

Policies and Procedures

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Chapter 3. University System of Maryland (USM) and Salisbury University (SU)

Policies and Procedures

The Board of Regents BOR of the University System of Maryland has the responsibility for managing the System under Title 12 of the Education Article of the Maryland Annotated Code. In order to carry out this responsibility the Board has developed regulations for the System and published these in the document entitled *Bylaws, Policies and Procedures of the Board of Regents: University System of Maryland*. This information is online and can be located at www.usmd.edu/Leadership/BoardOfRegents/Bylaws.

A. Section I: USM Bylaws, Policies and Procedures of the BOR (see above website location)

The president and the administration of Salisbury University manages the institution by implementing institutional policies and procedures that reflect both the requirements of the Board of Regents of the University System of Maryland and the unique character of Salisbury University. Salisbury University's policies and procedures are presented on the following pages. At the end of each policy is a code indicating the Board of Regents' policy to which it relates.

B. Section II: SU Faculty

II - 1.00: Policy on Appointment, Rank and Tenure of Faculty

The criteria specified here for the appointment, promotion, and granting of tenure to faculty at Salisbury University are derived from the university's mission. Final authority for the appointment, promotion, and granting of tenure to faculty resides with the president of the institution.

Part I: Appointment of Faculty

A. Search Process

1. Determination of Tenure Track Position to be Filled.

Departments that have identified either the need to replace a faculty member who has left the university or the need for an additional tenure track line should fill the "Request to Fill a Faculty Position" form found in **Appendix A-2** and forward it to the school dean who will then forward it to the provost. If the position to be filled is a replacement for a faculty who has retired or resigned, written documentation needs to be attached to the Request form. The disposition of faculty lines will be determined by the provost. Upon determining that a vacancy is to be filled, the provost will authorize an academic department to recruit for a specified rank.

2. Visiting Faculty Appointments.

Visiting faculty appointments are usually made for one academic year or less. Only in unusual circumstances will a visiting appointment exceed a total of three years. A visiting faculty appointee can become a regular appointee only through a search process before or after the initial appointment in accordance with the institution's procedures, including adherence to affirmative action guidelines. Years of service in a visiting appointment may, upon mutual agreement of the faculty member and the institution, be counted as probationary years for purpose of consideration for tenure.

3. Formation of Search Committee.

After the provost has given authorization to recruit, the appropriate dean will ask the department chair to form a Search Committee composed of full-time faculty for the purpose of identifying qualified candidates for the open position. Each Search Committee appointed should have minority and female representation if possible. If female or minority representation is not possible (for example, because the department has no female or minority staff), consultation must take place with the dean and consideration be given to the feasibility of adding a minority and/or female faculty member from another department within the school. (The dean is to take into account the burden this service may place upon those minority faculty currently employed.) The EEO/Affirmative Action officer will assist all departments in developing applicant pools that are as diverse as possible.

4. Wording of Job Announcement.

The job description must be specific as to title, rank of appointment, primary duties, qualifications required, and if appropriate, specialty within the discipline, and salary range. Normally included along with the position description and candidate qualifications are a deadline for receipt of applications and a request for three letters of recommendation and official transcripts of formal education. The qualifications required or preferred must reasonably relate to the job to be performed; it is unlawful to over-state the minimum qualifications. Any advertisement should include the statement "Salisbury University is committed to employment equity and diversity in the workplace. Our employment goals are to create a workforce from a variety of backgrounds and experience that will strengthen the values of a diverse university community. It is the policy of this institution to provide equal employment and educational opportunities without regard to race, color, religion, national origin, sex, age, marital status, handicap, or sexual orientation. Salisbury University is an Affirmative Action/Equal Opportunity employer." A suitable amount of time should be allowed between the day the ad will be published in a particular publication and the deadline for applications to give applicants enough time to contact their references, etc.

The department chair is responsible for preparing the job advertisement and locating appropriate discipline specific advertising venues. The department chair sends the announcement and list of advertising venues to the dean who then sends it to the provost for approval, and to the affirmative action officer for review. Any of these three may add additional advertising sources or recommend changes to the announcement. The department chair must be informed of any changes made. When the approvals have been obtained, the Office of Human Resources will place the ad.

Once the job advertisement is finalized, the affirmative action officer will send an "information packet" to the search committee chair containing a cover letter, a copy of hiring procedures, and the appropriate forms (described in the following steps). See the "Faculty Position Advertising Ad Template" in **Appendix A-3** for assistance in composing the position announcement (Section II of the Faculty Handbook January 2002, **p. 44**).

All persons involved in this process will respond in a timely fashion so that important advertising deadlines will not be missed.

5. Placement of Job Announcement/Recruitment Sources.

Job announcements should be circulated as widely as possible in a variety of professional, specialized, and mass circulation media likely to reach candidates, including a pool of minority and female applicants. The dean and chair are responsible for assuring that the ad is placed in the appropriate newspapers and journals and circulated to appropriate colleges/universities and other contacts as described above. The dean and the Affirmative Action Officer are also responsible for ensuring, for departments in which an underutilization of minorities or women has been identified, that additional strategies specifically geared to attracting a pool of qualified applicants of the under-represented group have been employed. Some examples of recruiting strategies are:

- a. Beginning the advertising effort as early in the academic year as possible. The best strategy in recruitment is to be among the first to advertise and the first to bring finalists to campus. Early advertisement also attracts the largest pool of candidates and enhances the probability that the candidate you want will still be available.

- b. Copies of the position announcement mailed to universities with graduate programs. Address labels for predominantly black colleges and universities with graduate programs are available from the office of Affirmative Action.
- c. Early and timely advertisement in national publications or general circulation media. Examples: *The Chronicle of Higher Education*; *Science*.
- d. Early and timely advertisement in professional journals. Examples: *Physics Today*; American Political Science Association's employment bulletin.
- e. Advertisement in metropolitan/local newspaper. Examples: *Baltimore Sun*, *Washington Post*, African-American Newspapers (Baltimore office), *Journal and Guide* (Norfolk, VA), *Daily Times* (Salisbury).
- f. Contact by phone or mail with academic institutions having graduate programs where students may possibly be qualified for the position. It should be noted that if a committee sends its job announcement to colleges and universities that graduate predominantly white males then similar efforts must be made to reach institutions with a high proportion of minorities and women among their graduate school population.
- g. Copies of the position announcement mailed to universities with graduate programs. Address labels for predominantly black colleges and universities with graduate programs are available from the office of Affirmative Action.
- h. Early and timely advertisement in publications serving minority and female readerships that advertise position vacancies. (Listing is available in the office of Institutional Accountability and Research. Examples include the *Affirmative Action Register*, *Black Issues in Higher Education*, etc.)
- i. Personal communication by members of the committee with professional contacts.
- j. Recruitment at professional conferences, including those oriented to minority students and educators.
- k. Contact with selected black organizations (e.g., Caucus of Black Sociologists), which may provide recruitment assistance. (A listing of these organizations is available in the Affirmative Action Office.)
- l. Use of a listing of colleges and universities participating in the U.S. Department of Education's Graduate and Professional Opportunities Program (which awards fellowships to graduate students demonstrating financial need). (Available in the Affirmative Action Office.)
- m. Use of the CIC Directory of Minority Ph.D. Candidates and Recipients, a sample of which is available in the Office of Institutional Accountability and Research, and in its entirety in the Affirmative Action Office.
- n. Posting on campus bulletin boards.
- o. Reviewing the resumes of those who have submitted unsolicited applications.

- p. Personal communication with minority and female staff members and alumni for their suggestions.
6. Acknowledging Receipt of Applications and Use of EEO Statistical Information Form.

Once a position has been advertised and applications from candidates are received, a letter of acknowledgment to each applicant must be sent. This letter must be accompanied by the EEO Statistical Information form, shown in **Appendix A-5**, along with a self-addressed business reply envelope, both of which can be obtained from the Affirmative Action Office. (Note: If the Search Committee receives many applications (i.e., over 50), the committee may conduct an initial screening to eliminate those who do not meet the qualifications for the position. The Statistical Information form should only be sent to those who are considered to be bona fide applicants for the position.) The Statistical Information form is to be used for statistical purposes only to identify race, sex, and handicap status of applicants on an anonymous basis and to provide feedback to the Affirmative Action Officer, dean, and provost that the advertisements are reaching minority and female applicants. These data are required by federal legislation on affirmative action. This information will not be shared with the search committee prior to the end of the search.

7. Screening and Permission to Interview.

Each application must be reviewed by the Search Committee on its merits in relation to the advertised position and qualifications and other criteria supplied to candidates. Criteria used in screening candidates must be applied uniformly to all candidates. Selection of candidates must be made on professional grounds. Candidates may not be excluded due to factors such as race, national origin, religion, sex, age, sexual orientation, or condition of handicap, unless the disability would preclude the individual from carrying out the responsibilities of the position.

The screening procedure will result in the determination of an "interview pool." The names and credentials of the top candidates to be interviewed must be approved by the department chair and dean. No department may invite persons for interviews until they have received approval from the appropriate dean.

It is suggested that search committees consider seeking permission to check listed references as well as unlisted references or contacts from candidates who are being considered for on-campus interviews. During the reference check process, members of the search committee can solicit job-related information on the candidate's ability to perform the duties of the job for which she/he is being considered. It is important to keep records of the conversations and the information obtained as well as to ask a standard set of questions from all references. Sample questions and reference check guidelines appear in **Appendix A-4**.

NOTE: Some departments may wish to conduct interviews of preliminary applicants at a conference or annual meeting of a professional association or by phone. In general, interviews at this stage do not need dean or provost approval and may not be used as the dean or provost interview of a candidate, which must take place on campus, and offers of employment cannot be made at such an interview.

8. Candidates Who Advance Major Campus Initiatives.

On occasion a search committee may identify a candidate or candidates who, although they do not meet all of the selected criteria for a particular search, show the potential to advance significantly a major university initiative. In such cases, the committee chair should bring these candidates to the attention of the department chair who may bring them to the attention of the dean, provost, or president. If it is clear that the candidate does have the potential to advance university initiatives and there is a need for additional faculty in the area, the provost may authorize the department to interview the candidate with the possibility of an additional line being made available.

9. Invitations to Interview.

Once approval has been given to begin interviewing, each person in the interview pool must be contacted to arrange a date for the interview. The terms under which travel expenses for applicants are reimbursed should also be explained to the candidates. A copy of Maryland Department of Personnel regulations governing interviews and travel reimbursements is contained in the Financial Services Office.

10. Interviews.

A core of similar questions should be asked of all candidates. Search Committees should agree upon this set of questions in advance of interviewing and to formulate them in writing. Search Committees must also be sure to use criteria that coincide with the qualifications listed in the job advertisement. Additional questions may also be asked. Notes should be maintained for each interview, and a record of the race and sex, if known, of each interviewee must be kept.

Everyone who is responsible for hiring should review guidelines on the interviewing process. According to the Equal Employment Opportunity Commission guidelines, also contained in **Appendix A-6**, pre-employment inquiries as to the following are to be avoided: age, date of birth, number and age of children, marital status, race, religion, and national origin. Other useful documents on interviewing developed by the Maryland Department of Personnel and CUPA (College and University Personnel Association) are available from the Human Resources Office. Wherever possible candidates should be asked to interact with students and to make a presentation that is appropriate for the discipline which is hiring. Examples of this are the opportunity to teach a class, an invitation to speak to an academic club or an invitation to give a presentation to faculty. Candidates should be given the opportunity to speak informally with as many members of the department as possible and to ask questions of them as well. It is helpful to think of the interview process as a two way street where the candidate and the department are attempting to discern whether there is a “good fit.”

Committee chairs need to be aware of prevailing policies and procedures regarding reimbursement of expenses incurred by both the candidates and search committee members associated with the on-campus interview. Full information on these policies can be obtained in the booklet entitled “Salisbury University Policies & Procedures - Travel & Miscellaneous Reimbursements - Regular Procurement & Procard Purchases” from the Financial Services Department. A “Checklist For Faculty Search Expenses” and the “Salisbury University Candidate Interview Form” appear in **Appendix A-7** and **A-8** respectively.

11. Offer of Position.

All formal appointment offers require approval from the provost's office. Candidates are recommended by the department chair in accordance with departmental policy. The name of the final candidate is reviewed by the dean, who obtains permission from the provost to make an offer. The conditions of the offer with respect to salary, rank, and credit from previous experience towards tenure and promotion are decided by the provost in consultation with the dean and the chair. In general, the department chair will be given permission to discuss the pending offer and terms with the candidate verbally prior to the actual written offer being sent.

In making an appointment decision, it is part of the University's affirmative action commitment that if two or more candidates are evaluated as approximately equivalent, the candidate whose race or sex is in the minority in that department will be offered the position. For a variety of reasons, the provost may decide that it is in the university's best interests to authorize a department to make more than one offer in parallel for a potential extra position.

Special arrangements for inter-institutional appointments, interdepartmental appointments and appointments in new academic units will be handled by the Provost.

12. Affirmative Action Recruitment Form.

When the search is completed, the department must complete the "Affirmative Action Recruitment Form" (**Appendix A-9**) as part of the monitoring process for ensuring that all the appropriate recruitment and screening procedures have been followed. This form may be obtained from the Affirmative Action Office. It should be completed and returned to the appropriate dean for signature. This is then sent by the dean to the provost for signature and by the provost to the president, if applicable. The form then must be sent to the affirmative action officer.

13. Unsuccessful Candidates.

Unsuccessful candidates must be notified in writing that the position has been filled and thanked for their applications.

14. General Record Keeping.

All written records having to do with the hiring of an individual must be kept for the life of the affirmative action plan (five years) according to the Office of Civil Rights of the U.S. Department of Education. The following forms are to be kept on file in the Affirmative Action Office: the applicant information forms; the affirmative action recruitment report and a copy of all published advertisements for a particular position. The hiring department is responsible for keeping copies of letters of acknowledgment and rejection; interview notes and criteria used in making a selection; applicant resume/credential files; and all other correspondence (including copies of published advertisements) relative to the search for a period of five years.

15. Emergency Recruitment Procedures.

Emergency recruitment is warranted where death, medical leave of absence, resignation, dismissal, or suspension have resulted in a vacancy of an existing position: (1) during a semester in which the incumbent was working where the event was not foreseeable prior to two months of its occurrence, or (2) where the vacancy occurs after spring semester commencement prior to a fall semester in which the incumbent was assigned to teach.

No emergency hires will be made for tenure or tenure-track positions. Emergency hires will be considered temporary.

Where an emergency recruitment situation as defined above exists, the following procedures apply:

- a. The appropriate provost will notify the affirmative action officer of the emergency situation. Any disagreement as to the existence of an emergency situation will be resolved by the president.
- b. If time permits, the supervisor or department chair will devise a limited advertisement and recruitment plan which must be approved by the appropriate administrator or dean along with an approved job description.
- c. A screening committee consisting of at least two appropriate academic administrators (e.g., provost, dean, department chair) and at least one other appointed faculty member will screen the candidates and/or candidates recommended by the department chair or supervisor.
- d. The department chair will maintain documentation of evaluation criteria and all other related correspondence to the selection.

16. Summary of Hiring Procedures.

A one-page summary of hiring procedures provided by the provost and entitled "Candidate Selection Protocol" can be found in **Appendix A-1**.

B. Offers of Appointment

1. A final offer of appointment can be made only with the approval of Salisbury University's president or provost.
2. The official letters of appointment to the faculty at Salisbury University appear in **Appendix B** and provide for both the general terms of employment at the university and any specific terms of employment, which may be negotiated by the university and the new faculty member at or prior to appointment and as a part of employment.
3. In negotiation with the successful candidate who is coming in without tenure, the president (or her designee) may grant up to a maximum of three years prior service credit to count towards tenure.
4. In addition to the official letter of appointment, each new faculty member will receive a copy of the Salisbury University's Faculty Handbook, which includes University System of Maryland-wide policies and procedures relating to the appointment, rank and tenure of faculty as approved by the Board of Regents, and all Salisbury University policies and procedures relating to the appointment, rank and tenure of faculty as approved by the president of Salisbury University and the chancellor of the University System of Maryland. Subject to the provisions in paragraphs **I.C.15 and I.C.17** of the University System of Maryland's APPOINTMENT, RANK AND TENURE POLICY, the terms described in Salisbury University's letter of appointment, together with the policies reproduced in appropriately designated portions of Salisbury University's Faculty Handbook constitute a contractually binding agreement between Salisbury University and its faculty appointees.

C. Provisions Related to Appointment, Promotion, Tenure and Permanent Status

The following provisions are furnished to all new faculty at time of initial appointment.

1. Adjustments in salary or advancement in rank may be made under these policies, and, except where a definite termination date is a condition of appointment, the conditions pertaining to the rank as modified will become effective as of the date of the modification.
2. Appointments to the rank of full-time instructor are for a term not to extend beyond the end of the fiscal year during which the appointment becomes effective. An appointment to the rank of full-time instructor will be renewed automatically for the second year and succeeding years unless the appointee is notified in writing to the contrary by March 1 during the first year of service and by December 15 during the second year and succeeding years of service.

Except where tenure has been granted pursuant to this paragraph, appointments to the rank of instructor are for a term not to extend beyond the end of the fiscal year during which the appointment becomes effective. An appointment to the rank of full-time instructor will be renewed automatically for a second year and succeeding years unless the appointee is notified in writing to the contrary by March 1 during the first year of service and by December 15 during the second year and succeeding years of service. A full-time instructor may receive, during an appointment year, a formal review for tenure as instructor. An instructor without tenure, whose appointment has been extended to a sixth year of continuous, full-time service commencing on or after July 1, 1990, shall receive during that sixth year a formal review of tenure as instructor. The appointee reviewed for tenure shall be notified in writing, by the end of the appointment year in which the review was conducted, of the decision either to grant or deny tenure. A full-time appointee who has completed six consecutive years of service at the institution as an instructor, and who has been notified that tenure has been denied, shall be granted an additional and terminal one-year appointment in that rank, but barring exceptional circumstances, shall receive no further consideration for tenure. An instructor with or without tenure may be promoted to assistant professor. If an instructor without tenure is appointed as an assistant professor, the provisions of paragraphs **C.3 and C.4** apply to the appointment, except that the appointee's review for tenure must occur no later than the sixth year of continuous full-time employment, commencing on or after July 1, 1990, in the ranks of instructor and assistant professor. Tenure in any rank can be awarded only by an affirmative decision based upon a formal review. Such appointments may be terminated at any time in accordance with paragraphs **C.6 through C.11**.

3. Subject to any special conditions specified in the letter of appointment, full-time appointments to the rank of assistant professor will be for an initial term of one to three years. The first year of the initial appointment is a probationary year, and the appointment may be terminated at the end of that fiscal year if the appointee is so notified by March 1. In the event that the initial appointment is for two years, the appointment may be terminated if the appointee is so notified by December 15 of the second year. After the second year of the initial appointment, the appointee will be given one full year's notice if it is the intention of Salisbury University not to renew the appointment. If the appointee does not receive timely notification of non-renewal, the initial appointment shall be extended for one additional year. An initial appointment may be renewed for an additional one, two, or three years. Except as set forth in paragraph **C.4** below, an appointment to any term beyond the initial appointment will terminate at the conclusion of the additional term unless the appointee is notified in writing that it is to be renewed for another term allowable

under University System policies, or the appointee is granted tenure. Such appointments may be terminated at any time in accordance with paragraphs **C.6 through C.11**.

4. An assistant professor whose appointment is extended to a full six years will receive, no later than the sixth year, a formal review for tenure. The appointee will be notified in writing, by the end of the appointment year in which the review was conducted, of the decision to grant or deny tenure. Notwithstanding anything in paragraph **c** to the contrary, a full-time appointee who has completed six consecutive years of service at the institution as an assistant professor, and who has been notified that tenure has been denied, will be granted an additional and terminal one-year appointment in that rank, but, barring exceptional circumstances, will receive no further consideration for tenure.
5. Full-time appointments or promotions to the rank of associate professor or professor require the written approval of the president of the institution. Promotions to the rank of associate professor or professor carry immediate tenure. New full-time appointments to the rank of associate professor or professor may carry immediate tenure. Otherwise, such appointments will be for an initial period of one to four years, except that initial appointments for individuals with no prior teaching experience may be for a maximum of six years, and will terminate at the end of that period unless the appointee is notified in writing that he or she has been granted tenure. An associate professor or professor who is appointed without tenure will receive a formal review for tenure. If the appointment is for an initial period of one year, then the formal review must be completed, and notice must be given that tenure has been granted or denied, by March 1 of that year. If the appointment is for two years, then the formal review must be completed, and notice must be given that tenure has been granted or denied, by no later than December 15 of the second year. If the appointment is for more than two years, then the formal review must be completed, and notice must be given that tenure has been granted or denied, by no later than one year prior to the expiration of the appointment. Appointments carrying tenure may be terminated at any time as described under paragraphs **C.6 through C.11**.
6. A term of service may be terminated by the appointee by resignation, but no resignation will become effective until the termination of the appointment period in which the resignation is offered except by mutual agreement between the appointee and the president of Salisbury University or designee.
7. The president of Salisbury University may terminate the appointment of a tenured or tenure-track appointee for moral turpitude, professional or scholarly misconduct, incompetency, or willful neglect of duty, provided that prior to the termination the following steps are taken:
 - a. the charges are stated in writing and the appointee is furnished a copy thereof;
 - b. the Faculty Mediation Committee of the Faculty Senate is asked by the president to informally inquire as to the possibility of effecting an adjustment to the situation which would prevent termination;
 - c. where such mediation fails, the appointee is given an opportunity to request a hearing by an impartial hearing officer appointed by the president or by the Faculty Hearing Committee as a body - or - with the consent of the president, the appointee is given the option

of electing a hearing by the president rather than an appointed hearing officer or the Faculty Hearing Committee.

Upon notice of termination, the appointee will have thirty calendar days to request a hearing. The hearing will be held no sooner than thirty calendar days after receipt of such a request. The date of the hearing will be set by mutual agreement of the appointee and the hearing officer or the Faculty Mediation Committee. If the president appoints a hearing officer, or if the Faculty Hearing Committee hears the case, the hearing officer or the committee will make a recommendation to the president for action to be taken. The recommendation will be based only on the evidence of record in the proceeding. Either party to the hearing may request an opportunity for oral argument before the president prior to action on the recommendation. If the president does not accept the recommendation of the hearing officer or Faculty Hearing Committee, the reasons will be communicated promptly in writing to the appointee and the hearing officer or the committee. In the event that the president elects to terminate the appointment, the appointee may appeal to the Board of Regents, which will render a final decision.

Under exceptional circumstances and following consultation with the chair of the Faculty Mediation Committee or the Faculty Hearing Committee, the president may direct that the appointee be relieved of some or all of his or her institutional duties, without loss of compensation and without prejudice, pending a final decision in the termination proceedings. (In case of emergency involving threat to life, the president may act to suspend temporarily prior to consultation.)

The appointee may elect to be represented by counsel of his or her choice throughout termination proceedings.

8. If an appointment is terminated in the manner prescribed in paragraph 7, the president of the university may, at his or her discretion, relieve the appointee of assigned duties immediately or allow the appointee to continue in the position for a specified period of time. The appointee's compensation will continue for a period of one year commencing on the date on which the appointee receives notice of termination. A faculty member whose appointment is terminated for cause involving moral turpitude or professional or scholarly misconduct will receive no notice or further compensation beyond the date of final action by the president or the Board of Regents.
9. The institution may terminate any appointment because of the discontinuance of the department, program, school or unit in which the appointment was made; or because of the lack of appropriations or other funds with which to support the appointment. Such decisions will be made at Salisbury University in accordance with the procedures detailed in (**See Faculty Retrenchment, BOR II - 8.00**). The president of the university will give a full-time appointee holding tenure notice of such termination at least one year before the date on which the appointment is terminated.
 - a. If the need arises for reduction or reallocation of faculty, the university will develop a retrenchment plan which protects the due process rights of faculty. The university will also establish a Retrenchment Appeals Committee with a majority membership of tenured faculty elected by the faculty.
 - b. The retrenchment plan will be used to make recommendations to the president about which faculty positions should be terminated at the University and/or which positions should be reallocated in some way. The Retrenchment Appeals Committee has the responsibility

of hearing appeals from faculty who have been notified of termination or reallocation and determining the validity of termination or reallocation on the basis of 1) incorrect computation of years of service or 2) incorrect analysis of a faculty member's qualifications for satisfying a critical need of a program or a department.

- c. Final decisions on retrenchment and reallocation of faculty will be made on the basis of Salisbury University's educational mission, its needs to maintain program integrity, its needs to maintain financial viability and to be responsive to the needs of its clientele.
10. Notwithstanding any other provisions to the contrary, the appointment of any nontenured faculty member 50% or more of whose compensation is derived from research contracts, service contracts, gifts or grants, will be subject to termination upon expiration of the research funds, service contract income, gifts or grants from which the compensation is payable.
11. Appointments will terminate upon the death of the appointee. Upon termination for this cause, the institution will pay to the estate of the appointee all of the accumulated and unpaid earnings of the appointee plus compensation for accumulated unused annual leave.
12. Appointments to all other ranks not specifically mentioned in **A.1 (Faculty Ranks, Promotion, Tenure and Permanent Status)** and all part-time appointments are for terms not to extend beyond the end of the fiscal year unless otherwise stipulated in the letter of appointment. Faculty appointed to ranks not specifically mentioned in **A.1** on a full-time basis for a term not less than one academic year shall receive notice of non-renewal of contract based upon their length of continuous full-time service in such ranks. If such service is less than seven years, at least 90 days notice is required. If such service equals or exceeds seven years, at least six months notice is required. If the required notice is not provided prior to the termination of the then-current contract, this condition may be remedied by extending the contract by the number of days necessary to meet the notice requirement.
13. If in the judgment of the appointee's department chair or supervisor, a deficiency in the appointee's professional conduct or performance exists that does not warrant dismissal or suspension, a moderate sanction such as a formal warning or censure may be imposed, provided that the appointee is first afforded an opportunity to contest the action through application to the Faculty Welfare Committee.
14. Unless the appointee agrees otherwise, any changes that are hereafter made in paragraphs **1-13** will be applied only to subsequent appointments.
15. Compensation for appointments under these policies is subject to modification in the event of reduction in State appropriations or in other income from which compensation may be paid.
16. Appointees will be subject to all applicable policies and procedures duly adopted or amended from time to time by Salisbury University or the University System of Maryland, including but not limited to, policies and procedures regarding annual leave; sick leave; sabbatical leave; leave of absence; outside employment; patents and copyrights; scholarly and professional misconduct; retirement; reduction, consolidation, or discontinuation of programs; and criteria on teaching, scholarship and service.

Part II: Faculty Ranks, Promotion, Tenure and Permanent Status (this portion of the ART document was approved by Faculty Senate, Fall 2000)

Note: Salisbury University is in the process of developing new policy for the sections that have an asterisk (*).

A. General Principles

1. The only faculty ranks which may involve a tenure commitment are: professor, associate professor, assistant professor, instructor, distinguished university professor and such other ranks as the Board of Regents may approve. Appointments to all other ranks, including any qualified rank in which an additional adjective is introduced (such as "clinical professor"), are for a definite term and do not involve a tenure commitment.

Promotion to the ranks of associate professor or professor carries immediate tenure. Non-tenured faculty members applying for promotion to these ranks must first stand for tenure review. If tenure is denied, they may continue to apply for tenure on an annual basis until their contract appointments expire.

Professorial titles should be granted only to teaching and/or research personnel who are associated with teaching or research departments or units.

