specific charges against the faculty member. The Committee of Inquiry will reach its findings solely on the basis of the charges brought, and will not formulate charges which have not already been specified in the bill of particulars.
 3. During the informal inquiry, neither the University nor the faculty member is entitled to representation by an attorney before the Committee of Inquiry. However, the faculty member is permitted to bring another faculty member, as an observer, to any meeting between them and the Committee.
 4. The Committee of Inquiry shall submit its findings in writing to the President with a specific finding as to each charge and a conclusion as to whether probable cause exists to justify commencing formal dismissal proceedings.
 5. When the President and the Committee of Inquiry agree that probable cause for dismissal exists, a written statement to that effect shall be jointly formulated, specifying the charges. If there is disagreement between the President and the Committee of Inquiry, the President reserves the right to proceed to a formal dismissal hearing based on a unilaterally formulated statement of charges.
 6. A communication from the President to the faculty member, together with any statement formulated in step 5) shall inform the faculty member that further action will not proceed or shall inform him/her that formal dismissal proceedings will proceed. A copy of

this communication and the detailed statement of charges shall be transmitted to the Senate Agenda Committee.

2. Commencement of Formal Proceedings

1. Upon receipt of the President's communication that dismissal proceedings shall commence, and the statement of charges, the Senate Agenda Committee shall serve notice to the faculty member that a hearing to determine whether they should be removed from their faculty position on the grounds stated will be conducted at a specified date, time and place.
2. Notice of hearing will be served at least thirty calendar days prior to the date of the hearing. The faculty member may waive a hearing or may respond to the charges in writing at any time before the hearing. In any case, the faculty member must make a detailed and specific written response to the statement of charges not less than fourteen calendar days before the date of the hearing for the written response to be considered for hearing proceedings.
3. If the faculty member does not respond to the notice of hearing and statement of charges, the hearing will go forward with the faculty member's participation limited to offering oral testimony at the hearing, if they choose to participate at all. If the faculty member denies the charges or asserts that the charges do not support a finding of adequate cause in their written submission prior to the hearing, but nonetheless waives a hearing, the hearing will go forward and the faculty member may participate relying on their previously submitted written statement and their oral testimony at the hearing.

3. Assistance for Committee of Inquiry and Hearing Committee

1. In the course of preliminary proceedings and/or formal dismissal proceedings, the Senate Agenda Committee may deem it necessary to seek legal counsel on issues of process, for itself or for the Committee of Inquiry. The Agenda Committee will appoint such counsel. The University administration will provide a reasonable budget to meet the expense of such counsel.
2. To assure impartiality of the Agenda Committee's counsel, and to assure impartiality of the hearing master, payments to these persons will be made from a budget account established by the University administration for that purpose at the commencement of dismissal proceedings, and administered by the Agenda Committee (subject to regular University budgetary procedures). In addition, this budget will cover the costs of preparing transcripts as required below.

4. Hearing Committee

1. The Hearing Committee will be comprised of six faculty members chosen by the Senate Agenda Committee from among its members and/or the members of the previous four Agenda Committees.
2. A master will be appointed to facilitate the hearing process as an agent of the Hearing Committee. The master will be a legal professional with experience as an arbitrator, chosen by the Hearing Committee.

5. Committee Proceeding

1. Representation by Counsel: During the proceedings the faculty member is entitled to counsel and an academic advisor of the faculty member's choice. The administration's case may be offered by an administrator designated by the President and/or by designated counsel.

2. Hearing Proceedings

1. Initial Hearing Session: The initial session of the hearing will take place on the date established by the Agenda Committee in the notice of hearing. A postponement may be granted only at the will of the Hearing Committee. This session will bring together the parties, the Hearing Committee and the master, to place in the record the statement of charges and to deal with preliminary procedural matters. The session will be convened by the Chair of the Hearing Committee. After having been introduced to the parties, the master will then preside. Upon adjournment of the initial session, the formal hearing before the Committee will normally resume only after the master has completed the findings of fact.
2. Fact Finding: To facilitate the progress of the formal hearing, the Hearing Committee will designate the master to be its agent in determining the facts of the case. The master will hold evidentiary sessions in which the administration and the faculty member will present the evidence in the case, including testimony and cross-examination of witnesses. A verbatim transcript will be taken. Hearing Committee members will not be required to attend these sessions.

