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# Chapter 2 – Faculty Employment

## {APPOINTMENT, RANK AND TENURE OF FACULTY ([BOR II-1.00](#))}

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

### *Appointment of Faculty*

#### A. Search Process

##### 1. Determination of Tenure Track/Permanent Status 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/permanent status line should fill the “*Request to Fill a Faculty Position*” form found in [Appendix A-2](#) and forward it to the school/library 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/library 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/permanent status.

##### 3. Formation of Search Committee.

After the provost has given authorization to recruit, the appropriate dean will ask the department chair/designated librarian to form a Search Committee composed of full-time faculty, if possible from the department/library, 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/library 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, or, in the case of the library, with another appropriate academic department. (The dean is to take into account the burden this service may place upon those minority faculty currently employed.) At least one member of a faculty search committee should participate in building diversity workshops offered by the Office of Diversity. The Office of Human Resources should be invited to speak at the first meeting of the search committee to review equal opportunity employment guidelines.

#### 4. Wording of Job Announcement.

The job description must be specific as to title, rank of appointment, primary duties, and qualifications required, and if appropriate, specialty within the discipline. Normally, included along with the position description and candidate qualifications are a deadline for receipt of applications, a letter of interest, a request for at least three letters of recommendation and copies of transcripts of formal education. The qualifications required or preferred must reasonably relate to the job to be performed; it is unlawful to overstate the minimum qualifications. Every SU web-posted advertisement should include the statement “Salisbury University has a strong institutional commitment to diversity and is an Equal Opportunity/Affirmative Action employer, providing equal employment and educational opportunities to all those qualified, without regard to race, color, religion, national origin, sex, age, marital status, disability, or sexual orientation.” All print advertisements should include at a minimum the statement: “SU is an EEO employer and is strongly committed to recruiting and retaining a diverse faculty, staff and student body” where the advertisement includes reference to the SU Human Resources website which contains the complete AA/EEO statement. 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/designated librarian is responsible for preparing the job advertisement and locating appropriate discipline specific advertising venues. The department chair/designated librarian sends the announcement and list of advertising venues to the dean who then sends it to the provost for approval. The announcement is then sent to the Office of Human Resources and the Office of Diversity for further review. Any of these reviewers may add additional advertising sources or recommend changes to the announcement. The department chair/designated librarian must be informed of any changes made and given the opportunity to work with all other involved parties to amend the final version of the advertisement until all parties are satisfied. When the provost's approval of the announcement with all changes has been obtained, the Office of Human Resources will place the ad.

Once the job advertisement is finalized, the Office of Human Resources 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.

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 widely 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 Office of Human Resources and the Office of Diversity will assist all departments/library in which an underutilization of minorities or women has been identified with additional strategies specifically geared to attracting a pool of qualified applicants of the under-represented group. 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 between 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 desired candidate will still be available.
- b. Copies of the position announcement sent electronically by the Office of Human Resources to historically black colleges and universities and Hispanic serving institutions.
- 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.  
  
Advertisement in metropolitan/local newspaper. Examples: *Baltimore Sun*, *Washington Post*, African-American Newspapers (Baltimore office), *Journal and Guide* (Norfolk, VA), *Daily Times* (Salisbury).
- e. 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.
- f. Early and timely advertisement in publications serving minority and female readerships that advertise position vacancies. (Listing is available in the Office of Diversity. Examples include the *Affirmative Action Register*, *Black Issues in Higher Education*, etc.)
- g. Personal communication by members of the committee with professional contacts.
- h. Recruitment at professional conferences, including those oriented to minority students and educators.
- i. Contact with selected minority affinity organizations (e.g., Caucus of Black Sociologists), which may provide recruitment assistance. (A listing of these organizations is available in the Office of Diversity.)
- j. 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 Office of Diversity.)
- k. 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 Office of Diversity.
- l. Posting on campus bulletin boards.
- m. Reviewing the resumes of those who have submitted unsolicited applications.
- n. 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 Office of Human Resources. (Note: The committee may conduct an initial screening to eliminate those who do not meet the qualifications 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 Office of Diversity, 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. The Committee may not consider factors such as race, national origin, religion, sex, age, sexual orientation, or condition of handicap; unless the factor relates to the responsibilities of the position or other legal grounds exist.

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/designated librarian and dean. No department /library may invite persons for interviews until it has received approval from the appropriate dean.

NOTE: Some departments/library 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.

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](#).

## **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 university initiatives. In such cases, the committee chair should bring these

candidates to the attention of the department chair/designated librarian 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 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 Office of Human Resources. 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/library 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/library 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 is

available in the deans' offices. Also see "Checklist For Faculty Search Expenses" and the "Salisbury University Candidate Interview Form" appearing in [Appendix A-7](#) and [A-8](#) respectively.

#### **11. Offer of Position.**

Candidates are recommended by the department chair/designated librarian in accordance with departmental/library 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/permanent status and promotion are decided by the provost in consultation with the dean and the chair/designated librarian. In general, the department chair/designated librarian will be given permission to discuss the pending offer and terms with the candidate verbally prior to the actual written offer being sent.

All formal appointment offers require approval from the provost's office. Upon signing the contract, the appointee will provide official copies of any transcripts unless such transcript(s) has already been provided. For a variety of reasons, the provost may decide that it is in the university's best interests to authorize a department/library 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.**

Prior to any offer of employment, the department/library must complete the "Affirmative Action Recruitment Form" ([Appendix A-9](#)) as parts of the monitoring process for ensuring that all the appropriate recruitment and screening procedures have been followed. This form may be obtained from the Office of Human Resources. 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 Office of Human Resources.

#### **13. Unsuccessful Candidates or Searches.**

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

If the search committee is unable to fill the position, the chair of the search committee must notify Human Resources of the failed search.

#### **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 form is to be kept on file in the Office of Human Resources: the equal employment opportunity recruitment report. Human Resources will also maintain 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 three years. The department will send these records to Human Resources once the hiring process is complete.

#### **15. Emergency Recruitment Procedures.**

Emergency recruitment may be warranted where death, medical or other approved leave of absence, resignation, dismissal, or suspension has 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/permanent status 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 dean will notify the provost 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/designated librarian 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/designated librarian) and at least one other appointed faculty member will screen the candidate and/or candidates recommended by the department chair/designated librarian or supervisor.
- d. The department chair/designated librarian will maintain documentation of evaluation criteria and all other correspondence related 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. Prior to an offer agreement being sent to a foreign national, the agreement should contain language that appears in [Appendix A-10](#).
2. A final offer of appointment can be made only with the approval of Salisbury University's president or provost.
3. The official form for letters of appointment to the faculty at Salisbury University appears in [Appendix B](#) and provides 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. The contract or letter of appointment shall constitute a contractually binding agreement between the institution and the appointee.
4. In negotiation with the successful candidate who is coming in without tenure/permanent status, the president (or his or her designee) may grant up to a maximum of three years prior service credit to count towards tenure/permanent status.
5. 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 most University System of Maryland-wide policies and procedures relating to the appointment, rank, and tenure/permanent status of faculty as approved by the Board of Regents, and all then-current Salisbury University policies and procedures relating to the appointment, rank, and tenure/permanent status of faculty as approved by the president of Salisbury University and the chancellor of the University System of Maryland.
6. All faculty appointments shall be made to a designated rank and shall be effective on a specific date.

## **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. For tenure-track/permanent status appointments, the year in which the appointee is entitled to tenure/permanent status review under this policy ("mandatory tenure/permanent status-review year") shall be specified in the original and subsequent contracts/letters of appointment. Tenure/permanent status review shall occur in that year unless otherwise agreed in writing by Salisbury University and the appointee. Tenure/permanent

status in any rank can be awarded only by an affirmative decision based on a formal review.

2. Appointments and reappointments to the rank of full-time instructor without tenure may be for one to three years, provided no appointment without tenure may extend beyond the end of the mandatory tenure-review year. An appointment to the rank of full-time instructor will be renewed automatically for one additional year unless the appointee is notified in writing to the contrary in accordance with the following deadlines: not later than March 1 of the first academic year of service if the current appointment expires at the end of that year, not later than December 15 of the second academic year of service if the current appointment expires at the end of that year, and not later than August 1 prior to the third or any subsequent academic year of service if the current appointment expires at the end of that year. For appointments beginning at times other than the start of an academic year, the institution may adjust the notice of non-renewal dates accordingly by specifying such adjustments in the initial contract or letter of appointment. Appointments to the rank of instructor may be terminated at any time in accordance with paragraphs C.6 through C.11.

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 no later than during that sixth year a formal review of tenure as instructor. If the institution fails to conduct a tenure review in accordance with the schedule provided in this policy, the appointee is entitled to a further one-year appointment during which the tenure review shall take place. 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. An instructor who has been reviewed during a mandatory review year 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 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.

3. Subject to any special conditions specified in the letter of appointment, full-time appointments and reappointments without tenure may be for one to three years, provided no appointment without tenure may extend beyond the end of the mandatory tenure-review year. An appointment to the rank of full-time assistant professor will be renewed automatically for

one additional year unless the appointee is notified in writing to the contrary in accordance with the following deadlines: not later than March 1 of the first academic year of service if the current appointment expires at the end of that year, not later than December 15 of the second academic year of service if the current appointment expires at the end of that year, and not later than August 1 prior to the third or any subsequent academic year of service if the current appointment expires at the end of that year. For appointments beginning at times other than the start of an academic year, the institution may adjust the notice of non-renewal dates accordingly by specifying such adjustments in the initial contract or letter of appointment. Appointments to the rank of assistant professor may be terminated at any time in accordance with paragraphs C.6 through C.11.

An assistant professor without tenure, whose appointment has been extended to a sixth year of continuous, full-time service, shall receive, no later than during that sixth year, a formal review for tenure. If the institution fails to conduct a tenure review in accordance with the schedule provided in this policy, the appointee is entitled to a further one-year appointment during which the tenure review shall take place. 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 to grant or deny tenure. An assistant professor who has been reviewed during a mandatory review year 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.

4. Appointments or promotions to the rank of full-time associate professor require the written approval of the president of the institution. New full-time appointments to the rank of associate professor may carry immediate tenure provided that each such appointee has been formally reviewed for 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. Promotions to the rank of associate professor carry immediate tenure. Consequently such promotions may only be awarded subsequent to a formal tenure review and an award of tenure.

An associate professor who is appointed without tenure will receive a formal review for tenure during the period of appointment in accordance with the following deadlines: If the appointment is for an initial period of one year, then the formal review must be completed, and written 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 written 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 written notice must be given that tenure has been granted or denied, by no later than August 1 prior to the beginning of the final year of the appointment. For appointments beginning at times other than the start of an academic year, the institution may adjust the notice of non-renewal dates accordingly by specifying such adjustments in the initial contract or letter of appointment. Appointments to the rank of associate professor may be terminated at any time in accordance with paragraphs C.6 through C.11.

If the institution fails to conduct a tenure review in accordance with the schedule provided in this policy, the appointment shall be extended for an additional year, so that the notice required by this section may be provided in full. An associate professor who has been notified in writing that tenure has been denied, barring exceptional circumstances, will receive no further consideration for tenure.

5. Full-time appointments or promotions to the rank of full-time professor require the written approval of the president of the institution. New full-time appointments to the rank of professor may carry immediate tenure provided that each such appointee has been formally reviewed for 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. Promotions to the rank of professor carry immediate tenure. Consequently such promotions may only be awarded subsequent to a formal tenure review and an award of tenure.

A professor who is appointed without tenure will receive a formal review for tenure during the period of appointment in accordance with the following deadlines: If the appointment is for an initial period of one year, then the formal review must be completed, and written 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 written 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 written notice must be given that tenure has been granted or denied, by no later than August 1 prior to the beginning of the final year of the appointment. For appointments beginning at times other than the start of an academic year, the institution may adjust the notice of tenure review dates accordingly by specifying the adjustments in the initial contract or letter of appointment. Appointments to the rank of professor may be terminated at any time in accordance with paragraphs C.6 through C.11.

If the institution fails to conduct a tenure review in accordance with the schedule provided in this policy, the appointment shall be extended for an additional year, so that the notice required by this section may be provided in full. A professor who has been notified in writing that tenure has been denied, barring exceptional circumstances, will receive no further consideration for tenure.

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 written 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, incompetence, 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. at the request of the appointee, the president asks the Faculty Mediation Committee of the Faculty Senate 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 the University Academic Freedom and Tenure Committee.

Once mediation has failed (see 7b above) or if mediation does not occur, the appointee will have 30 calendar days to request a hearing. The request must be made no later than 30 days following notice that the mediation has failed or following receipt of the charges. The hearing will be held no sooner than 30 calendar days after receipt of such a request. The date of the hearing will be set by mutual agreement of the appointee and the chairperson of the university's Academic Freedom and Tenure Committee. The Academic Freedom and Tenure 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, that is, either the appointee or the person(s) bringing the charges, may request an opportunity for oral argument before the president prior to action on the Committee's recommendation. If the president does not accept the recommendation of the Academic Freedom and Tenure committee, the reasons will be communicated promptly in writing to the appointee and the chairperson of the Academic Freedom and Tenure 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 Academic Freedom and Tenure 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 Faculty Retrenchment, BOR II - 8.00. The president of the university will give a full-time appointee holding tenure/permanent status 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 rights of faculty. The university will also establish a Retrenchment Appeals Committee with a majority membership of tenured/permanent status 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 the grounds for appeal identified in the university's faculty retrenchment procedures, implemented in response to BOR II-8.00 (Faculty Retrenchment), located in the faculty handbook.
  - 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. Final decisions will be made by the president.

10. Notwithstanding any other provisions to the contrary, the appointment of any non-tenured/non-permanent status 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.

***Faculty Ranks, Promotion, Tenure and Permanent Status (this portion of the ART document to be approved by Faculty Senate, Spring, 2006)***

***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

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.

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. Procedures for termination of faculty librarians with permanent status are covered in Section G.

Appointments of faculty librarians who do not have permanent status may be terminated under policies

and procedures that apply to full-time non-tenure track faculty.

A person appointed to the position of Dean of the Library and Instructional Resources 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**

(See Section G for Criteria and Procedures for Promotion and Permanent Status of Faculty Librarians.)

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 being 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 inter-institutional and to faculty innovations in areas such as undergraduate education, minority-achievement programs, K-16 curriculum development, and technology-enhanced learning.

### **C. Faculty Ranks**

The following criteria are used at Salisbury University to make decisions about the appointment, 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) At 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) 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.
- 4) 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. In cases where service is not specifically discipline-related, the candidate should describe the service and address how it could be of professional benefit to the candidate and/or to Salisbury University's role in the community since the faculty member is representing the University positively. Volunteerism related to one's family, hobbies, or special interests may be laudable but may not be weighted heavily if it appears to be more personal than professional.

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 six years of full-time university/college teaching experience with at least five years in assistant professor rank. Exceptions may be made by the provost for comparable professional activity or research.
- 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. In cases where service is not specifically discipline-related, the candidate should describe the service and address how it could be of professional benefit to the candidate and/or to Salisbury University's role in the community since the faculty member is representing the University positively. Volunteerism related to one's family, hobbies, or special interests may be laudable but may not be weighted heavily if it appears to be more personal than professional.

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. In cases where service is not specifically discipline-related, the candidate should describe the service and address how it could be of professional benefit to the candidate and/or to Salisbury University's role in the community since the faculty member is representing the University positively. Volunteerism related to one's family, hobbies, or special interests may be laudable but may not be weighted heavily if it appears to be more personal than professional.

**2. Faculty Engaged Exclusively or Primarily in Clinical Teaching**

- a. **Clinical Assistant Professor:** The appointee shall hold, as a minimum, the terminal professional degree in the field, with training and experience in an area of specialization. There must be clear evidence of a high level of ability in clinical practice and teaching in the departmental field, and the potential for clinical and teaching excellence in a subdivision of this field. The appointee should also have demonstrated scholarly and/or administrative ability.
- b. **Clinical Associate Professor:** In addition to the qualifications required of a Clinical Assistant Professor, the appointee should ordinarily have had extensive successful experience in clinical or professional practice in a field of specialization, or in a subdivision of the departmental field, and in working with and/or directing others (such as

professionals, faculty members, graduate students, fellows, and residents or interns) in clinical activities in the field. The appointee must also have demonstrated superior teaching ability and scholarly or administrative accomplishments.

- c. Clinical Professor: In addition to the qualifications required of a Clinical Associate Professor, the appointee shall have demonstrated a degree of excellence in clinical practice and teaching sufficient to establish an outstanding regional and national reputation among colleagues. The appointee shall also have demonstrated extraordinary scholarly competence and leadership in the profession.