Notwithstanding anything to the contrary in this policy, faculty in certain ranks may be granted permanent status. The only faculty ranks which may involve a permanent-status commitment are Librarian II, Librarian III, and Librarian IV and such other ranks as the Board of Regents may approve. Permanent status may not be granted to an individual holding the rank of Librarian I.

Permanent status is defined as continuing employment such that a decision to remove an employee must be made by the President of the campus and must be justified by cause as defined by USM and campus policy. Permanent status is an employment status different from tenure.

*Each institution shall develop criteria and procedures for the review process leading to the granting of promotion and/or permanent status to occur no later than the sixth year of continuous full-time employment. An appointee who has been notified that permanent status has been denied shall be granted an additional and terminal one-year appointment in that rank, but barring exceptional circumstances, shall receive no further consideration for permanent status. Permanent status can be awarded only by an affirmative decision based upon a formal review. Individuals who have been granted permanent status under BOR VII-2.15 B POLICY ON LIBRARIANS, which is superseded by this policy, shall retain this status.

Appointments of faculty librarians with permanent status may be terminated at any time for cause. Cause shall include moral turpitude, professional or scholarly misconduct, incompetence, and/or willful neglect of duty. In addition to being terminated for cause, faculty engaged exclusively or primarily in library services may be terminated because of the discontinuation of the department, program, school, or unit in which the appointment was made or because of the lack of appropriations or other funds with which to support the appointment. Procedures for termination of faculty librarians with permanent status are those that apply to tenured and tenure-track faculty, as described in C.6 through C.11.

Appointments of faculty librarians who do not have permanent status may be determined for cause under policies and procedures that apply to non-tenure track faculty.

*Subject to the approval of the President or designee, the campus libraries of USM constituent institutions shall develop guidelines, procedures, and appropriate criteria for evaluating librarians' performance. These guidelines, procedures, and criteria should be monitored systemwide to ensure equity with respect to standards.

*Every institution shall have written procedures governing the processes on granting promotion and permanent status. Following review for form and legal sufficiency by the Office of the Attorney General, these procedures must be submitted to the Chancellor for review and approval.

A person appointed to the position of Director shall serve in that capacity at the pleasure of the President or his or her designee, regardless of whether the appointee has at the time of the appointment, or obtains during the appointment, permanent status as a librarian.

2. In addition to the ranks listed in **C. Faculty Ranks**, there may also be such other faculty ranks as institutions shall define and include in their respective appointment, rank, and tenure policies, subject to the approval of the Board of Regents.
3. Institutions should specify in writing to faculty at the time of appointment the length of appointment and the applicable terms and conditions of the appointment with regard to tenure.

B. Criteria and Procedures for Promotion and Tenure

1. The criteria for tenure and promotion at Salisbury University are: (a) teaching effectiveness including student advising; (b) research, scholarship, and, in appropriate areas, creative activities; and (c) relevant service to the community, profession, and institution. The relative weight of these criteria will be determined by the mission of the university.
2. *The activities considered to be within the criteria for promotion and tenure shall be flexible and expansive. The assessment of teaching, research/scholarship/ creative activities, and service during the promotion and tenure process shall give appropriate recognition, consistent with the institution's mission, to faculty accomplishments that are collaborative, interdisciplinary, and interinstitutional and to faculty innovations in areas such as undergraduate education, minority- achievement programs, K-16 curriculum development, and technology-enhanced learning.
3. *Every institution shall have written procedures governing the promotion and tenure process. Following review for form and legal sufficiency by the Office of the Attorney General, these procedures must be submitted to the Chancellor for review and approval. These procedures shall include, at a minimum, the following:

Criteria: A statement of criteria upon which reviews will be based, and guidelines for appointment or promotion to each academic rank, with recognition that institutional mission is the primary factor that defines these criteria.

Procedures: A description of tenure and/or promotion review procedures, including participants, documentation, degree of confidentiality, schedule of the annual cycle for reviews, and authority for final approval.

Appeals: A statement of the right of faculty to appeal promotion and tenure decisions, the grounds for such appeals, and a description of appeal procedures.

C. Faculty Ranks

The following criteria are used at Salisbury University to make decisions about the promotion and tenure of faculty.

1. Faculty with Duties Primarily in Instruction, Research and Service

Criteria for Eligibility for Appointment and Promotion to Academic Ranks:

a. Instructor

- 1) As a minimum, a master's degree in the subject field in which the faculty member teaches.
- 2) Pursuit of continued graduate study toward a doctorate or other terminal degree. Upon completion of requirements for the terminal degree, an instructor who meets the requirements for assistant professor may be recommended for promotion to the rank of assistant professor.
- 3) Tenure normally will not be granted at the rank of instructor. The institution will determine the standard for granting tenure in exceptional circumstances.
- 4) Evidence of potential for effective university teaching.
- 5) Willingness to participate in the activities of the academic community.

b. Assistant Professor

- 1) The earned doctorate, or recognized terminal degree in the field of specialization from a regionally accredited or internationally reputable foreign institution. In extraordinary circumstances, the president, after consultation with the appropriate faculty committee at the institution, may waive the criterion of the earned doctorate.
- 2) Evidence of effective teaching.
- 3) Participation in the activities of the academic community at the department, school and university levels including, but not limited to, such activities as performing assigned administrative duties, assuming committee responsibilities, effective academic advising of students, working actively with student organizations, and evidencing interest in external community activities related to the faculty member's area of specialization.
- 4) Evidence of scholarly contribution in the area of specialization including, but not limited to, activities such as research, publication, participation in the programs of professional societies, or professionally recognized performance in the arts.

c. Associate Professor

- 1) The earned doctorate, or recognized terminal degree in the field of specialization from a regionally accredited or internationally reputable foreign institution. In extraordinary circumstances, the president, after consultation with the appropriate faculty committee at the institution, may waive the criterion of the earned doctorate.
- 2) A minimum of seven years of full-time university/college teaching experience with at least five years in assistant professor rank. Exceptions may be made for comparable professional activity or research by the provost.
- 3) Excellence in teaching.
- 4) Evidence of scholarly contribution in the area of specialization including, but not limited to, such activities as research, publication, participation in the programs of professional societies, or professionally recognized performance in the arts.
- 5) Participation in the activities of the academic community at the department, school and university levels including, but not limited to, such activities as performing assigned administrative duties, assuming committee responsibilities, effective academic advising of students, working actively with student organizations, and evidencing interest in external community activities related to the faculty member's area of specialization.

d. Professor

- 1) The earned doctorate or recognized terminal degree in the field of specialization from a regionally accredited or internationally

reputable foreign institution. In extraordinary circumstances, the president, after consultation with the appropriate faculty committee at the institution, may waive the criterion of the earned doctorate.

- 2) A minimum of ten years of full-time university/college teaching experience and at least seven years in the associate professor rank. Exceptions may be made for faculty who have attained national distinction for comparable professional activity or research by the provost.
- 3) Excellence in teaching.
- 4) Evidence of scholarly contribution in the area of specialization including, but not limited to, such activities as research, publication, participation in the programs of professional societies, or professionally recognized performance in the arts.
- 5) Participation in the activities of the academic community at the department, school and university levels, including, but not limited to, performing assigned administrative duties, assuming committee responsibilities, effective academic advising of students, working actively with student organizations, and evidencing interest in external community activities related to the faculty member's area of specialization.

2. Faculty Engaged Exclusively or Primarily in Library Services

The only librarian ranks with non-tenure faculty status are Librarian I, Librarian II, Librarian III, and Librarian IV and such other ranks as the Board of Regents may approve. These titles are to be granted to a limited number of appointees who fulfill roles defined by professional graduate training, such as librarian, curator, archivist, and information scientist. In the overwhelming number of instances, the professional graduate training required is an M.L.S. degree, which is considered the terminal degree in the practice of academic librarianship, from an American Library Association (ALA)- accredited program. However, each constituent institution may define instances when other graduate degrees may substitute for or augment the ALA-accredited M.L.S. Such exceptions will be based on and required by the functional needs of individual positions. In recognition of the operational needs of USM libraries, appointments to these ranks are normally for twelve months with leave and other benefits provided to twelve-month tenured/tenure-track faculty members, with the exception of terminal leave, sabbatical leave, and non-creditable sick leave (collegially supported).

- a. Librarian I: This rank is assigned to librarians just entering librarianship with little or no professional library experience but who have been judged to have demonstrated an understanding of the basic tenets of librarianship and a potential for professional growth. A Librarian I is not eligible for permanent status.
- b. Librarian II: Appointment or promotion to this rank signifies that the librarian has demonstrated effective professional knowledge and skills significantly above those expected of a Librarian I. Normally, a minimum of three years of professional experience is required.
- c. Librarian III: Appointment or promotion to this rank signifies that the librarian has mastered the skills, knowledge, and techniques of librarianship

and has made meaningful contributions to the library, the institution, the library profession, and/or an academic discipline. Normally, a minimum of six years of professional experience is required, three of which must be at a level comparable to the rank of Librarian II at the appointing USM institution.

- d. Librarian IV: Appointment or promotion to this rank is exceptional. This rank is awarded to those librarians who have made distinctive contributions to the library, the institution, the library profession, and/or an academic discipline. This rank normally requires a minimum of nine years of professional experience, at least three of which must be at a level comparable to the rank of Librarian III at the appointing USM institution.

Subject to the approval of the President or designee, the campus libraries of USM constituent institutions shall develop guidelines, procedures, and appropriate criteria for evaluating librarians' performance. These guidelines, procedures, and criteria should be monitored systemwide to ensure equity with respect to standards.

3. Additional Faculty Ranks

- a. Lecturer: This title may be used for appointment at any salary and experience level of persons who are competent to fill a specific position but who are not intended to be considered for professorial appointment. Appointments to this rank shall be for terms not to exceed three years and are renewable.
- b. Artist-in-Residence; **Writer-in-Residence; Executive -in- Residence:** This title may be used to designate temporary appointments, at any salary and experience level, of persons who are serving for a limited time or part-time, and who are not intended to be considered for professorial appointment.
- c. Adjunct Assistant Professor; Adjunct Associate Professor; Adjunct Professor: These titles are used to appoint outstanding persons who may be simultaneously employed outside the institution. The appointee should have expertise in the discipline and recognition for accomplishment sufficient to gain the endorsement of the preponderance of the members of the faculty of the department to which he or she is appointed. Appointment is made on a semester or an annual basis and is renewable. These titles do not carry tenure.
- d. Visiting Appointments: The prefix "Visiting" before an academic title is used to designate a short-term, full-time appointment without tenure.
- e. Emeritus Faculty Appointments: Emeritus status may be bestowed by an institution on the basis of both quality and length of service to the institution. Each institution shall establish guidelines and procedures for awarding this title. Emeritus titles at the System level may be bestowed by the Chancellor.
- f. Distinguished University Professor: This title may be bestowed by an institution to provide special recognition to faculty members. Each institution that chooses to utilize this title shall establish guidelines and procedures for awarding it.

D. Procedures for Promotion of Faculty

1. Following are the procedures for promotion of faculty at Salisbury University that takes place in the Spring semester of each academic year. Faculty at Salisbury University are recommended for promotion on the basis of their a) eligibility by rank and degree as established by the Office of Academic Affairs and b) recommendation by the Committee on Promotions. The University Committee on Promotions is composed of eight voting members: a designated tenured Senator, four tenured faculty elected from and by their respective schools, and three tenured faculty elected at large, two retiring in each of two years, and three retiring every third year. These faculty may not themselves be eligible for promotion during their term of service on the committee. All materials submitted by faculty for consideration for promotion will be maintained in confidence and safekeeping by the University Committee on Promotions.
 - a. Faculty members who seek promotion obtain certification of eligibility by rank and degree from the Office of Academic Affairs and submit this with documentation that they have met the criteria for promotion as described in section **B.1 (Criteria and Procedures for Promotion and Tenure, page 56)** of this document to their departmental promotions committees for endorsement. (Requirements for the number of faculty who serve on departmental promotions committees, procedures for the selection of those faculty and the criteria used in their selection are described later in this document.)
 - b. Departmental promotions committees add their recommendations to the candidate's application file and forward the file to department chairs, who in turn add their recommendations to the candidate's application file and forward the file to the deans of their schools. Deans of schools add their recommendations to the candidate's application file and forward the file to the University Committee on Promotions. Names of faculty recommended for promotion by their department promotions committees must go forward to the Committee on Promotions even if they do not receive approval from department chairs or deans of schools. Names of faculty recommended by departmental promotions committees which go forward lacking recommendation of a department chair or school dean are accompanied by written statements of non-recommendation they receive.
 - c. Each application for promotion should be initiated through the submission of credentials to a departmental promotions committee, the department chair and dean of the school. All applications for promotion must receive consideration by department committees, chairs and deans.

- d. The Committee on Promotions reviews the recommendations for promotions which it has received from eligible faculty, with or without endorsement of departmental promotions committees, department chairs or deans using the criteria described in section **B.1** of this policy and the guidelines described in section **D.1** of this document.
 - e. The Committee on Promotions sends its recommendations for faculty promotions to the provost and privately notifies, in writing, each faculty member who has applied for promotion of its recommendation.
 - f. The provost reviews recommendations for faculty promotion submitted by the Committee on Promotions and makes recommendations for faculty promotion to the president.
 - g. The president in consultation with the provost makes final decisions regarding faculty who will be promoted and faculty who will not be promoted and the president notifies faculty of these decisions in writing.
 - h. The provost and the president of the university may promote faculty who have not been recommended for promotion by their departmental promotions committees, department chairs, deans or the Committee on Promotions.
2. Deadlines for completion of each step in the procedures for the promotion of faculty are presented below in **Figure 1**.

Figure 1. Procedures for Faculty Promotion

STEP	DEADLINE
a. Establishment of promotion eligibility list by Office of Academic Affairs.	February 1
b. Submission of promotion file by faculty to departmental promotions committees.	February 15
c. Report of promotions recommendations to department chairs by departmental promotions committees.	March 1
d. Report of promotions recommendations to school deans by department chairs.	March 15
e. Report of promotions recommendations to Committee on Promotions by school deans or by unendorsed applicant faculty.	March 30
f. Recommendations for promotion to provost by Committee on Promotions and notification in writing to applicant faculty.	April 22
g. Recommendations for promotion to president by provost.	May 1
h. Notification of promotion to faculty in writing by the president.	May 15

3. Following are the Committee on Promotions guidelines for using criteria to evaluate faculty promotion applications.
- a. The balance between the areas of teaching/advising, scholarship and creative activities, and service is subject to professional peer evaluation within the following guidelines:

- 1) Teaching is the primary criterion for consideration. Assistant professors are expected to be effective teachers; associate and full professors are expected to be excellent teachers.
 - 2) Achievement in scholarship and creative activities and in service are also expected of all candidates for promotion. The balance between these criteria may differ for individuals, but evidence of both is expected of all candidates for promotion.
4. Individuals seeking promotion to the assistant or associate professor rank should not be required to provide evidence of superior performance in all three areas mentioned above. However, those seeking promotion to the rank of professor should be superior in all categories. Additionally, it should be understood that for promotion to any rank an individual need not provide evidence of superior performance in all categories for each year.
 5. Superior performance is defined as performance which is at least equal to the performance of those individuals who have been, within the past few years, recommended by the Committee on Promotions for promotion to the rank being sought.
 6. As faculty members rise in professional rank, they will achieve wider recognition, and the quality of professional activities expected will increase. For example, it is expected that an assistant professor will have better professional credentials than an instructor, an associate professor better credentials than an assistant professor, and a professor better credentials than an associate professor.
 - a. **Teaching:** Of primary importance to any faculty member recommended for promotion is the demonstration of and the reputation for exceptional teaching. It is the responsibility of the candidate for promotion to demonstrate and produce support of this teaching expertise. That support may take the form of self-evaluation, peer evaluation, student evaluation, and any other recognized evaluative measures which the candidate or the department selects, such as syllabi of new course, samples of student work, and descriptions of innovative and creative classroom activities. Other factors will be considered, but promotion will not be granted without evidence of successful teaching.

Good teaching is the primary goal for faculty at Salisbury University. Good teaching implies the need for constant striving to improve and continual efforts to teach more effectively than previously. Good teaching includes fresh approaches to a course, innovations, creativity, designing productive experiments and field experiences, and eliciting creative work from students. Growth in teaching is demonstrated by specific activities such as creating new courses, revising curriculum and earning teaching awards because of improved teaching.

- b. **Professional Activity:** The university expects faculty to be dedicated to scholarly pursuits and to be professionally active as evidenced by scholarly contributions in their professional area(s) of specialization and by participation in the activities of academic and external communities. "Area of specialization" is defined as an area of knowledge or skill related to one's teaching or research in which an individual develops a recognized level of expertise.

Absolute distinction between scholarship and service is not always possible. Faculty members applying for promotion should indicate the category in which they wish their activities to be classified as either "scholarship and creative activities," or as "service."

- 1) Scholarship and Creative Activities: Devotion in learning to continually developing knowledge, accuracy, critical ability and to giving or being responsible for furnishing knowledge or ideas; creating and presenting one's art form or developing and presenting one's research.

The six categories listed below include examples of activities used for judging a candidate's scholarship and creative efforts. The activities in each category are ordered on the basis of movement from a local audience to a national audience or from the inception to the completion of a project. Faculty seeking promotion to the rank of assistant professor should be engaged in some lower level activities. Faculty seeking promotion to the rank of associate professor should be engaged in some of the higher-level activities. Faculty seeking promotion to the rank of full professor should be engaged in most of the higher-level activities.

Examples of Scholarship and Creative Activities

Participation in academic work related to one's area of specialization or the development of a new area of specialization.

- a) Taking courses, attending workshops, clinics, seminars, etc.
- b) Completing the academic (terminal) degree
- c) Obtaining and maintaining professional licensure, certification, etc.

Participation in research and/or creative activities.

- a) Carrying out research and/or creative projects
- b) Publishing research in a book and/or article

Participation in grant activities.

- a) Developing grant proposals
- b) Receiving grant awards

Participation at professional societies and/or professional performance in the arts.

- a) Presenting at local workshops, conferences, lectures, exhibitions, recitals, concerts, performances, etc.
- b) Presenting at state/regional workshops, conferences, lectures, exhibitions, recitals, concerts, performances, etc.
- c) Presenting at national and/or international workshops, conferences, lectures, exhibitions, recitals, concerts, performances, etc.

Participation in publishing, consulting, and/or editing activities; judging creative activities.

- a) Consulting with professionals in one's area of specialization
- b) Editing or serving on an editorial board, refereeing journal articles
- c) Securing a book contract or article acceptance from a publisher
- d) Publishing a book and/or article

Recognition for scholarly and/or creative activities.

- a) Receiving recognition, scholarship(s), or award(s) from the department, school or university
- b) Receiving recognition, scholarship(s), or award(s) from another organization or professional society

- 2) Service: Participation, performance, and/or leadership undertaken which advances the mission of the institution, either on the campus or in external community activities.

The five categories listed below are the criteria for judging a candidate's service. There is no order to the categories and no order within the categories.

Examples of Service Activities

Performing voluntary administrative duties.

- a) Participating in university wide activities such as orientation, recruitment, etc.
- b) Participating in special university programs
- c) Providing school/department leadership

Assuming committee responsibilities.

- a) Being actively involved or providing leadership on school or department committees
 - b) Being actively involved on committees of the University Forum and other university wide committees
 - c) Performing leadership on committees of the University Forum
 - d) Being actively involved or providing leadership on system-wide committees

Supporting student programs/activities.

- a) Directing department programs/activities
- b) Acting as advisor for interdisciplinary programs
- c) Working with student organizations
- d) Serving as leader/advisor in student organizations

Service participation in professional societies.

- a) Participating in leading local workshops, conferences, lectures, exhibitions, recitals, concerts, performances, etc.
- b) Participating in leading state/regional workshops, conferences, lectures, exhibitions, recitals, concerts, performances, etc.
- c) Participating in leading national and/or international workshops, conferences, lectures, exhibitions, recitals, concerts, performances, etc.

Performing Participation in external community activities.

- a) Voluntarily contributing time and resources outside one's area of specialization
- b) Voluntarily contributing time and resources within one's area of specialization

7. Although no equations are offered to measure relative importance of the criteria for evaluation, it is clear that excellence in teaching, the primary consideration for promotion, derives from a dedication to scholarship and a concern for the integrity of the profession and the institution. Therefore, attention will be given to all three areas: effective teaching, scholarship and service. The various departments and schools should provide guidance concerning the activities that are appropriate for faculty. The more ways candidates excel in all three areas during the period in rank, the better their chances for promotion.
8. Guideline for faculty's documentation of teaching, scholarship and service and for preparing materials which faculty wish to use in support of their applications for promotion are detailed in **Appendix C**.

E. Procedures for Granting of Tenure to Faculty (For school deans, see policy on tenure of school deans.)

1. According to the American Association of State Colleges and Universities in its 1971 pamphlet entitled Academic Freedom and Responsibilities, and Academic Tenure. ".....tenure.....is a means of making the teaching profession attractive to persons of ability, and constitutes an important protection for academic freedom. It, thus, contributes to the success of an institution in fulfilling its obligations to its students and to society."
2. Tenure has traditionally been the prerogative of academic departments, subject to administrative approval. Since there is considerable diversity among academic departments, each department shall establish its own tenure review committee. Departmental committees will establish written standards/guidelines for faculty member performance necessary for the granting of tenure. Performance areas will include teaching, scholarship, and service. The written standards/guidelines for each

department shall be subject to the approval of the tenured faculty of the department, the department chair, the dean of the school, the Committee on Academic Freedom and Tenure, and the provost. The dean of the school shall be responsible for explaining to tenure-track faculty the expectations of the school regarding standards for tenure.

3. Following are the procedures for the granting of tenure to faculty at Salisbury University. Faculty at Salisbury University are recommended for tenure on the basis of their a) eligibility by appointment to a tenure-track position, b) by years of service as established by the Office of Academic Affairs and c) recommendations by department tenure committee, department chair, school dean and the provost.
 - a. In the fall semester of each academic year, the Office of Academic Affairs establishes a list of all faculty who are eligible for review of their service for the granting of tenure in the subsequent academic year. The associate provost of academic affairs notifies deans of the names of faculty in each academic department who should be reviewed for tenure so that reviews may be carried out in accordance with System policy for such reviews.
 - b. Upon receipt of names of faculty eligible for tenure, deans assemble a tenure review file for each eligible faculty member. The tenure review file consists of a copy of the faculty member's contract, a statement of certification of years of service from the Office of Academic Affairs, the completed Application for Faculty Tenure form (see **Appendix D**) and related pertinent information specified by this form. Deans send these files to the tenure committees of the academic departments to which eligible faculty belong.
 - c. Upon receipt of tenure files of faculty applying for tenure, departmental tenure committees review files and make recommendations to their department chairs regarding which faculty should be awarded tenure. These recommendations are added to faculty tenure files.
 - d. Department chairs review recommendations for faculty tenure from departmental tenure committees and make recommendations to the deans of their schools regarding faculty who should be awarded tenure. These recommendations are added to faculty tenure files.
 - e. Deans of schools review recommendations for faculty tenure which they receive from their department chairs, add their recommendations to the faculty tenure files and send these files with their recommendations to the provost regarding faculty who should be awarded tenure.
 - f. The provost reviews recommendations and faculty tenure files received from deans of schools and makes recommendations to the president of the university regarding faculty who should be awarded tenure.
 - g. The president, in consultation with the provost makes final decisions as to whether or not to award tenure to applicant faculty and notifies faculty in writing of that decision.
4. Deadlines for completing each step in the procedures for granting of tenure to faculty are presented in **Figure 2**. This timeline is carried out in the fall semester of each academic year so that faculty seeking promotion in the spring of the academic year will have been reviewed for tenure when they seek promotion.

Figure 2. Procedures for Faculty Tenure

STEP	DEADLINE
a. Notification by Academic Affairs Office to deans of tenure-track faculty eligible for review.	September 15
b. Notification by faculty member to department chair of intention to apply for tenure.	October 1
c. Report of recommendations for faculty tenure to department chairs by departmental tenure committees.	November 1
d. Report of recommendations for faculty tenure to deans by department chairs.	November 15
e. Recommendations for faculty tenure to provost by deans.	December 1
f. Recommendations for faculty tenure to president by provost.	December 15
g. Notification of award of tenure to faculty in writing by the president.	January 15

5. Annual Tenure Review Procedures

- a. Every untenured, tenure-track faculty member, will be evaluated annually by the appropriate departmental tenure review committee. These reviews should document the faculty member's progress towards tenure in the areas of teaching, scholarship, and service.
- b. Department chairs and deans will include as part of each untenured, tenure-track faculty member's annual evaluation, comments concerning progress towards tenure in the areas of teaching, scholarship, and service.
- c. The Committee on Academic Freedom and Tenure shall serve as the appeal body for faculty members denied tenure.

F. Procedures for Faculty Appeals in Matters of Promotion and Tenure

1. The president of the university has the final authority to decide on appeals from faculty for promotion and tenure decision.
2. Appeals by faculty of promotion and tenure decisions may be made only on the basis of an allegation of error in procedures or in due process of law. Mere disagreement with the substance of recommendations of departmental committees, department chairs, deans of schools, and the provost or with the decisions of the president is not cause for appeal.
3. Appeals by faculty which are related to allegations of unlawful discrimination based arbitrarily upon race, color, national origin, sex, age, marital status or handicap will be handled through Grievance Procedures for Faculty which are contained in **Appendix E**.
4. When a faculty member wishes to appeal a promotion or tenure decision, the faculty member will notify the provost who will in turn notify the president. The president will then refer the case for review and recommendation to the Committee on Academic Freedom and Tenure which will serve as an appeals hearing board.
5. The Faculty Welfare Committee will mediate, gather information, offer counsel and make recommendations to the president regarding the appeal but does not have the authority to overturn promotion and tenure decisions previously made. If in the opinion of the committee no basis for appeal exists or the case reaches beyond the purview of the committee, the committee may recommend to the faculty member concerned other avenues of appeal.
6. When the Faculty Welfare Committee elects to pursue the appeal by a faculty member of a promotion or tenure decision, they may meet with department chairs,

deans, the Committee on Promotions and/or the provost to mediate and gather information.

7. Once the Faculty Welfare Committee has made its recommendations in the matter of an appeal of a promotion or tenure decision by a faculty member, the committee will send that recommendation to the president who will make a final decision regarding the appeal.
8. The Faculty Welfare Committee will maintain its deliberations in matters of faculty appeals of promotion and tenure decisions in strict confidence and will gather necessary information and forward recommendations with the utmost discretion.

(Revisions Approved Fall 2000
Updates per USM)

(BOR II - 1.00)

G. Appointment, Rank, Promotion and Permanent Status of Librarians

1. Introduction

The mission of the Library entails close relations between library faculty and the academic programs of the University. Librarians at Salisbury University hold non-tenure faculty status and are allied with the academic teaching faculty in accomplishing instruction and research objectives. In order to better realize these evolving objectives, library faculty are expected to continue study in their field and to advance themselves professionally. This perception of librarianship at SU is intended to promote continued professional accomplishment, to encourage and reward higher standards of performance and, ultimately, to benefit the University.

Library faculty, both full and part-time staff, are employed at libraries within the University System of Maryland (USM) within the context of two systems:

- a. a system of functional position categories and
- b. a system of faculty ranks.

Each library faculty member holds a *position* based on job responsibilities (both technical and administrative). Initial assignment to a specific position and any subsequent reassignments are made administratively by the Dean of Libraries and Instructional Resources in accordance with applicable USM and SU policies and procedures governing library faculty employment.

In addition to a position assignment, each library faculty member, with the exception of the Dean, holds a title-denoting faculty *rank* which is independent of the *position* and which reflects the level of professional achievement of the individual. Initial assignment and any subsequent promotion in rank is administrated through the system described below.

