This Faculty Handbook is not a contract. It is a collection of policies and procedures that govern action uniquely pertaining to the Auburn University at Montgomery faculty. Additions, deletions and modifications to any portion of this Handbook must be approved by the Faculty Senate. Changes to the Promotion and Tenure or Dismissal Guidelines must be approved by the Auburn Board of Trustees or their designee.
Faculty Handbook

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PART I
THE UNIVERSITY: GENERAL INFORMATION

A. HISTORY

Auburn University at Montgomery (AUM) was established in 1967 by Act 403 of the Alabama Legislature. This action resulted from the request of the citizens of the Montgomery area to establish a degree-granting institution to serve Montgomery and the surrounding counties. In March, 1968, Dr. H. Hanly Funderburk, Jr., was appointed vice president and chief administrator of the new institution called Auburn University Montgomery. The University offered its first classes in September, 1969. A 500-acre tract on the east side of Montgomery was purchased for the site of the new campus. The land, which was formerly part of the McLemore Plantation, is located approximately seven miles east of downtown Montgomery between Interstate 85 and Highway 80. Two architectural firms developed the master plans for the new campus and designed the original buildings, which were occupied in the fall of 1971.

Prior to the establishment of AUM, the University of Alabama operated an extension center on Bell Street in downtown Montgomery. When the decision was made to establish AUM, Auburn University purchased the Bell Street facilities owned by the University of Alabama. These facilities served as a temporary location for AUM from 1968 to 1971, while the campus was being developed.

In 1973 AUM was accredited by the Southern Association of Colleges and Schools as an operationally separate institution. In 1978, 1988, 1998, and most recently in 2008, accreditation was reaffirmed by the Southern Association.

A broad-based academic institution, AUM is organized into five academic schools, one extension division, the School of Continuing Education, and the Library. The academic schools are Business, Education, Liberal Arts, Nursing, and Sciences, all of which offer baccalaureate degrees. Masters degrees are offered by the Schools of Business, Education, Liberal Arts, Nursing, and Sciences. The School of Education also offers the education specialist degree, and the School of Sciences offers a joint doctoral program in Public Administration with Auburn University.

In addition, AUM’s Air University Graduate Program is set up in cooperation with the Air University at Maxwell Air Force Base, located in Montgomery. Through this cooperative effort, master’s degree programs are offered in Political Science and Public Administration. These classes meet at Maxwell Air Force Base in facilities provided by the Air University.

Classes on the AUM campus are held Monday through Thursday, from 8 a.m. to 10 p.m. and on Friday, Saturday, and Sunday. Offering classes during the day and evening hours has been a standard practice at the University since its inception.
B. UNIVERSITY VISION STATEMENT

Auburn University at Montgomery will be a university that...

- Is known for its commitment to developing dynamic and applied academic and research programs.
- Is a student’s first choice in a variety of programs of distinction.
- Embraces and builds an international presence at home and abroad, increasingly known for its ability to prepare students to thrive in a global community.
- Graduates students who become engaged alumni with a life-long interest in and personal connection to AUM.
- Is recognized as an integral community partner and a resource for the enrichment and economic development of the Southeast region and beyond.

C. MISSION OF THE UNIVERSITY

The mission of Auburn University at Montgomery is to provide quality and diverse educational opportunities at the undergraduate and graduate levels through use of traditional and electronic delivery systems, and to foster and support an environment conducive to teaching, research, scholarship, and collaboration with government agencies, our community, and other educational institutions.

D. UNIVERSITY IDENTITY AND CORE VALUES

Auburn University at Montgomery is a fully accredited comprehensive, public university with a diverse student population that includes a blend of traditional and non-traditional learners awarded degrees in a variety of disciplines from its programs. Our personalized and caring learning environment offers academically strong undergraduate and graduate programs designed and taught by faculty who are active researchers in their fields and who play a vital role in each student’s success. We stand apart from our peers as an institution with an applied emphasis, having a history of producing leaders prepared to make a positive impact in their chosen fields.

As a critical partner in our community, we provide expertise that enhances economic development and the quality of life for individuals in the region and beyond. These partnerships strengthen not only our community, but our students and faculty as well.

Core Values

Auburn University at Montgomery values and promotes:

- A Student-Centered Experience
- Citizenship & Community Engagement
- Excellence as Our Standard
- Commitment to Constant Improvement
- Diversity of People & Perspective with a Culture of Inclusiveness
- Lifelong Learning
- Environment of Collaboration
PART II

POLICIES PERTAINING TO THE WORKPLACE

University Policies affecting the workplace are posted on the AUM website, and all faculty are encouraged to be familiar with those policies which affect them.

http://www.aum.edu/about-aum/governance/university-policy/current-policy

New policies are posted for review on the AUM website and are open for comments for twenty-one days and until the next meeting of the Faculty Senate.

http://www.aum.edu/about-aum/governance/university-policy

University policies that apply to all categories of employment at Auburn University at Montgomery – faculty, administrative and professional, and staff – are not included in the Faculty Handbook. Faculty members are reminded that these policies apply to them and that it is their responsibility to consult other sources for policies of general application to all employees of Auburn University at Montgomery.

All committees of the Faculty Senate have among their charges the review of proposed policies; any policy proposal affecting faculty should be brought to the attention of the Faculty Council President during the review period so that he/she can put it on the agenda for the next meeting of the Senate.
PART III

FACULTY COUNCIL CONSTITUTION

Article I

PURPOSE OF THE FACULTY COUNCIL

The Faculty Council is advisory to the Chancellor and shall be concerned with faculty welfare and general academic policies of the University, particularly the following areas: (1) standards for admission; (2) academic curriculum; (3) academic calendar and the effective utilization of the University's facilities in the academic programs; (4) scholastic standards; (5) policies governing the University Library; (6) research and extension; (7) composition of University committees; (8) student-faculty relations; (9) resource allocation; and (10) the University athletic program.

The purpose of the Faculty Council is to receive information from any appropriate source and to act within the scope of this Constitution on matters pertaining to the quality of education at AUM, welfare of faculty and staff, and the relationship between AUM and the external community.

Article II

FACULTY COUNCIL

Section 1. Membership: The Faculty Council will consist of all full-time AUM personnel on academic appointment who hold the rank of instructor or higher, or of Librarian I or higher.

Section 2. Officers of Faculty Council: The officers of the Faculty Council shall be the President, President Elect, Secretary, and Parliamentarian.

Section 3. Election of Officers: The President Elect, Secretary, and Parliamentarian shall be elected by secret ballot at the spring Faculty Council meeting. Candidates for the positions of President and President Elect should have been granted tenure prior to the date of the election, in which they are candidates.

a. Nominations: The Rules Committee shall appoint an Elections Committee of six members representing the five academic Schools and the Library at least 60 days prior to the spring meeting. The Elections Committee shall present one or more names for each of the offices of President Elect, Secretary, and Parliamentarian. The names of nominees shall be sent to the membership at least seven days prior to the spring meeting. Nominations also may be made from the floor at the spring meeting if the consent of the nominee has been obtained.

b. Elections: Election shall be by secret ballot with a majority of the votes required for election. Should no nominee receive a majority on the first ballot, there shall be at the same meeting a run-off election between the two nominees receiving the largest number of votes on the first ballot.