### 3. 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.

### 4. Additional Faculty Ranks

- a. Assistant Instructor: The appointee should be competent to fill a specific position in an acceptable manner, but is not required to meet all the requirements for an Instructor. Appointment to this rank requires at least the appropriate baccalaureate degree.
- b. 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.
- c. Senior Lecturer: In addition to having the qualifications of a lecturer, the appointee shall have completed at least six years as a lecturer (or in a rank at another institution of higher education that is accepted as comparable to Lecturer), and shall have established a record of teaching excellence and a record of service. Fewer than six years experience may qualify one for this rank if approved by the president or designee. Appointments to this rank shall be for terms not to exceed five years and are renewable.
- d. 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.
- e. 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.

- f. Affiliate Assistant Professor; Affiliate Associate Professor; Affiliate Professor: These titles are used to recognize the affiliation of a faculty member or a member of the professional staff with an academic department, program or center when that individual's appointment and salary lie in another department of the institution. The appointment will be made upon the recommendation of the faculty of the department, and at a level commensurate with the appointee's qualifications, consistent with standards established for regular tenure track faculty, although tenure cannot be earned on an affiliated appointment. Each institution shall establish guidelines and procedures for awarding these titles.
- g. Visiting Appointments: The prefix "Visiting" before an academic title is used to designate a short-term, full-time appointment without tenure.
- h. Emeritus Faculty Appointments: Emeritus status may be bestowed by an institution on the basis of both quality and length of service to the institution. Guidelines and procedures for awarding this title appear in the Faculty Handbook. Emeritus titles at the System level may be bestowed by the Chancellor.
- i. Professor of the Practice: This title may be used to appoint individuals who have demonstrated excellence in the practice as well as leadership in specific fields. The appointee shall have attained regional and national prominence and, when appropriate, international recognition of outstanding achievement. Additionally, the appointee shall have demonstrated superior teaching ability appropriate to assigned responsibilities. As a minimum, the appointee shall hold the terminal professional degree in the field or equivalent stature by virtue of experience. Appointees will hold the rank of Professor but, while having that stature, will not have rights that are limited to tenured faculty. Initial appointment is for periods up to five years, and reappointment is possible. This title does not carry tenure, nor does time served as a Professor of the Practice count toward achieving tenure in another title. Each institution shall establish guidelines and procedures for awarding this title.
- j. [Institution] Professor: This title may be used for nationally distinguished scholars, creative or performing artists, or researchers who would qualify for appointment at a University System of Maryland Institution at the level of Professor, but who normally hold full-time positions outside

the University. Holders of this title may provide graduate students supervision, serve as principal investigators, and participate in departmental and college shared governance. Initial appointment is for three years and is renewable annually upon recommendation to the Provost by the unit head and the dean. This is a non-paid non-tenure track title.

#### ***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 (see Section G for Promotion Procedures for Faculty Librarians). 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 Faculty Senator, four tenured faculty, one elected from and by each 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) of this Policy on Faculty Ranks, Promotion, Tenure and Permanent Status 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 in [Appendix M.](#))
  - b. All applications for promotion must be initiated through the submission of credentials to a departmental promotions committee, the department chair and dean of the school for review and recommendation. The departmental committee, chair and dean respectively, must add to the candidate's application file a written recommendation stating whether or not they endorse the candidate's promotion.
  - c. Departmental promotions committees adds a written positive or negative recommendation to the candidate's application file, immediately sends a copy of this letter to the candidate, and forwards the complete file to the department chair who in turn adds a written positive or negative recommendation to the candidate's

application file, immediately sends a copy of this letter to the candidate, and forwards the complete file to the dean of the school. The dean adds a written positive or negative recommendation to the candidate's application file, immediately sends a copy of this letter to the candidate, and forwards the complete file to the University Committee on Promotions. Copies referenced in this paragraph shall be sent to the candidate's university email address with a "cc" to the Promotions Committee.

At any step of this process the candidate may, within five (5) business days of the date of email service referenced in D 1c. above, provide written rebuttal in any professionally reasonable manner (i.e. a short memorandum or more formal rebuttal letter.) After reviewing the letters from the Departmental promotions committee, the chair and the dean, the candidate may write a formal rebuttal letter. This letter must be delivered to the chair of the University Committee on Promotions no later than the first business day after **April 5**. The chair of the University Committee on Promotions will add this letter and any other prior rebuttal documents to the candidate's file before making the file available to the full committee for review.

- d. The University Committee on Promotions reviews the completed file using the criteria described in section B.1 of this policy and the procedures 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 Faculty Promotion**
- a. Establishment of promotion eligibility list by Office of Academic Affairs – **September 15**.

- b. Submission of promotion file by faculty to department promotions committees –**February 15**.
- c. Report of promotions recommendations to department chair 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 – **March 30**.
- f. Recommendations for promotions 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 president – **May 15**.

3. Following are the Committee on Promotions guidelines for using criteria to evaluate faculty promotion applications.

The balance between the areas of teaching/advising, scholarship and creative activities, and service is subject to professional peer evaluation within the following guidelines:

- a. 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.
  - b. Achievement in scholarship and creative activities and in service is 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. 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.
  5. 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.
  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 courses, 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.

Clear 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 or 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. This is not designed to be an exhaustive list of all relevant activities, nor does participation alone in these activities guarantee promotion. 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. This is not designed to be an exhaustive list of all relevant activities, nor does participation alone in these activities guarantee promotion. 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.
- **Participation in external community activities.**
  - a) Voluntarily contributing time and resources outside one's area of specialization in cases where service is not specifically discipline-related, the candidate should describe the service and address how it could be of professional benefit to the candidate and/or to

Salisbury University's role in the community since the faculty member is representing the University positively. Volunteerism related to one's family, hobbies, or special interests may be laudable but may not be weighted heavily if it appears to be more personal than professional.

- 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 and Policies for Granting of Tenure to Faculty (For school deans, see policy on tenure of school deans.)*

#### 1. **Definition of Tenure.**

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."

To ensure the integrity of the university's tenure process, it is essential that:

- a. the criteria actually applied in the tenure decision be approved by the department in which the candidate is employed, be known to evaluators at all stages of the tenure decision process, and be communicated to candidates at the beginning of their employment.
- b. all information regarding the candidate's success in meeting those criteria be considered by those involved in making tenure recommendations and all information considered be disclosed to the candidate in a timely manner.



- c. the criteria, and corresponding performance expectations, be applied consistently to all candidates and that the criteria be applied consistently to the same candidate over time.
- d. the university's procedures for conducting tenure review are adhered to by all participants, at all stages of the review.
- e. periodic evaluations of each candidate's progress toward meeting the criteria for tenure are reported to the candidate clearly and candidly as well as constructive guidance on the candidate's future efforts.

to whether the candidate should be awarded tenure. (See Figure 2 below.) In reviewing the record, the Committee shall give significant weight to the guidance provided to the candidate and the candidate's response to that guidance contained in the annual evaluations described in paragraph 4 of this section. A copy of this recommendation is to be forwarded to the candidate at the same time that it is forwarded to the department chair.

## 2. Tenure Recommendations.

Tenure recommendations are primarily the responsibility of the tenured faculty in the candidate's department, 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's tenure requirements shall be subject to the approval of the tenured faculty of the department, the department chair, the dean of the school, the provost, and the Committee on Academic Freedom and Tenure.

- b. The following guidelines apply to the structure of Departmental Tenure Review Committees.

Committees shall consist of (at least) three faculty members, and each of these must themselves be tenured in the university. In the event that a department does not have three tenured members, the Committee will include tenured faculty members from other departments in academic disciplines similar in nature to the discipline of the candidates. For departments with more than three tenured members, the manner of the selection of faculty for the Tenure Review Committee will be determined by the tenured faculty members of that department subject to the following principles:

## 3. Responsibilities and Structure of Departmental Tenure Review Committees

- a. Each academic department shall establish a Tenure Review Committee. This Committee will have the following responsibilities:
  - 1) Establish written standards/guidelines for faculty member performance necessary for the granting of tenure as described in Paragraph E2 above.
  - 2) Conduct annual progress reviews of all faculty in tenure line positions and meet with these faculty to discuss their progress toward tenure. These reviews will produce written reports advising each candidate of his or her progress in achieving the performance expected of a tenured faculty member, offering constructive suggestions where appropriate. Copies of these reports will be forwarded to the candidate at the same time that they are forwarded to the department chair. A copy will also be forwarded to the dean and a copy preserved by the Tenure Review Committee.
  - 3) Upon application for tenure by a candidate, this Committee will conduct a review of the candidate's record and make a written recommendation to the department chair as

- 1) No tenured faculty member of a department may be denied membership on the Tenure Review Committee or a vote on the final tenure recommendation for a candidate unless a conflict of interest or other sound reason for denial exists. Faculty members on sabbatical leave may vote in the tenure process; faculty members on leave of absence may not vote in the tenure process. A person aggrieved by a denial of participation may appeal to the Academic Freedom and Tenure Committee whose decision shall be final.
- 2) No individual may participate in the tenure recommendation process at more than one level: For example, if the chairperson of a small department with less than three tenured faculty members available to sit on the departmental committee elects to sit on the Tenure Review Committee, the Chairperson shall not also forward his or her own separate recommendation.
- 3) Faculty members may not serve on Tenure Review Committees when the candidate is a member of their immediate family.
- 4) When faculty from outside the candidate's department are included on the Tenure Review Committee (less than three tenured faculty members in the department available to serve), the candidate shall be presented with a list of potential extra-departmental committee members by the tenured faculty

of the Department. Barring extraordinary circumstances, the candidate will have the right to reject no more than two names from that list.

- 5) In the event that there are no tenured faculty members in an academic department, the Academic Freedom and Tenure Committee will, in consultation with the department chairperson, prepare a list of tenured faculty from related disciplines from which the candidate may strike two names.

#### 4. Annual Review Procedures.

- a. To prepare for future tenure decisions, the department chairperson is to prepare a realistic and candid written evaluation annually for each tenure-track faculty member concerning his or her progress toward tenure. A copy of the chairperson's evaluation will be forwarded to the faculty member at the same time that it is forwarded to the dean. A copy will also be forwarded to the Departmental Tenure Review Committee for its consideration the following year. The department chairperson will also meet annually with each tenure-track faculty member to discuss this evaluation along with that of the departmental committee. This is not a merit evaluation; its purpose is to provide the faculty member with a realistic appraisal of work to date and prospects for the future.
  - b. The annual review process begins with submission by tenure-track faculty to the Departmental Tenure Review Committee of information regarding his or her performance during the previous two semesters with respect to the tenure criteria.
  - c. All members of the Departmental Tenure Review Committee will thoroughly examine the information provided by tenure-track faculty along with previous year's annual progress reviews.
  - d. When the Committee has concluded its examination of the faculty member's performance, it will prepare a report to the faculty member. That report will express the Committee's candid assessment of the faculty member's success in satisfying tenure requirements and offer recommendations, where appropriate, of how the faculty member might better satisfy those requirements.
- 2) A copy of this report will be forwarded to the candidate at the same time that it is forwarded to the department chairperson. A copy will also be forwarded to the dean and a copy retained by the Departmental Tenure Review Committee.
  - f. The dean will review the annual recommendations made by the Departmental

Tenure Review Committee and the chairperson. The dean will also meet with the faculty member and the department chairperson approximately midway between initial appointment and the tenure review year and develop a written report of the faculty member's progress toward tenure.

A copy of the dean's evaluation will be forwarded to the faculty member at the same time that it is forwarded to the department chairperson, and the chairperson of the Departmental Tenure Review Committee.

- g. The department chairperson will maintain a tenure review file for each tenure-track faculty member in his or her department. This file should include a copy of the annual written evaluations made by the Departmental Tenure Review Committee, the chairperson, and the dean.
- h. A candidate may, upon receipt of an evaluation by the department tenure review committee, the department chairperson or the school dean (or other communications per paragraph 5.e. 3) prepare a letter of rebuttal and forward this letter to all evaluators.

#### 5. General policies and procedures for the final tenure review.

- a. It is important that the five essential points to insure the integrity of the tenure process noted in E. 1. above be observed.
- b. 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 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 and university policy for such reviews.
- c. Upon receipt of names of faculty eligible for tenure, deans will notify the candidates and their respective chairpersons. Deans will also forward to the candidate a copy of his or her contract and statement of certification of years of service for inclusion in their tenure application file.
- d. The applicant is responsible for assembling the tenure application file (see [Appendix D](#)) and forwarding it to the chairperson of the Departmental Tenure Review Committee. At a minimum, the candidate's tenure review file should include the following:
  - 1) The tenure application described in [Appendix D](#).
  - 2) The applicant's contract.
  - 3) Statement of certification of years of service (provost office).

- 4) Evidence of teaching, professional development, and service. This information should be organized in accordance with the promotions committee's requirements as described in [Appendix C](#).
  - 5) Evaluations made by the Departmental Tenure Review Committee, the chairperson, and the dean for all previous years.
- e. Review procedures for the Departmental Tenure Review Committee, the chairperson, and the dean are the same as described in the annual review procedures with the following additions:
- 1) Significant positive conduct by the candidate that occurs or becomes known after the tenure application has been submitted is to be considered. It is the responsibility of the applicant to forward evidence of the positive conduct to his or her department chairperson. The department chairperson will see that the tenure application is updated. Previous evaluators will also be expected to consider these events.
  - 2) Significant negative conduct by the candidate that occurs or becomes known after the tenure process has begun is to be considered. The applicant will be notified of the allegation and given an opportunity to respond. Some allegations may be considered exclusively by the Departmental Tenure Review Committee. Other allegations may require channeling into other university dispute mechanisms and the suspension, upon agreement of the candidate and the university, of the tenure process until their conclusion.
  - 3) Letters, e-mails, or other written documents created by faculty members or others that are not part of the formal process that come to the attention of evaluators (committee minority opinions, private letters, etc.) may be considered as part of the evaluation materials as long as they are forwarded to the chairperson of the Departmental Tenure Review Committee before that committee has completed its deliberations. Once the Departmental Tenure Review Committee has completed its deliberations, communications of this type are no longer allowed at any level unless approved by the Provost. In all cases, whether the communications are allowed or not, the evaluator receiving such communications and any other participant aware of such communication will make sure that the candidate and the chairperson of the Departmental Tenure Review Committee receives a copy. In addition, private meetings or extensive verbal communications that are not part of the formal process but intended to influence the process should not be entertained by evaluators. Knowledge of such material, however, must be immediately disclosed to the candidate.
- 4) While tenure recommendations are primarily the responsibility of the tenured faculty, the recommendation of the Departmental Tenure Review Committee shall carry greater weight than the recommendation of tenured department faculty not on the Committee.
  - 5) The Departmental Tenure Review Committee, the department chair, and the dean will each independently and expressly make a recommendation in favor or opposed to the award of tenure for the candidate. A copy of these recommendations will be forwarded to the candidate on the dates prepared.
  - 6) A candidate may, upon receipt of an evaluation by the department tenure review committee, the department chairperson or the school dean (or other communications per paragraph 5.e. 3) prepare a letter of rebuttal and forward this letter to all evaluators.
- f. The provost will review the applicant's file, make a recommendation, include the recommendation in the applicant's file, and forward the recommendation to the president of the university.
  - 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.
  - h. Participants in the tenure review process must regard their work to be of the utmost confidentiality. Any discussion of matters that come before the Departmental Tenure Review 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.
  - i. When procedural conflicts exist, the procedures documented in the faculty handbook for tenure take precedent over procedures documented elsewhere.
6. **Timeline for Faculty Tenure**
- Deadlines for completing each step in the procedures for granting of tenure to faculty are presented in **Figure 1**. 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. Deviations from the schedule that do not prejudice the parties will not be grounds for appeal.

**Figure 1. Timeline for Faculty Tenure**

<b>STEP</b>	<b>DEADLINE</b>
a. Notification by Academic Affairs Office to deans of tenure-track faculty eligible for review.	September 1
b. Eligible faculty notified by dean.	September 5
c. Applicant notifies department chair, in writing, of intent to apply for tenure. Department chair notifies chairperson of Departmental Tenure Review Committee of intentions of candidates.	September 15
d. Candidate's application file for tenure to the chairperson of the Departmental Tenure Review Committee.	October 1
e. Recommendations by Departmental Tenure Review Committees along with application file forwarded to department chair.	November 1
f. Recommendations by department chair along with application file forwarded to school dean.	November 15
g. Recommendations by school dean along with application file forwarded to the provost.	December 1
h. Recommendations by provost to president.	December 15
i. Written notification of tenure decision by the president to the candidate.	January 15

**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 decisions.
2. Appeals by faculty of tenure decisions may be made on the basis of an allegation of error in procedures or application of policy and not on the substance of recommendations per se. 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 of tenure decisions which are related to allegations of unlawful discrimination based arbitrarily upon race, color, national origin, sex, age, marital status, handicap, or sexual orientation will be heard by the Academic Freedom and Tenure Committee.
4. When a faculty member wishes to appeal a 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 Academic Freedom and

Tenure Committee, which will serve as an appeals hearing board. Appeals must be made within 45 days of receiving the president's tenure decision letter.