When the presentation of evidence is concluded, the master will make the findings of fact. These findings shall be presented to the Hearing Committee, in writing. The University and the faculty member may present specific written exceptions to the findings of fact if they believe that a finding is not reasonably based on evidence in the record. The transcript of the presentation of evidence will be made available to the Hearing Committee.

3. Procedures

1. The Hearing Committee and the master will not be bound by strict legal rules of evidence, and may admit any evidence which has a tendency to prove any fact of consequence to a

determination of the issues to be decided relative to the rules, regulations, policies, and/or norms of professional conduct alleged to have been violated. Unless special circumstances warrant, it should not be necessary to follow formal rules of court procedure.

The Hearing Committee, in consultation with the master, will make rulings with regard to granting adjournment or termination of the hearing.

2. The proceedings shall be closed unless all parties including the Hearing Committee agree that they should be open.
 3. Consistent with this module, the faculty member will be afforded an opportunity to obtain necessary witnesses and documentary or other evidence. To this end, the administration will cooperate with the Hearing Committee and the master in attempting to secure witnesses and making available documentary and other evidence. The master shall provide a schedule for the notice of witnesses and other evidence. Unreasonable or unexplained failure to adhere to the schedule, as determined by the master, risks forfeiture of availability to present witnesses and other evidence.
 4. The faculty member and the administration will have the right to confront and cross-examine all witnesses unless the faculty member has been excluded from doing so under the terms of II.B. and II.C. above. Where witnesses cannot or will not appear, but the master or the Hearing Committee determines that the interests of justice require admission of their statements, the witnesses will be identified; the master will conduct an interview, if possible, and will read a report of the interview into the record.
 5. In the hearing on the bill of particulars, the testimony may include that of experts including qualified faculty members from this or other colleges or universities.
 6. A verbatim transcript of the fact-finding sessions and of the hearing will be taken. Once the transcript has been received from the stenographer, a copy will be made available to the faculty member at their request.
4. Formal Hearing
- When the formal hearing resumes, the Hearing Committee will receive the master's findings and any exceptions thereto, and will hear oral argument by both sides. If circumstances warrant, the Hearing Committee may request documentary evidence or the

appearance of witnesses other than those presented by the faculty member or the administration. The Hearing Committee or the master (at its request) may reexamine witnesses heard during the fact-finding. If the Hearing Committee feels that written briefs would be helpful, it may request them.

6. Consideration by Hearing Committee

1. The Hearing Committee will reach its decision in conference without assistance of counsel or the master. The findings of fact and the decision will be based solely on the hearing record. The burden of proof that adequate cause exists rests with the administration and will be satisfied only by clear and convincing evidence in the record considered as a whole.
2. The Hearing Committee will make explicit findings with respect to each of the charges presented. It may, at its discretion, prepare a reasoned opinion. If the Hearing Committee decides that the facts establish adequate cause for some form of discipline, but not for dismissal, it may recommend a disciplinary sanction other than dismissal. If a faculty member has previously been suspended without pay, such a suspension may not be recommended by the Hearing Committee.
3. Publicity concerning the Hearing Committee's decision should be withheld until final consideration has been given to the case by the Board of Trustees. Any release to the public should be made through the President's Office.

7. Consideration by the Board of Trustees

The President will transmit to the Board of Trustees the full report of the Hearing Committee, stating its action. If the Board of Trustees, or a duly authorized committee thereof, chooses to review the case, its review will be based on the record of the committee hearing, and it may provide opportunity for argument, oral, written or both, by the principals at the hearing, or by their representatives. The decision of the Hearing Committee should either be sustained or the proceeding returned to the Committee with objections specified. If the Board of Trustees has objections regarding limited aspects of the Hearing Committee decision, the decision may be returned to the Hearing Committee for reconsideration limited to those specified issues.