The Elections Committee shall be responsible for preparing ballots and for the distribution and counting of those ballots. Ballots shall be held by the outgoing Secretary until June 1 of the following year at which time they shall be destroyed. During the
period between the election and June 1 of the following year all ballots shall be available for audit by any member of the Faculty Council upon request to the Secretary.

c. Absentee Voting: The Elections Committee shall establish procedures to permit members of the Faculty Council who are unable to attend the spring meeting to vote by absentee ballot in the election of officers of the Faculty Council. Members of the Faculty Council shall be notified in writing of these procedures at least seven days prior to the spring meeting; consistent with the provisions of Article II, Section 3 b, the Elections Committee shall provide for the confidentiality of individual ballots.

Section 4: Terms of Office: The President-Elect shall assume the office of President and the newly elected officers shall take office on June 1 for a term of one year.

Article III FACULTY

SENATE

Section 1. Description: The Faculty Senate is the executive body of the Faculty Council.

Section 2. Responsibilities of the Faculty Senate

a. The Faculty Senate is responsible for interpreting this Constitution.

b. It has the overall responsibility for preparation of ballots and management of the election of members of the Faculty Senate.

c. It is responsible for establishing and abolishing committees, for taking action on and disposing of committee reports, and for reporting to the committees and the Faculty Council. It will decide on policy matters pertinent to the operation of the Faculty Council.

d. It is responsible for keeping records of its activities and communicating those activities to the Faculty Council. Non-current records of the Faculty Council, the Faculty Senate, and its committees shall be deposited in the University Archives and shall be available for examination by any interested individual(s).

Section 3. Officers of the Senate: The Officers of the Faculty Senate are President, President Elect, Secretary, and Parliamentarian. The corresponding Officers of the Faculty Council shall serve in these positions in the Faculty Senate.

Section 4. Duties of Officers

a. President: The duties of the President include presiding over meetings of the Faculty Senate and meetings of the Faculty Council, announcing such meetings, calling for elections and reporting results, signing Faculty Senate and Faculty Council correspondence, and assuming overall responsibility for the effective implementation of this Constitution to benefit the welfare of the Faculty Council and AUM.

b. President Elect: The duties of the President Elect include chairing the Faculty Welfare Committee, assisting the President in the performance of his/her duties, and serving as a member of the Rules Committee. In the event the President cannot perform the duties
of that office, the President Elect shall assume the duties of the President. If the office of President becomes vacant, the President Elect shall assume the office of President. At the end of his/her term of office, the President Elect will assume the office of President for one year.

c. Secretary: The duties of the Secretary include arranging for the keeping of accurate records of meetings, working sessions, and Faculty Senate and Faculty Council operations. The Secretary will keep a current roster of the Faculty Council, updated each semester. He or she will also ensure the information posted to the Senate’s webpage is accurate and current.

d. Parliamentarian: The duty of the Parliamentarian is to advise the presiding officer such that all official business is conducted in accordance with Robert's Rules of Order, Revised and within the procedures delineated in this Constitution.

Section 5. Members of the Senate

a. Eligibility: All members of the Faculty Council are eligible for election to the Faculty Senate. The President of the Staff Advisory Council and the President of the Student Government Association will serve as non-voting, ex officio members of the Faculty Senate.

b. Election of Senators: Membership in the Senate will be staggered within the schools so that, roughly, 1/3 of the Senate is elected every year, 1/3 is serving a second year, and 1/3 is serving a third year.

Election will occur in the spring, following the elections for the officers of the senate. These elections should occur within one month of the elections of officers. At this time the election of new senators will occur as well as a special election for the seat of any senator who was recently elected an officer of the senate. The elected replacement will serve the remainder of that senator’s term. Results of these elections will be announced by the President prior to the end of the spring semester.

c. Procedures: Election of members of the Faculty Senate will be by secret ballot. Each academic School and the Library will elect members of the Faculty Senate in accordance with the following formula: two members of the Faculty Senate for 1-30 Faculty Council members, and three members of the Faculty Senate for more than 30 Faculty Council members.

When any academic School or the Library becomes eligible for an additional member of the Faculty Senate, the President will call a special election to fill the additional position. The Faculty Senate will determine and announce the additional Faculty Senate member’s term of office, which will be the longest term possible consistent with the requirement that members of the Faculty Senate from any academic School or the Library should serve staggered terms. After the initial term, members of the Faculty Senate will be elected by simple majority for two-year terms.
If the number of members of the Faculty Senate to which a unit is entitled must be decreased, such decrease will be accomplished by not filling an appropriate number of positions from that unit when they become vacant.

c. **Length of Service:** Members of the Faculty Senate will ordinarily serve for three years with the term of service beginning June 1 and ending May 31. Members of the Faculty Senate may serve two consecutive terms.

d. **Vacancies:** In the event of resignation or departure of members of the Faculty Senate and/or Faculty Senate Officers, the President will call a special election to fill vacancies. Members of the Faculty Senate elected to fill vacancies will serve the remainder of the original term.

In the event the President resigns prior to January 1, the President Elect will assume the office and call a special election to fill the office of the President Elect. The new President Elect will assume the office of President the following June 1. In the event the President resigns on or after January 1, the President Elect will assume the office of President, his/her term of office shall extend through May 31 of the following year, the office of President Elect shall remain vacant, and the Senate shall elect one of its members to assume the remaining duties of the President Elect.

In the event all Officer positions are vacant, a special election will be called by the majority of the remaining members of the Faculty Senate.

e. **Absences:** All members of the Faculty Senate are expected to attend all meetings. Absence of any member of the Faculty Senate from three Faculty Senate meetings between June 1 and May 31, whether or not a substitute has attended on his/her behalf, will constitute resignation. Absences during the summer term will not be included in applying this rule.

**Article IV**

**COMMITTEES**

**Section 1. Standing Committees:** The standing Committees of the Faculty Senate shall include

- Academic Standards
- Administrator Evaluation
- Calendar, Scheduling and Registration
- Core Curriculum Oversight
- Curriculum
- *Faculty Handbook* Review
- Faculty Welfare
- Graduate Council
- Grievance
- Honors
- Intercollegiate Athletics
- Lectures
- Library
Section 2. Committee Composition and General Purpose: The Committees of the Faculty Senate shall be constituted with a general purpose as follows:

Academic Standards Committee. This committee shall consist of the Provost or a person appointed by him/her and faculty representatives from the academic Schools/Colleges and the Library appointed by the Rules Committee. In addition, non-voting, *ex officio* members of the committee shall include the Registrar, and the Faculty Athletic Representative to the national athletics governing body. This committee shall recommend policies to govern scholastic standards for the University, including admission to the University, continuation in residence, and graduation.