5. The Academic Freedom and Tenure Committee may gather information; hold hearings; meet with faculty, department chairs, deans, other committees, administrators, and other parties; offer counsel; mediate; and perform the investigations it believes necessary to make a recommendation to the president concerning the appeal for tenure. The Academic Freedom and Tenure Committee may, after a preliminary investigation, decide not to pursue a grievance or to forward the grievance to another committee. The procedure to be followed is set forth in the University Grievance Policy in the University Grievance Policy for faculty (See [Appendix E](#)).
6. The Academic Freedom and Tenure Committee will maintain its deliberations in strict confidence and will gather necessary information and forward recommendations with the utmost discretion.
7. When a faculty member wishes to appeal a promotion 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 Faculty Welfare Committee, which will serve as an appeals hearing board for promotion appeals. The same policies and procedures will apply to promotion appeals as to tenure appeals.

**G. Criteria and Procedures for Promotion and Permanent Status of Faculty Librarians**

**Salisbury University  
Library Faculty Policy  
Rank, Promotion and Permanent Status Review System  
(This portion of the ART document was last revised and approved by Faculty Senate, December 2004).**

**Document Scope**

This document applies to:

All permanent (non-temporary, non-contractual) library faculty with full or part-time appointments applying for promotion and/or permanent status after 30 May 2004.

Library faculty hired before 30 May 2004 retain the status and rank earned under previously existing policies and documents.<sup>1</sup>

Throughout this document, eligibility requirements and criteria for part-time library faculty rely on full-time equivalency of service. Two consecutive years of part-time employment equal one year of full-time employment.

<sup>1</sup> USM By-laws, Policies, and Procedures of the Board of Regents. Policy II-1.00 "University System Policy on Appointment Ranks, and Tenure of Faculty," and SU Implementation Procedures for USM BOR Policy on Librarians (rev.2000).

## Introduction

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

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

They hold positions based on job responsibilities (both technical and administrative) and ranks, independent of position, that reflect level of professional achievement.

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.

In concert with the academic teaching faculty, library faculty are responsible for accomplishing the University's instructional and research objectives. Accordingly, library faculty are expected to continue study in their field and advance themselves professionally. This perception of librarianship is intended to benefit the University, promote continuing professional accomplishment, and encourage and reward higher standards of performance.

### Section 1. Assignment of Rank (see [Appendix LIB-A](#))

#### Assignment of Rank upon Initial Appointment

During initial appointments, the Dean of Libraries and Instructional Resources shall assign a library faculty rank commensurate with prior professional accomplishments and attainments (see [Appendix LIB-A](#)). The Dean's decision will also take into consideration faculty/professional rank attained in previous employment as well as the recommendation of the search committee. Formal offers of appointment will include written verification of assigned rank.

### Section 2. Criteria for Rank, Promotion and Permanent Status (see [Appendix LIB-B](#))

#### Comment:

Advancement in rank is not automatic upon accumulation of years of experience, but is based on an assessment of performance and attainments. The purpose of the library faculty rank system is to foster professional development through external activity and study in conjunction with, but not at the expense of, fulfillment of responsibilities to the SU library.

The criteria for permanent status include those used for promotion, plus the additional considerations found in [3.2.1.5](#).

Decisions for initial assignment, promotion in rank, and permanent status are measured by contributions to the University and to librarianship in three areas:

- 1) **Job Performance** – performance in the area of responsibility;
- 2) **Service** – participation, performance, and/or leadership advancing institutional mission in library, university, professional, and community committees/organizations; and
- 3) **Professional Development** – seminars, workshops, and courses attended, advanced degrees obtained, presentations, research, publications, and awards

While job performance is the most important area, service and professional achievement are also expected. The balance between areas may differ for individuals, but evidence of all three is expected for both promotion and permanent status.

[Appendix LIB-B](#) lists specific criteria in each area. These criteria

- are weighted in importance and
- are neither inclusive nor exclusive;
- their applicability and relative importance will vary, depending upon rank and responsibilities.

While evidence of activity in all areas is expected, promotion to Librarian II or III does not require excellence in all three. Rather, at a minimum,

- promotion to Librarian II requires excellence in job performance;
- promotion to Librarian III requires excellence in job performance and one other area; and
- promotion to Librarian IV requires excellence in all three areas.

Evidence of excellence is not needed in each year. The University reserves the right to consider as "excellent" any performance that is consistently of a high caliber, whether it is labeled satisfactory, very good, or excellent (or comparable ratings) in annual evaluations during the relevant time period. Evidence of excellence includes proof that any "unsatisfactory" ratings have been addressed fully and corrected before submission of dossiers and concrete documentation of the higher weighted elements of the criteria in [Appendix LIB-B](#).

### Section 3. Eligibility Requirements/Timetable for Promotion and Permanent Status (see [Appendix LIB-D](#) for detailed timelines)

#### 3.1 Promotion

Review and promotion procedures coincide with the SU's fiscal calendar, not the anniversary date of appointments. For appointments made between January 1 and June 30, years in rank are calculated as of July 1 following appointments. For appointments made between July 2 and December 31, years in rank are calculated as of July 1 preceding appointments.

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.

#### 3.1.1 Librarian I

##### 3.1.1.1 Eligibility Requirements

- 3.1.1.1.1 Bachelor's degree in a subject field and either a Master's degree in librarianship from an American Library Association (ALA) accredited library school or another graduate degree to substitute for or augment the ALA degree that the institution deems acceptable for the position being filled.
- 3.1.1.1.2 Librarians at this level are expected to demonstrate an understanding of the basic tenets of librarianship and potential for professional growth, and they should begin

taking part in professional development activities.

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

### 3.1.1.2 Timetable

3.1.1.2.1 Upon completion of the third consecutive year of full-time employment at SU, a Librarian I must initiate mandatory promotion review if the Librarian I desires to continue employment after the 4<sup>th</sup> year. The promotion review will occur during that 4<sup>th</sup> year on the timetable described in [Appendix LIB-D](#).

3.1.1.2.2 If promotion to Librarian II is denied after this initial review, the individual can continue to seek promotion up to and including the sixth year of employment. By fall of the sixth year of employment, the individual must apply for both promotion and permanent status if the individual desires to continue employment after the end of the 6<sup>th</sup> year (See [Appendix LIB-E](#)). If the Library Faculty Promotion Review Committee (LFPRC) recommendation for promotion is positive, then permanent status will also be recommended unless conditions in 3.2.1.5 preclude such a recommendation. If either promotion from Librarian I to Librarian II or permanent status is denied during the sixth consecutive year of full-time employment as a Librarian I, the individual will be granted an additional and terminal one-year appointment in that rank, but barring exceptional circumstances shall receive no further consideration for permanent status.

### 3.1.2 Librarian II – IV

#### 3.1.2.1 Eligibility Requirements/Timetable

3.1.2.1.1 Promotional review is neither mandatory nor automatic for library faculty at ranks II through IV.

3.1.2.1.2 Promotion to Librarian II, Librarian III, and Librarian IV normally requires a minimum of three, six, or nine years of professional experience respectively. Three of these years must be served at SU's library. For Librarian III, three of the six years must be at a level comparable to the rank of Librarian II at a USM institution. For Librarian IV, three of the nine years must be at a level comparable to the rank of Librarian III at a USM institution.

3.1.2.1.3 Library faculty members must initiate promotion through submission of dossiers to the Dean of Libraries and Instructional Resources by the required date.

3.1.2.1.4 Library faculty hired at the rank of Librarian II or higher may apply for promotion after three years of full-time employment at SU's library. They may at the same time apply for permanent status. If the LFPRC recommendation for promotion is positive, then permanent status will also be recommended unless conditions in 3.2.1.5 apply.

### 3.2 Permanent Status

Permanent status is an institutional commitment to permanent and continuous employment to be terminated only for adequate cause (see Section 8). The criteria for permanent status include those used for promotion, plus the additional considerations found in 3.2.1.5.

#### 3.2.1 Eligibility Requirements

3.2.1.1 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.<sup>2</sup>

3.2.1.2 Individuals appointed to the position of Director/Dean and Associate Director serve in those capacities at the pleasure of the President or his/her designee, regardless of whether the appointees had at the time of the appointments, or obtained during the appointments, permanent status as faculty librarians.

3.2.1.3 Permanent status can be awarded only by an affirmative decision based upon a formal review. The LFPRC is the reviewing body for all permanent status applications (see Section 4).

3.2.1.4 For library faculty hired at the Librarian II rank or higher, a minimum of three years in that rank at SU's library is required before applying for permanent status. Application for permanent status is mandatory in the fall of the sixth year of employment. If permanent status is denied, the individual will be granted an additional and terminal one-year appointment in that rank, but barring exceptional circumstances shall receive no further consideration for permanent status.

3.2.1.5 When making a decision about permanent status, criteria in addition to those listed for the candidate's current rank, shall also be used. These criteria include, but are not limited to, the following:

- 3.2.1.5.1 the needs of Salisbury University at that time;
- 3.2.1.5.2 whether the expertise offered by the candidate rounds out the Library, or duplicates expertise offered by other permanent staff; and
- 3.2.1.5.3 the impact of a permanent status offer on the budget of the Library and the University

#### 3.2.2 Timetable

3.2.2.1 Unless reviewed earlier, library faculty of full-time employment in a non-temporary, non-contractual position must undergo mandatory permanent status review in the fall semester of their sixth consecutive year of employment.

<sup>2</sup> USM By-laws, Policies, and Procedures of the Board of Regents. Policy II-1.11-1 "University System Policy on Appointment Ranks, and Tenure of Faculty"

- 3.2.2.2 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.
- 3.2.2.3 If permanent status is denied, the individual will be granted an additional and terminal one-year appointment in that rank, but barring exceptional circumstances shall receive no further consideration for permanent status.

#### **Section 4. Library Faculty Promotion Review Committee (LFPRC)**

The Library Faculty Promotion Review Committee (LFPRC) meets as needed, i.e. when the Dean receives promotion or permanent status dossiers. The LFPRC assesses and reports on the accomplishments of each candidate using the criteria defined in this policy and provides to the Dean of Libraries and Instructional Resources an objective, thorough evaluation of the candidates' qualifications for promotion or permanent status.

##### **4.1 Membership**

- 4.1.1 The Dean of Libraries and Instructional Resources is ineligible for service on the Promotion Review Committee.
- 4.1.2 The Committee consists of five library faculty above the rank of Librarian I.
  - 4.1.2.1 Library faculty holding regular line item (non-temporary, non-contractual) appointments elect two members and one alternate.
  - 4.1.2.2 The Dean of Libraries appoints one member and one alternate.
  - 4.1.2.3 If enough library faculty are unable or unavailable to serve, the Dean of Libraries can appoint a faculty member to serve as an alternate.
  - 4.1.2.4 When library faculty apply for promotion to Librarian III or IV and they supervise library faculty at the rank of II, then one, but no more than one of these library faculty must be elected/appointed to the LFPRC.

##### **4.1.3 Chair**

- 4.1.3.1 At its first meeting, the LFPRC will elect a chair.
- 4.1.3.2 Depending on the library faculty who 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 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 attend all meetings, but vote only when needed to constitute a quorum.

##### **4.2 Terms of Service**

- 4.2.1 Following the completion of a full term on the LFPRC, a member may decline to run for election when the next committee convenes.

##### **4.3 Quorum**

A quorum consists of three members of the Committee.

#### **4.4 Conflicts of Interest**

- 4.4.1 No committee member may be present at or participate in discussion or vote on
  - 4.4.1.1 his or her own application for promotion;
  - 4.4.1.2 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.

#### **4.5 Confidentiality**

LFPRC members must regard their work as confidential. Discussion of matters that come before the Committee to anyone not on the Committee, in public areas, or in unofficial meetings is inappropriate. Any and all such behavior shall be regarded as a serious breach of confidentiality and is subject to disciplinary action. Exception: The Chair of the LFPRC can consult the Dean of Libraries and Instructional Resources on questions about or clarification of procedure.

#### **Section 5. Promotion and Permanent Status Review Procedures**

The following procedures leading to promotion and permanent status review are to be followed by all candidates and committees. They have been established to promote consistency and to guarantee full and fair hearings for all candidates. Although review procedures for promotion and permanent status applications follow the same application and review process, they are, except as noted in 3.1.1.2.2 and 3.1.2.1.4 above, separate reviews.

##### **5.1 Sequence (see [Appendix LIB-D](#))**

- 5.1.1 The Dean of Libraries and Instructional Resources ordinarily will notify all library faculty without permanent status that are in their required review year no later than July 15<sup>th</sup> that they must apply for permanent status.
- 5.1.2 Notwithstanding the provisions of 5.1.1 above, library faculty are responsible for tracking their eligibility for promotional review, in consultation with the Dean of Libraries, and for initiating the review process at the appropriate time, if they so elect.
- 5.1.3 Candidates for promotion must submit dossiers to the Dean of Libraries (see [Appendix LIB-C](#): Dossiers Contents and Responsibilities). The Dean will confirm receipt of dossiers in writing to candidates. The Dean of Libraries shall add to dossiers copies of the six most recent SU annual evaluations. The Dean will make dossiers available for use by the Chair and members of the LFPRC thereafter under secure and confidential

conditions. All parties are responsible for maintaining security and confidentiality of these materials.

- 5.1.4** The LFPRC Chair forwards copies of updated curriculum vitae from dossiers to candidates' current supervisors and requests letters of reference assessing candidates' job performance and any other areas that current supervisors may be able to evaluate. In those cases in which current supervisors have been in position for less than one year, past supervisors will be contacted as well.
- 5.1.5** In order to provide the LFPRC and responsible administrators with broad based documentation of achievements, candidates should supply the Committee with materials sufficient to document their range of achievements for all areas for the period since initial appointment or promotion to current rank. To ensure that it has a full picture of candidates' activities, the LFPRC may ask candidates only for additional information and extend the submission deadline accordingly.
- 5.1.6** The supervisor's letter of reference and any other letters of reference shall be submitted to the Chair of the LFPRC. This material becomes part of candidates' dossiers. It is considered confidential material for the use of the LFPRC. In the event that letters of reference or the supervisor's evaluation are not received by the due date, the Dean of Libraries and Instructional Resources will be advised of the delay.
- 5.1.7** The Committee will complete considerations, reach decisions by secret ballot, and send written notification of vote results and recommendations, along with clear, detailed rationales for all recommendations, both to candidates and the Dean of Libraries and Instructional Resources. These letters shall become part of the dossiers. If the recommendation is negative, candidates may either request that dossiers be forwarded to the Dean of Libraries and Instructional Resources or withdraw from further consideration. Candidates must notify the Dean of Libraries and Instructional Resources in writing of their intention to forward or withdraw applications for promotion.
- 5.1.8** In the event that candidates withdraw from further consideration at this point, dossiers will be treated as described below (5.1.11).
- 5.1.9** The Dean of Libraries and Instructional Resources receives and evaluates dossiers. The Dean of Libraries accepts or rejects requests for promotion in writing and provides copies of those decisions to candidates and the LFPRC. Candidates may request that dossiers be forwarded to the Provost or may withdraw dossiers from further consideration. Candidates must notify the Dean of Libraries and Instructional Resources in writing of their intention to forward or withdraw their application for promotion. In the event that candidates withdraw from further consideration, dossiers and supporting documentation will be treated as described below (5.1.11).

**5.1.10** The Provost receives dossiers and written recommendations or non-recommendations of the Dean of Libraries and Instructional Resources. The Provost will review applicants' files, make recommendations, include recommendations in applicants' files, and forward recommendations to the President of the University. The President, in consultation with the Provost, makes final decisions as to whether or not to award promotion and/or permanent status to applicant library faculty and notifies library faculty in writing of that decision. The Dean of Libraries and Instructional Resources will then notify the LFPRC of the final decision status in writing. Dossiers shall be treated as described below (5.1.11).

**5.1.11** At whatever point the promotion process is terminated, dossiers and all related correspondence and notes will be retained in their 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 candidates' personnel files. Appropriate records retention procedures and schedules will be followed.

**5.1.12** Should candidates apply for promotion at another time, there will be no discussion of or reference to any previous application. Each application for promotion is to be considered on its own merits at the time it is submitted.

## **Section 6. Appeals of Promotion and Permanent Status Decisions**

All promotion and permanent status decision appeals are to be handled in accord with the Salisbury University Grievance Policy.

Appeals may be made only on the basis of an allegation of

- a serious error in procedures which had a negative impact on the outcome of the decision or
- arbitrary and capricious decision-making.