Individual's salaries reflect the interaction of these two systems. In brief, an individual's salary at any point in time is governed by two factors:

- a. the character of the position held and responsibilities assumed

- b. the individual's professional performance.

The maintenance of standards and the recognition of achievement are the responsibility and privilege of the profession as a whole and are shared by each of its members. To provide SU library faculty the opportunity to discharge this responsibility, peer evaluation is one element of the promotion procedure. Although final authority within the Library for appointment, promotion and retention decisions rests with the Dean of Libraries and Instructional Resources, a committee of peers helps to keep the evaluation process consistent, systematic, broad-based and fair.

This document applies to all permanent (non-temporary, non-contractual) library faculty holding full or part-time appointments at the Library, Salisbury University.

2. Library Faculty Ranks

See Policy on Appointment, Rank and Tenure of Faculty on page 59

3. Procedures for Assignment of Rank upon Initial Appointment

At the time of a librarian's initial appointment to a position in the SU Library, the Dean of Libraries and Instructional Resources shall assign to that person an initial faculty rank which is, in the Dean's judgment, commensurate with the individual librarian's prior professional accomplishments and attainments. In addition to considering the librarian's accomplishments in light of criteria outlined above in item 2, "Evaluation Criteria for Rank and Promotion", the Dean shall also take into consideration any faculty/professional rank attained by the librarian in previous employment at other institutions.

When formally offering appointment, the Library Dean shall communicate the assigned faculty rank to the librarian and shall provide the librarian with a copy of the document.

4. Evaluation Criteria for Rank and Promotion

The general criteria for initial assignment, any subsequent promotion in rank, and permanent status measure the librarian's contributions to the University and librarianship.

These include: quality of performance in the area of the candidate's responsibility, as well as the quality of service on library committees and task forces, library instructional activities, professional activity outside the library, research and academic achievement and participation in University affairs. The criteria are not of equal significance and the degree of importance given to any one of them may vary from one candidate to another.

Advancement in rank is not automatic upon accumulation of years of experience, but is based on an assessment of the performance and attainments achieved by the librarian.

It is the intent of the faculty rank system to foster the professional development of the individual through external activity and study in conjunction with, but not at the expense of, fulfillment of responsibilities to the SU library.

Consistently high quality job performance must be demonstrated for any promotion. In promotion from ranks I to II and II to III, job performance is typically the single most important factor. In promotion from ranks III to IV other factors in addition to job performance are ordinarily given increased weight. The specific criteria listed on the following page indicate the basic factors considered in making recommendations for

promotions in rank. They apply to all levels of ranks, although expectations of growth and accomplishment increase at each level.

5. Job Performance

The candidate is expected to demonstrate competence in his or her assigned areas of responsibility. The supervisory evaluation is the key element in the determination of the quality of performance. Among the factors to be considered are:

- consistency of performance
- ability to innovate
- initiative
- ability to work effectively with others
- responsibility
- ability to organize work and complete tasks promptly
- response to criticism
- dependability
- accuracy
- oral and written skills
- judgment
- professional attitude
- adaptability
- leadership

6. Library Committees, Special Assignments and University Service

The quality and extent of contributions made to the solution of library problems through service on internal committees, task forces and the instructional program will merit consideration for promotion even though such service may be unrelated to the individual's primary area of responsibility.

Among the factors to be considered are:

- fulfillment of basic obligations of attendance and participation
- working relations with other members
- timely completion and quality of committee assignments
- standing for election to Forum committees
- serving on University task forces
- participating in the work of University and community organizations and activities

7. Professional Activities, Continuing Education, Research and Publications

Meaningful participation in professional activities on local, state and national levels will be considered in promotion.

Examples of such participation include:

- offices held
- committee assignments
- papers presented
- awards received
- leadership of seminars and workshops

The candidate is expected to demonstrate continued study in relevant fields. Involvement in continuing education activities such as formal courses, seminars and workshops, as well as advanced degrees obtained or in progress will be considered in promotion. Professional contributions such as articles, book reviews, bibliographies and in-house handbooks & brochures will also be considered. When making a decision about permanent status, criteria in addition to those listed above shall also be used. The needs of Salisbury University at that time, whether the expertise offered by the candidate rounds out the Library, or duplicates expertise offered by other permanent staff, the impact of a permanent status offer on the budget of the Library and the University, and other matters may be considered.

8. Guidelines for Application of Evaluation Criteria for Promotion of Librarians

a. Librarian II level indicators: Candidates must meet all of the following

1) Job Performance

Meets or exceeds standards in all categories of evaluation in two most recent evaluations or proof that any "Below Standards" ratings were fully addressed and corrected before the submission of the candidate's dossier.

Contributes substantively (with specific instances documented by supervisor and references) to the maintenance of quality or improvement of quality in Library services and resources.

Successful documented completion of one or more significant and relevant (approved in advance by supervisor or the Library administration) projects for the library.

Demonstrated broad knowledge of librarianship and in-depth knowledge of specialties within areas of responsibility (established by supervisor and references) as appropriate to SU's mission.

2) **Professional Activities, Continuing Education, Research, Publications**

Evidence of active membership in at least one relevant professional organization.

Documented attendance at some off-campus professional meetings.

Evidence of continuing study and ongoing enhancement of candidate's knowledge level in areas of responsibility.

Publications, creative projects, or significant reports which were well written without the intervention of others; examples of such written work must be included in the dossier.

3) **University Service**

Evidence of participation in campus committees and projects.

b. Librarian III level Indicators

In addition to the indicators for Librarian II, above, demonstrate evidence of leadership and initiative in areas of responsibility beyond that of a Librarian II.

- 1) Successful documented completion of a major relevant project (approved in advance by the supervisor and the library administration) or improvement within the Library.
- 2) Evidence of leadership and initiative in projects and assignments, which extend beyond areas of responsibility.
- 3) At least two publications (or works accepted for publication), *or* presentations in areas of library expertise, *or* creative projects.
- 4) Successful service on a committee, activity, task force or project outside of Blackwell Library.
- 5) Leadership *or* very high quality participation in professional activities.

c. Librarian IV Indicators

In addition to meeting the criteria noted above, the candidate should have made contributions to the Library, the campus or the profession that clearly set the candidate apart. This would include at least three of the following:

- 1) Providing USM, Statewide, or national leadership through holding office in professional associations or otherwise contributing to significant progress in the field.

- 2) Winning a grant and successfully completing the grant project.
- 3) Producing a major improvement for the SU Library or chairing a group, which realized such improvement.
- 4) Achieving unusual formal recognition, honors or awards for outstanding service or leadership over an extended time period or for an exceptional achievement.
- 5) Leadership or teaching within the Library in which other staff members have benefited over a period of time, or high level training of other staff.
- 6) A publication record.

9. Dossier Contents and Responsibilities

- a. Items to be supplied by the candidate at initial application for promotional review:
 - 1) **Resume**
 - 2) **Summary of Professional Activities during the Review Period** - one page prepared by the candidate and signed by the supervisor(s).
 - 3) **Transcript(s)** - Original Transcript(s) documenting any formal continuing studies during the review period.
 - 4) **Publications** - copies of up to 3 professionally-relevant publications.
 - 5) **Other** - The candidate may submit any other materials concerning his/her professional capabilities and accomplishments which support the application for promotion.
- b. Items to be supplied by others during the course of promotional review:
 - 1) **Current position description** - updated as necessary by the supervisor and candidate. Added to the dossier by the Dean of Libraries and Instructional Resources.
 - 2) **Performance Appraisals** - the two most recent annual performance appraisals completed by the librarian's supervisor(s) using standard SU forms. Added to the dossier by the Dean of Libraries and Instructional Resources.
 - 3) **Letters of Reference** - correspondence to and from any references and any letters of reference.
 - 4) **Other** - Additional information from inside and outside the library in order to complete documentation needed to make a

recommendation.

- a) letter from LFPRC to candidate requesting information
 - b) candidate response
 - c) other documents deemed appropriate by the candidate
- 5) **Recommendations and Actions** - (1) letter conveying decision of LFPRC supplied by LFPRC Chair; (2) decision of Dean of Libraries and Instructional Resources; (3) decision of Provost or designee.

10. The Library Faculty Promotion Review Committee

The Library Faculty Promotion Review Committee (LFPRC) assesses and reports on the accomplishments of each candidate within the criteria defined in this policy and provides to the Dean of Libraries and Instructional Resources an objective and thorough evaluation of the candidate's qualifications for promotion.

- a. The LFPRC is a standing committee, which consists of three librarians above the rank of Librarian I. The Dean of Libraries and Instructional Resources is ineligible for service on the Promotion Review Committee.
- b. Two members and one alternate are to be elected by the library faculty staff of the SU Library holding regular line item (non-temporary, non-contractual) appointments. One member and an alternate for that member is appointed by the Library Dean.
- c. The term of service for committee members is two years. Members serve staggered terms to preserve continuity from one year to the next. An alternate serves a one-year term. Following the completion of a full term on the LFPRC, a member is ineligible for election to the LFPRC for a period of one year.
- d. No committee member may be present at or participate in discussion or vote on his or her own application for promotion, nor may any member be present at or participate in discussion or vote on the application of his or her direct supervisor. Nor may any member be present at or participate in discussion or vote on the application of any individual with whom there may be a clearly defined conflict of interest. The Dean of Libraries and Instructional Resources will be responsible for identifying such situations and informing the LFPRC of them in writing prior to the first meeting of the Committee. Should the LFPRC have questions concerning other potential conflicts of interest, the Dean of Libraries and Instructional Resources will be responsible for deciding whether a member of the Committee should be excluded from participating in discussion or voting on a candidate's application for promotion.
- e. At its first meeting within a review cycle, the LFPRC members shall elect one of the committee members to serve as chair of the committee. Depending on which librarians apply for promotional review during a particular annual review cycle, it is possible that no

single committee member would be eligible to serve as chair for review of all the librarian candidates. In such circumstances, the committee should elect an additional chair to supervise and conduct those reviews for which the first chair is ineligible to serve as a voting member. Alternates shall attend the meetings of the committee but shall vote only when needed to constitute a quorum. The term of the chair is one year. The chair may serve successive terms as chair.

- f. A quorum shall consist of three members of the Committee.
- g. Members of the LFPRC must regard their work to be of the utmost confidentiality. Any discussion of matters that come before the Committee to anyone not on the Committee or discussion of these matters in public areas or in unofficial meetings is inappropriate. Any and all such behavior shall be regarded as a serious breach of confidentiality and shall be subject to disciplinary action.

11. Procedures and Calendar for Promotional and Permanent Status Review

The following procedures and sequence of operations are to be followed by all candidates and by all committees. The procedures have been established to promote consistency of application from one year to the next and to guarantee full and fair hearings for all candidates.

NOTE: The review and promotion procedures coincide with the SU fiscal calendar rather than with the anniversary date of the candidate's appointment. If a candidate's initial appointment date falls between January 1 and June 30, the years in rank shall be calculated as if the appointment became effective on the July 1 following the actual appointment. If a candidate's initial appointment date falls between July 1 and December 31, the years in rank shall be calculated as if the appointment became effective on the July 1 preceding the actual appointment. It is understood that when events are to take place on certain dates specified in this section, that they will occur on that date, if it is a work day, or on the most immediate following work date.

12. Promotion Review Sequence

- a. The Dean of Libraries and Instructional Resources shall notify all Library Faculty without permanent status who are in their required review year no later than July 15 that they must apply for permanent status. (see Section 13, "Promotional Review Timetable")
- b. Except as provided in #1 above, librarians are responsible for tracking their eligibility for promotional review, in consultation with the Library Dean, and for initiating the review process at the appropriate time, if they so elect.
- c. The candidate for promotion must submit a dossier to the Library Dean by August 15 (See #9: "Dossier Contents and Responsibilities"). The Dean shall confirm receipt of the dossier in writing to the candidate. The Library Dean shall add to the dossier copies of the two most recent SU supervisory evaluation forms completed. The Dean shall make the candidate's dossier available for use by the Chair of the LFPRC and for LFPRC committee members thereafter under secure and confidential conditions. All parties are responsible for maintaining security and confidentiality of these materials.
- d. The Chair of the LFPRC forwards a copy of the updated curriculum vitae from the dossier to the candidate's current supervisor(s) and requests a letter of reference assessing the candidate's job performance and any other areas that the current supervisor(s) may be able to evaluate. In those cases in

which the current supervisor has been in the position for less than one year, the past supervisor will be contacted as well.

- e. In order to provide the LFPRC and responsible administrators with broad based documentation of achievements, candidates should supply the Committee with those materials sufficient to document their entire range of achievements, for both job performance and professional development. The LFPRC may solicit additional information to ensure that the LFPRC receives a full picture of the candidate's activities. Any letters of reference shall be kept in strictest confidence so as to protect the privacy of the candidate and to encourage references to be frank and accurate in their descriptions of candidates' strengths and weaknesses. Under no circumstances shall the candidate see the letters nor shall the contents of the letters be made public.
- f. The supervisor's letter of reference and any other letters of reference shall be submitted to the Chair of the LFPRC by September 15. This material becomes part of the candidate's dossier. It is considered confidential material for the use of the LFPRC. In the event letters of reference or the supervisor's evaluation are not received by September 15, the Dean of Libraries and Instructional Resources will be advised of the delay.
- g. The Committee shall complete its consideration and reach a decision by secret ballot and shall send written notification of its vote result and recommendation to both the candidate and the Dean of Libraries and Instructional Resources by October 15. This letter shall become part of the dossier. If the recommendation is negative, the candidate may either request that the dossier be forwarded to the Dean of Libraries and Instructional Resources or may withdraw at this point from further consideration. The candidate must notify the Dean of Libraries and Instructional Resources in writing of his/her intention to forward or withdraw his or her application for promotion by November 1.
- h. In the event that the candidate withdraws from further consideration at this point, the dossier shall be treated as described on **page 78** (Item k). Should the candidate apply for promotion at another time, there shall be no discussion of or reference to any previous application by the candidate. Each application for promotion is to be considered solely on its own merits at the time it is submitted.
- i. The Dean of Libraries and Instructional Resources receives the dossiers and evaluates each. The Library Dean shall accept or reject the request for promotion in writing, and provide copies of that document to the candidate and the LFPRC by December 1. The candidate either may request that the dossier be forwarded to the Provost or his designee or may withdraw from further consideration.

The candidate must notify the Dean of Libraries and Instructional Resources in writing of his/her intention to forward or withdraw his application for promotion by December 15. In the event that the candidate withdraws from further consideration at this point, the dossier and its supporting documentation shall be treated as described below (Item k). Should the candidate apply for promotion at another time, there shall be no discussion of or reference to any previous application by the candidate. Each application for promotion is to be considered on its own merits at the time it is submitted.

- j. The Provost or designee receives the dossiers and the written

recommendation or non-recommendation of the Dean of Libraries and Instructional Resources. The Provost or designee will notify the candidate and the Dean of Libraries and Instructional Resources in writing of his/her approval or disapproval by January 25. The Library Dean shall then notify the LFPRC of the final decision status in writing by February 5. The dossier shall be treated as described below (Item k). Should the candidate apply for promotion at another time, there shall be no discussion of or reference to any previous application by the candidate. Each application for promotion is to be considered solely on its own merits at the time it is submitted.

- k. At whatever point the promotion process is terminated, the dossier and all related correspondence and notes shall be retained in its entirety by the Dean of Libraries and Instructional Resources. This supporting documentation shall be sealed and kept in a separate secure promotion file apart from the candidate's personnel file. Appropriate records retention procedures and schedules will be followed.

13. Promotional and Permanent Status Review Timetable

a. Promotion from Librarian I

Promotion review is mandatory for library faculty at this rank and is based on the actual anniversary date of appointment.

One who has completed his/her fifth consecutive year of full-time employment as a Librarian I must undergo mandatory promotional review in the next available review cycle. Those who have completed three consecutive years of full-time employment and are eligible for promotion to Librarian II are strongly urged to apply for that promotion at the earliest opportunity.

Promotion to Librarian II, if granted, is announced immediately and becomes effective as of July 1.

If promotion from Librarian I to Librarian II is denied during the employee's sixth consecutive year of full-time employment as a Librarian I, the individual's employment will be terminated in accordance with applicable provisions of USM personnel policies and regulations.

b. Promotion from ranks of Librarian II and Librarian III

Promotional review is neither mandatory nor automatic for library faculty at these ranks. To be considered for promotion the individual librarian must initiate the process described above through submission of a dossier to the Dean of Libraries and Instructional Resources by the required date.

1) Promotion from Librarian II to Librarian III

Review for promotion to Librarian III normally begins after at least 6 years of professional experience (3 of which must be at a level comparable to the rank of Librarian II at SU).

Promotion to Librarian III, if granted, is announced immediately and becomes effective as of July 1.

If a staff member is denied promotion to Librarian III, he or she shall not be reviewed in the next review cycle.

2) Promotion from Librarian III to Librarian IV

Review for promotion to Librarian IV normally begins after at least 9 years of professional experience (3 of which must be at a level comparable to the rank of Librarian III at SU).

Promotion to Librarian IV, if granted, is announced immediately and becomes effective as of July 1.

If a staff member is denied promotion to Librarian IV, he or she shall not be reviewed in the next review cycle.

c. Early Promotion

Consideration for early promotion may be initiated, normally by a supervisor, in recognition of superior performance or extraordinarily rapid professional development. The librarian may accept or decline opportunity for early promotional review without prejudice to any future review eligibility.

d. Permanent Status Review

Regardless of rank held, one who has completed his or her fifth consecutive year of full-time employment in a Library Faculty Staff line item position (non-temporary, non-contractual) must undergo mandatory review in the next available review cycle. Such review shall follow the form and timetable established in the above-stated procedures and shall yield a decision to confer or deny permanent status to the individual.

If permanent status is denied, the individual's appointment will be terminated in accordance with applicable provisions of USM personnel policies and regulations.

Initial implementation: With final approval and adoption of these “Implementation Procedures” at SU occurring in spring 1998, the first promotional review cycle available shall be that running from July 15, 1998, to February 5, 1999. Therefore, those librarians who have not already achieved permanent status within the USM on or before May 5, 1999, shall be considered for permanent status through previously existing policies and procedures governing the evaluation and retention of Library Faculty Staff.

e. Appeal of Promotion and Permanent Status Decisions

If a library faculty staff member wishes to appeal the decision regarding promotion in rank, or a decision regarding permanent status, the appeal should be submitted in accordance with those USM and SU policies and procedures governing employee grievances. Appeals may be made only on the basis of an allegation of (1) a serious error in procedures which had a negative impact on the outcome of the decision; or (2) arbitrary and capricious decision-making. Mere disagreement with the substance of recommendations is not cause for appeal.

f. General Appeals

Appeals of management decisions, policies, procedures or practices are handled according to Section VII - 8.00 - POLICY ON GRIEVANCES FOR ASSOCIATE STAFF AND CLASSIFIED PERSONNEL of the *USM Bylaws, Policies and Procedures of the Board of Regents*, as approved by the Board of Regents, February 28, 1992

14. Professional Leave

The president of Salisbury University may grant professional leave to library faculty. The primary purpose of such leave is to provide an opportunity for employees to conduct scholarly or creative work that helps implement the mission of the university and enhances their standing in their profession. Guidelines follow those in *Salisbury University Policy on Sabbatical Leave for Faculty* on page 109. Where the term “department chair” appears, substitute “Dean of Libraries and Instructional Resources”. Requests, with recommendations, are forwarded to the Provost for approval and recommendation to the President.

15. Removal for Cause

The President of Salisbury University may terminate the appointment of faculty librarians with permanent-status for cause. Cause shall include moral turpitude, professional or scholarly misconduct, incompetency, and/or willful neglect of duty, provided that prior to the termination the following steps are taken:

- a. the charges are stated in writing and the appointee is furnished a copy thereof;

- b. the Provost is asked by the President to informally inquire as to the possibility of effecting an adjustment to the situation, which would prevent termination;
- c. where such mediation fails, the appointee is given an opportunity to request a hearing by an impartial hearing officer appointed by the President or the Provost.

In addition to being terminated for cause, faculty engaged exclusively or primarily in library services may be terminated because of the discontinuation of the department, program, school, or unit in which the appointment was made or because of the lack of appropriations or other funds with which to support the appointment.

Upon notice of termination, the appointee will have thirty calendar days to request a hearing. The hearing will be held no sooner than thirty days after receipt of such a request. The date of the hearing will be set by mutual agreement of the appointee and the hearing officer. The hearing officer will make a recommendation to the president for action to be taken. The recommendation will be based only on the evidence of record in the proceeding. If the president does not accept the recommendation of the hearing officer, the reasons will be communicated promptly in writing to the appointee and the hearing officer. The appointee may elect to be represented by counsel of his or her choice throughout termination proceedings.

H. Tenuring of School Deans

Salisbury University will provide tenure for school deans concurrent with their initial selection. Tenure will be granted in the academic department most closely identified with their teaching experience and educational background.

Procedures for Granting Tenure to School Deans

- X All vacancy announcements will indicate that successful candidates must meet tenure approval in an academic department.
- X When the search committee has selected those finalists they desire to interview, the search committee shall request each appropriate departmental tenure committee to review and tentatively approve such candidates before an invitation to interview will be made. Tenure committees will provide such notification within five (5) working days.
- X In the event a candidate's educational and teaching background does not clearly fit within one of the university's academic departments, the provost will notify the schools' department chairs who will review the applicant's background and forward the credentials to the most appropriate tenure committee.

- X During campus visitations, candidates will be interviewed by the same departmental tenure committee that provided the tentative clearance.

- X Only the names of those candidates interviewed and endorsed by both the deans search committee and the appropriate tenure committee may be submitted as finalists to the provost and president.

(Approved 11/7/97)

II – 1.02: Policy on Faculty Academic Credentials

1. Persons seeking appointment to the Salisbury University faculty must accompany their initial applications with a curriculum vitae which they certify as accurate and correct.
2. Persons seeking appointment to tenured status must submit for review letters of recommendation from recognized professionals and/or experts that attest to proficiency and excellence in teaching, scholarship or research, creative activity and community and professional service as appropriate.
3. Each person preparing to accept faculty appointment at Salisbury University is required to send an official, sealed transcript from the institution that awarded the highest degree claimed by the prospective faculty member and a completed Employment Data Sheet to the provost.
4. The Office of Academic Affairs makes a record of all faculty transcripts and Employment Data Sheets received and places transcripts and data sheets on file in the Human Resources' Office.

(BOR II - 1.02)

II – 1.03: Policy On Concurrent Faculty And Administrative Appointments

1. Each faculty member appointed to a concurrent administrative position shall receive a formal letter of appointment.
 - a. Any faculty member who is appointed to a concurrent administrative position shall receive a formal letter of appointment separate from his or her faculty contract or appointment letter.
 - b. A person who is simultaneously appointed to a faculty position and a concurrent position shall receive a separate contract or appointment letter for each position.
 - c. A serving administrator who is appointed to a concurrent faculty position shall receive a faculty contract or appointment letter separate from his or her administrative appointment letter.
2. A faculty member who holds a concurrent administrative position serves in that position at the pleasure of the appointing authority unless otherwise specified in the appointment letter. For such faculty members, termination of the administrative appointment does not affect faculty status.
3. Appointment letters for concurrent administrative positions shall:
 - a. State that the appointee serves at the pleasure of the appointing authority or, if that is not the case, state the term of the appointment;
 - b. State any additional salary and other forms of compensation to be paid the appointee for serving in the concurrent administrative position and the salary calculation method to be used upon termination of the concurrent administrative appointment. (The policy on the conversion of salaries is being developed by the Provost's Office);
 - c. State whether the time spent in the concurrent administrative position shall count toward eligibility for sabbatical leave (The letter shall indicate that approval of sabbatical leave is a separate issue from accrual of years of eligibility toward sabbatical leave.);
 - d. Identify the applicable Board of Regents' and institutional policies on the accrual of annual, sick, and personal leave;
 - e. State, for tenure-track faculty members, whether or not the time in the concurrent administrative position counts as time toward promotion and/or tenure;
 - f. State whether or not the time in the concurrent administrative position is included or excluded when schedules of comprehensive review of tenured faculty are determined; and
 - g. Indicate which faculty rights (e.g., voting rights) the person shall have, if any.

(Approved by the Board of Regents, July 7, 2000)

(BOR II – 1.03)

**II – 1.04: Policy on the Procedures for Appeals to the USM
Board of Regents of Decisions to Terminate Tenured or Tenure-Track Faculty Members**

1. A tenured or tenure-track faculty member whose faculty employment has been terminated for cause by the president of the employing institution pursuant to USM/ART §I.C.7(a) may appeal to the Board of Regents. All such appeals shall conform to these procedures.
2. An appeal may be requested only by filing a written notice of appeal. The notice of appeal must identify the faculty member and state that the faculty member wishes to appeal the termination of his/her employment to the Board of Regents. The notice must be filed within ten working days of the faculty's member's receipt of the letter communicating the president's decision to terminate. The notice of appeal is filed when it is received at the office of the president.
3. The president shall deliver the notice of appeal and the record (as defined herein) to the USM Vice Chancellor for Academic Affairs no later than ten working days after the receipt of the notice of appeal by the office of the president. The record shall include:
 - a. The statement of charges provided to the faculty member;
 - b. A tape recording, or written transcript, of the hearing provided pursuant to USM/ART §I.C.7(a). If no transcript of the hearing has been made, party may request that a transcript be prepared. Such a request must be directed to the Vice Chancellor for Academic Affairs. If such a request is made, a transcript will be prepared and a copy provided to each party at the expense of the appointing institution;
 - c. Copies of all exhibits received by the hearing officer or faculty board of review;
 - d. The written recommendation of the hearing officer or faculty board of review;
 - e. Any additional material or information used by the President, if any;
 - f. The written decision of the President; and
 - g. A letter of transmittal from the President.
4. Within 30 days of the filing of the notice of appeal, the faculty member shall file a memorandum in support of the appeal. The memorandum is filed when it is received in the office of the Vice Chancellor for Academic Affairs. The memorandum must be signed by the faculty member and by any attorney retained by the faculty member. It must identify the points in the President's written decision to which the appellant takes exception and a statement in each case of the reasons why. Factual allegations must include to the record at the institutional level. New factual material not a part of that record will not be considered on appeal.
5. The Vice Chancellor for Academic Affairs shall send a copy of the faculty member's memorandum to the president, who may file a written response with the Vice Chancellor for Academic Affairs no later than 30 days from the president's receipt of the faculty member's memorandum. A copy of the response must be sent to the faculty member or the faculty member's attorney or representative.

6. Upon receipt of a notice of appeal, the Vice Chancellor for Academic Affairs shall send a copy to the Chair of the Board of Regents, who shall appoint three regents to hear the appeal (the “appeal panel”) on the Board’s behalf and name one of them to serve as chair. The appeal panel shall set a hearing date consistent with the above procedures and with the goal of achieving an expeditious conclusion.
7. The hearing shall consist of oral argument on behalf of the faculty member and of the president. The panel chair shall specify in advance the time permitted for oral argument. No witness testimony will be allowed, and argument shall be limited to matters in the record.
8. The appellant shall have the burden of showing that the President’s decision was not supported by substantial evidence in the record and/or that the decision is premised upon an error of law, including procedural error.
9. Either party may be represented by legal counsel at the hearing.
10. The appeal hearing will be closed and will be recorded.
11. Following the hearing, the appeal panel shall issue a recommendation to the full Board of Regents. The Panel may recommend affirmation of the President’s decision, reversal of that decision, or remand to the institution for further action as specified. The Board shall consider and act on that recommendation in executive session no later than its next regularly scheduled Board meeting. The Board may concur in the Panel’s decision or modify it. It shall communicate its decision in writing to the faculty member and the president within five working days of its decision. The Board’s decision is final.