Administrator Evaluation Committee. This committee shall consist of six members representing all academic Schools/Colleges and the Library. This committee shall conduct and oversee evaluations of University administrators. The committee shall also develop procedures by which the faculty can participate in these evaluations.

Calendar, Scheduling and Registration Committee. This committee shall consist of the Provost or a person appointed by him/her and one representative from each academic School or College and the Library; the Registrar serves as a non-voting *ex officio* member. This committee shall submit a proposed University calendar for approval by the Faculty Senate. It will recommend policies concerning scheduling to obtain more effective use of the University's facilities and shall monitor and recommend policies for registration.

Core Curriculum Oversight Committee. The committee shall be co-charied by a faculty member appointed by the Rules Committee and the Provost or a person appointed by him/her Additional members of the committee shall consist of the Registrar as a non-voting *ex officio* member, and one representative from each academic School or College and the Library. The committee shall ensure that the approved core curriculum is implemented. In addition the committee shall have the responsibility of recommending admission of courses to the core, determining equivalencies, assessing and evaluating courses, and reviewing curriculum models from each academic area to ensure that core courses are appropriately incorporated.

Curriculum Committee. The committee shall be co-charied by a faculty member appointed by the Rules Committee and the Provost or a person appointed by him/her Additional members of the committee shall consist of the Registrar as a non-voting *ex officio* member, and one representative from each School or College and the Library. The committee shall review requests for curriculum changes in courses that may be taken for undergraduate credit, review and recommend approval of all proposals for new undergraduate programs and modifications to existing programs, review existing programs, recommend regulations and policies for the undergraduate programs, and assist the Provost in carrying out those regulations and policies.

Faculty Handbook Review Committee. The committee shall consist of a faculty member from each of the academic schools/colleges and the Library and the Provost or person appointed by him or her. The committee shall solicit suggestions for changes and updating of the Faculty Handbook and recommend annually to the Faculty Senate such changes as it deems appropriate.
Faculty Welfare Committee. This committee shall consist of two representatives from each School or College and the Library to be appointed by the Rules Committee. The President-Elect will serve as a voting member. The committee shall receive, originate, and consider suggestions concerning faculty welfare.

Graduate Council. This committee shall be co-chaired by a faculty member appointed by the Rules Committee and the Provost or a person appointed by him/her. Additional members of the committee shall consist of the Dean of the Library or his/her representative as non-voting, ex officio members, and representatives of each School/College. Schools/Colleges with graduate programs will each supply two members; those without a graduate program will supply one faculty member. In cases where a School/College has two members, both members shall be elected by the graduate faculty of that School. Schools/Colleges with one member shall be elected by that School's/College's graduate faculty. Graduate coordinators from each academic School/College serve as non-voting, ex-officio members. All voting members of the Graduate Council must belong to the graduate faculty. In close cooperation with Academic Affairs and Graduate Studies, the Graduate Council will recommend policy for AUM graduate programs. Its responsibilities will include: monitoring the standards for graduate teaching approval by academic Schools/Colleges and Departments, approving additions, deletions, and alterations of graduate courses; approving admission standards to graduate programs; and reviewing and in general maintaining the quality of graduate programs in place at AUM as well as the development of new graduate programs.

Grievance Committee. The Grievance Committee consists of one elected member from each of the academic Schools/Colleges and the Library. The committee shall evaluate grievances filed by faculty members and make recommendations to the Chancellor. The committee shall follow the faculty grievance procedure and calendar described in “Faculty Personnel Policies and Procedures.” The composition of the committee and the election of members and chair are described in the same section.

Honors Committee. The University Honors Committee consists of one faculty member from each School or College and the Library, and the Director of the Honors Program. In addition, the Provost or a person appointed by him or her, the Chair of the Lectures Committee, the Chair of the Curriculum Committee serve ex officio; one student from the Honors Program selected by the Director serves as a non-voting, ex officio member. The Honors Committee works with the Honors Director to screen and invite students, to select and schedule courses, and to monitor classes. The chair will be appointed by the Rules Committee from among faculty membership on the committee.

Intercollegiate Athletics Committee. This committee shall consist of one representative from each School or College and the Library and the current faculty representative to the national athletics governing body. The Athletic Director, the Registrar, and a representative of the Student Government Association serve as non-voting, ex officio members. This committee shall make recommendations to the Faculty Senate on issues regarding the intercollegiate athletic program of the University.

Lectures Committee. The committee shall consist of one representative from each School or College and the Library; additionally, one representative of the Staff Council, one representative from Continuing Education, and a representative of the Student Government Association shall serve as non-voting, ex officio members. The committee shall augment the instructional programs of the University by supporting speakers of distinctive scholarship and accomplishment who would be of interest to students, faculty, and staff.
**Library Committee.** This committee shall consist of the Dean of the Library, non-voting *ex officio*, and faculty members from the academic Schools/Colleges and the Library to be appointed by the Rules Committee. The committee shall recommend policies concerning materials selection, Library services offered, Library schedules, and allocation of materials acquisitions funds.

**Planning, Priorities, and Resource Allocation Committee.** This committee shall be composed of the President of the Faculty Council, the President Elect of the Faculty Council, together with one representative from each School or College and from the Library. The past President of the Faculty Senate will serve as Chair. The committee shall be advisory to the Chancellor and report to the Faculty Senate on matters related to (1) faculty salary and compensation policies, (2) short range allocation of resources in the University, (3) long range priorities of the University, and (4) circumstances of financial exigency. Members of this committee also serve on the University Planning and Budget Committee.

**Rules Committee.** This committee shall consist of the President of the Faculty Senate, as Chair, President Elect, the Secretary, the Parliamentarian, President of the Staff Council, and six members elected by the Faculty Senate, one from each of the academic schools/colleges and the Library.

The term of each elected member shall be for three years with staggered terms. Elections shall be held at each May meeting of the Faculty Senate. All terms of committee members shall begin on June 1 and end on May 31 of designated years. Nominations shall be made from the floor and a vote taken by secret written ballot. A majority vote is required for election. All members of this committee must be members of the Faculty Senate at the time of their election.

An election to fill the unexpired term of an elected member shall be held at the first meeting of the Faculty Senate after the vacancy occurs. No elected member can succeed himself/herself as an elected member except when he or she is filling an unexpired term. This committee shall serve as the Senate Committee on committees. All questions concerning Faculty Senate procedures shall be referred to this committee, and it shall recommend to the Faculty Senate the disposition to be made of any dispute concerning the operation of the Faculty Senate. It shall ensure that unit representatives are duly elected and that no unit of the University is denied the representation to which it is entitled under these articles.