Mere disagreement with the substance of recommendations is not cause for appeal.

## **Section 7. 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 Section II - 2.01 – Policy on Professional and/or Research Leave for Faculty Members Engaged Exclusively or Primarily in Library Services, of the USM Bylaws, Policies and Procedures of the Board of Regents, approved 4/7/00.

## **Section 8. Removal for Cause**

The President of Salisbury University may terminate the appointment of library faculty with permanent-status for cause. Cause shall include moral turpitude, professional or scholarly misconduct, incompetence, and/or willful neglect of duty,



provided that prior to the termination the following steps are taken:

- the charges are stated in writing and the appointee is furnished a copy thereof;
- the Provost is asked by the President to informally inquire as to the possibility of effecting an adjustment to the situation that would prevent termination;
- 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.

Procedures for termination of library faculty with permanent status are those that apply to tenured and tenure-track faculty.<sup>3</sup>

Upon notice of termination, the appointee will have 30 calendar days to request a hearing. The hearing will be held no sooner than 30 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.

### Section 9. Emeritus

- 9.1 *Emeritus* is a title of distinction conferred upon retiring faculty who normally have completed at least ten years of meritorious service to Salisbury University.
- 9.2 Beginning in the semester before retirement, library faculty may be nominated for emeritus status by any member of the SU faculty via a brief letter of nomination to the provost.
- 9.3 The provost will forward letters to the Library Faculty Promotion Review Committee for their consideration during a meeting in the final semester of the library faculty member’s service. The Committee may recommend that a retiring library faculty member should be granted emeritus status effective immediately upon retirement.
- 9.4 The names of library faculty emeriti are listed in Salisbury University’s Undergraduate and Graduate Catalog as appropriate to their contributions. Emeriti library faculty have the use of campus facilities and are

welcome to attend campus events as regular library faculty.

### H. Tenuring of School Deans and the Honors Program Director

Salisbury University will provide tenure for school deans and the Honors program director 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 and the Honors Program Director

1. All vacancy announcements will indicate that successful candidates must meet tenure approval in an academic department.
2. 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.
3. 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 that will review the applicant’s background and forward the credentials to the most appropriate tenure committee.
4. During campus visitations, candidates will be interviewed by the same departmental tenure committee that provided the tentative clearance.
5. Only the names of those candidates interviewed and endorsed by both the search committee and the appropriate departmental tenure committee may be submitted as finalists to the provost and president.

Approved 11/7/97  
 Approved by Senate 2/14/06 and Provost 2/21/06  
 Revised 7/06, 9/07 (C. Faculty Ranks)  
 Approved by Senate 5/5/07 and Provost 5/8/07 (C. Faculty Ranks)  
 Revised 9/29/10 (E. Granting Tenure)  
 Approved by Senate 3/1/12 and Provost 3/2/12 (E. Procedures and Policies for Granting of Tenure to Faculty)  
 Approved by Senate and Provost 10/2/12 (H. Tenuring of School Deans)  
 Approved by Senate on 2/14/12 and Provost on 11/14/12 (E. Procedures and Policies for Granting of Tenure to Faculty)

### {FACULTY ACADEMIC CREDENTIALS ([BOR II-1.02](#))}

1. Persons seeking appointment to the Salisbury University faculty must accompany their initial applications with curriculum vitae which they certify as accurate and correct.

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<sup>3</sup> USM By-laws, Policies, and Procedures of the Board of Regents. Policy II-1.00, Section 1.C.6 through 1.C.11. “University System Policy on Appointment Ranks, and Tenure of Faculty.”

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.
- 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.
4. Disposition of annual leave and return of faculty status:
    - a. Appointments lasting three or more years:
      - 1) Pay-Out Option:  
To cover the transition period from July 1 until your entrance back to faculty status (the start of the academic calendar, on or about August 15), you have agreed to save a minimum of 15 annual, personal, and/or holiday leave days. Your available leave balance may be supplemented by an additional maximum of 15 days of administrative leave to cover the transition period, if needed. If you have enough leave (annual, personal and/or holiday) to cover the entire transition period, then the balance of unused annual leave shall be paid-out at the time you return to faculty status, at the present Administrator salary/rate. Should you have elected to use the Administrative Leave offered, any unused leave at the time of transition shall not be paid out to you.
      - 2) Non-Pay-Out Option:  
To cover the transition period from July 1 until your entrance back to faculty status (the start of the academic calendar, on or about August 15), you have agreed to save a minimum of 15 annual, personal, and/or holiday leave days. Your available leave balance may be supplemented by an additional maximum of 15 days of administrative leave to cover the transition period, if needed. If the combination of available leave and administrative leave is not enough to cover the transition period, you shall be given special assignments and/or work, or be placed on leave without pay, during those work days not covered.
    - b. Appointments for at least one year and less than three years:  
  
For each academic year appointment (July 1 through June 30) less than 3 years, administrative leave granted as a means to transition back to faculty status shall be pro-rated at a rate equal to 5 days per annual appointment (roughly three

conversion of salaries is being developed by the Provost's Office);

**{CONCURRENT FACULTY AND ADMINISTRATIVE APPOINTMENTS [\(BOR II-1.03\)](#)}**

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

and one-third hours per month). Upon transition back to faculty status, the prorated administrative leave shall be applied to the transition period and supplemented with any unused annual leave, personal leave and holiday 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  
Revised by Provost July 10, 2009

## **{ROLES AND RESPONSIBILITIES OF DEPARTMENT CHAIRS (SU)}**

The department chair is a member of the full-time faculty in terms of employment regulations. This part-time administrative appointment at Salisbury University is to be filled by a member of the tenure-track faculty who shall be appointed by the provost, on recommendation of the dean of the appropriate school, in a manner consistent with the university's general "Policy on Concurrent Faculty and Administrative Appointments." The term of a chair is three years, which may be renewed. A chair may be removed at any time during his or her term by the provost, on recommendation of the appropriate dean, provided that a chair removed before the completion of a full term shall be entitled to whatever chair's compensation would otherwise be due for the entire term. Faculty who are appointed to such positions are entitled to receive reduced teaching loads utilizing reassigned time during the academic year to provide them time for administrative duties.

In addition to serving in positions of academic supervision during the academic year, the chair is expected to oversee department activities and to serve during the summer and at times as specified by the dean. The University provides an annual stipend to compensate these administrators for their work. The annual stipend will be determined by a formula that provides for a standard base dollar amount, determined by the Provost, and variable factors based on the number of Full-Time Equivalent Faculty (FTEF) and Total Student Credit Hours generated throughout the academic year, including the summer and winter terms. In addition, each dean will have a percentage of the total amount available as discretionary money to award for special recognition during that academic year.

Beginning in FY 2008, a portion of this annual stipend will be added to the faculty member's salary and this increase in salary will be retained when the faculty member leaves the chair's position. Upon completion of a three year term as chair on or after June 30, 2007 a chair will have 30% of the average annual stipend over the previous three years added to the chair's salary. If such a chair serves a second three term, a) then, since essentially 30% of

the annual stipend is now part of the chair's salary, the stipend payment will be 70% of the annual stipend; and b) upon completion of the second term, 40% of the average annual stipend over the previous three years will be added to the chair's salary. If the chair serves any additional years as chair, then, since essentially 70% of the annual stipend is now part of chair's salary, the stipend payment will be 30% of the annual stipend.

Chairs are primarily responsible for seeing that the activities listed Section 3. Areas of Responsibility below are carried out and it is expected that, insofar as possible, they will involve the members of their departments in a collaborative effort to that end. Chairs carry out these activities in accordance with regulations of the University System of Maryland and with Salisbury University institutional policy.

### **1. Selection of Department Chairs**

Whenever a vacancy occurs in the position of departmental chair, the provost shall appoint a replacement, after receiving a recommendation from the appropriate dean, who shall canvass the department's tenure-track and full-time non-tenure track faculty for their nominee or nominees for the position.

### **2. Appointment of Department Chairs**

Normally the contract for appointment starts at the beginning of the fiscal year--July 1--and ends on June 30 of the following year. A mid-term appointment may occur, with the final contract year as described above. The Dean of the School and the Provost together will determine the amount of reassigned time each Department Chair will receive.

### **3. Areas of Responsibility**

#### Program Development and Administration

The Department Chair is primarily responsible for developing and administering the academic programs within the department, such as majors, concentrations, tracks and minors. According to the school's written policy on the roles of chairs, this responsibility may include:

- a. evaluating, assessing and improving existing programs and courses;
- b. developing new programs and courses in consideration of available resources and student needs;
- c. seeking accreditation of programs;
- d. coordinating programs with other departments;
- e. staffing and scheduling courses to make best use of human, fiscal and physical resources;

- f. describing programs and courses so that they may be clearly understood by others inside and outside the university;
- g. working to improve the library holdings in the department's discipline(s);
- h. interpreting the department's requirements for students by evaluating transfer credits and recommending waivers of requirements to the Dean as appropriate.

#### Faculty Development

The Department Chair is primarily responsible for recruiting, retaining, and fostering the professional development of department faculty. According to the school's written policy on the roles of chairs, this responsibility may include:

- a. promoting high standards of professional conduct, teaching and scholarly work within the department;
- b. seeking approval for new or replacement positions from the Dean, coordinating searches, and making hiring recommendations;
- c. evaluating faculty and making recommendations for reappointment, tenure, promotion and salary increments;
- d. making recommendations regarding requests for sabbatical leave, evaluating the impact on the department's programs and teaching load;
- e. assisting part-time faculty in meeting department and university expectations.

#### Student-Faculty Relations

The Department Chair is the primary representative of the department in its dealings with students. According to the school's written policy on the roles of chairs, this responsibility may include:

- a. coordinating the department's participation in new student recruitment, student orientation, and general advising;
- b. coordinating departmental advising or designating a member of the faculty to act as advising coordinator;
- c. acting as a mediator in disputes between faculty and students;
- d. encouraging activities to augment the department's academic programs, such as student clubs, speakers and field trips.

#### Department Administration

The Chair is responsible for the efficient operation of the department as an administrative structure within the University. According to the school's written policy on the roles of chairs, this responsibility may include:

- a. working with the department faculty, Dean and Personnel Office to arrange secretarial and technical services;
- b. supervising and evaluating clerical staff;
- c. maintaining records, especially assessment reports, on such matters as majors, graduates, faculty, budget, facilities and equipment;
- d. disseminating relevant information within the department and responding to requests for information from other offices of the University;
- e. preparing budget requests and monitoring the use of fiscal resources;
- f. overseeing the maintenance and use of equipment and facilities assigned to the department; and
- g. developing, implementing, evaluating and enforcing departmental safety policies.

#### University Governance

As the primary representatives of their departments within the University, Department Chairs play a strategic role in university governance. According to the school's written policy on the roles of chairs, this responsibility may include:

- a. convening regular department meetings to involve faculty in department decisions;
- b. providing a communication link between the faculty and the administration;
- c. advising the Dean of the School on all matters affecting the academic department;
- d. assisting the Dean of the School in carrying out programs and activities for the School.

#### **4. Evaluation of Department Chairs**

The dean shall evaluate department chairs on an annual basis. Chairs submit a yearly self-evaluation of teaching, service to the institution and community, and evidence of professional development as well as activities performed as Chair. (It should be noted that there might be overlap in areas of service and professional development, and responsibilities as Chair.) The self-evaluation of Chairs' responsibilities

should be based on the description of responsibilities in Part 1 of this document.

In evaluating the overall performance of faculty serving as Chairs, the Deans use the school's faculty evaluation format combined with their own observations of administrative competence of Department Chairs.

## 5. Reappointment of Department Chairs

The dean of each school shall develop procedures for the reappointment of sitting chairs, provided that such procedures (a) are approved by the provost, (b) give each department faculty the opportunity to express his or her views on the performance of the chair, (c) mandate the dean to meet with the chair in order to assess the chair's overall performance, and (d) require the dean to notify the chair in writing at least four months prior to the expiration of the term whether the dean will recommend in favor or against reappointment.

Endorsed by the Deans & Provost Group, 2/11/04; Revised, 4/5/04; Revised 5/2/05 (Term of Chair)  
Approved by Provost 6/4/07 Revised 9/6/07 (Chair Stipends)

## {THE PROCEDURES FOR APPEALS TO THE USM BOARD OF REGENTS OF DECISIONS TO TERMINATE TENURED OR TENURE-TRACK FACULTY MEMBERS (BOR II-1.04)}

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;
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 (5) working days of its decision. The Board's decision is final.

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

## **{THE EMPLOYMENT OF FULL-TIME, NON-TENURE TRACK INSTRUCTIONAL FACULTY (BOR II-1.05)}**

### **1. Purpose**

This policy is designed to govern practices at institutions of the University System of Maryland (USM) related to search processes, appointments, contracts, and conditions of employment for full-time non-tenure-track (FTNTT) instructional faculty to assure high quality of instruction by individuals with appropriate credentials and experience and to provide a set of baseline policies for FTNTT faculty in all USM institutions.

### **2. Applicability**

This policy applies only to those faculty members of the USM institutions (a) who are employed full-time, (b) who are neither tenured nor eligible for tenure, and (c) whose responsibilities are primarily or exclusively in the instructional program.

### **3. Definition of "Full-Time"**

The institutional president or designee shall assure that each department or unit that has instructional faculty adopts a definition of "full-time." The workload expectation for FTNTT instructional faculty shall be specified on an academic-year basis, not on a semester basis.

### **4. Ranks**

Current BOR policy (II-1.00) lists the following approved ranks that may be used for FTNTT instructional faculty. Institutions shall confer on each FTNTT instructional faculty member one of the following ranks, as appropriate and commensurate with credentials and professional experience. (Institutions are not required to use all available ranks.)

#### **Assistant Instructor Lecturer**

The University of Maryland University College may also assign ranks in the Collegiate series (See USM Policy II-1.00, Section II.C.6.a-d.).

## **5. Policy**

### **A. Search**

1. Credentials: Each institution shall develop written standards for the academic degrees or professional certifications and professional experience required for appointment to FTNTT instructional faculty ranks. These standards may vary depending on the level of courses to be taught.
2. Search Procedures: The institutional president or designee shall assure that each department or unit has in place written procedures for selecting faculty. These procedures shall include verification of credentials. Search procedures shall reflect the commitment of the institutions and the University System of Maryland to equal opportunity and affirmative action.

### **B. Hiring**

1. Contracts/Letters of Appointments: Each FTNTT faculty member shall be provided with a written contract or letter of appointment prior to the beginning of the assignment. The contract or letter shall state that the appointment is full-time and state the academic rank, length of appointment, time of service (9 months, 9.5 months, one year), salary, whether or not the appointment is renewable, nature of the assignment, benefits (see below, Section C.7.), and performance-evaluation policies and procedures.
2. Information for Faculty: Upon signing the contract, the FTNTT faculty member shall have access to the institution's Faculty Handbook, in a written or electronic version.
3. Term of Employment: Normally, initial contracts shall be for one academic year. Subsequent contracts may be for longer terms, not to exceed three years (five years in the case of UMUC Collegiate faculty). Notice of non-renewal shall be provided in accordance with Board of Regents Policy II-1.00 University System Policy on Appointment, Rank, and Tenure of Faculty (Section 1.C.12).