(Approved by the Board of Regents, February 9, 2001)

(BOR II – 1.04)

II – 1.10: Policy on Part-time Tenure-Track and Part-time Tenured Faculty

Permanent Part-Time Faculty

1. The term "permanent part-time employment" applies to faculty at the university who work in a tenure-track position for at least two (2) days per workweek for at least 50 percent (50%) but not more than 80 percent (80%) of the normal workweek for that position. A "shared" position is defined as a tenure-track position which "consists of two (2) permanent part-time positions."
2. Each faculty member in a shared position shall teach full-time for one semester of the year or shall teach a 50 percent (50%) course load during the same semester. The particular teaching arrangement will be determined by the provost.
3. Salary, salary increments, sick leave, and any other fringe benefits authorized for a permanent full-time faculty member shall be determined on a pro-rata basis. The faculty member's pro-rata salary shall be appropriate to his/her rank and step.
4. Permanent part-time faculty are required to become members of the State Retirement or Pension System according to date of entry into State service. Benefits will be accrued at the same rate as the contributions of the faculty member.
5. The specific faculty rank of an individual in a shared position is determined by the university. Faculty members in a shared position need not necessarily occupy the same rank within that shared position.
6. Permanent part-time faculty are considered for promotion and tenure in accordance with **Salisbury University's Policy on Appointment, Rank and Tenure of Faculty** on the basis of the number of full-time equivalent years of employment at the university.
7. Permanent part-time faculty are subject to the annual evaluation required for all full-time faculty members.
8. The responsibilities of permanent part-time faculty members on campus and their participation in campus governance activities are determined by department chairs in consultation with their deans and the provost.
9. A shared position may be abolished or vacated, in whole or in part, by giving notice in accordance with the provisions of the **Salisbury University Policy on Appointment, Rank and Tenure of Faculty**. If one part of the shared position is abolished or vacated, the incumbent occupying the other part of the shared position shall continue to discharge duties according to the terms of employment and shall not automatically be eligible for a permanent full-time position.

(BOR II - 1.10)

**II – 1.11: Policy on Part-Time Faculty Members
Engaged Exclusively or Primarily in Library Services**

SALISBURY UNIVERSITY IS IN THE PROCESS OF DEVELOPING THIS POLICY. ALL QUESTIONS SHOULD BE FORWARDED TO JUDY FISCHER, ASSOCIATE DIRECTOR OF THE BLACKWELL LIBRARY.

An institution may employ faculty members engaged exclusively or primarily in library services on a part-time basis. In order to be considered eligible for permanent status, a part-time librarian's commitment shall be at least fifty percent time for the fiscal year.

1. Each institution which employs part-time librarians at the ranks of Librarian I, Librarian II, Librarian III, and Librarian IV shall develop written procedures for the appointment of, promotion of, and granting of permanent status to such individuals. Appointment, reappointment, permanent status, promotion, and termination of such librarians shall be consistent with the policies and procedures established for permanent full-time librarians.
2. The length of the probationary period for permanent-status consideration shall ordinarily be based upon the number of full-time equivalent years accrued by the librarian at the institution. Part-time individuals at the ranks of Librarian I, Librarian II, Librarian III, and Librarian IV are eligible for full-time positions consistent with institutional policies.
3. Part-time librarians at the ranks of Librarian I, Librarian II, Librarian III, and Librarian IV whose appointments are at least fifty percent time shall be entitled to participate in the institution's benefits programs on a proportional basis or otherwise, as permitted by those programs.

Replacement for: BOR VII-2.15-POLICY ON LIBRARIANS (Section on Part-Time Librarians)

(BOR II – 1.11)

II – 1.19: Policy on the Comprehensive Review of Tenured Faculty

Introduction

Salisbury University will use the following policies and procedures to implement the University System of Maryland's Policy on Comprehensive Review of Tenured Faculty. Consistent with this policy, SU's policies are intended to complement the "faculty development program" and "to enhance the professional abilities of the faculty as teachers and scholars and members of the academic community." The policies are written to fulfill the requirements of the USM policy by providing guidelines that give departments flexibility over specific arrangements and procedures for the reviews.

Policies and Procedures

Five Year Comprehensive Reviews of Tenured Faculty Members

Every tenured faculty member at SU shall undergo a comprehensive review of his or her performance every five years with approximately one-fifth of the tenured faculty undergoing a comprehensive evaluation each academic year. This review will examine the faculty member's performance for the previous five year period. Given their thorough review character and rigor, reviews for tenure and promotion can be substituted for this comprehensive review. A comprehensive review can also be triggered prior to the five year period only if the department chair, the dean, and the provost find a faculty member "materially deficient" in complying with "quantitative workload expectations"⁴ in two consecutive workload-related annual reviews that are done regularly by the chair.⁵

Departmental Role, Peer Review and Criteria for Evaluation

Each academic department at SU may employ the same review procedures and criteria for evaluation presently used in each department for the annual evaluations of tenured faculty at SU. These procedures make use of an examination and evaluation of a faculty member's performance in the areas of instruction, research and scholarship, and service to the university and community. The kinds of activities and sources of information for a faculty member's performance can include, but are not limited to, the following:

PERFORMANCE CATEGORY	POTENTIAL INFORMATION SOURCES
Teaching and Advising	Courses Syllabi
	Student Evaluations
	Instructional Planning
	Conferences Program Planning
	Department Meetings
	Classroom Observation
	Posted Advising Schedules
	Review of Advising Folders
	Incidents of Advisee Confusion
	Observation of Advising Conferences
	Teaching and Advising (cont.)

⁴This refers exclusively to the workload expectations as identified in Section IV. Standard Workload Expectations of the BOR Policy on Faculty Workload and Responsibilities (II.1.25) which addresses the ratio of time spent among the three areas of faculty responsibilities: teaching, scholarship, and community service.

⁵This measure is referred to in the USM policy document as an "annual review." However, this should not be confused with the SU annual review that presently exists and is more comprehensive in scope.

PERFORMANCE CATEGORY	POTENTIAL INFORMATION SOURCES
Professional Development	Participation in Campus Professional Development Activities
	Writing/Research Efforts and Creative Pedagogical Innovations
	Attendance at Conferences and Institutes
	Yearly Self-Evaluations
Service to the University and Community	Participation on Department Service and Campus Committees Support to Registration and Orientation, and Retention Activities
	Service to Schools, businesses, and Service Agencies
	Artistic Contributions to Campus and Community
	Involvement in Student Social Activities

An additional performance indicator that may be used in the five-year evaluation is the workload review that is overseen by the department chair on an annual basis.

For the five-year review, provision must be made at the department level for some degree of peer review. The structure and size of such a peer review mechanism should be established by the department and agreed upon by the faculty member under review.

The faculty member under review will be the principle provider of the information for the comprehensive review. This need not exceed the submission of the annual self-evaluations of the previous five years. He or she will provide the reviewer(s) with the necessary information by February 1 of the year in which the review is to take place, and the reviewer(s) shall provide a report to the faculty member by the same deadline as the annual review. As in the annual reviews, the five-year comprehensive review must be based on multiple sources of information.

Departmental policies must be filed with and approved by the dean of their respective schools and the provost of the University.

Uses and Consequences of the Comprehensive Review

As with the annual reviews, the reviewer(s) shall submit the results of the comprehensive review to the faculty member, the department chair, and the dean. **Upon receipt of the review, the faculty member should have ready access to the documents and reports that contributed to his or her review. The faculty member should also have a minimum of ten working days to respond formally to the review if he or she so desires. This could involve a written response or a formal hearing with the reviewers and the chair of the department.**

A faculty member may choose to use a favorable five year review for consideration in decisions on promotion, merit pay or other awards such as SU's annual Distinguished Faculty Award. The Administration shall review the rank and salary of each faculty member who undergoes the five year review and shall make upward adjustments and recommendations as necessary and as funds allow.

However, if the peer evaluation concludes that the faculty member's performance fails to meet expectations, then a specific faculty development plan must be worked out between the faculty member under review, the peer reviewer(s), the department chair, and the dean of the school. At his or her discretion, the faculty member under review may choose a faculty colleague to participate in the development of this plan. The plan should address those elements of the review that were considered to be deficient in meeting expectations and make use of SU's available resources, both scholarly and financial, for faculty development.

Given that the intention of this plan is to aid in the improvement of the faculty member's performance, priority should be placed on fashioning a plan that facilitates the faculty member's growth and is amenable to the faculty member's preferences. Such a plan should be written and revised, if necessary, until mutual agreement between the reviewer(s) and the faculty member has been achieved. In the event an agreement cannot be reached, the Faculty Development Committee will mediate a consensus.

The plan must also include "a procedure for evaluation of progress at fixed intervals." This procedure will include progress reports to the reviewer(s) at intervals of no less than one year, unless a shorter interval is requested by the faculty member. Departments may wish to use SU's annual evaluations as the benchmarks for the "fixed intervals" as required by the Regents' policy.

A faculty member under review who is dissatisfied with a plan that has emerged from this process retains the option of pursuing a grievance with the Faculty Welfare Committee.

The Comprehensive Review of Tenured Faculty does not replace other SU reviews of faculty performance.

Finally, neither the Comprehensive Review process nor its results can be substituted for the existing USM policies regarding tenure and its termination. In this regard, this review carries with it no greater weight than any other evaluation presently employed at Salisbury University.⁶

Initial Implementation of Comprehensive Reviews

This plan will go into effect during the 1997-98 academic year with the first evaluations being conducted during the spring semester of 1998. Given that only one fifth of the faculty are to be evaluated in any given academic year, evaluation of eligible tenured faculty will be conducted in phases until all tenured faculty who have not undergone a comprehensive evaluation, tenure review or a promotions review within the last five years are evaluated. Faculty members who wish to undergo a comprehensive evaluation prior to the five-year trigger, can request and receive an earlier review.

The criterion for determining the sequence of evaluations will be seniority, defined in this context as years passed since the granting of tenure or since one's last review for promotion. Those tenured faculty with the most years passed since either being granted tenure or since their last promotions review will be the first to undergo the comprehensive evaluation as outlined in this policy.

Implementation of this policy assumes that a faculty member deserves to know the evaluation criteria prior to the academic year during which those criteria are to be applied. Therefore, for the purposes of the comprehensive review in which the last five academic years (1991-92 up through 1996-97) are relevant, a faculty member must be evaluated only on the basis of the criteria that were in force during those academic years. New criteria, post 1996-97, may not be applied retroactively to the most recent five year period.

Finally, given that faculty members are primarily responsible for providing the bulk of the information for the evaluation, they should be granted flexibility in the provision of information on their activities from the most recent five academic years. They must provide adequate information but cannot be required to supply information above and beyond that which was required to satisfy evaluation criteria applied in previous years.

Approved March 1998

(BOR II - 1.19)

⁶As with other reviews, this review can only contribute to a case for the termination of tenure of a faculty member if the reviewer(s) concluded that the tenured faculty member was found to have exhibited "...moral turpitude, professional or scholarly misconduct, incompetency, or willful neglect of duty..." (**Salisbury University Policy on Appointment, Rank and Tenure of Faculty**, Appointment of Faculty (Part I)(A)(1), page 44 in the Faculty Handbook, Salisbury University, 2002-03). Even then, in itself, this review would be wholly insufficient to lead to termination of a tenured faculty member.

II – 1.20: Policy on Evaluation of Performance of Faculty

1. Academic department chairs evaluate all of their faculty at the university each year. In making these evaluations, department chairs use information from as many sources as possible to assess each faculty member's performance in the three areas of: a) teaching and advising, b) professional development, and c) service to the university and the community. Sources of information for faculty evaluation include but are not limited to those described in **Figure 3**.

Figure 3. Potential Sources of Faculty Evaluation Information

PERFORMANCE CATEGORY	POTENTIAL INFORMATION SOURCES	
Teaching and Advising	Courses Syllabi	
	Student Evaluations	
	Instructional Planning	
	Conferences Program Planning	
	Department Meetings	
	Classroom Observation	
	Posted Advising Schedules	
	Review of Advising Folders	
	Incidents of Advisee Confusion	
	Observation of Advising Conferences	
	Involvement in student clubs and organizations	
	Professional Development	Participation in Campus Professional Development Activities
		Writing/Research Efforts
Attendance at Conferences and Institutes		
Yearly Self-Evaluations		
Service to the University and Community	Participation on Department Service and Campus Committees Support to Registration and Orientation, and Retention Activities	
	Service to Schools, Businesses, and Service Agencies	
	Artistic Contributions to Campus and Community	

2. Department chairs evaluate tenured and tenure-track faculty each year by February 1 of each academic year and summarize outcomes on the following form.

Non-tenured Faculty Only

Justifications

<p>Satisfactory Progress Towards Tenure Unsatisfactory Progress Towards Tenure</p> <p>Chair of Tenure Committee: _____</p>

<p>Satisfactory Progress Towards Tenure Unsatisfactory Progress Towards Tenure</p> <p>Department Chair: _____</p>
--

<p>Satisfactory Progress Towards Tenure Unsatisfactory Progress Towards Tenure</p> <p>School Dean: _____</p>

Employee: I have read the above evaluation.

Signature

Date

3. Department chairs also evaluate full-time contractual faculty each year by March 15. Criteria and procedures for reviewing full-time and contractual faculty who are not on tenure track lines are developed by the academic departments of the university schools. These criteria are provided to full-time contractual faculty in a “memo of understanding” at the time of hiring. A sample of such a memo appears in **Appendix F**. Criteria are approved by the dean of the appropriate school and by the provost and are on file in the dean's office and in the Office of Academic Affairs. The steps and deadlines in **Figure 4** describe the procedure for yearly reviewing these full-time, non-tenure track contractual faculty.

Figure 4. Procedures for Reviewing Full-time Contractual Faculty

STEP	DEADLINE
a) Department chairs evaluate faculty member yearly.	March 15
b) Department chairs recommend to deans as follows: (1) Termination (faculty not needed or unsatisfactory) (2) One-year Reappointment (faculty needed and satisfactory)	March 30
c) Deans recommend to the provost as follows: (1) Termination (faculty not needed or unsatisfactory) (2) One-year Reappointment (faculty needed and satisfactory)	April 15
d) Provost approves terminations, one-year reappointments and continuing university appointments in consultation with the president.	May 1
e) Provost notifies faculty in writing of termination, one-year reappointment or continuing university appointment.	May 15

4. Department chairs summarize their evaluations of full-time contractual faculty on the following form.

EVALUATION FORM FOR FULL-TIME CONTRACTUAL FACULTY

Evaluation of: _____

Assignment: _____

Evaluator's Signature: _____ Date: _____

The categories below evaluate the faculty member's accomplishments during _____ academic year. Brief comments must support the evaluation in each category. (Please use additional space to provide written comments in each area below.)

Responsibilities	Unacceptable	Minimally Acceptable	Satisfactory	Good	Very Good	Excellent
1. Teaching and Advising						
2. Other Responsibilities						

Recommendation:

Terminate Appointment

Reappoint for One Year

Continuing University Appointment

I have read the above evaluation. _____

Signature

Date

5. Department chairs also evaluate part-time contractual faculty at the conclusion of each semester using criteria developed by the department and approved and on file with the school dean and the provost. Department chairs summarize evaluations of part-time contractual faculty on the following form. Because part-time appointments are made on the basis of individual courses and automatically terminate at the end of the semester in which those courses are offered, the form contains no recommendations about termination or further appointment.

EVALUATION FORM FOR PART-TIME CONTRACTUAL FACULTY

Evaluation of: _____

Assignment: _____

Evaluator's Signature: _____ Date: _____

The categories below evaluate the faculty member's accomplishments during _____ academic year. Brief comments must support the evaluation in each category. (Please use additional space to provide written comments in each area below.)

Responsibilities	Unacceptable	Minimally Acceptable	Satisfactory	Good	Very Good	Excellent
1. Teaching and Advising						
2. Other Responsibilities						

I have read the above evaluation. _____ Date _____ Signature _____

(BOR II - 1.20)

II – 1.21: Policy on Compensation for Faculty

In the matter of compensation for faculty, Salisbury University operates under **BOR II - 1.21 UNIVERSITY SYSTEM OF MARYLAND POLICY ON COMPENSATION FOR FACULTY** which is reproduced in full below.

I. General Policy

The University System of Maryland seeks to provide salaries for faculty that are adequate to attract and retain individuals with the qualifications and level of performance necessary for the University System and each of its constituent institutions to reach and to maintain the highest levels of excellence in education.

To this end, the USM shall seek increases in funding to attain and to maintain a faculty salary structure for each of its constituent institutions which is merit-based and in which the average faculty salary is at or above the 85th percentile of that institution's classification group.

The American Associate of University Professors (AAUP) annually conducts and publishes a national survey of salaries for "instructionally faculty." The AAUP salary information shall constitute the database for implementation of this policy. However, this policy shall apply to all persons defined as faculty by the University System of Maryland, whether or not they satisfy the AAUP definition of "institutional faculty."

With the exception of the University of Baltimore Law School and the professional schools at UMAB each institution's classification group shall be the set all public colleges and universities included in its Carnegie classification. Placement of USM institutions within a Carnegie category shall be made annually by the chancellor based on the application of Carnegie classification criteria to the most recent available data on each institution.

Comparisons for the University of Baltimore Law School and the professional schools at UMAB shall be based on relevant national data from each of the respective schools.

Salary increases for current faculty shall be based on merit, and shall be determined on the basis of exceptionally effective teaching, scholarship and public service. Equity considerations may be taken into account in awarding salary increases.

II. Implementation

The chancellor, in consultation with the presidents, shall develop implementation guidelines for this policy which shall be based on evaluation of faculty merit using appropriate measures of faculty productivity. Consistent with this policy, these guidelines shall include a set of salary ranges for each faculty rank at each institution and a common format for an annual report by each institution to the Regents accounting for its use of merit funds for salary increases.

(BOR II - 1.21)

II – 1.22: Policy on Faculty Appointment Letters or Contracts

1. The terms and conditions of every faculty appointment shall be stated in a written letter or contract, which shall be signed by and which shall be in the possession of both the institution and the appointee before the appointment is begun.
2. Appointment letters or contracts for full-time faculty shall specify whether the appointee is required to serve for the academic year or the fiscal year. Typically, academic -year faculty appointments shall begin no later than one week before the first day of fall classes and end no earlier than the spring commencement date, and fiscal-year appointments shall begin on July 1 and end on June 30 of the following calendar year. In unusual circumstances, an appointment (academic or fiscal) may begin at other times or may be for only a portion of a year.
3. Each institution shall develop a written policy on summer compensation for full-time faculty members on academic-year appointments. The policy shall be filed with the Office of the Chancellor.

(Approved by the Board of Regents July 7, 2000)

(BOR II – 1.22)

II – SU: Policy on Disclosure of Employee Salary Information

Salisbury University protects personnel information and records under guidelines, laws and policies issued at the federal, state and University System of Maryland levels. Predicated on opinions of the Attorney General of Maryland, Salisbury University will handle individual salary information as indicated below.

1. An individual's gross salary will be considered personal information and will not be published or released for general distribution by any authorized agent of the University.⁷ Individuals may not post salary information in any University controlled area, or by any University communications medium.
2. All forms of merit pay, bonuses, equity or performance salary increases are the result of personnel actions. Records of all such personnel actions are privileged and confidential. Therefore, the names of individuals receiving such salary enhancements will not be announced or posted.
3. The University's Office of Human Resources⁸ may, for the purpose of assisting individual or group research, provide salary information in aggregate, clustered and/or statistically summarized forms.

Nothing in this policy abrogates an individual's right under the Federal Freedom of Information Act or the Maryland Public Information Act to file an application with the University's Human Resources Office and upon paying the required fee, receive information related to salaries. Information on how any particular employee's salary was derived is not available through this method.

**Approved September 10, 1998
by Office of Attorney General
Cabinet
President of University**

⁷Authorized agents are those members of the administration designated (and so informed) who are responsible for the administration of personnel and payroll records and those individuals responsible for salary awards and related administration.

⁸The Salisbury University Office of Human Resources is designated as the "custodian" under Maryland's Public Information Act and the Federal Freedom of Information Act.

II – 1.25: Policy on Faculty Workload and Responsibilities

I. Purposes

The purposes of the Salisbury University Policy on Faculty Workload and Responsibilities are to promote optimal performance by faculty in meeting the needs and expectations of students and other clientele and to provide mechanisms that will ensure public accountability for that performance. Faculty at the university are the primary performers of instruction, research/scholarship and service, and the university encourages and supports faculty in applying their creativity, ingenuity, initiative, knowledge, experience and professional skills in performing many diverse functions in these areas. The university also expects that faculty will meet their responsibilities in these areas independently and in full accord with both institutional expectations and established tenets of academic freedom.

This policy reflects Salisbury University's affirmation that teaching is at the heart of university life and that teaching effectiveness is the paramount consideration in faculty tenure, promotion and merit. It also reflects the university's affirmation that research, scholarship and creativity, and service are fundamental to university life and are key criteria in faculty tenure, promotion and merit.

II. Application

This policy applies to the following categories of faculty at Salisbury University:

- A. All persons holding tenured and tenure-track positions who are classified as faculty (instructional, research, and public service) and so reported to the Maryland Higher Education Commission through the Employee Data System.
- B. All persons who, regardless of occupational classification, hold faculty rank and perform administrative duties at the level of academic department or equivalent academic unit, including chairs, assistant chairs, program directors, etc.
- C. All persons who, while neither tenured nor on tenure track, are employed full time at the university, are classified as instructional faculty and so reported to the Maryland Higher Education Commission through the Employee Data System.
- D. All persons who, while neither tenured nor on tenure track, are employed full time by the university, are classified as research faculty and so reported to the Maryland Higher Education Commission through the Employee Data System, and whose salaries are supported, in whole or in part, by state funds.

This policy does not apply to individuals who hold faculty rank but who are assigned to administrative duties outside the department or equivalent academic units, for example, deans, provost, president, etc.; nor does it apply to individuals who are classified as research faculty but whose salary is fully supported by non-state funds, e.g., federal research grants; nor does it apply to librarians with non-tenure faculty status, e.g. Librarians I, II, III, IV.

III. Responsibilities

This policy is implemented by faculty, chairs of academic departments and deans of the schools to which those departments belong in the following manner:

- A. Prior to the beginning of each academic year, department chairs determine in consultation with each department faculty member the faculty member's workload and

responsibilities for the upcoming fall and spring semesters. Department chairs record these expectations as percentages of 100% of each faculty member's effort for the upcoming calendar year.

- B. During each academic year, faculty record their service and research activities.
- C. At the end of each academic year, department chairs summarize the workload and productivity of their faculty using a format required by the University System of Maryland. Department chairs provide this information to their school deans who, in turn provide them to the provost.
- D. Also at the end of each academic year, department chairs prepare a summary statement comparing their faculty's performance for the year with workload expectations established at the beginning of the year. Department chairs provide this information to their school deans who in turn provide it to the provost.

IV. Standard Workload Expectations

- A. The standard workload and responsibilities expectations for faculty at Salisbury University are as follows:

	Teaching	Research/ Scholarship	Service
Percent of Effort	65-77 (7-8 Course Units/Year)	15-25	5-15

- B. For all faculty, workload and responsibilities in the area of teaching include preparation, classroom time, grading of student-produced materials, and student advising. For tenured and tenure-track faculty, workload and responsibilities in the areas of research/scholarship and service include a range of professional activities which are described in detail in the Promotion Committee's Guidelines and appear in full in the *Faculty Handbook*. For full-time contractual faculty, workload and responsibilities in the areas of research/scholarship and service are defined in the *Memo of Understanding* that accompanies their contracts.
- C. For the purposes of defining standard instructional load expectations, a full load at Salisbury University is 7-8 courses/course units per year. Generally, faculty are expected to teach 8 courses/course units per year. Chairs in each academic department determine the appropriate full load for their faculty in their departments and where these loads are less than 8 courses/course units per year, secure approval from their deans and the provost.
- D. The following weights are used to convert graded instructional experiences that do not follow the traditional course format (e.g., individual studies, theses, etc.) to course units.

Course Level	# of Credits = 1 Course Unit
500 & above - Grad. Ind. Studies	18
400-499 - Grad, Ugrad. Ind. Studies	21
100-399 - Ugrad. Ind. Studies	30

- E. Standard workload and responsibilities expectations may vary from department to department. Under certain circumstances, related to accreditation for example, a department may need to place special emphasis in one or more of the three categories of effort so that expectations for faculty in the department differ from the standard. When this is the case, deans of the schools to which the departments belong must obtain approval for these special emphases from the provost. This approval must be secured before department chairs establish variations in expectations with faculty for the upcoming calendar year.
- F. The balance among teaching, research/scholarship and service for a faculty member may change over the faculty member's career. This balance may be adjusted annually when faculty and department chairs set workload and responsibilities expectations for the year. In all cases, the addition of the percentage of effort in each area equals 100% of the faculty member's effort.
- G. Because teaching is central to Salisbury University's mission, all faculty members including those with departmental administrative responsibilities are expected to be involved in the instructional program, and senior faculty in departments with undergraduate programs are expected to participate in undergraduate teaching.

V. **Exceptions to Standard Workload Expectations**

Departmental commitments within the overall academic program of the university are determined by student and curricular needs, resources available to the department and administrative approval. Department chairs develop faculty workload responsibilities in accordance with these commitments. From time to time, however, some faculty may assume new or additional responsibilities in the areas of administration, teaching, scholarship/ research, or service. In these cases, exceptions to the standard workload of these faculty members may be made. When such exceptions are made, department chairs are responsible for making necessary adjustments in the faculty workload of the total department so that departments can meet their commitments. When resources are available, this includes the hiring of adjunct and part-time faculty.

When exceptions to the standard workload are to be made, deans of the schools to which the faculty belong must obtain approval for these exceptions from the provost. This approval must be secured before department chairs establish non-standard expectations with faculty for the upcoming calendar year. Exceptions to the standard workload and responsibility expectations may be based on the following considerations:

- A. **Instruction** - Exceptions from the standard instructional load may be based upon a number of factors, including class size; development of new courses; modality of instruction, including distance education; level of instruction; discipline; accreditation requirements; etc.
- B. **Departmental Administration** - Assumption of responsibility for the functions of chair, assistant chair, or program director, or for special departmental projects may require reduction of expectations for teaching, research/scholarship or service.
- C. **Externally Funded Research and Service Activities** - Assignment of additional time for research or service activities will be supported by external funds, either research or training grants. In these instances, the accompanying reduction of expectations for service or instruction should mirror the replacement of departmental salary support by externally funded salary support.
- D. **Department-Supported Research** (Departmental Research) - Assignment of additional time for research activities supported by the department and consequent reduction of expectations for service or instruction should be related to the institution's mission.

- E. **Department-Supported Service** - Assignment of additional time in areas of service and consequent reduction of expectations for teaching or research/scholarship should be directly related to the duration and extensiveness of the commitment. For example, a faculty member may be released from the standard expectation in the areas of teaching or research/scholarship in order to make major professional contributions, e.g., to work in partnership with the public schools or with business or industry.

VI. Accountability

- A. The focus for external accountability in the area of faculty workload and responsibilities is the academic department, not the individual faculty member. This focus is ensured through an annual reporting process in which the provost provides to the president and thence to the University System of Maryland an accountability report that indicates by academic department the number of faculty who meet or exceed the standard expectations for faculty workload and responsibilities, the number of faculty who have been excepted from these standard expectations, and the total course reduction.
- B. Department chairs report annually on the expected and actual performance of their faculty in the area of faculty workload and responsibilities using data maintained in their departments. Department chairs provide these reports to their school deans who in turn provide them to the provost.
- C. Department chairs also use this data in their annual evaluations of faculty according to procedures specified in Salisbury University's **Policy on Evaluation of Performance of Faculty (page 93)** and its policy on the **Appointment, Rank and Tenure of Faculty, which** is found in the *Faculty Handbook* on **page 44**.