This committee should make periodic studies of the Faculty Senate with respect to its objectives and its role in faculty government and should recommend changes that should be made to enable the Faculty Senate to function more effectively.

**Teaching Effectiveness Committee.** The committee consists of one faculty member of each School or College and the Library. This committee shall focus on the evaluation and enhancement of teaching effectiveness in traditional and online environments.

**Writing Across the Curriculum Committee.** Membership of the committee will be composed of a representative from each academic School or College and the Library; in addition, the members of the Executive Writing Committee serve as non-voting, *ex officio* members. This committee will advise administrators regarding the policies and practices of the AUM Writing Across the Curriculum (WAC) program, and is chaired by the Director of Writing Across the Curriculum.
Section 3. Other Standing or Temporary Committees: The Rules Committee shall appoint
the appropriate members to other standing or temporary committees that may be created by the
Faculty Senate. All appointments shall be confirmed by the Faculty Senate.

Section 4. Committee Membership: Except as otherwise described in Article IV, Section 2,
all committees shall be constituted with a membership consisting of one representative from
each academic School or College and the Library appointed by the Rules Committee.

Section 5. Committee Member Terms

a. Except as otherwise noted, all terms of committee members will begin on June 1 and end
on May 31.

b. Except as otherwise described in Section 2, the terms of committee members shall be
for three years. No committee member shall serve more than two consecutive terms except
those from units of fewer than fifteen full-time faculty members who may serve no more than
four consecutive terms.

c. If a committee member is unable to fulfill his or her assigned responsibilities to the
committee work, the committee chair will give the member ten days’ notice to remedy the
situation. If there is no remedy, the chair can request that the Rules Committee remove the
committee member and appoint a replacement.

Section 6. Committee Chairs

a. Except as otherwise described in Section 2, the chairs of committees shall be appointed
from among the membership of the committee by the Rules Committee for three-year
terms.

b. Committee chairs may serve a second three-year term should the incumbent so desire
and the Rules Committee so concur. Under normal conditions, after two terms, the chair
should rotate to a new committee member. If the Rules Committee believes that one
additional three-year term is necessary, the person may continue to serve if a majority of
the members of that committee and the Faculty Senate vote in favor of allowing another
term.

c. In the event that a committee chair cannot or does not conduct the business of the
committee according to the procedures of this Constitution and the specific charge
assigned by the Faculty Senate, the President of the Faculty Senate will give the
committee chair a 10 day notice that action will be taken to remove the chair from that
position. A committee chair can be removed from that position prior to the end of the
appointment term by a majority vote of the Rules Committee. The replacement of
committee chairs shall follow the procedures in Section 6 a.

d. Committee chairs may expand committee membership as needed to complete charges
with notice to the President who will inform the Senate. Such expansion of committee
membership is limited to one-year, and such additional members shall serve as non-
voting, *ex officio* members.

**Article V**

**PROCEDURES**

Section 1. Faculty Senate: The Faculty Senate will conduct all business according to Robert’s *Rules of Order, Revised*. The Faculty Senate will make arrangements for and keep secure an accurate record of all proceedings including regular meetings, special meetings, working sessions, and committee reports. The Secretary of the Senate will deposit copies of the minutes and reports of the Senate in the University archives. The Faculty Senate will reply in writing to all committee recommendations by describing the disposition of such recommendations and any action taken. It will report on all such business at its regular meetings and at meetings of the Faculty Council.

Section 2. Meetings

a. **Faculty Senate Meetings:** Faculty Senate meetings will be held at least monthly except in the months of December and August. Additional meetings may be called by the President. Meetings will be open, and they will be announced at least five full working days ahead of time with a copy of the specific agenda.

b. **Faculty Council Meetings:** Faculty Council meetings will be held at least once each academic semester except summer term. These meetings will be open and will be announced by the President in writing at least five full working days ahead of time with a copy of the specific agenda. The announcement of the meetings and agenda will be distributed to all Faculty Council members and other appropriate parties. The President will preside over these meetings.

c. **Committee Meetings:** Committee meetings will be held as needed. Except where otherwise specified, these meetings will be open.

Section 3. Quorum

a. **Faculty Senate:** A quorum for Faculty Senate meetings will consist of a majority of the voting members of the Faculty Senate (including substitutes).

b. **Faculty Council:** A quorum for Faculty Council meetings will consist of those members present.

c. **Faculty Senate Committees:** A quorum for Faculty Senate Committee meetings will consist of those members present.

Section 4. Substitutes

a. **Faculty Senate:** A member of the Faculty Senate may designate a member from his/her constituency as a substitute to attend a meeting in his/her place. However, a substitute may serve only twice between June 1 and May 31.

b. **Faculty Senate Committees:** A member of a standing committee may designate a member of his/her constituency as a substitute to attend a meeting in his/her place.
Section 5. Voting: All voting of the Faculty Council and Faculty Senate, except for constitutional amendments, will be based on a simple majority of those present and voting.

a. Faculty Senate: All members have one vote each, including officers.

b. Faculty Council: All members have one vote each.

c. Committees: Except where otherwise noted, all members have one vote each.

d. Proxy Vote: Except for the election of officers only members and designated substitutes present at the time a vote is taken may vote.

Section 6. Processing Recommendations: When a written recommendation has been received by the Faculty Senate or by an individual member of the Faculty Senate through one of the appointed committees or from an individual or group of members of the Faculty Council, the Faculty Senate will consider it at its next regular meeting, or at a special meeting, via conference call, and/or e-mail vote if the recommendation is one of urgency in the opinion of the President. Significant matters should be carried over to and appear on the agenda of the next meeting. It may forward the recommendation to the appropriate party for action. The Faculty Senate will advise the committee, individual, or group initiating the recommendation as to its disposition, and it will report to the Faculty Council on this matter at the next meeting. The Faculty Senate will also report on any action taken by the Faculty Senate, its officers, and the University administration.

Article VI

ADOPTION

This Constitution shall be ratified upon the affirmative vote of two-thirds of the members present at a regular meeting of the Faculty Council and the approval of the President of Auburn University. The notice of such meeting of the Faculty Council shall include a draft of the proposed Constitution.

Article VII

AMENDMENTS

Proposed amendments to this Constitution must be made in writing to the Faculty Senate, and the Faculty Senate will determine whether to submit the amendment to the Faculty Council. In the event that a proposed amendment receives the written endorsement of more than twenty-five percent of the faculty, however, the Faculty Senate is required to submit the amendment to the Faculty Council. These articles may be amended by a two-thirds vote of the members present at a Faculty Council meeting. Any amendment to this Constitution, to be valid, must be consistent with laws governing the Board of Trustees of Auburn University and the State of Alabama and be approved by the President of Auburn University. Unless otherwise specified in an amendment, all amendments to this Constitution will become effective at the beginning of the first Fall Semester following approval by the President of Auburn University.