### **C. Working Conditions**

1. Support for Teaching: The appointing department or unit shall provide each FTNTT instructional faculty member with the support it determines to be necessary for the execution of the appointee's duties. Provision should be made for new appointees to attend departmental and institutional orientation sessions. Support shall also include the following:
  - a. information on the department's policies, requirements, and goals for each course, along with access to examples of past course syllabi (if available);

- b. official schedule of classes, including academic calendar and time frames of class meetings;
  - c. assistance in ordering textbook(s) for the course(s), ancillaries for the text(s), and office supplies;
  - d. copying services for course materials;
  - e. an appropriate place for meeting with students during scheduled office hours, except if instruction is completely technology-mediated;
  - f. an institutional email account along with computer access; and
  - g. telephone access.
2. Professional Development: Professional development opportunities for FTNTT instructional faculty members should be supported to the extent possible. Examples include extending invitations to departmental and institutional faculty development events, arranging mentoring by senior faculty, and providing financial support for attending professional conferences when funds permit.
  3. Teaching Assignment: The appointing department or unit shall provide FTNTT faculty with reasonable and adequate notice of projected teaching assignments prior to the start of classes. Notice of 45 days is suggested.
  4. Performance Evaluation: The institutional president or designee shall assure that each department or unit has in place written procedures for evaluating faculty performance on a regular schedule, as required by Board of Regent's Policy II-1.20. Departments shall evaluate the teaching of FTNTT faculty members on the same basis used to evaluate the teaching of tenure-track faculty members. Evaluations shall be kept on record in a personnel file and shall be consulted when decisions about promotion, salary, and any subsequent contract are made.
  5. Faculty Participation: FTNTT faculty members shall be integrated into the scholarly, intellectual, academic, and social life of the department or unit, and institution. Institutional shared-governance procedures shall include FTNTT faculty.
  6. Salaries: Every effort should be made to make salaries professionally appropriate and competitive to the extent allowed by available fiscal resources.
  7. Benefits: FTNTT instructional faculty contracts and letters of appointment shall include a written statement of benefits available to the appointees. Appointees shall be provided with access to relevant BOR policies governing the provision of benefits to USM faculty and staff. FTNTT instructional faculty shall be eligible for the benefits listed in sections 7.a. through 7.d., subject to the terms of the policy cited.
    - a. **Health Benefits:** FTNTT instructional faculty who are not on regular faculty lines that provide a state subsidy for health benefits may enroll in the State health benefits program consistent with COMAR 17.04.13.04(B)(2). The institution shall reimburse a faculty member who enrolls in the State health benefits plan for the cost of individual coverage, less the amount of the premiums that would be paid by a faculty member on a regular faculty line to receive comparable health benefits in the State health benefits program.
    - b. **Retirement Benefits**
      - (i) Fall 2008 Semester. FTNTT instructional faculty with ten or more consecutive years of full service before the Fall 2008 semester, who are not on regular faculty lines that provide either an employer contribution to or service credit for participation in a State-sponsored retirement or pension plan, shall be entitled to a payment of 7.25% of annual salary in lieu of an employer contribution to or service credit for a State-sponsored retirement or pension plan.
      - (ii) Fall 2009 Semester. FTNTT instructional faculty with six or more consecutive years of service as of or after the Fall 2009 semester, who are not on regular faculty lines that provide either an employer contribution to or service credit for participation in a State-sponsored retirement or pension plan, shall be entitled to a payment of 7.25% of annual salary in lieu of an employer contribution to or service credit for a State-sponsored retirement or pension plan.
    - c. **USM Benefits**
      - (i) Tuition remission for faculty member (See USM Policy VII-4.10);
      - (ii) Tuition remission for dependents (see USM Policy VII-4.20);
      - (iii) Family and medical leave (see USM Policy II-2.31);
      - (iv) Annual leave (see USM Policy II-2.40);
      - (v) Earned sick leave (see USM Policy II-2.30);
      - (vi) Collegial sick leave (see USM Policy II-2.30);
      - (vii) Personal leave (see USM Policy II-2.40);
      - (viii) Leave for jury service (see USM Policy II-2.50);

- (ix) Leave without pay (see USM Policy II-2.20).

Full-time non-tenure-track faculty shall be ineligible for sabbatical leave or for terminal leave, regardless of length of service.

- d. **Institutional Benefits:** Institution-controlled benefits provided to full-time tenured and tenure-track faculty and their spouses and dependent children.
- e. **Implementation Procedures:** Each institution shall develop procedures for the payment and other aspects of implementation of the above benefits, and each President shall send a letter to the Chancellor affirming that this has occurred before the beginning of the Fall, 2008 semester.
- f. **Taxation of Benefits:** The taxability of all benefits, and withholding on the amount or value of, benefits provided under this policy shall be determined in accordance with federal and state law.
- g. **Definition** (For the purposes of this policy):
  - (i) "Regular faculty status" means any position that is established as a line item and appears in the personnel detail of an institution's budget.
  - (ii) "Consecutive Year of Full Service for FTNTT instructional faculty:" (i) Means teaching a full instructional load, as defined by the institution, for the fall and spring semesters of a given academic year. (ii) A disruption in service due to certain family and serious health conditions as defined by the Policy on Family and Medical Leave for Faculty (Policy II-2.31) shall not be considered a break in the continuous nature of a faculty member's years of full service.

Approved by the Board of Regents on 10/11/02; Technical Amendment 8/26/04; Amended to Section 5.C.7 by Board of Regents Committee on 4/13/07 Effective 7/1/07  
No new revisions, added items e. – f. from BOR policy on 8-19-10

## **{THE EMPLOYMENT OF PART-TIME, NON-TENURE TRACK INSTRUCTIONAL FACULTY (BOR II-1.06)}**

### **1. Purpose**

This policy is designed to govern practices at institutions of the University System of Maryland (USM) related to search processes, appointments, contracts, and conditions of employment for part-time non-tenure-track (PTNTT) instructional faculty to assure high quality of instruction by individuals with appropriate credentials and experience and to provide a set of baseline policies for PTNTT faculty in all USM institutions.

### **2. Applicability**

This policy applies only to those faculty members of the USM institutions (a) who are employed on a less than full-time basis, (b) who are neither tenured nor eligible for tenure, and (c) whose responsibilities are primarily or exclusively in the instructional program.

### **3. Percent of Effort**

The percent of effort of PTNTT faculty members shall be based on the definition pursuant to USM Policy II-1.05 and shall be calculated either on a semester or an academic-year basis, depending on the length of the appointment. If the appointment is for an academic year, the calculation shall not be done on a semester basis, even though there may be disparities between semesters in the assigned teaching load.

### **4. Ranks**

Current BOR policy (II-1.00) lists the following approved ranks that may be used for PTNTT instructional faculty. Institutions shall confer on each PTNTT instructional faculty member one of the following ranks, as appropriate and commensurate with credentials and professional experience. (Institutions are not required to use all available ranks.)

- a. Assistant Instructor
- b. Lecturer
- c. Adjunct Assistant Professor
- d. Adjunct Associate Professor
- e. Adjunct Professor

The University of Maryland University College may also assign ranks in the Collegiate series (See USM Policy II-1.00, Section II.C.6.a-d.).

### **5. Policy**

#### **A. Search**

- 1. **Credentials:** Each institution shall develop written standards for the academic degrees or professional certifications and professional experience required for appointment to PTNTT instructional faculty ranks. These standards may vary depending on the level of courses to be taught.
- 2. **Search Procedures:** The institutional president or designee shall assure that each department or unit has in place written procedures for selecting faculty. These procedures shall include verification of credentials. Search procedures shall reflect the commitment of the institution and the University System of Maryland to equal opportunity and affirmative action.

#### **B. Hiring**

- 1. **Contracts/Letters of Appointments:** Each PTNTT faculty member shall be provided with a written contract or formal letter of appointment prior to the beginning of the assignment. The contract or letter shall state that the academic rank, length of appointment, time of service (9 months, 9.5 months, one year), salary, whether or not the appointment is renewable, nature of the assignment, benefits (if any), and performance-evaluation policies and procedures. In addition, all contracts/letters of offer shall specify



what happens if a course is canceled prior to the start of class.

2. Information for Faculty: Upon signing the contract, the PTNTT faculty member shall have access to the institution's Faculty Handbook, in a written or electronic version.
3. Term of Employment: Normally, initial contracts shall be period of one semester, but subsequent contracts may be for longer periods not to exceed three years.

### **C. Working Conditions**

1. Support for Teaching: The appointing department or unit shall provide each PTNTT instructional faculty member with the support it determines to be necessary for the execution of the appointee's duties. Provision should be made for new appointees to attend departmental and institutional orientation sessions. Support shall also include the following:
  - a. Information on the department's policies, requirements, and goals for each course, along with access to examples of past course syllabi (if available);
  - b. official schedule of classes, including academic calendar and time frames of class meetings;
  - c. assistance in ordering textbook(s) for the course(s), ancillaries for the text(s), and office supplies;
  - d. copying services for course materials;
  - e. an appropriate place for meeting with students during scheduled office hours, except if instruction is completely technology-mediated;
  - f. an institutional email account along with computer access; and
  - g. telephone access.
2. Professional Development: Professional development opportunities for PTNTT instructional faculty members should be supported to the extent possible. This may include extending invitations to departmental, institutional, and external faculty development events.
3. Teaching Assignment: The appointing department or unit shall provide PTNTT faculty with reasonable and adequate notice of projected teaching assignments prior to the start of classes. Notice of 45 days is suggested.
4. Performance Evaluation: The institutional president or designee shall assure that each department or unit has in place written procedures for evaluating faculty

performance on a regular schedule, as required by Board of Regent's II-1.20. Departments shall evaluate the teaching of PTNTT faculty members on the same basis used to evaluate the teaching of tenure-track faculty members. Evaluations shall be kept on record in a personnel file and shall be consulted when decisions about promotion, salary, and any subsequent contract are made.

5. Faculty Participation: PTNTT faculty members shall be integrated into the scholarly, intellectual, academic, and social life of the department or unit, and institution. Institutional shared-governance procedures shall include PTNTT faculty.
6. Salaries: Every effort should be made to make salaries professionally appropriate and competitive to the extent allowed by available fiscal resources.
7. Benefits: PTNTT instructional faculty contracts and letters of appointment shall include a written statement of benefits available to the appointees. Appointees shall be provided with access to relevant BOR policies governing the provision of benefits to USM faculty and staff. PTNTT instructional faculty in their fifth semester of appointment at 50% time or more shall be eligible for the benefits listed in sections 7.a. and 7.b, subject to the terms of the policies cited.

#### **a. USM Benefits**

- (i) Tuition remission for faculty member (See USM Policy VII-4.10);
- (ii) Tuition remission for dependents (see USM Policy VII-4.20);
- (iii) Family and medical leave (see USM Policy II-2.31);
- (iv) Annual leave (see USM Policy II-2.40);
- (v) Earned sick leave (see USM Policy II-2.30);
- (vi) Collegial sick leave (see USM Policy II-2.30);
- (vii) Personal leave (see USM Policy II-2.40);
- (viii) Leave for jury service (see USM Policy II-2.50);
- (ix) Leave without pay (see USM Policy II-2.20).

Part-time non-tenure-track faculty shall be ineligible for sabbatical leave or for terminal leave, regardless of length of service.

- b. Institutional Benefits: Institution-controlled benefits provided to part-time tenured and tenure-track faculty and their spouses and dependent children.

Approved by the Board of Regents on October 11, 2002

# **{EMPLOYMENT OF ADJUNCT FACULTY AT SALISBURY UNIVERSITY (BOR II-1.07)}**

## **I. Purpose**

This policy is designed to govern practices at Salisbury University (“University”) related to search processes, appointments, contracts, and conditions of employment for adjunct faculty. The goal of the policy is to assure a high quality of instruction by individuals with appropriate credentials and experience and to provide a set of baseline policies that will lead to continuous improvement in the status of adjunct faculty at the University.

## **II. Applicability**

- A. Adjunct Faculty. This policy applies only to adjunct faculty, defined as faculty members at the University who are:
  - 1. Employed to provide instructional services;
  - 2. Neither tenured nor eligible for tenure; and
  - 3. Appointed to teach specific courses and compensated on a course-by-course basis.
- B. Policies for Salaried Part-Time, Non-Tenure Track Faculty. Part-Time, Non-Tenure Track (PTNTT) faculty who are appointed to salaried positions are not included as “Adjunct Faculty” for the purpose of this policy, and are covered instead by USM Policy II – 1.06 – Policy on the Employment of Salaried Part-Time, Non-Tenure Track Instructional Faculty in The University System of Maryland.

## **III. Categories of Adjunct Faculty**

For the purposes of this policy, adjunct faculty shall be designated as one of the following:

- A. Adjunct Faculty I: All adjunct faculty, except those faculty members who meet the criteria for designation by the University as Adjunct Faculty II;
- B. Adjunct Faculty II: Adjunct faculty members who are determined by the University to have a consistent record of high-quality instruction. Salisbury University shall consider granting Adjunct Faculty II status to adjunct faculty members who meet the following criteria:
  - 1. after establishing a record of teaching at least 36 credits at the University;
  - 2. supported by a series of high-level performance evaluations over the course of at least 36 credits at the University; and
  - 3. upon written request by the faculty member to the department chairperson. The department chairperson will provide a written recommendation to the dean on the granting of Adjunct II status.

## **C. Application Process for Adjunct II status**

- 1. Faculty writes letter to department chair applying for adjunct II status (no more than 2 pages) Deadline for application: Sept 15 to be considered for promotion for Spring classes; Feb 15 to be considered for Fall classes
  - a. chair may consider: teaching evaluations, evidence of especially effective/innovative teaching; syllabi review;
  - b. chair or chair designee will conduct a minimum of 2 classroom observations (must have been observed within the last 2 years of application and may occur after application but before recommendation is sent to the Dean.)
  - c. chair will make a written recommendation to dean (no more than one page).
- 2. Dean will review recommendation and approve/disapprove by November 15 for Spring classes; April 15 for Fall Classes.

## **IV. Recruitment and selection of adjunct faculty**

- A. Credentials. The University shall develop written standards for the academic degrees or professional certifications and professional experience required for appointment as adjunct faculty. These standards may vary depending on the level of courses to be taught.
- B. Selection Procedures. The Provost will assure that each department or unit has in place written procedures for selecting adjunct faculty. These procedures shall include verification of credentials, and shall reflect the commitment of the University and the University System of Maryland to equal opportunity and affirmative action.

## **V. Professional development and working conditions**

- A. Support for Teaching. The University shall provide each adjunct faculty member with the support it determines to be necessary for the execution of the appointee’s duties, which may include access through the University’s website or electronic resources, including the following:
  - 1. information on the department’s policies, requirements, and goals for each course, along with access to examples of past course syllabi (if available);
  - 2. official schedule of classes, including academic calendar and time frames of class meetings;
  - 3. assistance in the selection of textbook(s) for the course(s), ancillaries for the text(s), if these are not already available;
  - 4. a university email account along with access to on-campus computer facilities; and

5. for adjunct faculty teaching face-to-face classes on campus:
  - a. telephone or other voice access, as appropriate;
  - b. necessary office supplies;
  - c. copying services for course materials; and
  - d. appropriate space for meeting with students during scheduled office hours.

B. Professional Development. Professional development opportunities for adjunct faculty shall be supported to the extent feasible, and may include invitations to departmental, college, University, and external faculty development events.

C. Performance Evaluation. The Provost will assure that each school has in place written procedures for evaluating adjunct faculty performance on a regular schedule, as required by Board of Regents' Policy II-1.20.

1. Departments shall evaluate the teaching of adjunct faculty members in a manner that identifies high-level performance, according to departmental standards.
2. Evaluations shall be kept on record in a personnel file and shall be consulted when decisions about promotion, compensation, and any subsequent contract are made.

faculty member has had consistent instructional experience at the University.

- iii. May be eligible for longer term appointments that assure the faculty member assignment to a fixed number of classes during the term of the appointment.

b. The designation of a faculty member as Adjunct Faculty II will not prevent the faculty member from competition for or selection into a position as salaried PTNTT or other faculty.

3. Teaching assignments. The appointing department shall provide adjunct faculty with reasonable and adequate notice of projected teaching assignments prior to the start of classes.

a. The University has the goal of providing such notice 45 days before the class start date to the extent feasible. Nothing in this section shall prevent a department from making an adjunct faculty teaching appointment on short notice based on changed circumstances in class enrollments, the availability of resources, or other factors.

b. If the University cancels a fall or spring semester class to which an adjunct faculty member has been assigned less than 30 days before the class start date, and has been unable to offer the faculty member re-assignment to a comparable class, the University shall compensate the faculty member 10% of the payment amount specified in the contract or appointment letter for that class.

## VI. Appointment and Assignment

### A. Appointment of Adjunct Faculty Members

1. Contracts/Letters of Appointment. Each adjunct faculty member, including both Adjunct Faculty I and Adjunct Faculty II, shall be provided a written contract or formal letter of appointment prior to the beginning of the assignment, which includes:

- a. position title,
- b. contract term,
- c. per-course compensation,
- d. description of the assignment,
- e. institution benefits, if any,
- f. performance-evaluation policies and procedures
- g. explanation of the implications of the cancellation of a course before its start date.

2. Provisions for Adjunct Faculty II.

- a. After designation as Adjunct Faculty II at the University, a faculty member:
  - i. Shall receive a promotion increase of at least 10% of the minimum, annual per-course compensation for adjunct faculty at the University, consistent with State and USM budget policies.
  - ii. Shall be given priority consideration to the extent operationally feasible among adjunct faculty for future teaching assignments in the subjects for which the

B. Notice of policies and procedures. Upon signing a contract or otherwise accepting an appointment, the adjunct faculty member will receive access, electronically or in print, to Salisbury University's faculty handbook and policies or University System of Maryland policies, including those policies explaining the benefits for which the faculty member may be eligible.

## VII. Compensation and Benefits

A. Compensation. Every effort should be made to make adjunct faculty compensation professionally appropriate and competitive to the extent allowed by available fiscal resources.

B. Benefits for Adjunct Faculty. The University may provide designated institutional benefits to adjunct faculty, in either or both of the Adjunct Faculty I or Adjunct Faculty II categories, at the discretion of the President, such as, but not limited to professional development support and access to University activities and facilities.