Approved by the USM, September 20, 1994; Amended July 9, 1999

(BOR II - 1.25)

II – 1.30: Policy on the Regents Professorship

In the matter of the regent's professorship, Salisbury University operates under the following **UNIVERSITY SYSTEM OF MARYLAND BOR II - 1.30 POLICY ON THE REGENTS PROFESSORSHIP** which provides unique opportunities for faculty recognition.

The regents professorship is established by the Board of Regents of the University System of Maryland in order to recognize one or more faculty members whose record of scholarly achievement and potential for truly exceptional service to the System and its institutions warrants appointment to this most prestigious rank in the University System.

Appointment to a regent's professorship is made by the chancellor upon recommendation by one or more of the presidents of University System of Maryland institutions. A modest monetary award, to be used for travel, research or publication costs, or personnel and equipment costs, accompanies the appointment.

Criteria for appointment include:

1. National or international recognition for achievements in the arts, the sciences or the professions.
2. Eligibility for appointment to the rank of professor at one or more institutions of the University System.

Regents' professors may:

1. Participate in the advisement and/or instruction of undergraduate students.
2. Present annually a public lecture or performance at one of the institutions of the University System of Maryland.
3. Participate in other scholarly activities that will enhance some aspects of the University System of Maryland and some of its components. This may include such activities as curriculum development (formal or informal courses), faculty development, citizen outreach, or organizational enhancement.

(BOR II - 1.30)

II – SU: Policy on Title of *Professor Emeritus*

1. *Professor Emeritus* is a title of distinction conferred upon retiring faculty who normally have completed at least ten years of meritorious service to Salisbury University.
2. Faculty may be nominated for the title of *Professor Emeritus* by any member of the Salisbury University Faculty Senate via a brief letter of nomination to the provost.
3. The provost will forward letters of nomination to the Committee on Promotions for their consideration during the annual faculty promotions process.
4. The names of professors' emeriti are listed in Salisbury University's *Undergraduate Catalogue* and in its *Graduate Catalogue* as appropriate to their contributions. Emeriti faculty have the use of campus facilities and are welcome to attend campus events as regular faculty.

Revision Approved by the Faculty Senate
December 15, 1998

II – SU: Policy on Consulting Faculty

1. Purpose

The purpose of this policy is to define “Consulting Faculty” and to provide guidelines for recognizing consulting faculty status.

2. Definition of Consulting Faculty

Consulting Faculty is an honorary title bestowed upon individuals who provide significant service contributions to University personnel, programs and activities but who are not employees of Salisbury University.

3. Selection Procedures

Consulting faculty are nominated by the provost of academic affairs to the president of the University who makes final selections. The president notifies in writing individuals who are honored with the title of “Consulting Faculty.” There is no local residence requirement for eligibility.

4. Procedures for Recognizing Consulting Faculty

The names of Consulting Faculty are listed in Salisbury University’s *Undergraduate Catalogue* and in its *Graduate Catalogue* as appropriate to their contributions. Consulting faculty have the use of campus facilities and are welcome to attend campus activities as regular faculty.

II – 2.00: Policy on Sabbatical Leave for Faculty

The president of Salisbury University may grant sabbatical leaves to faculty members. The primary purpose of such leave is to provide an opportunity for faculty members to conduct scholarly or creative work that helps implement the mission of the university and enhances their standing in their disciplines or professions.

Guidelines

1. To be eligible for sabbatical leave, a full-time faculty member must be tenured as a full professor, associate professor or assistant professor and have completed at least six years of service at the time of an initial sabbatical leave or since the last previously granted sabbatical leave. A part-time faculty member must also be tenured and have completed six or more years of at least half-time service. (Unpaid leaves of absence will not be regarded as service for the purposes of determining sabbatical leave eligibility.) In exceptional circumstances approved by the provost, a faculty member at the rank of instructor who has completed at least six years of service may be recommended as eligible for sabbatical leave.
2. Faculty members applying for sabbatical leave must submit sabbatical leave proposals to their department chairs or equivalent at least eight months prior to the beginning of the proposed leave. Requests must clearly set forth the nature of the proposed sabbatical leave project, the result expected from the project, the reasons for believing that the sabbatical leave project will be professionally beneficial and beneficial to the university, and the manner in which the proposed sabbatical leave meets the requirements of this policy.
3. The department chair or equivalent will review sabbatical leave requests of faculty in their departments and make recommendations to approve, reject or postpone requested leaves. Recommendations made by department chairs must certify that all proposed sabbatical leaves conform to the requirements of this policy; must confirm that requested sabbatical leaves can be awarded without substantially disrupting the programs or units in which applicants are involved and must evaluate the prospects for success of proposed sabbatical projects. Requests for sabbatical leaves together with required department chair recommendations must be forwarded to deans of schools in which faculty members serve for their approval and recommendation and then to the provost for final approval and recommendation to the president.
4. Faculty members applying for sabbatical leave must agree as a precondition to receiving such leave to return promptly to the university at the termination of the leave and to serve on a normal basis for at least one academic year.
5. Ordinarily, sabbatical leaves will be granted for a period equal to one-half of the recipient's annual contract term at normal compensation, or for the full annual contract term at one-half normal compensation for both full- and part-time faculty. Faculty members who are considering a sabbatical leave for the full annual contract term, at one-half normal compensation, should contact Human Resources regarding the impact this may have on their retirement program.
6. During the period of sabbatical leave, the recipient will be permitted, with the approval of the president or designee, to accept, in addition to the compensation received from the university, grants, awards, contracts, fellowships or other compensation or stipends as may be related to the approved sabbatical leave project. The recipient may also accept compensation for consulting services rendered during the sabbatical leave, provided that such services do not exceed those allowed by **Salisbury University's Policy on the Conflict of Commitment/Interest**, and that they do not interfere with the approved sabbatical leave project.
7. All benefits and privileges of faculty members who are on sabbatical leave will continue during the period of the leave. These include, for example, employee benefits, merit increases, and opportunities for promotion.

8. Within six months after returning from sabbatical leave, recipients must file with their department chairs or the equivalent and the Faculty Welfare Committee a report summarizing activities undertaken during the sabbatical leave and the extent to which these activities fulfilled the goals of the project as described in the leave request.

Procedure

1. Faculty applying for sabbatical leave obtain two forms from the Office of Academic Affairs: the Sabbatical Leave Form Part A - Application and the Sabbatical Leave Form Part B - Final Report appear in **Appendix G**. Faculty members initiate their applications by completing Part A which when finally approved will be open to public review. They retain Part B for submission within six months following sabbatical leave.
2. Completed applications (Part A) are forwarded to applicant faculties' department chairs by December 15 for fall sabbatical leaves and by May 15 for spring sabbatical leaves and no earlier than one year prior to the requested leave.
3. Department chairs approve or disapprove sabbatical leave applications, secure approval of dean of the school and forward the approved original application and two copies to the Faculty Welfare Committee by January 1 for fall sabbaticals and June 1 for spring sabbaticals. Department chairs then notify applicant faculty of completion of these steps.
4. The Faculty Welfare Committee assesses the academic value of sabbatical leave applications and approves or disapproves them no later than February 1st for fall leaves and July 1 for spring leaves. Recommendations of the Faculty Welfare Committee are forwarded to the provost and applicant faculty are notified in writing by the committee of completion of these steps.
5. Applications for sabbatical leave are approved by the provost and the president of the University by March 1 for fall sabbatical leaves and August 1 for spring sabbatical leaves. Upon approval of sabbatical leaves, the president of the university notifies applicants, their department chairs and the Faculty Welfare Committee.
6. Faculty who wish to make revisions, modifications or additions to their sabbatical leave proposals must submit such changes for approval to their department chairs and deans, the Faculty Welfare Committee and the provost.
7. When faculty have completed sabbatical leave they submit the completed original of Part B of the Sabbatical Leave Form with four copies to the Faculty Welfare Committee and copies to the department chair or equivalent, the dean of the school, the provost and the president. The committee then forwards copies of Part B to faculty members' department chairs, school deans, the provost and the president of the university.
8. Within six months after returning from sabbatical leave, recipients must file with their department chairs or the equivalent and the Faculty Welfare Committee a report summarizing activities undertaken during the sabbatical leave and the extent to which these activities fulfilled the goals of the project as described in the leave request.

**II – 2.01: Policy On Professional And/Or Research Leave For Faculty Members
Engaged Exclusively Or Primarily In Library Services (Approved by the BOR, 4/7/00)**

SALISBURY UNIVERSITY IS IN THE PROCESS OF DEVELOPING THIS POLICY. ALL QUESTIONS SHOULD BE FORWARDED TO JUDY FISCHER, ASSOCIATE DIRECTOR OF THE BLACKWELL LIBRARY.

The President of an institution may grant professional and/or research leaves to faculty members engaged exclusively or primarily in library services. The primary purpose of such leaves is to provide an opportunity for a librarian to conduct scholarly work or to engage in applied research which will increase the librarian's value to the institution or enhance the reputation of the institution.

1. To be eligible for professional and/or research leave, a full-time librarian shall have been granted permanent status and must have been in active service with the institution as a librarian for a period of at least six years prior to an initial leave being granted. A full-time librarian must remain on active service with the institution for an additional period of at least six years to become eligible for a subsequent professional leave and/or research. A part-time librarian shall have been granted permanent status and shall have completed six or more years of at least half-time service. Ordinarily, a leave of absence without pay shall not be regarded as service to the institution for purposes of determining eligibility for professional and/or research leave.
2. Ordinarily, professional and/or research leave will be granted for one-half of the recipient's annual contract period at his or her normal compensation or for the full annual contract period at one-half normal compensation for both full- and part-time librarians.
3. Ordinarily, as a condition for receiving professional and/or research leave, the recipient shall agree to return promptly to the institution at the termination of the leave and to serve on his or her normal basis for at least one full annual contract period.
4. During the period of professional and/or research leave, the recipient will be permitted, with the approval of the President or designee, to accept, in addition to the compensation he or she receives from the institution, such grants, awards, contracts, fellowships, or other compensation or stipends as may be related to the approved professional and/or research leave project.
5. While on professional and/or research leave, the recipient may accept compensation for consulting services rendered during the professional and/or research leave, provided that such services shall not exceed those allowed by the University System Policy on Professional Commitment of Faculty and that they do not interfere with his or her approved professional and/or research leave project.
6. All benefits and privileges of a librarian on professional and/or research leave shall continue in the same manner as if he or she were not on such leave, i.e., accrual of sick leave, for promotion, merit raises, and other benefits. Such a leave period shall not be regarded as service to the institution for purposes of determining eligibility for a subsequent professional and/or research leave.
7. Each institution shall develop procedures and criteria for approval of and funding for professional and/or research leave, including the requirement of a summary report on professional and/or research activities by the librarian. These procedures and criteria shall be filed with the Office of the Chancellor.

Replacement for: BOR VII-2.15-POLICY ON LIBRARIANS (Section on Professional Leave) (BOR II – 2.01)

II – 2.10: Policy on Terminal Leave for Faculty

- I. Terminal leave is leave of absence with pay extending over a period which terminates on the effective date of faculty member's resignation from his employment with the institution.
- II. Under special circumstances terminal leave may be granted by the university president, as a means of encouraging early retirements or to avoid or assist in a retrenchment effort in accordance with the following provisions:
 - A. Only full-time tenured faculty members are eligible for such leave for a period not to exceed twelve months.
 - B. Faculty on terminal leave:
 1. Remain employees of Salisbury University and are subject to all policies of the University and of the Board of Regents.
 2. Receive the annual salary that would have been accorded for remaining at the institution that year.
 3. Retain eligibility for all benefits normally associated with full-time (or where applicable, half-time) employment with the exception of annual leave.
 4. Are not required to perform duties of any kind during the period of leave unless otherwise stipulated.
 - C. Once terminal leave is approved, the faculty member must agree in writing to the conditions of the leave, waiving all claims arising out of employment other than those specified in this policy and waiving all claims to subsequent employment at the institution.

(BOR II - 2.10)

II – 2.20: Policy on Leave Without Pay for Faculty

Leave of Absence Without Pay

A leave of absence without pay, for purposes of study, to serve as an exchange faculty member, or for other purposes, may be granted to a faculty member who has been on active, full-time service with the university/college for a period of at least three years. The president may modify the three-year requirement in unusual circumstances.

1. The faculty member applying for a leave of absence without pay must submit at least six months prior to the start of the proposed leave period, a formal written request to the president of the university, setting forth clearly the reasons for the proposed absence.
2. The written request, if approved by the president, is then forwarded to the University System Board of Regents for the approval together with an endorsement to the effect that the services of the faculty member can be spared during the leave period.
3. Leave of absence without pay generally shall not exceed a period of one year. In special circumstances, with the approval of the Board, this leave of absence may be extended an additional year.
4. The Maryland State Retirement System provides that a faculty member on leave of absence without pay loses time of service to the State, except for a faculty member on leave without pay for military service. The faculty member on leave of absence without pay, in order not to lose service to the State, may pay directly to the Retirement System, in a lump sum, the retirement contribution, with interest, upon return from leave.
5. If the time of leave is to be credited to the accrual of the faculty member's requirements for tenure, it should only be done with the approval of the president and University System of Maryland Board of Regents.
6. Other privileges, benefits and opportunities of a faculty member on leave of absence without pay, shall be granted only upon recommendation of the university president with the approval of the University System of Maryland Board of Regents.

(BOR II - 2.20)

II – 2.30: Policy on Accident Leave and Creditable and Non-Creditable Sick Leave for Faculty Members

In the matter of accident leave and creditable and non-creditable sick leave for faculty, Salisbury University operates under **BOR II - 2.30 UNIVERSITY SYSTEM OF MARYLAND POLICY ON ACCIDENT LEAVE AND CREDITABLE AND NON-CREDITABLE SICK LEAVE FOR FACULTY MEMBERS** which is reproduced in full below.

I. Objectives

- A. To provide an informal system of colleague-substitution for short-term incapacity of instructional faculty. This practice protects the interests of students by ensuring the supply of qualified substitutes who are familiar with the disabled teacher's educational objectives, methods, and standards.
- B. To provide a regularized and equitable basis for determining the eligibility of faculty members to receive salary payments during extended periods of incapacity for reasons of illness, injury, or maternity leave.
- C. To provide a regularized and equitable procedure for disability coverage by way of disability retirement, regular retirement, or disability insurance, once the limits of the extended leave period have been reached and the health prognosis is unfavorable.

II. Non-creditable Sick Leave: Collegially Supported

- A. It is the responsibility of the institution to have an agreed-upon procedure for continuing instruction when faculty members are absent for any reason, including illness, injury, or childbirth.
- B. Once instruction is under way, it is important to have it continued with minimal interruption to protect the interests of students. Thus, when a faculty member is incapacitated for brief periods by illness, injury, or childbirth, the "collegial" method of accommodating faculty disability is preferred. This is the practice whereby colleagues of the disabled faculty member--on a voluntary basis--take over his or her classes and other essential functions, in addition to carrying on their regular work.
- C. This provision may be employed when practicable up to a maximum of twenty-five (25) work days for each faculty member in one fiscal year. After that time, creditable sick leave shall be charged.
- D. Collegially supported sick leave is not credited toward retirement and cannot be carried over to a subsequent fiscal year.
- E. An eligible faculty member, appointed for at least a semester but less than an academic year, may receive no more than half of the collegial protection awarded persons who are appointed for an academic year. Faculty appointed for periods of less than one semester may not receive collegial benefits.
- F. The maximum collegially supported leave available to a faculty member during the summer is one-seventh of the contract period. This will be included as part of the faculty member's yearly limit.
- G. Collegially supported leaves for an individual faculty member in two fiscal years must be separated by active service of at least twenty-five (25) work days.

III. Creditable Sick Leave

A. Accrual

1. Sick leave for faculty is accrued at the rate of 1.25 work days per month at full salary. Accrual of sick leave for summer employment by academic-year faculty is determined by the institution. In no case may an individual accrue more than fifteen (15) days of sick leave during any fiscal year.
2. Part-time faculty members who are employed at least 50 percent of the time are eligible for sick leave benefits proportionate to the percentage of their employment.
3. Individuals eligible to earn sick leave credits will accrue such credit for each calendar month in which they are on paid status for fifteen (15) or more days within that month. No sick leave credit will be accrued for any month during which the individual is on paid status for less than fifteen days.
4. Sick leave is accrued while the individual is on sabbatical leave, but not while on leave without pay.
5. A faculty member may be required to present appropriate diagnostic or medical evidence to support his or her sick leave.
6. When all accrued sick leave has been expended, the individual will be removed from salaried status, except in unusual circumstances as approved by the president. The institution will assist the faculty member in evaluating the options of disability retirement, regular retirement, or disability insurance if the health prognosis is unfavorable.
7. If there is a break in an individual's employment with the State of Maryland of less than three years, a sick leave balance will be restored. A leave of absence without pay is considered a break in employment. Sick leave balances may be brought to the University System from another State agency.

B. Sick Leave Creditable as a Retirement Benefit

1. A maximum of 130 sick leave days could be creditable as a retirement benefit as of January 1, 1975. Since that date, there has been no limit on accumulation of sick leave. For individuals employed in former Board of Regents institutions, there may be additional sick leave in reserve which cannot be credited toward retirement.
2. A faculty member who is receiving Maryland State Retirement System benefits does not accrue sick leave creditable as a retirement benefit. Faculty members who are members of the optional retirement plan provided through TIAA do not accrue sick leave creditable as a retirement benefit subsequent to the date of enrollment in the TIAA plan. Faculty members who receive approval for exemption from positive time reporting, as described in section **IV.A** on the following page, do not accrue sick leave creditable as a retirement benefit.
3. For faculty members enrolled in the Maryland State retirement and pension systems, at the time of retirement unused creditable sick leave is applied toward the individual's retirement service credit. There will be no cash payment for

accumulated sick leave at the termination of employment, nor may unused sick leave be used for early retirement. In the case of an individual who resigns after at least five years of employment, and who leaves contributions with the Maryland State retirement system, any unused creditable sick leave will be "vested" --that is, it will be credited toward retirement benefits when the employee begins to draw benefits.

IV. Reporting

- A. Each faculty member, regardless of the source of funding or retirement system in which he or she is enrolled, who is employed at least 50 percent of the time, must complete monthly positive time reports and sign the fiscal year summary record unless an exemption has been requested by the individual and approved by the president. When an exemption is approved, the faculty member thereby waives all claims from that date forward to credit any unused sick leave toward retirement benefits. With the approval of the president, the faculty member may revoke his or her exemption, and unused sick leave earned from the time of revocation forward will be credited toward retirement.
- B. Each institution shall establish procedures for positive time reporting by faculty. The institution shall retain monthly time reports for each individual for five years, and shall retain summary records of these reports until the individual leaves employment.

V. Accident Leave

- A. A faculty member who, in the actual performance of his or her duties, sustains an accidental personal injury that is otherwise compensable under the Maryland Worker's Compensation Law, shall be granted accident leave with full pay if, after medical examination, a physician certifies that the injury or accident disables the employee. Accident leave is available only to those who are eligible for sick leave.
- B. Accident leave shall be granted from the date of the job-related injury until a physician certifies that the individual is healed and is physically able to return to work. The period of accident leave must be supported by a valid physician's certificate. In no event may accident leave be extended beyond one year from the date the accidental personal injury occurred.
- C. Accident leave is not sick leave. An employee on accident leave status will continue to earn sick leave and annual leave credits. Holiday leave will be reported for scheduled holidays occurring during the period of accident leave.
- D. After the injured employee has used all available accident leave and does not elect to receive temporary total benefits, he or she may use other leave with pay, including sick leave, annual leave, compensatory leave, and holiday leave. If, after using all leave with pay, the individual does not elect to receive temporary total benefits, he or she may request the president to extend sick leave. After the use of all possible leave with pay, the individual shall be placed on leave of absence without pay.
- E. The injured employee shall not receive temporary total benefits under Worker's Compensation while receiving accident leave with full pay and shall not be paid any other leave benefits while on accident leave.
- F. Each institution shall establish procedures in accord with the System personnel policies and the Worker's Compensation law with regard to the employee's notice of injury, physician's

certification; responsible administrator's report, employee's claim, required medical examinations, granting of leave, and notification of the State Accident Fund.

(BOR II 2.30)

II – 2.31: Policy on Family and Medical Leave for Faculty

In the matter of family and medical leave for faculty, Salisbury University operates under **BOR II - 2.31 UNIVERSITY SYSTEM OF MARYLAND POLICY ON FAMILY AND MEDICAL LEAVE FOR FACULTY** which is reproduced in full below.

I. Purpose and Applicability:

The purpose of this policy is to implement the Family and Medical Leave Act of 1993 (FMLA), P.L. 103-3. This policy applies to all faculty⁹ of the University System of Maryland (USM) who are covered by the provisions of **USM BOR Policy II - 1.00 on Appointment, Rank, and Tenure of Faculty**. Under certain circumstances it is the policy of the USM to provide a faculty member with up to a maximum of twelve (12) weeks of unpaid leave during a twelve (12) month period for certain family and certain serious health condition reasons.

II. Terms and Definitions:

The following terms and definitions shall apply for purposes of this policy:

- A. **Accrued Leave:** Earned and unused annual, holiday, sick, and personal leave.
- B. **Alternative Position:** A position to which a faculty member may be temporarily reassigned during a period of intermittent F&M leave and/or reduced schedule. The alternative position shall have the same benefits and pay as the position from which the faculty member was reassigned.
- C. **Care:** "to take care of" or "to care for". The term care is intended to be read broadly to include both physical and psychological care. The language applies to the period of inpatient care and home care as well.
- D. **Child:** A person who is the son or daughter of a faculty member and who is under eighteen (18) years of age; or, eighteen (18) years of age or older and incapable of self-care because of a mental or physical disability during the period of the serious illness. The son(s) and/or daughter(s) may be the biological, adopted, step or foster child(ren) of the faculty member. A child is also someone who is the legal ward of the faculty member or someone for whom the faculty member has provided sufficient, notarized affidavit(s) and proof of financial dependence that he/she is standing in loco parentis.
- E. **Faculty Member:** An employee who is covered under the provisions of **USM BOR Policy II - 1.00 on Appointment, Rank, and Tenure of Faculty** and (1) whose date of hire is 12 months prior to the date of the requested leave, and (2) whose employment during the twelve months preceding the leave request was a least 50 percent or greater of full-time under a 9.5 month or longer contract, or who has been employed for at least twelve months (which need not be consecutive) and has worked at least 1,040 hours during the twelve months preceding at leave request.
- F. **Equivalent Position:** A position at the institution to which an faculty member shall be restored upon the completion of the F&M leave. The equivalent position shall have the

⁹For purposes of this policy, faculty member shall refer to Aeligible faculty member.

same benefits, pay, and other terms and conditions of employment as the position from which the faculty member took leave.

- G. Health Care Providers: Are doctors of medicine or osteopathy, podiatrists, dentists, clinical psychologists, optometrists, chiropractors (limited to treatment consisting of manual manipulation of the spine to correct a subluxation as demonstrated by x-ray to exist), nurse practitioners and nurse midwives, as authorized to practice by the State of Maryland; and Christian Science Practitioners listed with the First Church of Christ Scientist in Boston.
- H. Immediate Family Member: Is the faculty member's parent(s), spouse, or child(ren), or legal wards.
- I. In Loco Parentis: "In the place of a parent; instead of a parent; charged, factitiously, with a parent's rights, duties and responsibilities." Any faculty member claiming an in loco parentis relationship with a child, or any eligible faculty member claiming to be the child of an in loco parentis relationship may be requested to provide documentation of such relationship.
- J. Institution: Is the employing USM institution C the USM institution from which the faculty member is taking leave.
- K. Parent: Is the faculty member's biological, adoptive, step or foster mother or father, or someone who stood in loco parentis to the faculty member when the faculty member was a child.
- L. Restoration: As used within the FMLA and used within this policy, restoration is an institutional guarantee that at the conclusion of the F&M leave the faculty member will be returned either to the same position from which he/she took leave, or to an equivalent faculty position.
- M. Serious Health Condition: Is an illness, injury, impairment, or physical or mental condition that involves inpatient care in a hospital, hospice, or residential medical care facility, or home care, or continuing treatment by a health care provider. A serious health condition is also intended to cover conditions or illnesses that affect the faculty member's health or the health of the faculty member's immediate family to the extent that the family member is in the hospital or other health care facility or at home and unable to care for his/her own basic hygienic or nutritional needs or safety such that the faculty member must be absent from work on a regular and recurring basis for more than a few days for treatment or recovery. With respect to the faculty member, a serious health condition means that the faculty member must be incapacitated from performing the essential functions of his/her position.

Examples of serious health conditions applicable to the faculty member or the faculty member's immediate family member include, but are not limited to: heart conditions requiring heart bypass or valve operations; most types of cancer; back conditions requiring extensive therapy or surgical procedures; severe respiratory conditions; appendicitis; emphysema; spinal injuries; pneumonia; severe arthritis; severe nervous disorders; injuries caused by serious accidents; ongoing pregnancy, miscarriages, complications or illnesses related to pregnancy, such as severe morning sickness, the need for prenatal care, childbirth, and recovery from childbirth. Additional examples are a faculty member or immediate family member whose daily living activities are impaired by such conditions as Alzheimer's disease, stroke, or clinical depression, who is recovering from major surgery, or who is in the final stages of a terminal illness.

- N. Spouse: The person to whom the faculty member is legally married -- a husband or a wife.
- III. Reasons for Leave:
- A. Faculty member is entitled to take F&M leave for the following reasons:
1. the birth of the faculty member's child,
 2. the placement of a child with the faculty member for adoption or foster care,
 3. the need to take care of the faculty member's child within a twelve (12) month period from birth or placement,
 4. the need to take care of the faculty member's immediate family member who has a serious health condition, and
 5. the serious health condition of the faculty member.
- B. F&M leave is not intended to cover minor illnesses that last only a few days and short term medical and/or surgical procedures that typically do not involve hospitalization and require only a brief recovery period such as these that are normally handled through non-creditable and earned sick leave (see **USM BOR II - 2.30**).
- C. Additionally, requests for leave to take care of the employee's school-age child under the age of fourteen (14) during school vacations may be granted to the extent that the leave does not create a hardship with respect to the operational needs and work schedules of the applicable institutional unit.
- IV. F&M Leave Entitlement:
- A. A faculty member is entitled to a maximum of twelve (12) workweeks (60 days) of F&M leave within a calendar year. F&M leave can be taken continuously or, under certain circumstances, on a reduced F&M leave schedule, or intermittently over the course of a calendar year. F&M leave entitlement shall not be carried over from calendar year to calendar year.
- B. The actual F&M leave entitlement shall be integrated with the amount of other leave taken for F&M-related reasons during the calendar year within which the F&M leave is to begin.
- C. A faculty member who regularly works full time is entitled to a maximum of twelve (12) workweeks (60 days) of F&M leave per calendar year. A faculty member who works less than full time is entitled to a pro rata share of the twelve (12) week/sixty (60) day maximum.
- D. The spouse of a faculty member employed by the USM shall be entitled to a separate, individual, maximum family and medical leave eligibility amount. The amount of leave for which one spouse may be eligible, or the amount of leave used by one spouse shall not limit or enhance the leave amount or the leave usage of the other spouse. Spouses shall be entitled to take leave simultaneously or in succession and in any portion of their respective individual maximum for reasons of a serious health condition of the faculty member and for the serious health condition of the faculty member's immediate family members. Requests for simultaneous F&M leave by spouses employed by the same institutional unit may be granted for reasons of childbirth, placement with the faculty member of a child for adoption or foster care, or care for a newborn child, to the extent that simultaneous leaves do not substantially disrupt the academic program or unit of which the faculty members are a part.
- V. Integration of Other Leave Taken with F&M Leave Entitlement:

Actual F&M leave entitlement shall be based on the faculty member's use of other leave during the calendar year within which the F&M leave begins. The faculty member's use of the following types of leave shall be deducted from the actual F&M leave entitlement:

- A. Any prior F&M leave taken within the applicable year, including accrued paid leave and noncreditable leave substituted for F&M leave.
- B. Accident leave used within the applicable year.
- C. Any type of unpaid leave for reasons related to family and medical circumstances taken within the applicable year.