Adopted by the Faculty Council: April 16, 1982
Approved by the Board of Trustees of Auburn University: May 1, 1982
Part IV

FACULTY PERSONNEL POLICIES AND PROCEDURES

A. KINDS OF APPOINTMENT

Each member of the faculty employed at Auburn University at Montgomery is appointed in one of three classifications: Temporary, Probationary, or Tenured.

1. Temporary Appointments

Temporary appointments, as the term implies, are assigned to faculty whose services are required only for a specific period of time, usually one academic year or less, which is identified in the appointment documents. Temporary faculty are not eligible for tenure or promotion. Insurance, medical, sick leave, and other various fringe benefits are not available to faculty unless the employment period is for full time and at least a full year (nine or twelve months as appropriate to the appointment).

2. Probationary Appointments

Probationary appointments are tenure track positions assigned to faculty members who, because of professional achievement, have demonstrated their aptitude for becoming tenured members of the professional faculty.

3. Tenured Appointments

Tenured appointments normally are assigned to faculty who have completed an appropriate probationary period and who, following recommendation and review in accordance with University policy and approval by the President, have been awarded tenure. Only tenured faculty are eligible for professional improvement leave with pay. The University President may offer tenure status to a faculty member at the time of initial appointment to Auburn University at Montgomery provided that:

   a. Tenure has been earned at another institution; and
   b. Such appointment is made at the rank of Professor; and
   c. The tenure status has received approval through the usual tenure review process as set forth in this handbook. (The time of this review process may be altered from the normal deliberations on tenure.)

B. APPOINTMENT TO THE FACULTY

Recommendations for faculty appointments shall be made by the Department Head or equivalent. (The term “or equivalent” will apply whenever reference is made to Department Head.) When making a recommendation for any appointment to the full-time faculty, the Department Head shall conduct a poll of all members of the department holding professorial rank, seeking from each a written statement either supporting or not supporting a recommendation for appointment. The written comments of the faculty, along with the recommendation of the Department Head, shall be transmitted to the Dean. If the Dean approves the recommendation, he/she forwards all materials to the Provost for review and approval. The Dean makes the appointment with the approval of the Provost and upon
concurrency of the Chancellor. In the case of a probationary faculty appointment, the letter of
appointment must specify the last term during which the candidate may apply for promotion and/
or tenure; in addition, the letter of appointment must specify during which semester the third
year review shall take place. In the case of appointment to the clinical and lecturer/senior
lecturer faculty, the letter of appointment must specify the length of the appointment and other
conditions which may apply to eligibility for reappointment.

Auburn University at Montgomery recognizes that its success as an educational institution
depends largely on its ability to attract and retain well-educated, talented, and dedicated faculty
members. Thus, within available resources, it rewards individuals who demonstrate high-quality
performance of academic duties by granting tenure, promotions, and salary increases.

C. ACADEMIC RANKS

The faculty shall consist of the ranks of Instructor, Assistant Professor, Associate Professor,
Professor, and Librarian I, II, III, IV. Academic administrators must have had significant non-
administrative involvement in the instructional or research programs of a university to qualify for
academic rank. Once tenure and academic rank are earned by a faculty member, both will be
retained if he or she subsequently assumes a full-time administrative position. Tenure does not
apply to the administrative appointment.

The following general considerations shall apply to appointment or promotion to academic
ranks:

a. **Instructor:** Appointment to the rank of Instructor should be based on academic
achievement and other appropriate indications of the candidate's ability to perform
successfully the professional duties assigned. An instructor who has served on a full-
time appointment may be considered on the basis of highly meritorious performance and
strong evidence of professional development for promotion to the rank of assistant
professor. Whether promoted or not, during his or her sixth year of service an instructor
must be nominated for tenure or given due notice of noncontinuation no later than
August 16 of his or her sixth year of service.

b. **Assistant Professor:** Appointment or promotion to the rank of Assistant Professor
should be based upon demonstrated academic ability and potential for professional
growth. The candidate should have completed a terminal degree appropriate for the
discipline or have the equivalent in training and experience. ("Terminal degree" refers to
the highest degree awarded in a discipline. The doctorate is the terminal degree for
most disciplines represented at Auburn University at Montgomery, although exceptions
may be made.)

c. **Associate Professor:** Appointment or promotion to the rank of Associate Professor is
based upon actual performance as well as demonstrated potential for further
development. Above all, there must be objective evidence that the individual is growing
professionally and is contributing to his/her field. Associate Professor is a high
academic rank, and promotion to this rank, in and of itself, carries no presumption of
future promotion. For a faculty member to reach the Associate Professor rank, he or she
should have the terminal degree appropriate to the discipline. In exceptional cases, an
Assistant Professor without a terminal degree who has gained distinction as a publishing
scholar or creative artist may be promoted to the rank of Associate Professor.
d. Professor: Appointment or promotion to the rank of Professor implies recognition of the individual by associates and students as an accomplished teacher and by peers, within and outside the University, as a productive scholar or creative artist. The individual must have demonstrated, through scholarly papers, publications, applied research, and/or artistic work, the ability to communicate to professional peers the knowledge and insights gained from the exploration of his/her area of specialization. It is expected that he/she will have made important contributions on a state and national level in research, public and professional service, and/or administrative service to professional societies. To some extent, the modes of scholarly production will be determined by the nature of the individual's particular discipline and its relation to the several missions of the University. While peer review is crucial, it should be remembered that in some disciplines, peers may include fellow professionals outside the academic community. All candidates must have the appropriate terminal degree.

D. FACULTY WORKLOAD POLICY

The primary purpose of the workload policy for Auburn University Montgomery is to facilitate achievement of the University’s mission.

Assumptions:

- Since teaching is the primary mission of AUM, paramount in the assignment of workloads is furthering the education of our students.
- Assignments are made with an understanding of mutual trust and in an effort to be fair and equitable.
- The mission of the various schools and the departments within those schools are often unique and require flexibility in workload assignments.
- A primary responsibility of Deans and Department Heads is to assign, monitor, and evaluate the workload.
- Department Heads are in the best position to oversee the performance in their areas and have the primary responsibility for assigning the workloads.
- A faculty appointment requires workload effort in all three areas - teaching, scholarship, and service.

Guidelines for Workload:

Due to the creative nature of university work, reasonable flexibility is anticipated in accomplishing the assigned workload. Expectations are such that the assigned workload could be accomplished in a forty hour week during the academic year. Hours per week, however, are only a guideline for expectations. Performance will be evaluated on contributions which assist in the accomplishment of our mission.
While AUM is primarily a teaching institution, faculty are expected to provide contributions in the areas of teaching, research and service. Since the proportional effort spent in these areas during any academic year is likely to shift, the assigned workload should reflect these shifts.

Joint appointment on the Auburn and Montgomery campuses of Auburn University cannot exceed 100 percent time.