C. Sabbatical and Terminal Leave. Adjunct faculty members are ineligible for sabbatical leave or for terminal leave, regardless of length of service.

## VIII. Due Process Protections

- A. Grievance Procedure. With the exception of those policies and procedures that relate to the appointment, rank and tenure of tenured and tenure-track faculty, adjunct faculty shall have available the same grievance procedure as all other faculty, consistent with the USM Policy on Faculty Grievances, No. II-4.00.
- B. Process Related to the Termination of Adjunct Faculty. All adjunct faculty members shall have the opportunity for an informal hearing at the level of the appropriate dean's office before termination of an appointment within the term of the faculty member's contract. The University may remove the adjunct faculty member from the classroom, while continuing to pay the faculty member, pending the outcome of the hearing.
- C. Subsequent Appointments. The decision whether to reappoint an adjunct faculty member after the term of the faculty member's contract remains within the discretion of the University:
  1. Consistent with Section VII.A.2;
  2. Provided that the decision was not made for unlawful reasons or in retaliation for the faculty member's exercise of grievance rights or shared governance activities.

## IX. Participation in the Campus Community

- A. Integration into Salisbury University Life. Adjunct faculty members shall be invited, to the extent feasible, to participate in the scholarly, intellectual, academic, and social life of the department, school, and the University.
- B. Shared Governance Participation.
  1. The University shall provide opportunities for adjunct faculty to communicate their concerns to campus administration, provide advice in the development and implementation of policies and procedures related to adjunct faculty, and otherwise participate fully in shared governance through the formation of an Adjunct Caucus that will meet once each semester with campus administration. Representatives to the Adjunct Caucus will be elected by the adjunct faculty members.
  2. The Adjunct Caucus shall have the opportunity to meet with campus administration, including the Provost and the Vice-President for Administration and Finance once each semester.
  3. In recognition that adjunct faculty are compensated only for course-by-course instructional services, Salisbury University shall provide reimbursement for travel and other reasonable expenses consistent with University System of Maryland and institution travel policies to each adjunct faculty member who serves on the Adjunct Caucus.

## X. Implementation

The provisions of this policy shall be implemented by the University no later than September 1, 2011; and the President shall submit a report to the Chancellor summarizing the measures taken to implement this policy no later than November 1, 2011. The Chancellor will report to the Board of Regents on the impact of the implementation of this policy on the status of adjunct faculty no later than November 1, 2012.

Approved by the Academic Affairs Office August 1, 2011  
Revisions submitted by the Associate Provost 1-18-2012

## {PART-TIME TENURE-TRACK AND PART-TIME TENURED FACULTY ([BOR II-1.10](#))}

### *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.

**{PART-TIME FACULTY MEMBERS ENGAGED EXCLUSIVELY OR PRIMARILY IN LIBRARY SERVICES (BOR II-1.11)}**

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 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 rank 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.

**Note:** Policies for the appointment, promotion and permanent status of part-time library faculty with the rank of Librarian I, Librarian II, Librarian III, and Librarian IV are addressed in university policy on the Appointment, Rank, Promotion and Permanent Status of Librarians (**section G**).

Replacement for: **BOR VII-2.15-POLICY ON LIBRARIANS (Section on Part-Time Librarians)**  
 Approved by Faculty Senate 2-14-04  
 Approved by Provost 2-21-06  
 Revisions made June 2006

**{THE COMPREHENSIVE REVIEW OF TENURED FACULTY (BOR II-1.19)}**

**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"<sup>4</sup> in two consecutive workload-related annual reviews that are done regularly by the chair.<sup>5</sup>

**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
<b>Teaching and Advising</b>	Courses Syllabi
	Student Evaluations
	Instructional Planning
	Conferences Program Planning
	Department Meetings
<b>Teaching and Advising (continued)</b>	Classroom Observation
	Posted Advising Schedules
	Review of Advising Folders
	Incidents of Advisee Confusion
	Observation of Advising Conferences
	Involvement in student clubs and organizations
<b>Professional Development</b>	Participation in Campus Professional Development Activities

<sup>4</sup>This 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.

<sup>5</sup>This 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
<b>Professional Development (cont.)</b>	Writing/Research Efforts and Creative Pedagogical Innovations Attendance at Conferences and Institutes Yearly Self-Evaluations
<b>Service to the University and Community</b>	Participation on Department Service and Campus Committees Support to Registration and Orientation, and Retention Activities
<b>Service to the University and Community (continued)</b>	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.<sup>6</sup>

#### *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

<sup>6</sup>As 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), 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.

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

### {EVALUATION OF PERFORMANCE OF FACULTY (BOR II-1.20)}

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 2**.

**Figure 2. Potential Sources of Faculty Evaluation Information**

PERFORMANCE CATEGORY	POTENTIAL INFORMATION SOURCES
Teaching/Advising	Courses Syllabi
	Student Evaluations
	Instructional Planning
	Conferences Program Planning
	Department Meetings
	Classroom Observation
	Posted Advising Schedules
Teaching/Advising (continued)	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/Institutes
	Yearly Self-Evaluations
Service to the University and Community	Participation on Department Service and Campus

PERFORMANCE CATEGORY	POTENTIAL INFORMATION SOURCES
	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 by March 15 of each academic year and summarize outcomes by using 1) evaluation forms found in the Appendices Section, **Appendix O** and **P**; 2) evaluation forms approved by a department; or 3) evaluation forms approved by the department and dean.
3. Department chairs also evaluate full-time non-tenure track faculty each year by March 15. Criteria and procedures for reviewing full-time non-tenure track 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 non-tenure track 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 3** describe the procedure for yearly reviewing these full-time non-tenure track faculty.

**Figure 3. Procedures for Reviewing Tenured, Tenure-Track and Full-time Non-tenure Track Faculty**

STEP	DEADLINE
a) Department chairs evaluate faculty member yearly.	March 15
b) Department chairs recommend to deans as follows: (1) <b>Termination</b> (faculty not needed or unsatisfactory) (2) <b>One-year Reappointment</b> (faculty needed and satisfactory)	March 30
c) Deans recommend to the provost as follows: (1) <b>Termination</b> (faculty not needed or unsatisfactory) (2) <b>One-year Reappointment</b> (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 non-tenure faculty on the evaluation form (see **Appendix Q**).
5. Department chairs also evaluate part-time non-tenure track 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 non-tenure faculty on the evaluation form (see [Appendix R](#)). 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.

**Recommendations approved by Faculty Senate 12-7-06**

**Final approval by Provost 12-15-06**

**Revised 4-3-08**

## {COMPENSATION FOR FACULTY ([BOR II-1.21](#))}

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.

## {FACULTY APPOINTMENT LETTERS OR CONTRACTS ([BOR II-1.22](#))}

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. Tenure track faculty and full time non tenure track faculty are paid on an annualized basis (26 pays).
4. Faculty members employed on an academic year basis are paid their salary in equal bi-weekly installments (26 pays) over the 12 month period beginning on the starting date of their appointment (on or about August 15) and ending 12 months later (on or about August 15). If a faculty member separates from service prior to receiving all of his or her salary, the faculty member will be paid all earned but unpaid salary in a single lump sum within 30 days of the end of pay period in which the separation from service occurred. "Separation from service" has the same meaning as provided in Section 409A of the Internal Revenue Code, and includes any voluntary or involuntary termination of service, including (but not limited to) retirement or death.
5. Faculty compensation for teaching a course in the summer depends on the number of students in the course, the number of credit or contact hours assigned to the course, and the in-state tuition rate in effect at the time the course is offered. For the current compensation table see the faculty contracts for Summer at <http://www.salisbury.edu/academic/provost/Faculty%20Contract%20Page.htm>.

**Approved by the Board of Regents July 7, 2000**

**Revised June 7, 2006; June 23, 2008**



## {DISCLOSURE OF EMPLOYEE SALARY INFORMATION (SU)}

A policy that was formally approved by the former President's Council on September 10, 1998, to restrict the publishing or release for general distribution of SU employee salary information has been rescinded. As a state institution, an individual's gross salary is public information and may be released by the Office of Human Resources<sup>7</sup> for general distribution on request. This is accomplished by completing a SU Salary Information Request form<sup>8</sup> available in Human Resources. Data will be provided to the individual requesting the information within 30 days. A fee will not be charged for the first two hours needed to compile data by Human Resources and Information Technology, after which a charge of \$35.00 per hour will be made. There is also a fee of .15 cents per page for all material provided. Salary data are also available at no charge in the library.

Approved December 2001 by the President of the University

## {FACULTY WORKLOAD AND RESPONSIBILITIES (BOR II-1.25)}

### *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:

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<sup>7</sup>Salisbury University Office of Human Resources is designated as the "custodian" under Maryland's Public Information Act and the Federal Freedom of Information Act.

<sup>8</sup>The SU Salary Information Request form can also be found in the Appendices section (**Appendix N**) of this handbook.

- 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 tenured and tenure track faculty at Salisbury University are as follows:

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

And the standard workload and responsibilities expectations for full-time non-tenure track faculty at Salisbury University are:

	Teaching	Research/ Scholarship	Service
<b>Percent of Effort</b>	77 (8 Course Units/Years)	5-20	3-20

Percent of effort in a given term for part-time non-tenure track faculty at Salisbury University is 100 times the number of course units taught in that term divided by 5.

- 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 non-tenure track 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 Units**

Course	# of Credits=1 crs unit
500 & above – Grad Ind. Studies	18

- 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** and its policy on the **Appointment, Rank and Tenure of Faculty**, which is found in the *Faculty Handbook*.

Approved by the USM 9-20-94; Amended 7-9-99 Modified from the BOR Policy; Approved by Faculty Senate 3-14-06 and Approved by Deans' and Provost's Group 4-3-06

### {THE REGENTS PROFESSORSHIP ([BOR II-1.30](#))}

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 regent's 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 crses), faculty development, citizen outreach, or organizational enhancement.

### TITLE OF *PROFESSOR EMERITUS* (SU)

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. Beginning in the semester before retirement, faculty may be nominated for the title of *Professor Emeritus* by any member of the SU faculty 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 a meeting in the final semester of the faculty member's service. The Committee on Promotions may recommend that a retiring faculty member should be granted the title effective immediately on retirement.
4. The names of professors' emeriti are listed in Salisbury University's Undergraduate and Graduate Catalog 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; April 16, 2002; September 2003; Revision Approved by the Provost: April 19, 2002

## CONSULTING FACULTY (SU)

### 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 Catalog and in its Graduate Catalog as appropriate to their contributions. Consulting faculty have the use of campus facilities and are welcome to attend campus activities as regular faculty.

## {PROFESSIONAL COMMITMENT OF FACULTY (BOR II-3.10)}

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 following is Salisbury University’s reporting procedure per **section VI.B.**

### **BOR II – 3.10 - Professional Commitment of Faculty**

#### ***I. Introduction***

By accepting an appointment to an institution in the University System of Maryland, faculty members make a major professional commitment to the institution, its students, and the State of Maryland. Maryland law encourages higher education institutions to promote economic development in the State and to increase their financial resources through arrangements with the private and nonprofit sectors, including collaborative research and development, commercial application of institution-owned intellectual property, and provision of technical assistance. The University System of Maryland encourages its faculty to use its expertise in serving the economic and social interests

of the community and the advancement of the academic disciplines.

Faculty members may be expected to contribute to all aspects of the mission of the institution, including such essential components as teaching, student direction, and advisement; research and economic development; professional, public, and institutional service; and administration. The distribution of assignments will vary greatly from year to year and from person to person according to the particular talents and interests of the faculty member and the needs of the institution and the academic unit as determined in consultation with the department chair or responsible administrator.

#### ***II. Scope and Purpose***

- A. Scope. This policy applies to all faculty members in the University System of Maryland and shall be incorporated in the published policies of each institution. By explicit reference, some sections of the policy apply only to full-time faculty members.
- B. Purpose. Recognizing the need for balance among personal, institutional, and social missions and goals, this policy establishes broad guidelines for avoiding conflicts of commitment and requires each institution to review or develop procedures for handling possible instances of conflict of commitment.
- C. Definition. A conflict of commitment situation arises when outside activities substantially interfere with the person’s obligation to students, colleagues, or the institution.

#### ***III. Professional Services Within The Institution***

Full-time faculty members may undertake consulting, overload teaching, or professional services within the constituent institution during an appointment period for a stipend only with the advance written approval of the President or designee.<sup>9</sup>

#### ***IV. External Commitments***

Consulting and other external professional services may enhance the reputation of the institution as well as the individual, assist in recruiting or placing students, apply the expertise developed in its academies to the enterprises of the State, and test the applicability of theoretical ideas. Nevertheless, the faculty and the institution must remain vigilant to ensure that such external services enhance and do not detract from a faculty member’s fulfillment of his or her responsibilities to the institution. Therefore, external professional services, whether income-producing or not, may be undertaken only when it is ensured that all responsibilities associated with the individual’s faculty position are fully satisfied and will continue to be met.

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<sup>9</sup>For 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.

### A. *Professional Services*

1. Within USM or State of Maryland. 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 written approval of the President or designee of the faculty member's institution.
2. Use of University Resources. A faculty member may use the physical resources of his or her institution in connection with consulting or professional services beyond routine use of the office, computer, library, and telephone only if the institution is reimbursed in accordance with prior arrangements, or if such reimbursement is waived by the President or designee of the affected institution.
3. Endorsement Not Implied. A faculty member shall not convey endorsement by the institution or the University System of the recommendations or results from his or her consulting or professional services.
4. Protection of Intellectual Property. No individual shall enter into an agreement in the pursuit of consulting or professional services which conflicts with the University System policy on intellectual property (See Policy IV-3.20) without the advance written waiver or consent of the Chancellor or designee.

### B. *Teaching Outside the Home Institution*

A full-time faculty member, with the advance 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.

## V. *Disclosure to Prevent Conflict of Commitment*

Although external activities may enhance the institution and the University System of Maryland, they also bring with them the potential for conflicts of commitment. Although some situations carry the potential for a conflict of commitment, the faculty member and the University may be able to avoid actual conflict by careful attention to the individual's assigned institutional responsibilities. In situations that have the potential for conflict, a faculty member must confer with the department chair or other appropriate administrator and resolve the potential conflict according to institutional procedures before assuming additional professional responsibilities outside the unit.

## VI. *Implementation*

- A. Limits of Application to Contract. 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. Procedures at Each Institution. Each institution of the University System of Maryland shall develop and publish procedures to implement this policy. Such procedures shall include provisions for regular reporting by faculty members to the institution on all outside professional consulting or teaching and substantial external professional services, whether paid or unpaid. Below is SU's procedures for reporting conflict of commitment.:

### **Salisbury University's Faculty Reporting Procedures for Potential Conflicts of Commitment\***

Salisbury University Faculty are required to report outside conflicts of commitment or potential conflicts of commitment in two steps.

- 1) First, faculty must disclose any proposed significant commitment of professional activities to be undertaken outside the University or department to both the Chairperson and the Dean in advance of the activity (routed through the Chair to the Dean). NOTE: A full-time faculty member who wishes to teach outside the University must have the advance written permission of the School Dean and the Provost (President's designee) **before** making such commitment. A full-time faculty member may teach a maximum of two courses at another institution (See Fac. Handbook; Chap. 2, II-3.10, IV.B.).

Faculty are to send written notification of proposed activities to their chair at the beginning of each semester.

For the fall semester, notification is due to the chair by August 31<sup>st</sup>. Chairs will send a summary report (electronic document) of these proposals and the chair's endorsement to the dean by September 15<sup>th</sup>. For the spring semester, notification of proposed activities is due to the chair by January 31<sup>st</sup> and endorsement from the chair to the dean by February 15<sup>th</sup>.

As stated in the Faculty Handbook '*Guidelines for what constitutes a significant commitment will be established by each Department with the approval of the Dean of the School.*' Please forward your department guidelines to the dean for review and approval by January 15<sup>th</sup>. External commitments that must be reported include teaching outside the institution, research/ scholarship that involves the use of University resources, and services performed for other institutions within the USM or for other State of Maryland agencies.

- 2) Second, faculty must complete an annual report describing any and all significant Outside Professional Activities (so report on activities undertaken, not proposed activities). The final reports from the faculty shall be submitted by May 31<sup>st</sup>. A compilation of these reports is due from departments to the Dean's Office by June 15<sup>th</sup>.

If the faculty member and the chair fail to agree on whether an activity is a Conflict of Commitment, the issue will be addressed by the dean of the School.