VI. Compensation During Leave:

F&M leave is an unpaid leave. However, based upon either the election of the faculty member or the requirement of the chief executive officer or designee and in accordance with USM's and the institution's existing leave procedures, accrued paid leave and noncreditable leave used for purposes that qualify under FMLA shall be substituted for all or any part of the F&M leave.

VII. Status of Benefits While on Family and Medical Leave:

- A. A faculty member who is granted an approved F&M leave under this policy shall continue to be eligible for all employment benefits that he/she enjoyed immediately prior to the F&M leave.
- B. A faculty member on F&M leave for reasons noted in **Section III**. a. may elect to continue employer- subsidized health care benefits during the period of leave. The chief executive officer or designee shall provide advance written notice to the faculty member of the terms and conditions under which premium payments are to be made by the faculty member. The subsidy shall cease if a faculty member gives notice that he/she no longer wishes to return to work. The institution shall recover its share of health premiums during unpaid F&M leave if the faculty member fails to return to work, or returns to work but fails to stay thirty (30) calendar days, unless the reason for not returning or staying is due to the continuation, recurrence or onset of a serious health condition or other circumstances beyond the faculty member's control.
- C. Except as noted in **Section X**, Job Protection, upon return from leave a faculty member shall be restored with all the rights, benefits and privileges enjoyed prior to the leave.
- D. While on any unpaid portion of a F&M leave, a faculty member shall not earn or accrue any additional leave.
- E. A faculty member may elect to purchase service credit at the time of retirement for prior leaves without pay that are qualified by the Maryland State Retirement and Pension Systems. Upon approval of a leave without pay, a faculty member shall follow the institution procedure to assure that this option may be exercised.

VIII. Notice of F&M Leave:

Regardless of the reason for the F&M leave a faculty member shall give at least thirty (30) calendar days notice and provide the appropriate medical certification or legal certification of adoption or foster child placement, before taking a F&M leave. When the need for leave is not foreseeable, a faculty member shall give notice as soon as practicable but no less than two (2) working days of learning of the need for leave. If this is not possible due to a medical emergency, then the faculty member or the faculty member's designee shall give written notice and provide the appropriate certification as soon as practicable.

IX. Job Protection:

- A. A tenure-track faculty member whose leave under the sick leave or FMLA leave policies totals at least one semester or six continuous months may request through his or her department chair or appropriate appointing authority that the mandatory tenure review be postponed. The request shall be forwarded through the faculty member's dean, for recommendation, to the chief academic officer of the institution for decision.
- B. Except as provided in **IX. C., D., E., and F.**, faculty member returning to work at the conclusion of a F&M leave shall be restored to their former position with the pay, benefits and terms and conditions of employment that they enjoyed immediately prior to the F&M leave.
- C. A faculty member is not entitled to restoration if the chief executive officer or designee determines that the faculty member had been hired for a specific term or only to perform work on a specific project defined in writing and the term or project is over and the institution would not otherwise have continued to employ the faculty member.
- D. If at any point prior to or during the F&M leave the chief executive officer or designee determines that the faculty member's former position cannot be held available for the duration of the leave, the chief executive officer or designee, at the conclusion of the leave, shall restore the faculty member to an equivalent position.

If the determination of an inability to hold the former position available occurs after the F&M leave begins, the chief executive officer or designee shall immediately notify the faculty member in writing of details associated with the decision and the details of the equivalent position to which the employee will be restored. The faculty member shall have the right to return within fifteen (15) working days from receipt of such notice to keep his/her former position.

- E. If there are reductions in the work force while the faculty member is on F&M leave and he/she would have lost his/her position under the institution's retrenchment policy(ies) had he/she not been on leave, there is no obligation to restore the faculty member to his/her former or equivalent position.
- F. A faculty member shall be restored consistent with current, applicable, appropriate pay, benefits and other terms and conditions of employment.

X. Medical Certification:

- A. For leaves related to serious health conditions and to child birth, the faculty member shall provide medical certification(s) from the faculty member's or family member's health care provider. The faculty member shall have fifteen (15) calendar days to obtain the medical

certification unless not practicable to do so despite the faculty member's diligent good faith efforts. Such certification shall include but not be limited to:

1. A statement of medical facts meeting the criteria for "serious health condition,"
 2. Date condition commenced,
 3. Regimen of treatment to be prescribed,
 4. The duration of absence from work,
 5. In the case of the faculty member's serious health condition, certification that the faculty member is unable to perform the essential functions of his/her position and prognosis of the faculty member's ability to return to his/her position,
 6. In the case of the faculty member's need to care for a seriously ill family member, certification of the necessity for and duration of the faculty member's presence; of the requirements of inpatient care; and of assistance for basic needs, safety and transportation,
 7. Title and original signature of an accredited, licensed or certified medical provider.
- B. The chief executive officer or designee may require a second medical opinion at the institution's expense. In the case of conflicting opinions, the opinion of a third health care provider, agreed upon by both faculty member and the chief executive officer or designee and obtained at the institution's expense, shall be final. The second and third opinions shall not be provided by individuals who are employed on a regular basis by the institution.
- C. The chief executive officer or designee may require reasonable recertification as the F&M leave continues, and may require a faculty member to provide periodic progress reports as to the serious health condition for which he/she is taking leave and the faculty member's ability to return to work at the end of the leave. Recertification shall not be requested more often than every thirty (30) calendar days unless the faculty member requests an extension of F&M leave, changed circumstances occur during the illness or injury, or the institution receives information that casts doubt upon the continuing validity of the most recent certification.
- D. Consistent with FMLA and other applicable laws, all medical-related documentation will be kept confidential and maintained in a file separate from the faculty member's official institutional personnel file.

XI. Intermittent or Reduced Leave:

- A. In the case of a documented medical necessity, a faculty member shall be entitled to intermittent leave and/or a reduced schedule that reduces regular hours per workday or workweek for purposes of the faculty member's or the immediate family member's serious health condition. The faculty member shall attempt to schedule intermittent leave or leave on a reduced schedule so as not to substantially disrupt the academic program or unit of which the faculty member is a part.
- B. A faculty member may be granted leave that reduces regular hours per workday or workweek for reasons of child birth, placement with the faculty member of a child for adoption or foster care, or care for a newborn child to the extent that the intermittent or reduced leave does not represent an undue hardship on the academic program or unit of which the faculty member is a part.
- C. The chief executive officer or designee may temporarily reassign a faculty member on intermittent or reduced F&M leave to an alternative position that better accommodates reduced or intermittent periods of leave.

XII. Scheduling of Treatment In Instances of Serious Health Conditions:

- A. In instances of the serious health condition of a family member or of the faculty member himself or herself, and in keeping with the requirements of the appropriate health care provider, the faculty member shall make reasonable efforts to schedule any medical treatments so as not to substantially disrupt the academic program or unit of which the faculty member is a part.
- B. During the course of the treatment and as the chief executive officer or designee deem appropriate, the faculty member may be requested to provide certification from the appropriate health care provider of the unavailability of treatment during non-work time, or at times that are less disruptive to the academic program or unit of which the faculty member is a part.

XIII. Providing Information About F&M Leave:

Regardless of the reason for the leave, a faculty member shall provide complete, accurate and timely information related to a request for, continuation of, modification(s) to, and return from a F&M leave.

XIV. Early Return from Leave:

A faculty member interested in returning to work from a F&M leave prior to the agreed upon end of the leave date shall provide the chief executive officer or designee with a written request at least seven (7) calendar days prior to the date on which the faculty member is interested in returning. The chief executive officer or designee shall make a good faith effort to restore the faculty member to his/her former or an equivalent position as soon as possible but no later than the thirty (30) calendar days after receipt of this request.

XV. Extensions of Leave

A faculty member may extend the date of return from a F&M leave to the extent that they have F&M leave entitlement available. A request for an extension of F&M leave shall be considered under this policy as if it was an initial request.

XVI. Failure to Return from Leave

- A. A faculty member who will not be returning to the institution at the conclusion of a leave shall notify the chief executive officer or designee in writing as soon as practicable. The chief executive officer or designee may request certification of reasons for the faculty member's failure to return to work. In the absence of written notification, failure to return from leave shall be interpreted as a resignation.
- B. If applicable, any benefit entitlement based upon length of service shall be calculated as of the faculty member's last paid day.
- C. Employer costs of any payments made to maintain the faculty member's benefit coverage when on unpaid F&M leave shall be recovered if a faculty member fails to return to work as described in **Section VII.B.**

XVII. Abuse of F&M Leave

The chief executive officer or designee shall review, investigate and resolve suspected cases of bad faith, fraud or abuse of the F&M leave program. Cases of bad faith, falsification of documents, or fraudulent information related to the F&M leave provided to the institution, or

other abuses of the F&M leave program, may result in but are not limited to: revocation of the leave, refusal to restore, recovery of institutional costs for paid-time leave and insurance benefits premiums, and disciplinary action up to and including termination.

XVIII. Implementation Procedures

Each chief executive officer shall identify his/her designee(s), if appropriate, for this policy; shall develop procedures as necessary, for the posting, record-keeping and implementation of this policy; shall communicate this policy and applicable procedures to faculty members of his/her USM institution; and shall forward a copy of such designations and implementation procedures to the chancellor.

(BOR II - 2.31)

II – 2.40: Policy on Annual Leave for Faculty

- I. Faculty with Contracts of Less Than Twelve Months
 - A. A full-time faculty member serving on An academic-year contract of less than ten months is not entitled to paid annual leave.
 - B. A full-time faculty member serving on a ten-month contract is entitled to fifteen calendar days of paid annual leave which shall be the last fifteen days of the ten-month contract period, unless otherwise designated at the time of appointment. Such paid annual leave time may not be carried forward into the next fiscal year.
 - C. A part-time faculty member appointed on at least a 50% of full-time basis and serving on a ten-month contract is entitled to annual leave on a pro rata basis. Such leave shall be taken as the final days of the ten-month contract period, unless otherwise designated at the time of appointment. Such paid annual leave time may not be carried forward into the next fiscal year.
- II. Faculty with Twelve-Month (Fiscal-Year) Contracts
 - A. A full-time faculty member serving on a fiscal contract shall earn twenty-two (22) days of paid annual leave and three (3) days of paid personal leave per calendar year. Beginning with the twenty-first year of employment, a full-time faculty member serving on a fiscal-year contract shall earn twenty-five (25) days of paid annual leave and three (3) days of paid personal leave per calendar year.
 - B. Paid annual leave shall accumulate at the rate of 1.83 work days per month beginning with the first full month of employment (22 work days per year).
 - C. The time taken as paid annual leave shall have the concurrence of the supervisor.
 - D. Annual leave may be accumulated, but only a maximum of fifty (50) work days may be carried into a new calendar year.
 - E. At the end of each calendar year, a supervisor may, through appropriate channels, recommend to the institution's Chief Executive Officer or designee that a fiscal-year faculty member be paid for days of annual leave lost because of the denial of an annual-leave request. The supervisor's recommendation for payment for lost annual leave shall be accompanied by a written explanation of why the lost annual leave was not taken at another time during the calendar year. Payment is at the discretion of the chief executive officer or designee. It is also limited to unused annual leave that is in excess of the maximum accumulation and that is lost by the employee at the end of the calendar year.
 - F. A fiscal-year faculty member transferring from one University System of Maryland institution to another shall be entitled to carry into the new position all unused annual leave accumulated at the time of transfer. Fiscal-year faculty members leaving the University System of Maryland to take another State position who are not entitled to transfer accumulated leave and fiscal-year faculty members leaving State service shall be compensated for all used annual leave accumulated up to the date of resignation.
 - G. For twelve-month faculty members who are paid in whole or in part from contracts or grants, constituent institutions may limit the number of days of unused annual leave for

which such employees may be paid upon leaving employment in the System. Any such limit shall be made a part of the employee's written employment contract.

- H. Unused paid personal leave days may not be carried forward into the next calendar year and are not eligible for compensation upon termination.

III. Exception for Fiscal-Year Faculty Funded by Grants and Contracts

- A. For fiscal-year faculty members who are paid in whole or in part from contracts or grants, constituent institutions may limit the number of days of unused annual leave for which such employees may be paid upon leaving employment in the System. Any such limit shall be made a part of the employee's written employment contract.
- B. A part-time faculty member appointed on at least a 50% of full-time basis and serving on a twelve-month contract shall earn, use, accrue and be eligible for payment of annual and personal leave, on a pro rata basis, on the same terms available to full-time faculty members.

IV. Implementation Procedures

- A. Each Chief Executive Officer or his/her designee shall develop procedures as necessary to implement this policy and shall forward a copy to the Chancellor.
- B. Beginning in Spring, 2002, and continuing for three years, the Chancellor shall report annually to the Board of Regents, through its Committee on Education Policy, on the total cost of approved compensation for denied annual leave to faculty and exempt staff in the USM, by institution and employee category.

Approved by the Board of Regents, January 11, 1990
Amended by the Board of Regents, December 9, 1994
Amended by the Board of Regents, February 9, 2001

(BOR II - 2.40)

II – 2.50: Policy on Jury Service for Faculty Members

In the matter of faculty on jury service, Salisbury University operates under **BOR II - 2.50 UNIVERSITY SYSTEM OF MARYLAND POLICY ON JURY SERVICE FOR FACULTY MEMBERS** which is reproduced in full below.

The purpose of this policy is to establish for faculty members at USM institutions a leave category called Jury Service which permits absence from duty without loss of any pay or charge to personal or accrued annual leave.

A faculty member who is selected for jury duty shall notify the appropriate academic administrator of this selection without delay. The faculty member shall be permitted to be absent without loss of pay or charge to any leave for the day(s) of jury service. Upon request, the employee shall be responsible for providing documentation which verifies attendance. If, after reporting for jury duty, it is determined that the individual's services are not required and the individual is dismissed for the day, then the individual, time permitting, is required to return to the job.

(BOR II - 2.50)

II – 3.00: Policy on the Role of Faculty in the Development of Academic Policy

The Bylaws of the Salisbury University Faculty Senate establishes an Academic Policies Committee which ensures a faculty role in the development of academic policy at the university. The role and function of the Academic Policies Committee as described in the Bylaws is stated below.

Academic Policies Committee

The purpose of the committee shall be to establish academic policies, including those concerning academic standards and retention, the marking system and standards for academic probation. In addition, the committee will advise and adjudicate on individual scholastic problems and matters of academic dishonesty, and act as a board of appeal on academic matters for students and faculty. The committee shall consist of nine members, including eight voting members: a designated senator; four faculty elected at-large, serving two-year terms, with two retiring annually; two students serving one-year terms: one junior and one senior, selected annually in a manner determined by the Student Government Association, with the junior having the option of continuing to serve as a senior; and the vice president of student affairs, *ex officio*, or his/her designee, the provost or his/her designee shall be a non-voting, *ex officio* member, and the committee shall elect its chair annually.

(BOR II - 3.00)

II – 3.10: Policy on Professional Commitment of Faculty

In the matter of the professional commitment of faculty, Salisbury University operates under **BOR II - 3.10 UNIVERSITY SYSTEM OF MARYLAND POLICY ON PROFESSIONAL COMMITMENT OF FACULTY** and has developed specific procedures for regular faculty reporting of outside professional consulting and external professional services. BOR II - 3.10 appears below and includes Salisbury University's reporting procedure under **Sections III.B** and **C**.

I. Commitment to the Institution

With the acceptance of a full-time faculty appointment in the University System of Maryland, one makes a major professional commitment to the mission and goals of the institution and its students with the essential components of instruction; student direction and advisement; research; professional, public and institutional service; and administration. These vary in their relative distribution of time according to the particular talents and interests of the faculty member and the needs of the academic unit as determined by the department chair or other responsible administrator.

Consulting or professional services rendered within the constituent institution during an appointment period may not carry a stipend except with the advance approval of the president or designee.¹⁰

II. External Commitments

Professional consulting and other external professional activities, whether income-producing or not, may be undertaken only when it is assured that all responsibilities associated with the individual's position are fully satisfied and will continue to be met. Ordinarily, these activities shall be undertaken only when their performance gives promise of enhancing professional standing of the individual or contributing to the fulfillment of the mission of the institution. The following standards (A and B below) apply to all faculty members of the University System of Maryland, whether the appointment is full-time or part-time.

A. Professional Consulting

1. Consulting or professional services which carry a stipend and are rendered to another institution in the University System or another State agency in Maryland require the advance approval of the president or designee of the faculty member's institution.
2. A faculty member may not make substantial use of the physical resources of his or her institution in connection with consulting activities unless the institution is reimbursed in accordance with prior arrangements, or unless such reimbursement is waived by the president or designee of the affected institution.
3. A faculty member shall not convey endorsement by the institution or the University System of the recommendations or results from his or her consulting activities.
4. No individual shall enter into any agreement in the pursuit of consulting services which conflicts with the University System policy on intellectual property without the written waiver or consent of the Chancellor or designee.

¹⁰For purposes of this policy, unless otherwise stipulated, in the case of a faculty appointment that is jointly held in more than one institution "the president" means the chief executive officer of the institution in which the majority of the appointment resides.

B. Conflict of Interest and/or Commitment

Although external activities enhance the institution and the University System of Maryland, they also bring with them the potential for conflicts of interest and conflicts of commitment. A conflict of interest arises when the faculty member influences, or is in a position to influence, the institution's decisions for personal financial gain or benefit. A conflict of commitment situation arises when outside activities substantially interfere with the person's obligation to students, colleagues, or the institution.

1. It is recognized that some situations carry the potential for conflict, while not manifesting an actual conflict because of careful attention to ethics on the part of the faculty member and the institution. In instances where a conflict or appearance of conflict of interest may arise in the context of the State Ethics Law, an advisory opinion should be obtained from the State Ethics Commission.¹¹
2. In situations which have the appearance of conflict, a faculty member must inform the department chair or other appropriate administrator, according to institutional procedures.

III. Application

- A. Nothing contained in this policy shall be construed as imposing any obligations on faculty members to the institution or to the University System beyond those required by law or contract, nor as adding any grounds for termination of a faculty appointment beyond those stipulated in the policies governing faculty appointments, ranks, and tenure, as approved by the Board of Regents.
- B. Faculty of the University are encouraged to accept occasional requests to participate in short-term professional activities within or outside the state such as lecturing to professional groups, directing workshops, and providing technical and consulting services to professional, technical and business organizations. Faculty are also permitted to teach occasional courses at (neighboring) other colleges and universities. The term "occasional" means courses not taught on a regular, recurring basis and not under a year-to-year contract. Faculty members are allowed to receive remuneration for such professional service and teaching.
- C. Before accepting off-campus employment, faculty members must secure approval of department chairs, deans and the university administration. Each faculty member who accepts off-campus employment must file a letter describing such employment and demonstrating that it does not exceed one day per week over the course of the academic year. This letter must be filed prior to December 31 of each year with the department chair and the dean of the school with copies to the provost.

(BOR II - 3.10)

¹¹The Maryland Public Ethics Law (Article 40A of the Maryland Annotated Code) provides that a State official or employee cannot be employed by, or have a financial interest in, any entity which is negotiating or has entered into a contract with the State agency or institution where he or she is employed. (Section 3-103(a)(1)(I).) The Maryland Public Ethics Law similarly bars a State official or employee from holding any other employment relationship which would impair the impartiality and the independence of judgment of an official or employee. (Section 3-103(a)(1)(ii).) The Public Ethics Law defines "financial interests" as:

- (a) ownership of any interest as a result of which the owner has received, over the past three years, or is presently receiving, or in the future is entitled to receive, more than \$1,000 per year, or
- (b) ownership, or the ownership of securities of any kind representing or convertible into ownership, of more than 3% of a business entity. (Section 1-201 (m).)

II – 3.20: Policy on Teaching Outside the University by Full-Time Faculty

In the matter of faculty teaching outside the University, Salisbury University operates under **BOR II - 3.20 UNIVERSITY SYSTEM OF MARYLAND POLICY ON TEACHING OUTSIDE THE HOME INSTITUTION BY FULL-TIME FACULTY** which is reproduced in full below.

A full-time faculty member, with the written permission of the president (or designee) of his or her institution, may teach a maximum of two courses at another institution for extra compensation during the individual's contract year.

(BOR II - 3.20)

II – 4.40: Policy on Grievance Procedures

I. Policy

Introduction

Salisbury University has established the University Grievance Policy to give members of the University community a forum in which to express concerns related to matters involving discipline, unlawful discrimination, or the interpretation or application of University policies. The Policy provides a method for aggrieved individuals from all sectors of campus life, including students, employees, and faculty, to express substantive complaints about University faculty or administrators and have them resolved by disinterested parties in a timely fashion.

The following matters are not covered by these grievance procedures:

1. Claims involving sexual harassment;
2. Claims relating only to alleged violations of policies which were promulgated exclusively by the University System of Maryland, actions of the Board of Regents, or actions of the chancellor of the System, over which SU has no jurisdiction;
3. Retrenchment appeals.
4. Student disciplinary matters handled through the Judicial Boards.
5. Student disciplinary matters involving alleged violations of academic integrity.

The following groups shall have jurisdiction over grievances:

Grievances filed by faculty: In all matters involving denials of tenure, and any complaints that a faculty member's academic freedom has been directly restricted, including disputes with other faculty or administrators over grades or grading policies, the grievance shall be referred to the Academic Freedom and Tenure Committee. In matters related to other academic policy concerns, the grievance shall be referred to the Academic Policies Committee. In all other matters, the grievance shall be referred to the Faculty Welfare Committee.

Grievances filed by students: All formal student grievances are filed with the Office of the Vice President for Student Affairs. In campus life matters, the grievance shall be referred to the Student Campus Life Grievance Committee. In all academic matters, including grade disputes, students are expected to begin with the informal process. If the informal process is unsuccessful, then the student should file a formal grievance with the Office of the Vice President for Student Affairs. The grievance will then be referred to the Academic Policies Committee.

Grievances filed by regular¹² nonexempt employees: These grievances shall be handled in accordance with University System of Maryland Policies.

Grievances filed by administrative exempt employees: These grievances shall be handled in accordance with Procedures Governing the filing and Processing of Grievances for Administrative Staff Personnel, found in Appendix M of Laws Relating to and Governing Policies and Procedures of the Board of Trustees of State Universities and Colleges of Maryland.

Jurisdictional Disputes: If a dispute arises over the jurisdiction of the committee assigned to decide the matter, the jurisdictional dispute shall be resolved as follows: for a grievance filed by faculty, it shall be resolved by the president of the Salisbury University Faculty Senate; for a grievance filed by a student, it shall be resolved by the Office of the Vice President for Student Affairs.

¹² "Regular" means non-contingent employees.

II. Salisbury University Procedures

PROCEDURES

The Policy includes two different avenues through which a grievant, at his or her option, may initiate a complaint. Nothing in this policy is to be construed to inhibit or prevent the grievant from reconsidering a less formal option, once the formal grievance procedures have begun.

A. Informal Process

All members of the University community are encouraged to attempt to resolve differences between themselves and others in an informal manner. This may entail only a conversation in which the views of both parties are aired in a mutually satisfactory manner or a conversation using a neutral third party for mediation. If this step does not satisfy the grievant, a written complaint should be prepared, which should be provided by the grievant to the person alleged to be responsible, either directly or because of a supervisory role, for the alleged wrong. The complaint should set forth a chronology of events leading up to the grievance, and should include the names of persons with knowledge of the events in question, pertinent dates, a description of the actions taken against the grievant which led to dissatisfaction, and a proposed resolution to the problem. If known, information about relevant University policies should be provided. The responsible individual should respond in writing to the complaint. If the response is not satisfactory to the grievant, he or she may solicit the assistance of the supervisor of the responsible person to resolve the complaint. If no resolution is possible, the grievant may elect to not proceed with the complaint or may begin the formal grievance process.

In cases of grade disputes, under normal circumstances the student should:

- Contact the instructor of the course. This should occur by the end of the second week of the fall or spring semester following the semester when the grade was awarded.
- If it is not possible to resolve the dispute with the instructor, contact the chair of the department.
- If the dispute has still not been resolved, contact the dean.
- If the dispute has still not been resolved, begin the formal process.

B. Formal Process

1. Filing the Grievance

If the informal process is not successful in resolving a complaint, a formal grievance may be initiated. To initiate the process, a student or faculty grievant shall file a written complaint, similar in content to that filed in an informal grievance, with the Office of the Vice President for Student Affairs or Office of the Provost, respectively. An exempt or nonexempt employee grievant shall file a written complaint in accordance with System policy.

2. Referral to Committee

The Provost or Vice President for Student Affairs or his or her designee shall refer the grievance to the appropriate University committee for review and recommendation. The committee shall meet and determine in its sole discretion whether sufficiently significant questions have been raised and remain unresolved. Committees then have the following

options: 1) to initiate an investigation, 2) to forego an investigation and initiate a formal hearing or 3) to render a written decision based on evidence submitted.

3. Committee Investigation

If the committee determines that an investigation or hearing should be undertaken to resolve the grievance, it shall send written notice to all parties that the committee will be investigating the grievance through a series of interviews at which the committee will collect additional information and evidence necessary for it to render an informed and reasoned judgment. The investigation may include interviews with the parties to the grievance and with any witnesses to the events, a review of any pertinent documents and any other actions that the Committee deems appropriate.

4. Hearing

If a hearing is to be held, the committee shall send written notice of the time, date and location to all parties. The hearing shall be conducted as follows:

- a. The hearing shall be held at a reasonable time when all parties are available or have an opportunity to be present.
- b. The parties shall be entitled to make opening and closing statements.
- c. The parties shall be entitled to present evidence through witnesses and documents, and shall be entitled to cross examine the opponent's witnesses.
- d. The hearing shall be closed to all persons but the grievant, the alleged responsible person, and the committee, unless all of the above persons agree otherwise.
- e. No one may be represented by an attorney at the hearing, unless the accused is facing or may face criminal charges relating to the subject of the grievance. If so, both parties may elect to have counsel assist them. In this case, counsel for the committee may be present. The role of legal counsel in these hearings shall be limited to the role of advocate for their party in procedural concerns and assistance in the process. At no time may legal counsel give statements or participate in questioning witnesses and committee members. In all other grievances, the grievant and the subject of the grievance may be accompanied to the hearing by a non-legal advocate of his or her choosing who may provide support to the individual but otherwise shall not participate formally in the proceedings. The advocate shall be a member of the University student body, faculty, staff or administration.
- f. Formal rules of evidence need not be followed at the hearing. The committee may receive such evidence as a reasonable person would consider reliable in making important decisions. If a question arises about the authenticity of a document or the reasonableness, relevance or redundancy of evidence, the chair of the committee shall be the final decision-maker on the evidence's admissibility.