At the start of each academic year all faculty members will submit a short plan to their Department Head, indicating what they expect to do during the coming year in teaching, research and service. The Department Head in consultation with the faculty member will approve a final plan for the expected workload for the individual. It is understood that plans are always subject to revisions.

The approved workload will serve as a major guideline in the performance evaluation of the faculty member for the year.

In shifting workloads Department Heads have the authority to reduce an individual faculty member’s teaching load to 18 semester hours from 21 semester hours for the academic year. Reductions below this level will require approval of the Dean and Provost.

The Deans and Department Heads are responsible for assuring that current programs will be offered with existing resources.

The Dean is responsible for review and final approval of the workload plans in the school.

E. CLASS SCHEDULING GUIDELINES

Teaching schedules and related assignments must balance the needs of the university, the school, and the department with the personal preferences of the faculty involved. Faculty may need to adjust their preferences to meet the needs of their academic programs, and those responsible for developing class schedules must be careful not to use the authority to develop schedules to penalize or make more difficult for personal reasons the lives of those affected.

F. PERIODIC PERFORMANCE REVIEW

It is the joint responsibility of a faculty member and the Department Head to review the faculty member’s professional progress. The period of annual review for all is the January through December calendar year. As part of the evaluation process, the Department Head will meet with the faculty member to review the evaluation and the Department Head will give the faculty member his/her copy of the evaluation report. More frequent reviews may be conducted at the discretion of the faculty member or the Department Head. Department Heads will complete the evaluation process by February 28.

These evaluations are intended to inform faculty members of any significant achievements or deficiencies in their performance that may enhance or impede their progress toward higher academic rank or tenure. In evaluating faculty members who have not achieved tenure or promotion to the rank of Professor, the Department Head should take care to relate the faculty member’s performance to the promotion criteria and/or to factors affecting tenure. If the faculty member does not agree with the Department Head’s written evaluation of his/her performance, he/she may write a separate statement, submitting it within 10 working days, that shall become
part of the evaluation report. The official personnel files of the faculty will be kept in the faculty member's respective Dean's offices. These files in the Deans’ Offices should include the initial letter of appointment, annual evaluations, faculty statements in response to evaluations, and other documents that are pertinent to the faculty member's position with the University.

G. THIRD YEAR REVIEW FOR PROBATIONARY FACULTY

Each department shall conduct a third year review of all its probationary faculty members before the end of the sixth semester, excluding summer, following their initial appointment. For faculty who have received credit toward tenure for service at another institution, this review will take place at the end of the second semester excluding summer. The letter of appointment must specify during which semester the third year review shall take place. The Department Head or equivalent will notify the faculty member of the deadlines for third year review. The faculty member will submit a package containing a current vita and any supporting documentation of the candidate's performance in teaching, research, and service.

The particular focus of this third year review is to evaluate and provide feedback to the faculty member concerning his/her progress toward achieving tenure. The review therefore must address the criteria for tenure set forth in this document. The review shall involve a meeting of the entire tenured faculty of the department to determine whether or not the candidate is making appropriate progress toward tenure. Subsequent to that meeting, each tenured faculty member will submit a letter to the Department Head or equivalent which provides suggestions for faculty development.

The Department Head or equivalent shall prepare a written report covering the findings of the review. The procedure should be the same as that for annual reviews (the faculty member will receive a written report), and the report is to remain confidential, to the extent permitted by law.

The contents of the third-year review shall not be submitted with tenure and promotion materials.

H. University Committee on Promotion and Tenure (Approved June 17, 2011)

Members of the University Committee on Promotion and Tenure will be selected from the tenured faculty who hold the rank of Associate Professor or Professor. By September 1 of each year, the President of the Faculty Senate shall ask the Dean of each School with a vacancy on the Committee to nominate, after consulting with the faculty in his/her unit, three tenured faculty who hold the rank of Associate Professor, Librarian III, Professor, or Librarian IV. In addition, the Rules Committee shall seek nominations for three at-large faculty members of the University Committee on Promotion and Tenure. Faculty nominated to serve as at-large members must be tenured and hold the rank of Associate Professor, Librarian III, Professor, or Librarian IV.

Members of the University Committee on Promotion and Tenure cannot serve in any regular administrative position including that of department head/chair at the time of their service on the committee.

At the Fall Semester Faculty Council meeting, an election by the faculty shall take place. The Rules Committee shall prepare ballots identifying all nominees from each Academic School and Library and nominees for three at-large faculty members, shall distribute ballots to the faculty, and report the results of the election by the end of the meeting.
From the membership of the Committee, the Provost shall select a new chairperson annually. This chairperson shall be chosen from among members who have served at least one year on the committee. This committee shall meet at the call of the Provost to consider applications for promotion and tenure. The faculty appointments will be for three-year terms arranged so that approximately one-third of the faculty are replaced each year.

If a University Committee on Promotion and Tenure member has already made a recommendation in the questions of tenure for a particular candidate during the current year, he/she shall not have a vote on that candidate in the University Committee on Promotion and Tenure. All votes taken in the committee on the issue of granting promotion or tenure shall be by secret paper ballot; the vote must remain confidential to the extent permitted by law.

All Deans with candidates for promotion or tenure shall present the applications of those candidates and be available to respond to relevant questions at a meeting of the University Committee on Promotion and Tenure.

I. CRITERIA AND PROCEDURES FOR PROMOTION

Throughout, references to "Department Head" shall refer to Department Chairs or others acting in the capacity of unit heads.

PROMOTION: Promotion shall be based on demonstrated competence in teaching, research, and service and, in addition, on distinguished performance over a sustained period in teaching, research, or service.

a. Criteria: The criteria of teaching, research, and service described below shall be considered in the evaluation of the faculty member's performance and achievement. The employment conditions and academic assignment will determine the relative application of the criteria. In addition, each department or school has developed benchmarks for promotion and tenure considerations, and these must be available in written form to all faculty members at the time of their appointment.

1. Teaching - Since the principal reason for the University's existence is the instruction of students, strong teaching skills are valued. Hence, there is a need for systematic review of teaching competence and effort. Such competence may be indicated by the faculty member's:

a. Knowledge of subject demonstrated by maintaining current competence through a variety of activities. Examples of measures in this area may include:
   • Continuing education
   • Participation in professional development opportunities

b. Professional growth in the field of specialization. Examples of measures in this area may include:
   • contribution to fieldwork
   • evaluation and assessment of curricula
   • development of new distance curricula
   • innovative teaching strategies
c. Teaching effectiveness, which is in part indicated by appraisals of a candidate's
teaching performance by his/her present and former students. Multiple measures
should be used for these appraisals. Examples of measures in this area may include:

- Presentation of portfolio of syllabi and test design with revisions according to
trends and assessment.
- Presentation of portfolio of student work
- Peer evaluation
- Evaluation of teachers by students, including formal teaching evaluations and
written comments that address the candidate's performance

In addition, consideration should be given to:

- The candidate's ability to organize material, keep it up to date, and present it
with force and logic
- The ability to awaken in students an awareness of the relationship between the
course subject(s) and other fields of knowledge
- The ability to stimulate students as demonstrated by the scholarly or creative
work of a candidate's current or former students

Other activities to be considered include:

- Direction of theses, dissertations, independent study courses, and special
student projects
- Involvement in interdisciplinary or Honors courses
- Publication of a candidate's textbooks, manuals, or lecture notes
- Adoption of a candidate's textbooks
- Achievement of honors or other special recognitions as a result of teaching
accomplishments are also relevant

Finally, the candidate's contributions to the instructional programs of his/her department
should be considered, including:

- Development of new courses or programs
- Preparation of innovative teaching materials and techniques
- Effective participation in academic advising.