The Committee will then reconsider, taking into account the stated objections and receiving new evidence if necessary according to procedures (section V.B. of this module) the Committee provides in writing to the principals from the hearing, or to their representatives. It should frame its decision and communicate it in the same manner as before. The Board of Trustees will make a final decision only after study of the Committee's reconsideration.

The Faculty Grievance Procedure shall not apply to this Dismissal Procedure or any final action taken pursuant to it.

8. Suspension of the Faculty Member during Proceedings

The University may institute suspension of the faculty member during the proceedings only if immediate harm to the faculty member or to others is threatened by continuing the employment responsibilities. Unless legal considerations forbid, any such suspension shall be with pay.

9. Publicity

Except for such simple announcements as may be required, covering the time of the hearing and similar matters, public statements about the case by the faculty member, administrative officers, Hearing Committee members, or legal counsel shall be avoided so far as possible until the proceedings have been completed. Announcement of the final decision shall be made by the President. If the final decision differs from the Hearing Committee's recommendation, the announcement shall include a statement of that recommendation.

~~Full-time Non-Tenure Track Faculty~~ All Other Full-Time Faculty

An administrative officer who intends to request that dismissal proceedings for a full-time non-tenure track faculty member begin should do so only when there is clear evidence to show adequate cause for dismissal. Except in an unusually serious or sudden case of gross personal misconduct (including sexual harassment), gross neglect of duty, breach of contract, or unfitness in one's professional capacity, a request for dismissal proceedings should come forth only after a history of prior formal disciplinary action has been established.

Non-renewal of contract at its term expiration or notice of non-renewal for fulltime non-tenure track faculty is not dismissal for purposes of this policy.¹

Proceedings

1. Prior to dismissal, the faculty member should be furnished with written notice and an explanation (together "the Notice") of the grounds for the intended dismissal by the College Dean ("the Dean") or their designee.
2. The faculty member may submit a written response to the Notice and may request an opportunity to meet with the Dean or their designee to respond and present information pertaining to the basis for the intended dismissal.
 1. The faculty member's written response and/or request for a meeting should be submitted within 7 calendar days after receiving the Notice

2. If the faculty member requests a meeting with the Dean or their designee, the faculty member should be given reasonable opportunity to attend a meeting within 7 calendar days after requesting the meeting.
3. If, after the steps in Part B, the Dean or designee decides to proceed with dismissal, the Dean or designee should provide a written dismissal decision to the faculty member within 7 calendar days after the later of the meeting between the faculty member and the Dean or designee's or the faculty member's receipt of the Notice.
4. Within 7 calendar days of receiving the dismissal decision in Part C, the faculty member may appeal the dismissal decision with the Provost. Grounds for appeal are: 1) failure to follow procedural steps; and 2) new evidence discovered that was not available at the time of the dean's review and decision.
 1. Upon receipt of the appeal request, the Provost or the Provost's designee requests the Senate Agenda Committee to form an impartial review committee, within 7 calendar days, consisting of 5 full-time faculty members, not part of the department or equivalent academic unit to which the faculty member who submitted the appeal belongs. The grievance officer of the Senate Agenda Committee acts as the liaison between the Provost or Provost's designee and the impartial review committee. The faculty member's written response and/or request for a meeting should be submitted within 7 calendar days after receiving the Notice
 2. The Provost or designee will provide the impartial review committee with the Notice, the faculty member's written response, and the Dean's or designee's decision. With confidentiality, the committee will review this information and provide a recommendation to the Provost regarding the dismissal case, determined by majority vote, within 7 calendar days of receipt of documentation.
 3. Within 7 calendar days of receiving the impartial review committee's recommendation, The Provost or the

Provost's designee, shall communicate their decision in writing to the faculty member.

The decision of the Provost or the Provost's designee is final.

The Faculty Grievance Procedure shall not apply to this Dismissal Procedure or any final action taken pursuant to it.