- g. The parties may request, in writing, that the committee contact specified persons to appear at the hearing to testify on behalf of the parties. The request must be made at least five working days before the scheduled hearing in order to allow ample time for the committee to make the requests.
- h. The chair of the committee shall be responsible for conducting the hearing in an efficient and decorous manner and shall rule on all disputes related to the procedures used throughout the proceedings. The chair may set reasonable limits on the length and nature of the opening statements, the evidence presented and on the duration of the hearing. At any time, the chair may seek the advice of legal counsel.
- i. The grievant has the burden to prove by a preponderance of the evidence that the action or inaction complained about did occur and that it was contrary to University policy or procedures.

5. Findings

After the investigation or hearing has been held, the committee shall meet to consider the merits of the grievance. It shall consider only that evidence that was admitted in the investigation or hearing, and only those grievances which were formally part of the process. The deliberations shall be private and no recordings shall be made, nor shall any notes be kept other than purely personal notes of the members.

Upon the conclusion of its deliberations, the committee shall send a brief written notice of a preliminary finding of adequate or inadequate support for the grievance to the Provost or Vice President for Student Affairs and to the parties.

Upon receipt of the written notice, the grievant shall have five working days to decide to pursue or withdraw the grievance. In order for a sanction to be imposed or a decision reversed, the grievance must be pursued beyond the committee's deliberations. The grievant may confer with the chair of the committee before making this decision at which time the chair will explain the committee's rationale for its decision.

If the grievance is pursued, the committee shall issue a full report of its findings and its recommendations, including any dissenting views, after the report has been reviewed by all committee members. The report shall be sent to the Provost or Vice President for Student Affairs, who will send a copy to the grievant and the allegedly responsible party.

The Provost, in instances of grievances filed by faculty and instances of grievances filed by students grieving academic matters, or the Vice President for Student Affairs, in instances of grievances filed by students other than academic matters, will make a final determination as to findings and sanctions, will make a final report, and convey it to the parties and the chair of the committee.

6. Appeal

If either party is dissatisfied with the findings of the committee, Provost or Vice President of Student Affairs, he or she may file an appeal to the President of the University. The bases for an appeal are only the following: (1) committee's failure to follow the procedures set forth in this Policy in a way which could have significantly prejudiced the appellant; (2) bias on the part of a committee member; or (3) the decision was based on a clearly erroneous interpretation of the evidence. The President may review the matter at his or her

discretion, and shall issue a decision upholding or rejecting in whole or in part the findings of the committee. The decision of the President shall be final.

7. Time Frame

The following suggested deadlines shall be used for the various events that occur during the grievance process. They shall be followed unless unforeseen circumstances prevent compliance. The total amount of time from incident through a final decision from the President may be as much as 90 working days. All time limitations contained within this policy may be extended for good cause as determined by the relevant committee. Failure to adhere strictly to the suggested deadlines shall not be grounds for appeal unless significant prejudice has occurred.

- a. Filing the formal grievance: this must occur within thirty (30) working days¹³ of the date on which the grievant knew or should have known of the grievable incident. There must be strict compliance with this deadline. Unless the grievant and responsible party agrees in writing to stay the enforcement of this deadline, the thirty working day period applies even if the informal process has not been completed.
- b. Response to the complaint: within ten working days of the receipt of the complaint.
- c. Decision to proceed with an investigation and possible hearing: within ten working days of the receipt of the formal complaint by the committee.
- d. Investigation, interviews and/or hearings: Completion within twenty working days of the decision to proceed with an investigation or hearing.
- e. Issuance of committee's decisions and recommendation to the Office of the Provost or the Office of the Vice President for Student Affairs: within five working days of the decision to proceed without an investigation or hearing or within five working days of the last interview or hearing.
- f. Grievant has five days to decide to pursue or withdraw the grievance.
- g. Issuance of committee report: within ten working days of the request of the grievant.
- h. Issuance of the Provost's or vice President's determination to the parties: within five working days of issuance of the committee's findings to that Office.
- i. Filing of appeal: within five working days of the issuance of the Provost's or Vice President's determination.
- j. President's final ruling: within ten working days of the receipt of the appeal.

¹³ For faculty, the applicable period for "working days" is the contract year, August 15th through June 15th. For students, the applicable period includes the fall and spring semesters of the academic year.

8. Miscellaneous

The matters addressed in any grievance will be kept in confidence by the parties directly involved. Under no circumstances shall any findings be provided to anyone other than the committee members, the Office of the Provost, the Office of the Vice President of Student Affairs, the Office of the President, the grievant, the person(s) allegedly responsible and their attorneys if such have been consulted. The committee may seek the advice of legal counsel at any time during the process.

**(Revised Document Approved by the Faculty Senate on May 11, 1999;
Second Revisions of Document Approved by Faculty Senate on March 13, 2001)**

BOR II – 4.40

II – 5.00: Policy On Faculty Employment Of Members Of The Same Family

In the matter of employment of members of the same family to the faculty, Salisbury University operates under **BOR II - 5.00 UNIVERSITY SYSTEM OF MARYLAND POLICY ON FACULTY EMPLOYMENT OF MEMBERS OF THE SAME FAMILY** which is reproduced in full below.

1. It is the policy of the University System of Maryland that appointment and promotion of faculty be based on the qualifications and performance of the person(s) under consideration.
2. In keeping with this policy, members of the same family, including husband and wife, are eligible for employment as faculty members. However, a direct supervisory relationship shall not exist between the parties in these instances at the time of employment or thereafter, nor shall one member of the family assume for the other the formal role of advocate or judge with respect to conditions of employment, promotion, or tenure. Where members of the same family are recommended for employment in the same department or unit, the arrangement shall be approved in advance and in writing by the provost.

(BOR II - 5.00)

II – 8.00: Policy On Faculty Retrenchment

1. General Principles

- a. The term "retrenchment" means the termination of a faculty appoint as authorized in the November 29, 1990, **University of Maryland (USM) Board of Regents Policy on Faculty Retrenchment (II-8.00)**.¹⁴
- b. The retrenchment procedures which follow do not apply to such normal staffing actions as:
 - 1) Not filling vacant positions;
 - 2) Deciding against contract renewal in the ordinary course of contract renewals;
 - 3) Reallocating vacant positions to programmatic areas with high need.
- c. These retrenchment procedures are applicable only to a rank identified or permitted under the **USM Policy on the Appointment, Rank and Tenure of Faculty (II-1.00)** of the USM Bylaws, Policies and Procedures of the Board of Regents.

The USM Retrenchment Policy and these retrenchment procedures are in addition to and not in limitation of other USM and Salisbury University's policies and procedures concerning faculty appointment, nor are they in limitation of any USM or Salisbury University's policy on academic program review.

2. Initiation of Retrenchment

The president has the sole authority within Salisbury University, subject to the authority of the Board of Regents, to initiate retrenchment. The president shall initiate retrenchment when the president determines that retrenchment is necessary, consistent with the USM and Salisbury University's policy on Appointment, Rank and Tenure. Before determining that a fiscal crisis necessitates retrenchment, the president shall consult with the chancellor and the Board of Regents. The Board may request relevant information from the president and may consider comments from representatives of campus and faculty governance bodies and other interested persons.

The policy of Salisbury University is to make every reasonable effort to avoid retrenchment, even under the extraordinary circumstances of budgetary or programmatic contraction. However, program review is a part of routine institution planning. While such reviews may be motivated in part by broad financial considerations, they normally occur as part of the ongoing management of the institution. Resulting program eliminations provide a basis for faculty terminations without the necessity of showing a lack of appropriations. Where the lack of appropriation is the basis for faculty retrenchment, the retrenchment plan may take into consideration such non-financial factors as institutional mission, long-range educational planning, and may call for program reductions and/or program eliminations. A lack of appropriations exists when, in the president's judgment, there is a fiscal crisis that threatens or endangers the institution's ability to carry out its mission as defined in the most recent mission statement approved by the Board of Regents, and the termination of tenured or tenure-track faculty appointments will be substantially less detrimental to the institution's ability to fulfill its mission than other forms of budgetary curtailments available to the institution.

¹⁴For the purposes of these procedures, "restricted funding" as used in the USM's policy on faculty retrenchment shall mean as applicable I) the lack of appropriations of other funds with which to support the appointment, as set forth in the University System of Maryland Policy on Appointment, Rank and Tenure of Faculty, section I.C.9 or ii) such other meaning set forth in corresponding sections of earlier faculty appointment agreements still in effect.

The university prefers, nevertheless, the following measures to retrenchment of faculty:

- 1) retraining of faculty;
- 2) reducing the use of part-time and contractual faculty positions;
- 3) transferring faculty to other duties (in other academic departments or administrative units);
- 4) encouraging early retirements;
- 5) leaving vacant positions unfilled;
- 6) not renewing tenure-track appointments.

Only when the president believes that such measures are inadequate or inappropriate will the university retrench faculty.

3. Procedures

- a. Prior to faculty retrenchment, a Retrenchment Committee shall be formed.

The committee shall consist of the following:

- 1) The provost.
- 2) The president shall appoint five representatives from the following committees: Executive Committee, Faculty Welfare Committee, Academic Policies Committee, Committee on Academic Freedom and Tenure, and the representatives to the University System of Maryland Faculty Council.
- 3) One tenured faculty member from each school in the university which shall be elected by the faculty of that respective school, and one at-large member elected by the entire university faculty.
- 4) A budget officer appointed by the president of the university who shall serve in an *ex-officio*, informational and non-voting capacity.

The chair shall be selected by the committee and shall be a tenured faculty member.

- b. The Retrenchment Committee shall develop a plan for retrenchment considering the following factors in accordance with the mission of the university:

- 1) The educational mission of the university
- 2) The programmatic mission of the university
- 3) Budgetary constraints of the university
- 4) The impact of any proposed action of retrenchment on students
- 5) The impact of any proposed action on the faculty
- 6) Termination of appointment for the purpose of retrenchment should be a last resort. Every reasonable effort should be made to locate the faculty scheduled for retrenchment elsewhere on the campus.

- c. The Retrenchment Committee may investigate and suggest all reasonable alternatives to retrenchment. If retrenchment must be implemented, the unit of retrenchment shall be the school, department, or curricular concentration. When making the list of appointments within the retrenchment unit, the only faculty members to be included on the list are those whose appointments are made within the school, department, or curricular concentration in which the retrenchment unit is located. The list shall not include faculty members assigned to the retrenchment unit, but whose appointments are in another school, department, or curricular concentration. After the approval of these procedures, any new, renamed or reorganized school, department or curricular concentration created within the University shall constitute a separate retrenchment unit.

When the president has requested a plan for retrenchment, the Retrenchment Committee shall produce such a plan. Should the committee fail to do so, the president shall have the

right to appoint a new committee. The Retrenchment Committee normally shall have at least two (2) months to develop a plan. Nevertheless, the president retains the authority to establish a shorter time period when the president believes that swifter action is required.

- d. The committee shall submit the retrenchment plan to the president for approval at least three (3) months prior to the implementation date, as established by the president. The president shall report the retrenchment plan to appropriate committees and the institution. All options considered by the Committee, and the expected consequences of each shall be presented with the recommendation of the Committee. The recommendation of the Committee shall include an explanation of its identification of the retrenchment unit recommended for retrenchment. Consistent with applicable law, deliberations about specific personnel decisions of any committee shall be confidential.

4. Authority of the President

The president has final authority over any decision or determination under these retrenchment procedures. In addition to the advice of the committees established under retrenchment procedures, the president may seek the advice of any individual, group or office within Salisbury University or outside the institution. The president may adopt recommendations from any committee identified in the retrenchment procedures, adopt them with modifications, or reject them and make substitutions for them.

If the president does not accept the recommendations of the committee in whole or in part, he/she should consult with the committee concerning the reasons for this action.

The president shall have the right to adjust any schedule referenced in the retrenchment procedures except for those pertaining to the notice for termination and to the appeal process. An effort will be made to give advance notice of any such adjustment. Failure to comply with such schedules, however, shall not be grounds for appeal under these retrenchment procedures.

5. Notification of Termination

The president shall give a written notice of termination to each faculty member whose appointment is to be terminated pursuant to these retrenchment procedures. The termination notice shall include:

- a. notification that the appointment is being terminated pursuant to these retrenchment procedures;
- b. the applicable notice period;
- c. the effective date of termination;
- d. a statement that System Administration shall send, for a period of one year, written notice of faculty openings within the System to the last address that the faculty member has on record with the institution;
- e. notification of the right of the faculty member to appeal the termination of appointment and a copy of these retrenchment procedures;
- f. if applicable, a statement that deviation was made from the order of termination and the circumstances of the deviation.

In all cases of retrenchment, the position of the faculty member concerned shall not be filled by a replacement within a period of three years unless the released faculty member has been offered reinstatement. A faculty member would have no more than 90 days to accept or reject reinstatement. If the University, because of retrenchment terminates a faculty member within a retrenchment unit, the University shall not make a new appointment(s) or create new position(s) with equivalent duties and responsibilities in that retrenchment unit, or a successor unit, within a period of three years unless the released faculty member(s) has been offered reinstatement, at the same or higher rank and tenure status and up to 90 days in which to accept or reject reinstatement.

6. Notice Period For Termination

For the purpose of these retrenchment procedures, the applicable termination notice period is determined by the status of the faculty at the time the notice of termination is given.

Non-tenure track faculty, as defined in the University System of Maryland Policy on Appointment, Rank and Tenure of faculty, shall be given written notice of up to one year prior to the date of termination of appointment.

Non-tenured, tenure-track faculty shall be given notice of termination not less than one year prior to the date of termination of appointment.

Full-time instructors or lecturers, with seven or more years of continuous service to the institution, coming July 1, 1984, shall be given written notice of termination of at least one year prior to the date of termination of appointment.

Tenured faculty members shall be given notice as set forth in University System of Maryland Policy on Appointment, Rank and Tenure of Faculty, Section I.C.9. or corresponding sections of earlier faculty appointment agreements still in effect, as applicable.

Notice of termination shall be effective on the date the notice is mailed by U.S. certified or registered mail, return receipt requested to the last address that the terminated faculty member has on record with Salisbury University.

An institution shall offer within three years to a tenured or tenure-track faculty member whose appointment was terminated pursuant to these retrenchment procedures any new positions with equivalent duties and responsibilities within the retrenchment unit prior to hiring any other person.

7. Order of Termination

a. Retrenchment within a retrenchment unit shall be as follows:

- 1) Part-time faculty on non-tenured track temporary contract;
- 2) Full-time faculty on non-tenured track temporary contract;
- 3) Tenure-track faculty;
- 4) Tenured faculty.

Deviations from the order of termination may be made only when the termination of the appointment of the faculty member would significantly impede the ability of the institution or retrenchment unit

affected by retrenchment to fulfill its mission and goal or to fulfill commitments under grants and contracts.

The reason and basis for making a decision to deviate from the order of termination shall be adequately documented.

b. Seniority

The termination of employment of tenured faculty shall be by ascending length of service. Seniority is based on length of service at the University dating from the respective date of initial appointment in the tenure-track position, not the date tenure was awarded. Faculty members with equal seniority shall be released in reverse order of obtaining tenure status. Faculty members of equal seniority and with equal years of tenure status shall be released in ascending order of academic rank.

8. Appeals Process

a. Retrenchment Appeals Committee

The composition of all committees established with the institution's retrenchment procedures shall include at least 50% faculty within its membership of which one half are elected by the faculty and the remaining half appointed by the president. The membership of the Retrenchment Appeals Committee at Salisbury University shall consist of eight faculty members, four elected by the faculty for three year terms and four appointed by the president. No two shall be from the same department and at least four members shall be tenured. Members of the Faculty Mediation Committee, Faculty Hearing Committee, and Retrenchment Committee shall not serve on this committee. Terms of office shall be determined so that two members retire each year.

No Retrenchment Appeals Committee member will participate in a hearing in which the committee member is subject to a conflict of interest. Conflicts of interest include, but are not limited to, being a member of the same department or program as the appealing faculty member. An appealing faculty member shall be entitled to disqualify one committee member, whether elected or appointed, for any reason. Anytime an elected committee member is removed or fails to serve, the Nominations and Elections Committee shall appoint a replacement member.

The committee shall elect its chair annually.

If the faculty decline to elect faculty member(s) in a timely manner, or if the faculty decline to serve, the president shall appoint the required number of committee members to serve on the committee.

The committee shall consider the appeal of any faculty member terminated under a retrenchment plan and shall use for these cases procedures set forth herein.

b. Filing an Appeal

A faculty member whose appointment is terminated under these retrenchment procedures shall have a right to appeal in accordance only with these procedures. No other appeal procedures within Salisbury University are applicable.

The faculty member must include all grounds for appeal in the written request for appeal.

The filing of a request for appeal will not alter the effective date of termination of the appointment.

c. Appeal Schedule

- 1) A request for appeal must be filed with both the president and the chair of the University Forum within ten (10) working days¹⁵ after the effective mailing date of the notice of termination. The president will notify the chair of the Retrenchment Appeals Committee of the appeal.
- 2) The committee shall inform the faculty member of the date, time and place of the hearing no later than ten (10) working days after the President's receipt of the request for appeal. The committee must schedule the hearing to occur within 30-45 calendar days after the President's receipt of the appeal.
- 3) The faculty member may, at the Committee's discretion, amend the original request for appeal to include or delete grounds for appeal. Such amendment must be in writing and must be made no later than ten (10) working days before the hearing is scheduled to occur. The faculty member must file the amended appeal with the president ten (10) working days before the hearing is scheduled to occur.
- 4) The faculty member must provide to the committee a statement of facts on which the appeal is based and a list of witnesses and documents to be introduced at the hearing no later than five (5) working days prior to the date of the hearing.
- 5) The institution must provide the committee a list of witnesses and documents to be introduced at the hearing no later than five (5) working days prior to the date of the hearing.
- 6) The committee shall send its recommendation to the president no later than ten (10) working days after the conclusion of the hearing. Written minority opinions may also be sent to the president at the request of the dissenting members.
- 7) Within ten (10) working days after receipt of the committee's recommendation, the President shall issue a final decision and mail a copy to the faculty member by U.S. certified or registered mail, return receipt requested.

d. Grounds for Appeal

The grounds for appeal shall be limited to:

- 1) error in the application of the order of termination of appointment;
- 2) procedural error;
- 3) insufficiency of notice of termination;
- 4) whether any deviation from the order of termination was made without reasonable grounds; and
- 5) the termination was otherwise unlawful.

¹⁵Working days are defined as Monday through Friday, inclusive, exclusive of holidays recognized by the institution.

e. Conduct of the Hearing

The Institution will be represented by the Office of the Attorney General or its designee. The faculty member may be represented by legal counsel throughout the appeal proceedings at the faculty member's expense.

The faculty member and the institution may each call and cross examine witnesses and present documentary evidence at the hearing. Each member of the committee may call and question witnesses and request the presentation of documentary evidence.

The formal rules of evidence and of judicial procedure shall not apply to the appeal hearing; however, the committee may exclude irrelevant or repetitious testimony.

The hearing shall be audio taped and a copy of the tape shall be made available if requested by the faculty member.

The faculty member's failure to appear at the hearing shall be deemed a voluntary dismissal of the appeal in the absence of extraordinary circumstances.

Postponement of the hearing may be granted at the discretion of the committee upon the written request of the faculty member.

The appeal committee must make the decision based on the record. Consistent with applicable law, the committee's deliberations about specific personnel decisions shall be confidential. The committee's decision will be based on a simple majority vote with a quorum of at least seventy-five percent of the membership present and voting.

The committee shall send its recommendation to the president no later than ten (10) working days after the date of the conclusion of the hearing. Written minority opinions may also be sent to the president at the request of the dissenting members.

(BOR II - 8.00)

C. Section III: Academic Affairs

III – 1.00: Policy on Faculty, Student, and Institutional Rights and Responsibilities for Academic Integrity

Integrity is a principle which permeates all the activities of the university and guides the behavior of faculty, students and staff. The principle of academic integrity is manifested in a spirit in which truth is pursued, in a process by which students learn about the concept of integrity, and in a procedure for determining individual accountability for the standard of integrity.

The *spirit* of academic integrity denotes adherence to the precept that "one's work is one's own." The *process* by which integrity is upheld assumes clear communication of university expectations, standards, and policies and clear communication of student's and faculty's rights and responsibilities. The *procedure* is grounded in commitment to the protection of individuals' rights.

A. Faculty's Rights and Responsibilities

1. Faculty members share with students and administrators the responsibility of academic integrity. Faculty members enjoy freedom in the classroom to discuss all subject matter reasonably related to the course. In turn, they have responsibility to encourage students' free and honest inquiry and expression. Consistent with the principles of academic freedom, faculty are responsible for presenting courses that are consistent with their descriptions in the Salisbury University catalogue. Faculty members also have the obligation to make students aware of course expectations, evaluation procedures and grading policies in the following way:
 - a. A course syllabus must be provided for each course and must be handed out at the first class meeting. The syllabus should include information about the purpose of the course; prerequisites; whether or not the course satisfies a General Education requirement and if so, in which group; textbook(s) to be used; topics to be covered; and schedules of major tests.

The syllabus must also include policies and procedures related to class attendance, assignments, tests and quizzes, grading and office hours and information about how the course meets the university's Writing Across the Curriculum requirement. These policies and procedures constitute a commitment by the faculty member to students and must be followed throughout the semester.
 - b. Full and part-time faculty have the obligation to provide students with adequate notice of their academic progress. Students who are performing unsatisfactorily in any course at midsemester should be notified of inadequate performance by the course instructor. Failure to do so is not only unfair to the students, but may place the faculty member at risk with respect to student grievances about grades.
 - c. Courses at Salisbury University are normally culminated by final examinations. These examinations are to be given during the time reserved by the Registrar's Office. Final examinations are not to be given during the last scheduled week of classes. If an exam or test is given during the last week of classes, a final exam must also be given during exam week. Faculty may not publicly post grades, but may inform students of final grades before grades are sent out by the Registrar by mailing grades to students in student-provided, stamped, addressed envelopes.

To assist students and faculty members in cases of disputes over grades, all final examinations should be kept for one calendar year. Faculty members who leave the University should turn in final exams and grade books to the department chair.

d. Final Exams and Grades

Courses at Salisbury University are normally culminated by final examinations. These examinations are to be given during the time reserved by the Registrar's Office. Final examinations are not to be given during the last scheduled week of classes. If an exam or test is given during the last week of classes, a final exam must also be given during exam week. Faculty may not publicly post grades, but may inform students of final grades before grades are sent out by the Registrar by mailing grades to students in student-provide stamped, addressed envelopes.

To assist students and faculty members in cases of disputes over grades, all final examinations should be kept for one calendar year. Faculty members who leave the university should turn in final exam and grade books to the department chair.

A student who has more than two final examinations scheduled for the same day need not take more than two of these examinations on that day. If the student wants to use the following procedures for rescheduling examinations, then, no later than one full week before final examinations begin, the student must provide each of the professors involved with a written copy of his complete examination schedule, including course numbers, section numbers and name of professors. The professors of those courses whose final examinations are scheduled second, fourth, fifth, etc. in the day will then reschedule their examination for that student on a day of the final examination period on which the student has fewer than two examinations scheduled and inform the student prior to the last day of classes when and where the examination will be given. In the event that the professor may contact the other professors involved, making alternate arrangement so that the student takes all of his final examinations during the final examination period and has no more than two examinations scheduled for the same day. That professor will then inform the student of those arrangements prior to the last day of classes.

A student who has more than one examination scheduled for the same time should contact the appropriate professors and make alternate arrangements.

e. The following grades are used to indicate a student's achievement in individual courses:

- A - Excellent.** Superior achievement. The "A" grade is reserved for outstanding performance.
- B - Very good.** High achievement. It is a mark of distinction.
- C - Satisfactory.** Adequate achievement.
- D - Passing.** Marginal achievement. The "D" grade indicates minimal exposure to the principles and techniques presented.
- F - Failure.** Inadequate achievement. The "F" grade is also given for late or unofficial withdrawals.

The following grading symbols are not accompanied by quality points and do not contribute to the student's grade point average. They may, however, appear on a student's permanent record and are defined accordingly:

I - Incomplete. Non-completion of a course due to unavoidable circumstances beyond the student's control. The "I" automatically becomes an "F" if course work is not completed prior to mid-semester of the next full semester for which the student is enrolled, or at the end of one calendar year, whichever is earlier. In extreme cases extensions may be granted by the Office of Academic Affairs.

PS - Pass. A passing grade ("D" or better) for credit-bearing courses taught or taken on a Pass/Fail basis.

S - Pass. Not for university credit--a passing grade in those courses which cannot be applied to undergraduate degree requirements.

CS -Continuing Satisfactorily. Satisfactory progress in a developmental studies course which extends into a subsequent semester.

AU - Audit. Approved attendance without credit.

W - Withdrawal. Official withdrawal from a course during the Schedule Adjustment Period.

WP/WF- Withdrawal Passing/Withdrawal Failing. Official withdrawal from a course after Schedule Adjustment Period, denoting passing/failing status at the time of withdrawal.

NR - Grade Not Reported. Instructor has not filed a grade.

IP - In Progress. Used for grading on-going theses and research projects, internships, or independent studies which extend into a subsequent term. Unlike the I grade, the IP grade does not automatically become an F at the end of a given time interval.

R - Repeated Course. Preceding a grade, denotes that the course has been repeated: **RA, RB, RC, RD, RF.**

X - Clemency Grade. Preceding a grade of D denotes that the grade has been removed from the grade point average. Credit for the course has been removed from Attempted Hours (AHRS) and Earned Hours (EHRS).

Note: Warning - Students who need to meet eligibility criteria for athletics, financial aid, scholarships, etc. should be aware that courses with grades of W, WP, WF, I or IP will not be included in credits successfully completed.

f. Ghost Policy

During the drop/add period, instructors may drop from their rosters students who miss two, consecutive class sessions and who fail to notify instructors that they wish to remain in the course from which they have been absent. Instructors initiate this "ghost policy" by notifying the Registrar's Office in writing of students who are to be dropped from a roster. This written notification must include the student's name and social security number as well

as the course name and number, its section number and the department in which the course is taught.

2. Faculty members are obligated to evaluate students fairly, equitably and in a manner appropriate to the course and its objectives. Grades must be assigned without prejudice or bias. If there is a need to change a grade, a faculty member submits a *Change of Grade* form to the registrar. This form may be obtained from the Office of the Provost and must be signed first by the department chair, the dean, and then by the associate provost of academic affairs before it is submitted.
3. Faculty members shall make all reasonable efforts to prevent the occurrence of academic dishonesty by appropriately designing and administering assignments and examinations, carefully safe guarding course materials and examinations and regularly reassessing evaluation procedures. If faculty suspect instances of academic dishonesty, they have a responsibility to take appropriate action in accordance with Salisbury University regulations described below.

B. Students' Rights and Responsibilities

1. Students share with faculty members and administrators responsibility for academic integrity. They have right of free and honest inquiry and expressions in their courses, and the right to know course requirements, evaluation, and grading procedures. Students have the obligation to complete course requirements in the time and manner prescribed by their teachers and to submit their work for evaluation.
2. Students have the right to be evaluated fairly, equitably and in a timely manner appropriate to the course and its objectives. When students believe they have not been fairly evaluated, they may appeal such evaluations according to the procedures detailed in **Salisbury University's Policy on Review of Alleged Arbitrary and Capricious Grading**.
3. Students must not submit as their own work any which has been prepared by others. Students may have appropriate assistance in the preparation of their work from librarians, tutors, typists or others as specified or approved by the appropriate faculty member.

The following defines academic misconduct at Salisbury University.