2. Research and Creative Activity - All University faculty have an obligation to
contribute to the body of knowledge and skills in their respective disciplines. Greater
requirements for scholarly or creative achievements will be placed on candidates who
have been provided reduced instructional loads and/or special resources for research;
but all are expected to demonstrate scholarly or creative accomplishments as
appropriate.

a. Research can ordinarily be documented through a candidate's publications.
Examples of measures in this area may include:

- Books published by commercial and university presses
• Chapters in books published by commercial and university presses
• Refereed journal articles
• Refereed scholarly papers presented at professional meetings
• Bulletins and reports
• Pedagogical scholarship
• Publications that provide for a process of peer review as a condition for
  publication carry more weight than publications not subjected to such review.
  However, all forms of publications including articles intended to inform persons
  outside the academic community, shall also be considered as indicative of a
  candidate’s research and scholarly contributions provided that they are of a
  high quality consistent with their intended purpose and context.

b. Creative works such as published literature, art exhibits and musical or theatrical
   performances are appropriate expressions of productivity in some disciplines.
   Greater weight towards promotion will be given for creative works exhibited,
   published or performed on a national or regional basis and which are subject to
   peer evaluation.

c. Documented efforts of the faculty member in obtaining contracts and grants to help
   support his/her research, shall be positively considered for promotion.

3. Service - All University faculty are expected to make a contribution in the area of
   service to the University. Greater requirements for service will be placed on candidates
   who have been provided reduced instructional loads and/or special resources for service
   assignments. Faculty members should present tangible evidence of positive effects of
   their contribution to the University, the profession and the community.

a. Service to the Profession - Consideration should be given to a candidate’s
   contributions to the advancement of his/her discipline through leadership of, and
   intellectual contributions to professional associations. Examples of measures in
   this area may include:
   • Editing or referring professional publications
   • Organizing professional meetings
   • Serving in an official capacity in a professional organization

b. Public Service and Continuing Education Programs - Recognition shall be given to
   participation in continuing education and public service programs, on or off
   campus, that are extensions of the faculty member’s teaching and/or profession
   and skills of his/her respective discipline. Also included are public service activities
   that are targeted to solving problems and creating opportunities for all parties
   through the community.

c. University Service - Consideration should be given to a candidate’s contribution to
   the University. Examples may include:
   • Serving as Faculty Council officers
   • Chairing University committees and task forces
   • Serving on University committees and task forces
- Developing and assisting in the coordination of innovative academic programs

d. School Service - Consideration should be given to a candidate's contribution to the School. Examples may include:
  - Chairing School committees and task forces
  - Serving on School committees and task forces
  - Developing and assisting in the coordination of school-wide academic programs

e. Department Service - Consideration should be given to a candidate's contribution to the Department. Examples may include:
  - Chairing or serving on Departmental committees and task forces
  - Developing and assisting in the coordination of departmental academic programs/courses

f. Faculty Consulting - Such recognition serves as validation of expertise.

b. Application for Promotion: Faculty members who believe they have met the criteria for promotion in rank shall submit a letter of request to their respective Department Head by May 15. In that letter the candidate may request that review by a qualified external referee be arranged by the Department Head or Dean. The candidate's dossier shall be presented by October 1 to the Department Head who will submit it to the department review committee composed of all faculty holding academic rank higher than that of the candidate for promotion. No administrator in the direct supervisory chain (i.e., who has recommending responsibilities at subsequent steps in the promotion process, such as the candidate's Department Head or Dean, or the Provost) shall be a member of the Department review committee. Other tenure track/tenured faculty holding administrative positions and having a significant and continuing involvement in the instructional or research programs of the department shall be members of the department review committee. In cases where at least three faculty with the appropriate rank are not available in the department, the Dean of the School will establish a committee composed in whole or in part, as necessary, of faculty holding the appropriate rank in other departments. Recommendations about documentation will be specified in annual workshops provided by the Office of the Provost.

A committee recommendation and the results of a vote conducted by secret ballot will be forwarded to the Department Head. The committee report will include reasons for the positive or negative recommendation. Additionally, any member of the departmental review committee may submit a letter to the Department Head relating the candidate's ability and performance of the criteria for promotion listed above. The letter will be included in the promotion dossier. The Department Head/Chair will notify the candidate of the Department's and his/her recommendation including a summary of reasons for the positive or negative recommendation by December 1. Candidates may respond in writing within five business days, and any response will become part of his/her dossier that is forwarded to the Dean. If the candidate wants to continue the process, the Department Head will forward all documents and letters, together with
his/her evaluation and recommendation for action, to the Dean of the School. If the candidate is a department head/chair, the Dean will notify him or her of the Department’s recommendation, and he/she may respond in writing within five working days, and any response will become part of his/her dossier.

If the candidate is a Department Head, normal procedures will be followed except that his/her Dean shall ask for participation of all faculty in the department who hold the rank being sought or higher rank; each such faculty member shall submit to the Dean his/her positive or negative recommendation on promotion.

The Dean will forward all materials, including his/her letter of recommendation for action, to the Provost. The Dean’s letter will include reasons for the positive or negative recommendation. By the date of his or her transmission of positive or negative recommendations to the Provost, the Dean will notify the candidate of his/her recommendation including reasons. Candidates may respond in writing within five business days; this response will become part of his/her dossier that is forwarded to the Provost. If the candidate wants to continue the process, the Dean will forward all documents and letters, together with his/her evaluation and recommendation for action, to the Provost.

The Provost shall transmit the materials to the University Committee on Promotion and Tenure. By the date of his or her transmission of positive or negative recommendations to the Provost, the Chairperson of the University Committee on Promotion and Tenure will notify the candidate of the Committee’s recommendation. Candidates may respond in writing within five business days; this response will become part of his/her dossier that is forwarded to the Provost. If the candidate wants to continue the process, the Chairperson of the University Committee on Promotion and Tenure will forward all documents and letters, together with the committee’s recommendation for action, to the Provost.