\*This policy has been adapted from II-3.10(A) and (B) UMCP Guidelines and Procedures for Conflict of Interest and Conflict of Commitment. This portion of the policy was approved by the **Deans and Provost's Group, April 2006; Executive Staff, April 2006; Faculty Senate, May 2007 and Office of the Attorney General, June 2007**  
**Approved by BOR November 1989**  
**Amended by BOR June 2003**  
**Approved by Senate 6/5/07 and Provost 6/8/07**  
**Revised 9-7-07 (SU's Conflict of Commitment)**  
**Approved by Provost on 6/9/10**  
**Revised by Editor on 7/12/10**

## **{TEACHING OUTSIDE THE UNIVERSITY BY FULL-TIME FACULTY ([BOR II-3.20](#))}**

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.

## **{STUDENT ACADEMIC GRIEVANCE POLICY (SU)}**

Salisbury University has established the Student Academic Grievance Policy to give students of the University community a forum in which to address concerns related to academic matters (e.g. grade disputes and professional program dismissals when they do not involve an academic integrity violation). The policy provides a method for aggrieved students to express substantive complaints about academic matters and have them resolved in a timely fashion. The following matters are not covered by these grievance procedures:

- Claims involving alleged discrimination or harassment
- 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
- Student judicial matters
- Grievances against University police officers that could result in the imposition of any discipline against the officer(s)
- Student Academic Integrity Violations
- Student Academic Misconduct Violations

### **Informal Grievance**

Students are encouraged to attempt to resolve differences between themselves and others in an informal manner prior to initiating a formal grievance under this policy. 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. In the cases in which the differences involve a faculty member, and the differences are not resolved informally between the faculty member and the student, the student is encouraged to consult with the department Chair prior to filing a formal grievance. If an informal resolution cannot be

achieved, the grievant may elect to begin the formal grievance procedure that follows.

### **Formal Grievance**

**NOTE:** Extenuating circumstances may cause the Office of Academic Affairs to extend the suggested time outlined below.

#### **Step One**

The grievant must submit a formal grievance in writing to the person alleged to be responsible for the actions leading to the grievance before the mid-semester point of the following major semester as noted on the University's master calendar). Nothing in this policy is to be construed to inhibit or prevent the grievant from withdrawing a formal grievance once the formal grievance procedures have begun.

A formal grievance must set forth in writing a statement which clearly defines the basis of the grievance, a chronology of events leading up to the grievance, the names of people with knowledge of the event, pertinent dates, a description of the actions taken against the grievant which led to the dissatisfaction and a proposed resolution to the situation. Any documentation relevant to the grievance should be attached to the letter. If known, information about relevant University academic policies should be provided. 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 inconsistent with University policies or procedures.

The person alleged to be responsible for actions leading to the grievance will provide a written response to the grievant within 10 working days of receiving the formal grievance. The written decision should address the specific issues raised in the grievance and include all pertinent information.

#### **Step Two**

If the response is not satisfactory to the grievant, he or she has 10 working days to file the formal grievance with the supervisor of the person (department Chair of faculty member) alleged to be responsible for the actions leading to the grievance. The grievant must include all prior written responses. The supervisor of the person alleged to be responsible for the actions leading to the grievance will provide a written response to the grievant and the person alleged to be responsible within 10 working days of receiving the formal grievance.

#### **Step Three**

If the supervisor's response is not satisfactory, the grievant has 10 working days to file a formal grievance with the Dean of the school in which the dispute has occurred. The grievant must include all prior written responses. The Dean of the school will provide a written response to the grievant within 10 working days of receiving the grievance.

#### **Step Four**

If the response from the Dean of the school is not satisfactory, the grievant has 10 working days to forward the formal grievance to the Assistant Vice President of Academic Affairs who will refer the grievance to the Academic Policies Committee (APC) for review. In the event the Academic Policies Committee is not available, the Assistant Vice President of Academic Affairs will forward the appeal to the Provost, who will attempt to create an

ad hoc committee to handle the review as soon as practicable. (All further references in this policy to the Academic Policies Committee include the ad hoc committee where appropriate.)

### Committee Review of Evidence

The committee normally has 15 working days from receiving the formal grievance to decide among the following options:

1. **Review Submitted Evidence** - Render a written decision based on the documents and materials submitted with the appeal.
  2. **Investigation** - Render a written decision based on a series of interviews, a review of documents, and/or any other action deemed appropriate for the purpose of collecting additional information and evidence necessary for an informed and reasoned judgment to be rendered. The investigation, including interviews, will usually be completed within 20 working days of the decision to conduct an investigation.
  3. **Hearing** - Render a written decision based on a hearing. If the Committee determines that 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:
    - The hearing shall be held at a reasonable time when all parties (to the extent possible) are available or have an opportunity to be present.
    - The parties shall be entitled to make opening and closing statements.
    - The parties shall be entitled to present evidence through witnesses and documents, and shall be entitled to question witnesses.
    - At the discretion of the Chair of the Committee, direct questioning by a party of a witness, including an opposing party, may not be permitted; rather, the parties may be required to convey their questions to the Committee Chair, who will convey them to the witness.
    - Students are permitted to seek the support of a non-legal advocate for assistance in the preparation of a case before the Academic Policies Committee. The advocate may counsel the grievant during the hearing but shall not officially speak or participate formally in the proceedings. In all cases, the advocate must be a member of the University faculty, staff or student body.
    - Neither party may be represented by an attorney at the hearing, unless they are facing or are likely to face criminal charges relating to the subject of the grievance. Under such circumstances the University legal counsel must also be present. At no time may legal counsel give statements or participate in questioning witnesses or Committee members.
- The hearing shall be closed with attendance limited to individuals directly connected with the case as determined by the Chair of the Committee. The University may record the hearing at the discretion of the Chair. Any University recording will be University property for University reference only and will not be made part of the student's University record.
  - 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.
  - 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.
  - 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. Reasonable limits may be set by the Chair 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.
  - Since the University lacks full judicial authority, such as the power to subpoena or place witnesses under oath, a party's procedural rights cannot be coextensive with or identical to the rights afforded the accused in a civil or criminal legal proceeding. The procedures outlined are designed, however, to assure fundamental fairness and to protect parties from arbitrary or capricious disciplinary action. Deviations from these procedures shall not necessarily invalidate a hearing or the results of a hearing unless significant prejudice results.
  - When possible the hearing should be completed within 20 working days of the decision to conduct a hearing.

### Committee Findings

After the Committee has completed its review, the Committee shall issue a written decision based on findings of fact and conclusions, including procedures followed and any applicable University policies and procedures, usually within 10 working days, and shall provide a copy of the findings to all directly involved parties, including, but not limited to, the parties involved, the department chair, the dean of the school, the Office of Academic Affairs and the Assistant Vice President of Academic Affairs.

## Appeal of Committee's Findings

If either party elects to appeal the decision of the committee, he or she must provide written notice of the appeal to the Provost, within 10 working days from the date of the Committee's written decision. The written appeal should set forth all of the reasons that support reversal of the Committee's decision and include any supporting documentation.

The Provost has the discretion to take any action necessary to thoroughly complete a review, and then will issue a decision, which will be binding and final. The decision will be conveyed in writing to the student, the faculty member, department Chair, Dean of the school, the Office of Academic Affairs, the Assistant Vice President of Academic Affairs and the Academic Policies Committee usually within 10 working days.

Revised Document Approved by the Faculty Senate on 5-11-1999;  
Second Revisions of Document Approved by Faculty Senate on 3-13-2001)  
Revisions Approved by Provost 10-7-2002  
Revisions Approved by Faculty Senate 3-29-2005, and Provost 5-17-2005.  
Revisions Approved by the Faculty Senate 5-5-2009 and the Provost 5-15-2009  
Formatting revisions made on 9-30-2009  
Revisions Approved by Academic Policies Committee on January 13, 2013

## **{FACULTY GRIEVANCE POLICY ([BOR II-4.00](#))}**

Salisbury University has established the Faculty Grievance Policy to give faculty members of the University community a forum in which to address concerns related to matters involving the interpretation or application of University policies including disciplinary action. This policy provides a method for aggrieved faculty to express substantive complaints about denials of tenure, academic policy concerns, or other faculty issues and have them resolved by the appropriate University officials in a timely fashion. The following matters are not covered by these grievance procedures:

- Claims involving alleged discrimination or harassment
- 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
- Retrenchment appeals
- Grievances against University police officers that could result in the imposition of any discipline against the officer(s)

### **Jurisdiction and General Procedures**

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.

If not all necessary members of the appropriate Committee are available, the President of the Faculty Senate in consultation with the associate provost will form an ad hoc committee. This ad hoc committee shall consist of all available members of the committee that would normally have heard the grievance, and enough replacement members to allow for a quorum.

### **Jurisdictional Disputes**

If a dispute arises over the jurisdiction of the committee assigned to decide the matter, the President of the Faculty Senate, in consultation with the chairs of the committees noted above and the Office of the Provost, shall decide the appropriate committee that should hear the matter. (Jurisdictional disputes shall be directed to a member of the Office of the Provost other than the Provost in order to avoid any conflict of interest, as the Provost would ultimately decide an appeal of the committee's findings in such a case.)

### **Confidentiality**

Matters pertaining to any grievance must be kept in confidence by the parties directly involved. Committee findings will only be provided to the parties and other appropriate University personnel on a need to know basis (e.g. Committee members, Department Chair, Dean of the school, the Provost, the President).

### **Timeline**

All time limitations contained within this policy may be extended for good cause as determined by the President of the Faculty Senate, the Chair of the relevant committee, or Provost. A grievance to be heard during the summer (June 16-August 14) would be postponed at the request of either of the parties to the grievance. Failure to adhere strictly to the timelines shall not be grounds for appeal unless significant prejudice has occurred.

### **Procedures**

#### *Informal Grievance*

Faculty members are encouraged to attempt to resolve differences between themselves and others in an informal manner prior to initiating a formal grievance under this policy. 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 an informal resolution cannot be achieved, the grievant may elect to begin the formal grievance procedure that follows.

#### *Formal Grievance*

#### Timeline

A formal grievance must be filed within 20 working days of the date on which the grievant knew or should have known of the action that led to the grievance. Nothing in this policy is



to be construed to inhibit or prevent the grievant from withdrawing a formal grievance once the formal grievance procedures have begun.

### Requirements

A formal grievance must set forth in writing a statement which clearly defines the basis for the grievance, including a chronology of events leading up to the grievance, the names of people with knowledge of the event, pertinent dates, a description of the actions taken against the grievant which led to the dissatisfaction and a proposed resolution to the situation. Any documentation relevant to the grievance should be attached in written form. If known, information about relevant University policies should be provided. 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 inconsistent with University policies or procedures.

### Responses

Faculty and committees who receive written formal grievances must respond to the grievant in writing. The written response should address the specific issues raised in the grievance and include all pertinent information.

### Procedural Steps

#### Step One

The grievant must submit a formal grievance in writing to the person alleged to be responsible for the actions leading to the grievance within 20 working days of the date on which the grievant knew or should have known of the action that led to the grievance. The person alleged to be responsible for actions leading to the grievance will provide a written response to the grievant within five working days of receiving the formal grievance.

#### Step Two

If the response is not satisfactory to the grievant; he or she has five working days to file the grievance with the direct supervisor of the person alleged to be responsible for the actions leading to the grievance. The grievant must include all prior written responses. The direct supervisor of the person alleged to be responsible for the actions leading to the grievance will provide a written response to the grievant and to the person alleged to be responsible within five working days of receiving the formal grievance.

#### Step Three

If the direct supervisor's response is not satisfactory, the grievant has five working days to file the grievance with the dean of the school in which the dispute has occurred. The grievant must include all prior written responses. The dean of the school will provide a written response to the grievant within five working days of receiving the grievance.

#### Step Four

If the response from the dean of the school is not satisfactory, the grievant has five working days to forward the

grievance to the Office of the Provost. The grievant must include all prior written responses. The Office of the Provost will refer the grievance to the appropriate committee for consideration and will notify the President of the Faculty Senate of the referral to Committee.

### Committee Review of Evidence

The Committee normally has 10 working days of receiving the formal grievance to decide among the following options:

- 1) **review submitted evidence:** render a written decision based on the documents and materials submitted with the appeal;
- 2) **investigation:** render a written decision based on a series of interviews, a review of documents, and any/or other action deemed appropriate for the purpose of collecting additional information and evidence necessary for an informed and reasoned judgment to be rendered. The investigation, including interviews, will usually be completed within 20 working days of the decision to conduct an investigation; or
- 3) **hearing:** render a written decision based on a hearing. If the Committee determines that 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:
  - The hearing shall be held at a reasonable time when all parties (to the extent possible) are available or have an opportunity to be present.
  - The parties shall be entitled to make opening and closing statements.
  - The parties shall be entitled to present evidence through witnesses and documents, and shall be entitled to question witnesses. At the discretion of the Chair of the Committee, direct questioning by a party of a witness, including an opposing party, may not be permitted; rather, the parties may be required to convey their questions to the Committee Chair, who will convey them to the witness.
  - All parties, the grievant and subject of the grievance are permitted to seek the support of a non-legal advocate for assistance in the preparation of a case before the Committee. The advocate may provide counsel during the hearing but shall not officially speak or participate formally in the proceedings. In all cases, the advocate must be a member of the University faculty, staff, or student body.
  - Neither party may be represented by an attorney at the hearing, unless they are facing or are likely to face criminal charges relating to the subject of the grievance. Under such circumstances University legal counsel must also be present. At no time may legal

counsel give statements or participate in questioning witnesses and Committee members.

- The hearing shall be closed with attendance limited to individuals directly connected with the case as determined by the Chair of the Committee.
- 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.
- 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.
- 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. Reasonable limits may be set by the Chair 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 university legal counsel.
- Since the University lacks full judicial authority, such as the power to subpoena or place witnesses under oath, a party's procedural rights cannot be coextensive with or identical to the rights afforded the accused in a civil or criminal legal proceeding. The procedures outlined are designed, however, to assure fundamental fairness and to protect parties from arbitrary or capricious disciplinary action. Deviations from these procedures shall not necessarily invalidate a hearing or the results of a hearing unless significant prejudice results.
- When possible the hearing should be completed within 20 working days of the decision to conduct a hearing.

### *Committee Findings*

After the Committee has completed its review, the Committee shall issue a written decision based on findings of fact and conclusions, including procedures followed and any applicable University policies and procedures, usually within ten working days, and shall provide a copy of the findings to all directly involved parties, including the grievant, the person alleged to be responsible for the actions leading to the grievance, and other appropriate University officials on a need to know basis (e.g. Committee members, Department Chair,

Dean of the School, the Provost, the President). The Committee shall provide written notice to the President of the Faculty Senate that it has reached a decision in the case.

### *Appeal of Committee's Findings*

If either party elects to appeal the decision of the committee, he or she must provide written notice of the appeal to the Provost, within five working days from the date of the Committee's written decision. The written appeal should set forth all of the reasons that support reversal of the Committee's decision and include any supporting documentation.

The Provost's review is limited and the appellant shall have the burden to prove anyone exceeded their given authority and/or discretion and/or materially failed to follow proper procedures. The Provost has the discretion to take any action necessary to thoroughly complete a review, and then will issue a decision, which will be binding and final. The outcome of the appeal will be conveyed in writing to all directly involved parties, including the grievant, the person alleged to be responsible for the actions leading to the grievance, and other appropriate University officials on a need to know basis (e.g. Committee members, Department Chair, Dean of the School, the President). As a matter of courtesy, the President of the Faculty Senate may be notified that an appeal has been filed and settled. Findings will only be provided to University personnel on a need to know basis as set forth in the Confidentiality section above.

Proposed by Faculty Welfare Committee – February 2010  
Approved by Senate – September 14, 2010  
Approved by Provost – September 28, 2010

### **{EMPLOYMENT OF MEMBERS OF THE SAME FAMILY (BOR VII-2.10)}**

In the matter of employment of members of the same family to the faculty, Salisbury University operates under **BOR VII - 2.10 UNIVERSITY SYSTEM OF MARYLAND POLICY ON EMPLOYMENT OF MEMBERS OF THE SAME FAMILY.**

1. Purpose and Applicability. To establish a policy for employees of the University System of Maryland which permits members of the same family to be employed in the University System of Maryland while promoting fairness and preventing conflicts of interest.
2. General. Members of the same family are eligible for employment in the University System of Maryland. However, a supervisor/subordinate relationship shall not exist between family, nor shall one member of a family assume for the other the role of advocate or judge with respect to conditions of employment or promotion, except in accordance with the exception process described in Section V of this Policy.
3. Definitions for purposes of this policy.
  - a. "Family member" means spouse, children, parent of employee or spouse, brother, sister of employee or

spouse, grandparents or grandchildren of employee or spouse, aunts and uncles of employee or spouse, nephews and nieces of employee or spouse, brothers in law and sisters in law of employee or spouse, sons-in-law and daughters-in-law of employee or spouse.

b. "Supervisor/subordinate relationship" means a relationship in which one family member reports to another family member, or one family member otherwise participates directly in making personnel decisions regarding another family member.