Academic Misconduct, a breach of academic integrity, may include but is not limited to the following:

- a. Plagiarism: presenting as one's own work, whether literally or in paraphrase, the work of another.
 - b. Cheating on exams, tests and quizzes: the wrongful giving or accepting of unauthorized assistance, the giving or taking of unauthorized exam material, and/or the use of illegitimate sources of information.
 - c. Illicit collaboration with other individuals in the completion of course assignments.
 - d. The use of fraudulent methods in laboratory, studio, field work or computer work.
 - e. Other acts generally recognized as dishonorable or dishonest which bear upon academic endeavors.
4. Students shall make all reasonable efforts to prevent academic dishonesty. They shall encourage academic integrity by their own example and shall not engage in acts of academic

misconduct. When students expect instances of academic dishonesty they have the right and responsibility to bring this to the attention of the faculty or other appropriate authority.

C. Institutional Responsibilities

1. Salisbury University is committed to fostering academic integrity by ensuring implementations of the procedures described in this policy.
2. Students who are expelled or suspended from Salisbury University for reasons of academic dishonesty are not admissible to any other University System of Maryland if expelled or during any period of suspension.

Revised December 1997

(BOR III - 1.00)

III – SU: Policy on Academic Integrity

Introduction – Integrity is a principle which permeates all the activities of the University and which guides the behavior of faculty, students and staff. The principle of academic integrity is manifested in a spirit in which truth is pursued, in a process by which students learn about the concept of integrity, and in a procedure for determining individual accountability for the standard of integrity.

The spirit of academic integrity denotes adherence to the precept that “one’s work is one’s own.” The process by which integrity is upheld assumes clear communication of University expectations, standards, and policies and clear communication of students’ and faculty’s rights and responsibilities. The procedure is grounded in commitment to the protection of individuals’ rights.

Scope – This policy is intended to foster student academic integrity and to address cases of student academic misconduct.

In order for the University community to foster academic integrity, it is necessary to describe what constitutes breaches of academic integrity, that is, academic misconduct.

Definition of Academic Misconduct – Academic misconduct, a breach of academic integrity, may include but is not limited to the following:

- plagiarism; presenting as one’s own work, whether literally or in paraphrase, the work of another.
- cheating on exams, tests and quizzes; the wrongful giving or taking of unauthorized exam material, and/or the use of illegitimate sources of information.
- illicit collaboration with other individuals in the completion of course assignments.
- the use of fraudulent methods or communications related to laboratory, studio, field or computer work.
- other acts generally recognized as dishonorable or dishonest which bear upon academic endeavors.

Procedures for Handling Cases of Academic Misconduct

Faculty Action – Individual faculty members have the right and responsibility to deal directly with any cases of academic misconduct that arise in their courses. If a faculty member believes a student has committed an act of academic misconduct, the faculty member will advise the student in a timely fashion of the accusation and will allow the student an opportunity to respond to the accusation. Prior to the faculty member imposing a sanction, the faculty member may check with the University judicial administrator to ascertain whether there is a previous history of academic misconduct. The faculty member may impose an appropriate sanction which reflects the seriousness of the act and which may range from a written warning to (but not greater than) removal from the course and issuance of an F in the course.

If a sanction is issued it must be placed in writing within five working days of advising the student of the accusation, with a copy sent to the student and a copy sent to the University judicial administrator. The faculty member has the responsibility to retain any materials or documents that may be pertinent to the case until its final resolution.

If the faculty member believes the misconduct warrants dismissal from a program, the faculty member then refers the case in writing to the School’s Hearing Board, or if the school does not have such a board, to the Academic Policies Committee. If the faculty member believes the misconduct warrants suspension or expulsion from the University, the faculty member then refers the case in writing to the Academic Policies Committee. A copy of all such referrals must be sent to the student and to the University judicial administrator.

Student Appeals – The student’s right to appeal is outlined in the following procedures. Students are entitled to the assistance of an advocate in advance of and during the appeal process. An advocate assists the student in the preparation and presentation of the case. The advocate may be selected by the student or, at the request of the student, appointed by the University Judicial Administrator. In all cases, the advocate must be a member of the University faculty, staff or student body. The appeal process must be in accordance with the following provisions:

The process for appealing a faculty sanction ranging from a written warning to (but not greater than) removal from the course and issuance of an F in the course is as follows:

1. A student appeal, including the grounds for the appeal, is submitted in writing to the University Judicial Administrator in the Office of the Vice President of Student Affairs within five working days of receiving notice of the sanction from the faculty member.
2. The student's written appeal ordinarily will be forwarded to the Academic Policies Committee as designated by the University Judicial Administrator within five working days of its filing. In the event the Academic Policies Committee is not available, the University Judicial Administrator will forward the appeal to the Dean of the School in which the course resides.
3. Students are entitled to no more than one appeal review. The decision of the Academic Policies Committee or the Dean is final.

A faculty recommended sanction of dismissal from a program is heard by the School Hearing Board, or if the School does not have a hearing board, by the Academic Policies Committee. Appeals of School Hearing Board decisions are directed to the Dean of the School. Appeals of decisions of Deans or the Academic Policies Committee are directed to the Provost, whose decision is final.

The Academic Policies Committee hears faculty recommended sanctions of suspension or expulsion from the University. Appeals of Academic Policies Committee decisions are directed to the Provost. The final right of appeal is to the President of the University, whose decision is binding.

Appeal Reviews – The School Hearing Board, Academic Policies Committee or administrator designated under this policy to review appeals will review all documentation submitted in the case and will then have the following options: 1) to render a written decision based on evidence submitted and/or 2) to initiate an investigation and/or 3) to initiate a formal hearing.

Investigation – If it is determined that an investigation should be undertaken, written notice shall be sent to all parties that the case will be investigated through a series of interviews for the purpose of collecting additional information and evidence necessary for an informed and reasoned judgment to be rendered. The investigation may include interviews with the parties in the case and with any witnesses to the events, a review of any pertinent documents and any other actions deemed appropriate.

Hearing – If a hearing is to be held, written notice of the time, date and location shall be sent to all parties. The hearing shall be conducted as follows:

1. The hearing shall be held at a reasonable time when all parties are available or have an opportunity to be present.
2. The parties shall be entitled to make opening and closing statements.
3. The parties shall be entitled to present evidence through witnesses and documents, and shall be entitled to cross-examine witnesses.
4. The parties shall be entitled to each have an advocate to assist in the preparation and presentation of the case.
5. The hearing shall be closed with attendance limited to individuals directly connected with the case as determined by the chair.
6. No one may be represented by an attorney at the hearing, unless the student is facing or is likely to face criminal charges relating to the alleged academic misconduct. If so, both the student and the faculty member may elect to have counsel assist them. Counsel for the hearing body may also be present. The role of legal counsel in these hearings shall be limited to advising their clients in procedural concerns and assistance in the process. At no time may legal counsel give statements or participate in questioning witnesses and committee members.
7. Formal rules of evidence need not be followed at the hearing. The hearing body may receive such evidence as a reasonable person would consider reliable in making important decisions. If a question arises about the authenticity of a document or the reasonableness, relevance or redundancy of evidence, the chair of the School Hearing Board or Academic Policies Committee (or administrator hearing the case) shall be the final decision-maker on the admissibility of the evidence.
8. The parties may request, in writing, that the committee contact specified persons to appear at the hearing to testify on behalf of the parties. The request must be made at least five working days before

- the scheduled hearing in order to allow ample time for the hearing body to make the requests.
9. The chair of the School Hearing Board or Academic Policies Committee (or administrator hearing the case) shall be responsible for conducting the hearing in an efficient and decorous manner and shall rule on all disputes related to the procedures used throughout the proceedings. Reasonable limits may be set on the length and nature of the opening and closing statements, the evidence presented and on the duration of the hearing. At any time, the chair (or administrator hearing the case) may seek the advice of legal counsel.
 10. The party that has imposed sanctions under this policy has the burden to prove by a preponderance of the evidence that a violation of this policy did occur.

Findings – The appeal review body will issue a written notice of its findings to all parties involved, with a copy sent to the University judicial administrator.

School Hearing Boards – Each school in the University may constitute a committee to serve as a School Hearing Board to hear cases where the faculty member recommends that a student be dismissed from a program. Upon hearing such cases, School Hearing Boards may impose sanctions up to and including dismissal from a program. A School Hearing Board may also elect to recommend suspension or expulsion from the University by referring the case in writing to the Academic Policies Committee.

School Hearing Boards must include representation of students and faculty from the school. Appointments to the Board are made by the Dean of the School. A majority of members appointed to the School Hearing Board shall constitute a quorum and decisions are made by a majority vote of members present. Hearing procedures will be guided by the “Procedural Due Process” provisions outlined under University Judicial System Policies and Procedures.

Academic Policies Committee – Under this policy the Academic Policies Committee serves to review appeals of faculty imposed sanctions and to hear cases referred by faculty members or School Hearing Boards where the sanction may include dismissal from a program (in the absence of a School Hearing Board), or suspension or expulsion from the University.

University Judicial Administrator – The role of the University judicial administrator is outlined under Judicial System Policies and Procedures.

University System of Maryland Policy – In accordance with Board of Regents policy, students expelled or suspended for reasons of academic dishonesty by any institution in the University System of Maryland shall not be admissible to any other System institution if expelled, or during any period of suspension.

Revisions Approved by the Academic Policies Committee on February 15, 2001
Revisions Approved by the Faculty Senate on March 13, 2001

III – 1.10: Policy on Misconduct in Scholarly Work

The inherent requirement for integrity in the quest for knowledge and in the creation of scholarly and artistic works is fundamental to the academic purpose. Deviations from the proper conduct of scholarly work erode the public's confidence in science, in scholarship and in institutions of higher education. Salisbury University expects that the highest ethical standards as well as compliance with public laws and regulations will prevail in the conduct of its activities. The University considers misconduct in scholarly work by any of its employees a breach of contract. Accordingly:

1. It is the policy of Salisbury University to maintain high ethical standards in science and other scholarly work, to prevent misconduct where possible, and promptly and fairly to evaluate and to resolve instances of alleged or apparent misconduct.
2. It is the policy of Salisbury University to terminate the employment and/or to take other disciplinary action against any individual found guilty of misconduct.
3. It is the policy of the Salisbury University to award no degree if misconduct in science or other scholarly work contributed to that degree, and when warranted, to revoke such a degree if misconduct is discovered after its award.

The policy applies primarily to faculty, staff, and student research, scholarly writing, and the creation of works of art. It is not intended to address issues, such as the conduct of students in examinations and in fulfilling course requirements, which are covered by other policies.

Procedures Handling Cases of Misconduct in Scholarly Misconduct

Allegations of student scholarly misconduct as described in the Salisbury University Policy on Misconduct in Scholarly Work will be lodged in writing with the Academic Policies Committee for investigation and hearing. The Academic Policies Committee shall follow the procedures described in the Policy on Student Academic Integrity.

Allegations of faculty scholarly misconduct as described in the **Salisbury University Policy on Misconduct in Scholarly Work** will be filed in writing with the Academic Policies Committee. The Academic Policies Committee shall investigate and hear such allegations, make findings of fact based upon the merits of the allegations and will provide a recommendation to the president as set forth in subparagraph C.7 of the **Salisbury University Policy on Appointment, Rank and Tenure of Faculty**.

Allegations of administrative staff scholarly misconduct as described in the **Salisbury University Policy on Misconduct in Scholarly Work** will be filed with the provost. The provost will investigate and hear such allegations, make findings of fact based upon the merits of the allegations and forward the same to the president for disposition under the **Salisbury University Policy on Misconduct in Scholarly Work**.

(BOR III - 1.10)

III – 1.11: Policy on Conflicts of Interest in Research or Development

In the matter of conflicts of interest in research or development, Salisbury University operates under **BOR III - 1.11 UNIVERSITY SYSTEM OF MARYLAND POLICY ON CONFLICTS OF INTEREST IN RESEARCH OR DEVELOPMENT** which is reproduced below.

I. Introduction

Maryland law encourages public senior higher education institutions to promote economic development in the State and to increase their financial resources through arrangements with the private sector, including collaborative research and development, commercial application of institution-owned intellectual property, and provision of technical assistance. To facilitate these purposes, the Maryland Public Ethics Law allows for the exemption of the University System of Maryland personnel from some of that law's conflict of interest provisions. This policy establishes the essential elements of the procedures, to be adopted by each System institution for obtaining such exemptions.

II. Policy

- A. A present or former official or employee of a constituent institution of the System, USMA, UMBI, or CEES may have a relationship (as defined herein) with an entity engaged in research or development, or an entity having a direct interest in the outcome of research or development, which relationship would be otherwise prohibited by the conflict of interest provisions of the Ethics Law, if such a relationship is disclosed and approved by the president of the educational institution in accordance with the institution's faculty conflict of interest procedures developed pursuant to this policy.
- B. The chancellor, a vice chancellor, a president, or a vice president or one holding a similar such position may have such a relationship only if the Board of Regents makes the following findings:
 1. that participation by, and the financial interest or employment of, the official is necessary to the success of the research or development activity; and
 2. that any conflict of interest can be managed consistent with the purposes of relevant provisions of the Public Ethics Law.

The Board shall promptly notify the State Ethics Commission in writing of any approval given under this paragraph. In the event that the Commission disagrees with any approval and provides notice to the Board within 30 days of the Commission's receipt of notice of the approval, the Board shall reexamine the matter. The Board shall adopt procedures for handling requests for approvals under this paragraph.

- C. If the above conditions are not met, this policy does not exempt a former or present official or employee from any of the provisions of the State Ethics law.
- D. Nothing in this policy allows an exemption on the part of any official or employee of the System from the provisions of the **Section 15-505** (“Solicitation or acceptance of gifts of honoraria”) of the State Government Article. Further, an official or employee of the System may not (1) represent a party for contingent compensation in any matter before the Board of Regents or before the State’s Board of Public Works, or (2) intentionally misuse his or her position with the System for personal gain or for the gain of another person.
- E. The approval of a relationship under this policy does not relieve the official or employee from the obligation to comply with other System and institution policies, including the System Policy on Professional Commitment of Faculty.
- F. The chancellor is encouraged to consult periodically with the Maryland Department of Business & Economic Development and with Federal agencies that regulate federally-funded research concerning the implementation of this policy.

III. Procedures

- A. Each institution and the USMA shall develop procedures based on the above policy and purposes of the Maryland Public Ethics Law as stated at **Section 15-101** of the State Government Article of the Maryland Annotated Code. The procedures shall be approved by the Office of the Attorney General and approved as to conformity with Maryland Public Ethics Law by the State Ethics Commission. The approved procedures shall be filed with the Office of the Chancellor.
- B. Procedures shall:
 - 1. Require timely disclosure of any relationship. The disclosure shall be filed with the State Ethics Commission, and maintained as a public record at the institution.
 - 2. Subject to paragraph (5), require review of all disclosed relationships by a designated official who shall determine what further information must be disclosed and what restrictions shall be imposed in order to manage, reduce, or eliminate any actual or potential conflict of interest. The designated official shall also determine whether or not the disclosed relationship represents a harmful interest, as defined herein. If so, approval shall not be granted.
 - 3. Include guidelines to ensure that relationships do not improperly give an advantage to entities with which the relationships exist, lead to misuse of institution students or employees for the benefit of such entities, or otherwise interfere with the duties and responsibilities of the official or employee maintaining the relationship.
 - 4. Subject to paragraph (5), require that each relationship be approved or disapproved by the president of the institution, with such determination to be the final decision.
 - 5. Require that any relationship maintained by the president or provost, by the chancellor or a vice chancellor, and by one holding any other position designated by the Board of Regents be approved only by the Board of Regents.

IV. Reporting

Institutions shall submit to the chancellor in a format determined by the chancellor a quarterly report which shall include all approvals granted under this policy. The Board of Regents shall report to the governor, the Legislative Policy Committee of the General Assembly, and the State ethics commission, the number of approvals granted under this policy and how this policy and the procedures adopted pursuant to it have been implemented in the preceding quarter.

V. Definitions

- A. "Harmful interest" means an interest which is found to be so influential as to imply partiality in the conduct of the research, the interpretation of the results of the research, and/or the determination of research or other professional and employment priorities.
- B. "Institution" as used in this policy means each constituent institution of the System, University System of Maryland Administration, the University of Maryland Biotechnology Institute, the Center for Estuarine & Environmental Studies, and any other Unit of the System that the chancellor shall designate.
- C. "Relationship" means any interest, service, employment, gift, or other benefit or relationship with an entity that would be prohibited by **Title 15, Subtitle 5** of the State's Public Ethics Law if not disclosed and approved pursuant to this policy and procedures adopted pursuant to it. "Relationship" includes any relationship of the spouse or other relative of an officer or employee if such a relationship creates restrictions on the officer or employee under the conflict of interest provisions of the Ethics Law.
- D. "Research or development" means the basic or applied research or development, and includes the development or marketing of university-owned technology, the acquisition of services of an official or employee by an entity for research and development purposes, or participation in State economic development programs. (**See Appendix H, Conflict Exemption Disclosure Form**)

(Approved by Board of Regents, August 23, 1996)

(BOR III - 1.11)

III – SU: Policy on Standards for the Conduct of Scientific Research

This policy is on file and disk in the Office of Academic Affairs and is accessible on the web at:
www.ssu.edu/UnivOffices/PPSciRes.Html

Any faculty involved in any research affiliated with his/her relationship to SU should familiarize themselves with the policy. If you have any questions, contact the Director of Grants and Sponsored Research.

(Revised September 1, 1997)

III – 1.20: Policy on Review of Alleged Arbitrary and Capricious

Each institution shall develop guidelines and procedures to provide a means for a student to seek review of course grades alleged to be arbitrary or capricious. In this policy, the term “arbitrary and capricious” grading means 1) the assignment of a course grade to a student on some basis other than performance in the course; 2) the assignment of a course grade to a student by unreasonable application of standards different from the standards that were applied to other students in that course; or 3) the assignment of a course grade by a substantial and unreasonable departure from the instructor’s initially articulated standards. The SU guidelines and procedures are outlined in the SU Grievance Procedures document approved 3-13-2001.

Approved by the BOR, January 11, 1990

(BOR III – 1.20)

III – 1.30: Policy on Academic Clemency

Salisbury University recognizes that some students may, for a variety of reasons, develop academic records that do not reflect their true abilities. Students who leave the university with a poor academic record may wish to receive academic clemency upon their return. To encourage students to try again after an unsuccessful experience, the university is prepared to extend academic clemency under the following conditions.

Eligibility and Outcomes

1. Students requesting academic clemency may not have attended Salisbury University for at least five (5) calendar years.
2. Students who have not attended for five previous years are only eligible for clemency once in their academic career.
3. Students requesting academic clemency may petition to have the effects of up to sixteen (16) credit hours of D and/or F removed from the calculation of GPA.
4. The actual grades of D and/or F grades which were receive will remain on the academic record beside the courses in which they were earned but will be noted as removed from the GPA calculation with an X.
5. When clemency is granted for D grades, the previously earned credits for those grades will be deleted from the student's academic record.

Application Procedures

Students seeking academic clemency must carry out the following procedures no later than the semester before they apply for graduation.

1. Obtain a Readmission Application and an Academic Clemency Request form from the Office of Admissions.
2. Submit the following to the associate dean of admissions.
 - a. a completed readmission application.
 - b. a check for \$30.00 for readmission fee.
 - c. the completed and signed Academic Clemency Request form.
 - d. a brief letter outlining reasons for requesting clemency.
3. If unsure of courses to request, an unofficial transcript may be obtained by contacting the Registrar's Office.
4. Students who are already readmitted to the university need not submit a readmission application and a readmission fee (**items 2.a. and 2.b. above**).
5. Prompt action will be taken upon receipt of the above listed documentation.

(BOR III - 1.30)

III – SU: Policy on Student Request for Waivers of Academic Policies

Introduction

The academic policies of Salisbury University have been established by the faculty to guide students' performance and to help ensure quality education at the University. These policies and their related procedures are documented in full in the *University Catalogue* and students are responsible for being aware of these policies and for planning their programs of study in accordance with them. Where appropriate, waivers of particular types of academic policies may be granted by the following individuals.

Procedures For Applying For Waivers of Academic Policy

Policy Type (see glossary for definition of terms)	Waiver Granting Authority
Requirement of Academic Majors	Department Chairs
Extension of Grades of Incomplete	Deans of Schools
Change of Pass-Fail/Credit Grades	Deans of Schools
Enrollment Exceeding 19 Hours	Deans of Schools
Credit by Challenge Examination	Deans of Schools
General Education Requirements	Asst. VP of Academic Affairs
Final Thirty-Hour Requirement	Asst. VP of Academic Affairs
Thirty-Hour Upper Division Requirement	Asst. VP of Academic Affairs
Catalog Edition Graduation Requirement	Asst. VP of Academic Affairs
Sixty-Hour Honors Requirement	Provost
Commencement Participation Policy	Asst. VP of Academic Affairs

1. Student Action

Students wishing to apply for waivers of academic policies and procedures must state their requests in writing and submit them to the appropriate person. Written requests should include:

- a. a letter of request which provides a rationale for the waiver;
- b. a copy of the policy and/or procedures for which the waiver is being requested;
- c. a completed copy of any official form related to the waiver with all necessary signatures on the form. (forms may be obtained in the Office of Academic Affairs); and
- d. letters of support for the request from faculty, academic administrators, physicians and so forth, if these are appropriate to the request and available.

2. Response to Student Waiver Requests

When faculty or academic administrators receive waiver requests from students, they will review and consider these requests, gathering additional information and referring the request to the Academic Policies Committee as appropriate. They will notify students in writing of the status of the request within five (5) working days of the submission of the requests and send copies of these notifications to the Academic Policies Committee.

In all cases where students' requests for waivers are denied, faculty, administrators and the Academic Policies Committee shall inform students of these denials in writing within five (5) working days and will maintain file copies of these denials for three years.

3. Limitation of a Student's Right of Appeal

A student who appeals a decision of a waiver of an academic requirement directly to the provost and has the appeal denied by the officer may not subsequently appeal that denial to the Academic Policies Committee. A student who appeals a denial of a waiver to the Academic Policies Committee, and who then has the appeal denied by the provost, may not subsequently re-appeal that denial to the Academic Policies Committee.

4. Final Thirty Hours

Students must take 30 of their last 37 credit hours at Salisbury University (special cooperative programs excepted).

III – SU: Policy on Administrative Dismissal

1. Students who do not observe the payment due date specified on the bill for any academic term are administratively dismissed from the university and are dis-enrolled from all of the classes for which they pre-registered.
2. The Cashier's Office notifies students who have been administratively dismissed in writing. This notice also specifies the length of time with which dismissed students must appeal if they intend to do so.
3. Students who wish to appeal an administrative dismissal must write a letter of appeal to the director of billing and accounts receivable explaining any special circumstances related to the non-payment of their bills which would justify possible re-enrollment.
4. When students appeal for re-enrollment, the director of billing and accounts receivable examine their reasons for appeal and their history of bill payment to decide if they may be re-enrolled. In cases of repeated non-payment of bills, appeals are generally denied. Students whose appeals are denied may appeal to the provost.
5. If administratively dismissed students' appeals for re-enrollment are approved, they are notified by the Cashier's Office, then they must take the following steps in order to be re-enrolled and re-admitted to their classes:
 - a. Re-enroll at the Registrar's Office and obtain a combined billing/registration form.
 - b. Submit the combined billing/registration form to the Cashier's Office, have their bill computed and pay the amount due.

III – SU: Policy on Classroom and Related Responsibilities of Faculty

This policy represents the university's unique perspective on the classroom and related responsibilities of the faculty that have been developed by the faculty independent of the University System of Maryland and as an expression of faculty commitment to the university as a teaching institution.

A. Teaching and Related Responsibilities

1. Faculty contractual obligations with the University begin on August 15 each year and extend until June 15 of the succeeding year, and faculty should be available from that time until the official opening of school to attend workshops and department and campus meetings. Also, during this period, faculty members should be ready to assist the Admissions Office, the Office of Academic Affairs and the Student Affairs Office in conducting orientation programs for new students. Attendance at the opening workshops sponsored by the Faculty Development Committee is expected of all full-time faculty.
2. Classroom teaching is the most important activity in which faculty engage, and it is expected that all scheduled classes will meet for the full class period. If a faculty member knows in advance that he/she will be unable to teach a class, approval must first be obtained from the department chair, then students in the class must be notified regarding activities to be carried on during the instructor's absence or of plans for make-up classes. In case of illness or other emergency, the faculty member must notify the department chair immediately and arrange to have the students notified if the class is to be canceled. If possible, any special instructions which may be needed for missed classes should be provided. Classrooms for make-up classes should be scheduled through the office of the University Center.
3. A course syllabus must be provided for each course and must be handed out at the first class meeting. The syllabus should include information about the purpose of the course; prerequisites; whether or not the course satisfies a General Education requirement and if so, in which group; textbook(s) to be used; topics to be covered; and schedules of major tests.

The syllabus must also include policies and procedures related to class attendance, assignments, tests and quizzes, grading and office hours and information about how the course meets the university's Writing Across the Curriculum requirement. These policies and procedures constitute a commitment by the faculty member to students and must be followed throughout the semester.

B. Granting of Credit to Student Volunteers in Classroom Research

1. Faculty who seek students subjects for research in their classrooms and who offer some form of academic credit to students in exchange for their involvement must secure approval to do so from the Human Volunteers Committee. To secure this approval, faculty must demonstrate that student involvement in the research protocol is academically valid and relevant to the course in which the credit will be given. Faculty are expected to explain the specific steps they will use to ensure that students receive academic benefit from their involvement as research subjects.
2. Faculty must give alternative, credit-bearing experiences to students who do not choose to participate in the research protocol. These experiences should be generally equivalent in time and effort to those in which the student research volunteers are involved.

C. Special Student Needs

1. Information on classroom and extra-curricular needs of unique students should be obtained from the Student Affairs Office and the assistant vice president of academic affairs. Materials and aids for working with learning disabled and physically impaired students are available across the campus.
2. Suggestions for working with culturally diverse students are also available from the Student Affairs Office.

D. Field Trips

1. Plans for field trips related to the instructional program should be made in advance of the anticipated trip by the faculty member concerned.
2. Field trips are not scheduled during the last two weeks of classes prior to the semester examinations.

E. Changes in Class Schedules and Classrooms

1. Class schedules are drawn up by department chairs in consultation with department faculty. Class schedules, including proposed courses, meeting times, instructors, and room specifications are then submitted to the dean of the school and provost. The provost, registrar, deans and department chairs use this information to develop a final "master schedule" each semester.
2. Faculty members may not change the time or meeting place of scheduled courses without the approval of the registrar. Classrooms for make-up classes should be scheduled through the scheduling office of the University Center.

F. Rosters

1. Class rosters for each class are normally available to faculty members by the first meeting of each class. Faculty must verify that students are in class so that the registrar has accurate records and is able to make appropriate inquiries about students who are not attending classes for which they are registered.
2. During the Drop/Add period, instructors may drop from their rosters students who miss two, consecutive class sessions and who fail to notify instructors that they wish to remain in the course from which they have been absent. Instructors initiate this "ghost policy" by notifying the Registrar's Office in writing of students who are to be dropped from a roster. This written notification must include the student's name and social security number as well as the course name and number, its section number and the department in which the course is taught.

G. Changes in Courses and Programs

1. Faculty members who wish to delete a course or create a new one; to change a course number, level, title, credit, or description; or to revise or develop a new program, must follow guidelines published in the university's curriculum handbook, *Policies and Procedures for Curriculum Approval*. The appropriate forms in this handbook must be completed and submitted in sequence to the department chair, School Curriculum Committee, dean and the University Curriculum Committee.
2. All changes to existing course and programs and all new courses and programs must be approved by the curriculum committee of the schools in which they will be offered and by the

University Curriculum Committee. Policies and procedures for school curriculum committees appear in **Appendix I**.