4. Family Members Recommended to Work for the Same Supervisor. When members of the same family are recommended to work for the same supervisor, the arrangement shall be approved in advance by the institution chief executive officer or designee. No appointment of a family member may be made without such prior approval.

5. Development of a Supervisor/Subordinate Relationship after Employment.

a. If a supervisor/subordinate relationship between family members develops during employment, family members must notify the institution director of Human Resources/Personnel immediately. The institution must take action to ensure that the supervisor subordinate relationship does not exist; such action may include transfer, reassignment or removal of one or more family members.

b. If actions to avoid a supervisor/subordinate relationship between family members are not feasible, the next highest administrative supervisor of the employees may request an exception to the prohibition against such employment. The request shall be made in writing to the president of the institution, or, as appropriate, the chancellor or board of regents, and shall address:

1) The unique circumstances that prevent actions to avoid a supervisor/subordinate relationship among the family member employees;

2) The specialized qualifications of the family member employees or other factors that demonstrate why their continued employment is in the best interest of the institution despite the supervisor/subordinate relationship; and

3) Proposed measures to restrict participation of the supervising family member in any personnel actions affecting the subordinate family member, including specific alternative procedures for the ongoing supervision and evaluation of the family member.

c. Family members may not be employed in a supervisor/subordinate relationship without the approval of such a request by the institution president or, as appropriate, the chancellor or board of regents.

6. This policy does not apply to appointments and promotions made, or to family relationships which existed, prior to the original effective date of this policy, February 28, 1992.

**Replacement for: 1. BOR III -17.00, Policy on Employment of Members of the Same Family; 2) UM Personnel Policies and Rules for Classified Employees, Section II, Nepotism, page II -5; 3) BOR II-5.00, Policy on Faculty Employment of Members of the Same Family replaced on July 10, 2009.**

## **{FACULTY RETRENCHMENT (BOR II-8.00) }**

### **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)**.<sup>10</sup>
- 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

<sup>10</sup>For 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.

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.

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:

The committee shall consist of ten voting members: Six ex officio members: the President of the University, the Provost or his/her designee, the chairperson of the Faculty Welfare Committee, the chairperson of the Academic Policies Committee, and the two Faculty representatives to the State Faculty Council; three department chairpersons serving three-year terms with one retiring annually, elected by their chairperson peers from departments not already represented by Faculty designated above; and a Designated Senator (voting) from a department not

already represented above. The President of the University shall be the chairperson. Should a committee member's program or department be recommended for retrenchment, the President of the University shall so notify the Membership and Elections Committee who in turn shall remove the Faculty member from the committee and designate a replacement. Members of the Faculty Mediation Committee, Faculty Hearing Committee, and the Retrenchment Appeals Committee may not serve on this committee.

- 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 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 at least 60 days 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 beginning 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-tenure track temporary contract;
- 2) Full-time faculty on non-tenure 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 committee shall have five voting members: five members of the Faculty elected at-large serving three-year terms, no two from the same department, no fewer than three of whom are tenured, with two retiring in each of two years and one the next. Members of the Faculty Mediation Committee, Faculty Hearing Committee, and the Faculty Retrenchment Committee may not serve on this committee. The Membership and Elections Committee shall appoint a temporary replacement for a committee

member should a member of his/her department or program be appealing retrenchment. Should an elected faculty member not be the Designated Senator, a non-voting Designated Senator shall also serve on the committee. The committee shall elect its chairperson annually.

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 university president and the president of the Faculty Senate within ten (10) working days<sup>11</sup> 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

<sup>11</sup>Working days are defined as Monday through Friday, inclusive, exclusive of holidays recognized by the institution.

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 no later than 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 four (4) 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.

*e. Conduct of the Hearing*

The Institution will be represented by the Office of the Attorney General or its designee. The Retrenchment Appeals Committee may request separate representation by the Office of the Attorney General. 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 or the university.

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 or the University.

The appeal committee must make the decision based on the record. Consistent with applicable law, the committee's deliberations 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.

**NOTE:** This policy can be found on the Salisbury University website: <http://www.salisbury.edu/facstaff/>

**Approved: January 2006**

**{SALARY ADVANCES ([BOR VII-4.30/SU](#))}**

1. Where appropriate, the president of Salisbury University may authorize salary against unearned income to faculty.

2. Authorized salary advances shall not exceed 90% of the expected bi-weekly salary. (For procedures see [Appendix L](#)).

### {REIMBURSEMENT OF MOVING EXPENSES FOR NEW EMPLOYEES ([BOR VII-4.40](#))}

1. The president of the university may authorized the payment of moving expenses of normal household goods including reasonable packing and unpacking charges when it's deemed to be in the interest of the university. Moving expenses are authorized only when the distances between the former residence and the university exceeds 35 miles one way. Exceptions to the 35-mile limitation may be made for payment of relocation expenses when the relocation is for the convenience of the institution or component. Nothing in this policy requires the payment of moving expenses.
2. It is the policy of Salisbury University that moving expenses may be reimbursed to a new employee if the following criteria are met:
  - a. The payment of moving expenses follows the general guidelines as approved by the Board of Regents under policy **VII-4.40**;
  - b. Reimbursement has been approved by both the dean and vice president's office in advance of employment;
  - c. Moving expenses become a part of the initial faculty employment contract or letter of offering for administrative staff and;
  - d. A designated fund source is available, indicated and approved (i.e....department account code).

#### 3. Procedures for Reimbursement are as follows:

The new employee should submit to the Accounts Payable office:

- a. A **completed, signed, and authorized** expense account form;
- b. A copy of the faculty contract or the letter of offering and;
- c. **Original** moving receipts.

**Please note:** The Accounts Payable office will forward a copy of the expense account to the Salisbury University Payroll office, which will complete an *Employee Moving Expenses Report*. This report indicates any qualified Moving Expense reimbursement paid directly to the employee and/or all non-qualified Moving Expense reimbursements. Upon completion, the *Employee Moving Expense Report* will be sent to the State of Maryland, Comptroller of the Treasury's Central Payroll Bureau. Qualified moving expense reimbursements will be

shown on the employee's W-2 in Box 13 with a Code "P". Non-qualified moving expense reimbursements will increase Federal, State and FICA wages and are subject to tax withholding.

Internal Revenue Service *Publication 521* categorizes moving expenses as follows:

#### Deductible (Qualified) Moving Expenses

Moving your household goods and personal effects (including in-transit storage expenses), and Traveling (including lodging) to your new home.

#### Nondeductible (Nonqualified) Moving Expenses

Meal expenses,  
Car tags,  
Pre-move house-hunting expenses,  
Temporary living expenses,  
Expenses of buying or selling a home,  
Expenses of getting or breaking a lease,  
Security deposits (including any given up due to the move),  
Home improvements to help sell your house,  
Loss on the sale of your home,  
Mortgage penalties,  
Losses from disposing of memberships in clubs,  
Any part of the purchase price of your new home,  
Real estate taxes,  
Driver's license,  
Storage charges (except those incurred in transit).  
For more information obtain *Publication 521, Moving Expenses*, by phoning 1-800-829-3676 or by downloading from [www.irs.gov](http://www.irs.gov).

Approved July 2000 by SU Administration and Finance Office

### {TUITION REMISSION FOR FACULTY AND STAFF ([BOR VII-4.10](#))}

Salisbury University Regular Faculty and Staff employees on Regular or Retired Status may enroll in academic courses to improve their skills or for personal development purposes with tuition costs associated with such courses remitted in whole or in part.

#### *Tuition Remission at University system or Maryland Institutions*

1. Tuition remission is extended to Regular Faculty and Staff employees. A Regular Faculty or Staff employee is one who works in a position that has been approved through the budgetary and pertinent appointment classification processes and that is intended to last six months or more regardless of the nature of the source of funds or who has retired from such a position. This definition applies to both fulltime and part-time Faculty and Staff employees. For the purposes of acceptance of tuition remission requests, a Retiree must be receiving State of Maryland retirement checks and/or Optional Retirement Plan (ORP) retirement checks, and have earned at least five years of total service credit at one



or more institution(s) of the USM. Verification of Retiree Status may be obtained by contacting the Human Resources Office of the institution from which the employee has retired.

2. Tuition remission shall be subject to the individual's admissibility to the institution and to the program in which the courses are to be taken and to the other academic regulations of the institution governing student enrollment (for example, course prerequisites and registration deadlines).
3. Full-time Regular and Retiree Faculty and staff employees shall be permitted to register for courses not to exceed eight (8) credits per semester with remission of tuition. Regular part-time Faculty and Staff employees who are employed at fifty percent or more time in the USM or retirees from such positions shall be permitted tuition remission for credits proportional to their percentage of service. Tuition remission does not include mandatory fees, which remain the responsibility of the Regular or Retiree Faculty or Staff employee. Courses taken under this policy shall not interfere with the assigned responsibilities of any Faculty or Staff employee and shall require the approval of the Chief Executive Officer (CEO) or designee.
4. The Regular Faculty or Staff employee may register for the desired course(s) at any institution in the USM. Regular Faculty and staff employees employed by any USM institution, who otherwise meet admissibility and registration criteria, shall be granted tuition remission at any USM institution on the same basis as Faculty and Staff employees who are employed by the host institution.
5. Programs of study to be exempted from this policy shall include the M.D. and D.D.S. programs at the University of Maryland, Baltimore and such other programs as may be recommended by the CEO of the institution offering the program and approved by the Chancellor. Availability of tuition remission for self-support programs and courses shall be recommended by the CEO of the institution offering the program and approved by the Chancellor. The host institution shall apply the exempted status equally to all applicants who wish to participate in the tuition remission program, whether from the host institution or other institutions.
6. The procedures for implementing this policy are detailed in **VII - 4.10 BOR: UNIVERSITY SYSTEM OF MARYLAND POLICY ON TUITION REMISSION FOR FACULTY AND STAFF.**

### ***Tuition Remission at Salisbury University***

1. Tenured faculty who are terminated because of retrenchment in the university may continue to receive tuition waivers for up to six hours per semester for one year from the date of termination as

long as the terminated faculty member is not employed full-time.

2. The USM's "*Request for Tuition Waiver*" form can be obtained from the Human Resources (HR) Office and must be submitted to the department chair or designee and HR Office for approval prior to registering for classes.
3. An exception to the tuition remission policy will be made for SU faculty interested in taking advantage of the Ph.D. program in Organizational Leadership offered at UMES, when offered in the Cohort week-end format. With this exception SU faculty will be able to register for up to three courses/nine credit hours per term provided the courses do not interfere with regular university duties.

### ***Tuition Remission for Full-time Non-tenure Track Faculty***

Full-time non-tenure track faculty working full-time may register for up to eight (8) credits per semester at SU at both the undergraduate and graduate level with 100% tuition remission. Spouses and dependent children of full-time non-tenure track faculty with more than two years of continuous service are eligible for 100% tuition remission only on course work applied toward a first undergraduate degree at SU. Tuition remission may be available for Winter Term or Summer School on a space available basis.

**Approved September 1996**  
**Amended by USM June 2003**  
**Revisions approved by Human Resources September 2003**

### **{TUITION REMISSION FOR SPOUSES AND DEPENDENT CHILDREN OF FACULTY AND STAFF ([BOR VII-4.20](#))}**

Permanent faculty and permanent staff may enroll in academic courses to improve their skills or for personal development purposes with tuition costs associated with such courses remitted in whole or in part.

#### **A. Tuition Remission at University System of Maryland Institutions**

1. Tuition remission is extended to the spouses and dependent children of all classes of permanent faculty and permanent staff. A "permanent" faculty member or staff is one who works in a position approved through the budgetary and pertinent appointment classification processes and that is intended to last six months or more regardless of the nature of the source of funds or who has retired from such a position, provided that his or her period of employment began before January 1, 1990. For purposes of acceptance of requests for tuition remission, a "University System of Maryland retiree" must be receiving State of Maryland retirement checks and/or TIAA-CREF retirement checks and have earned at least five (5) years of University System of Maryland service

credit, inclusive of the former University of Maryland and the former Board of Trustees of State Universities and Colleges. Verification of retiree status may be obtained by contacting the Human Resources Office of the institution from which the employee has retired. The term "spouse" shall mean one with whom the employee has entered a legally effective marriage, provided that it shall not include an estranged spouse who maintains a separate domicile. The term "child" shall include a son, daughter, stepson, stepdaughter, legally adopted son, and legally adopted daughter. A "dependent child" is a child who is "financially dependent," as that term is defined by the Internal Revenue Service. For spouses and dependent children of permanent part-time faculty and permanent part-time staff who are employed at 50 percent or more time, the percentage of tuition remitted shall be proportional to the percentage of service of the faculty member's or staff's employment. Tuition remission does not include mandatory fees, which remain the responsibility of the individual student.

2. The exercise of the benefit of tuition remission shall be subject to the individual's admissibility to the institution and to the program in which the courses are offered and to the other academic regulations of the institution governing student enrollment.
3. Programs of study to be exempted from this benefit shall include the M.D. and D.D.S. programs at the University of Maryland at Baltimore and such other programs as are recommended by the president of the institution offering the program and approved by the chancellor. The availability of tuition remission for self-support programs and courses at each institution shall be recommended by the president and approved by the chancellor. The president of the institution offering the program shall apply the exempted status equally to all spouses and dependent children who desire tuition remission, whether from the host institution or other institutions.
4. Subject to the provisions in **paragraphs 1 through 3** above, spouses and dependent children of full-time faculty and full-time staff of the University System of Maryland or its predecessors who die in service shall be permitted to register for courses with tuition remission for a period of time determined by the duration of full-time employment of the faculty member or staff, as follows: if the length of time of employment of the deceased faculty member or staff was less than three years, the spouse or dependent is eligible for tuition remission for one academic year; if at least three but less than five years, two academic years; if at least five but less than seven years, three academic years; if at least seven but less than nine years, four academic years; and if more than nine years, five academic years. Eligibility for tuition remission for spouses will expire at the end of seven years following the death of the full-time faculty or staff, and on the twenty-second birthday for dependent children. For spouses and dependent children of deceased permanent part-time faculty

members or permanent part-time staff who were employed at 50 percent time or more, the percentage of tuition remission shall be proportional to the percentage of service of the faculty member's or staff's employment, averaged for the three years immediately preceding his or her death. The length of time for which tuition remission will be available for such surviving spouses and dependent children shall follow the formula described in this paragraph.

5. This benefit shall be extended, for a period not to exceed four years from the date of approval of this policy, to the spouses and dependent children of faculty and staff of Morgan State University who are currently enrolled in courses at institutions of the former Board of Trustees with remission of tuition, under policies of the former Board of Trustees of the State Universities and Colleges. This provision is dependent upon reciprocity being extended by Morgan State University to spouses and dependent children of faculty and staff at such institutions who are enrolled at that institution under the same policies.
6. The procedures for implementing this policy are detailed in **VII - 4.20 BOR: UNIVERSITY SYSTEM OF MARYLAND POLICY ON TUITION REMISSION FOR SPOUSES AND DEPENDENT CHILDREN OF FACULTY AND STAFF**. These procedures require that tuition remission benefits for spouses and dependent children of permanent faculty and permanent staff whose period of employment began on or after July 1, 1992 shall, in addition to restrictions outlined in BOR VII - 4.20, be available only after the faculty or staff employee has been in the university service for two years prior to the anticipated date of registration for course work.

**B. Tuition Remission at Salisbury University for Spouses and Dependent Children of Faculty and Staff**

1. Spouses and children of regular, full-time faculty and staff may enroll either as part-time or full-time students and receive tuition waivers on a space available basis.
2. Dependent children of retrenchment-terminated, full-time faculty who are enrolled full-time in the undergraduate program of a State University at the time of the parent's termination may continue to receive a tuition waiver for one year from the date of the termination.
3. Spouses and dependent children of full-time faculty who have been employed full-time by the university for at least seven of the previous ten (10) years may take courses at Salisbury University without payment of tuition, during an eight-year period after the death of the faculty member if there is space available in the courses and the president of the university approves. Spouses of full-time faculty members who die, are not eligible for tuition waivers if they remarry after the death.

4. Only tuition is waived and all other applicable fees must be paid by the individual. Admission requirements are not waived and admission to undergraduate and graduate courses will be determined by the appropriate administrators.
5. The form "*Request for Tuition Waiver*" can be obtained from the Human Resources Office and must be submitted to the department chair or supervisor,

the provost, the appropriate vice president or director, and finally to the president for approval, prior to registering for classes.

### **{ATTENDANCE AND ADMISSION TO UNIVERSITY-SPONSORED EVENTS (SU)}**

This policy is currently awaiting final approval. Please contact the Provost's Office if you have any questions pertaining to this policy.