The Provost recommends to the Chancellor, and the Chancellor is responsible for making recommendations on promotion to the President. By the date of his or her transmission of positive or negative recommendations to the Chancellor, the Provost will notify the candidate of his/her recommendation. Candidates may respond in writing within five business days, and any response will become part of his/her dossier that is forwarded to the Chancellor.

Candidates shall be notified in writing of the President’s decision by March 15. If promotion is not approved, the candidate will be notified promptly in writing by the Chancellor of the reasons for the denial.

At any time during the process prior to their notification on March 15, candidates for promotion and/or tenure may withdraw their applications from consideration.

J. CRITERIA AND PROCEDURES FOR TENURE

Auburn University at Montgomery supports and defends the concept of academic tenure, which ensures each faculty member’s freedom to criticize and advocate changes in existing theories, beliefs, programs policies and institutions, and guarantees faculty the right to support, without jeopardy, any colleague whose academic freedom is threatened. Moreover, Auburn University at Montgomery (as previously noted in the February 20, 1971, Resolution of the Board of Trustees, revised 1985) subscribes to the following principles of academic freedom and academic tenure as described in the 1940 Statement of Principles of the American Association
of University Professors and the Standards of the Southern Association of Colleges and
Schools:

ACADEMIC TENURE [From Policy Documents and Reports of the American
Association of University Professors (Washington, D.C., September, 1969).]

1. After the expiration of a probationary period, teachers or investigators should
have permanent or continuous tenure, and their service should be terminated
only for adequate cause, except in the case of retirement for age, or under
extraordinary circumstances because of financial exigencies.

In the interpretation of this principle it is understood that the following represent
acceptable academic practice:

a. The precise terms and conditions of every appointment should be stated in
writing and be in the possession of both institution and teacher before the
appointment is consummated.

b. Beginning with appointment to the rank of full-time instructor or a higher rank, the
probationary period should not exceed seven years, including within this period
full-time service in all institutions of higher education; but subject to the proviso
that when, after a term of probationary service of more than three years in one or
more institutions, a teacher is called to another institution it may be agreed in
writing that his new appointment is for a probationary period of not more than
four years, even though thereby the person's total probationary period in the
academic profession is extended beyond the normal maximum of seven years.
Notice should be given at least one year prior to the expiration of the
probationary period if the teacher is not to be continued in service after the
expiration of that period.

c. During the probationary period a teacher should have the academic freedom that
all members of the faculty have.

d. Termination for cause of a continuous appointment, or the dismissal for cause of
a teacher previous to the expiration of a term appointment, should, if possible, be
considered by both a faculty committee and the governing board of the
institution. In all cases where the facts are in dispute, the accused teacher
should be informed before the hearing in writing of the charges against him and
should have the opportunity to be heard in his own defense by all bodies that
pass judgment upon his case. He should be permitted to have with him an
adviser of his own choosing who may act as counsel. There should be a full
stenographic record of the hearing available to the parties concerned. In the
hearing of charges of incompetence the testimony should include that of teachers
and other scholars, either from his own or from other institutions. Teachers on
continuous appointment who are dismissed for reasons not involving moral
turpitude should receive their salaries for at least a year from the date of
notification of dismissal whether or not they are continued in their duties at the
institution.

e. Termination of a continuous appointment because of financial exigency should
be demonstrably bona fide.

In addition, each Department or School has developed benchmarks for promotion and tenure
considerations, and these must be made available to all faculty members at the time they are
hired.

While the Board of Trustees embraces the principles expressed by the American Association of
University Professors, the specific details set forth in this chapter of the *AUM Faculty Handbook*
as periodically revised, constitute the policies and procedures applicable to appointment,
promotion, tenure, non-continuance, dismissal, and retirement at Auburn University at
Montgomery. Correlative with academic tenure is the responsibility of all faculty members for
the fulfillment of their duties as assigned by the University so that the University can properly
meet its responsibilities to its students and to society.

**1. Eligibility for Tenure:** The normal progression to tenured status of a faculty member is from
a Probationary appointment. Faculty members given Probationary appointments with the rank
of Instructor or higher become eligible for tenure consideration after a probationary period of
meritorious performance: However, faculty holding the Instructor rank must be promoted or
approved for promotion to Assistant Professor to be eligible for tenure.

The total length of the probationary period shall not exceed seven years of full-time service,
where one year equals two full semesters, excluding summers. Years of full-time Temporary
appointment at Auburn University at Montgomery, regardless of rank, count toward tenure
eligibility just as do years of full-time Probationary appointment. Time spent away from the
University except when the individual is on a special assignment for the benefit of the University
and paid by the University shall not be counted toward fulfillment of eligibility for tenure.

In addition, a faculty member's previous full-time service in another institution of higher
education may be a significant factor in determining the length of the probationary period at
Auburn University at Montgomery. Faculty members with more than three years of probationary
or tenured service at one or more other institutions of higher education may receive credit for
not more than three years of such service toward the probationary period at Auburn University
at Montgomery. Written notification of the policies set forth in this paragraph will be provided by
the appropriate Dean to each candidate at the time an offer of employment is extended. Such
notification shall specify the credit allowed for prior service.

Although a minimum probationary period of four complete academic years should usually be
observed prior to nomination for tenure consideration, a decision on the awarding of tenure
must be made within three years if the faculty member has received credit for three years of
experience at another institution. Faculty members without more than three years of full-time
service at another institution normally should be considered for tenure during their fifth year of
full-time service at Auburn University at Montgomery.

Consideration for tenure can take place in the seventh year if the candidate signs a proviso
acknowledging termination effective at the end of that year if tenure is not achieved.
Members of the faculty and academic staff who hold administrative positions can earn tenure only in their faculty classifications. For such administrators, eligibility for tenure requires a significant non-administrative involvement in the instructional or research programs of Auburn University at Montgomery.

2. De Facto Tenure: Should a seven year period of full-time service in a probationary tenure-track appointment including prior service credited in the manner specified above, be exceeded in the case of a faculty member on probationary tenure track appointment, tenure shall be awarded by the President. A faculty member who contends that he/she has served full time in an academic rank for seven or more years may appeal through the normal administrative chain to achieve consideration of the claim. However, tenure gained in this way will be forfeited if it is established that the faculty member's not being recommended for tenure consideration was a deliberate attempt to avoid the formal tenure process by the faculty member and/or Department Head or unit head.

3. Joint Appointment and Tenure: If the faculty member is on appointment involving two or more departments, tenure may be held only in the department agreed upon at the time of the joint appointment.

4. Factors Affecting Tenure: Faculty and Department Heads should remember that decisions on tenure are different in kind from those on promotion. As with promotion, the tenure nominee will be evaluated on (1) teaching, (2) research, and (3) service. Other important elements affecting tenure nominations and recommendations are those factors that are directly related to the prospect of the nominee's assuming what may well be an appointment of ten, twenty, or thirty years in the departmental unit. Such considerations may include the nominee's abilities to support the departmental mission and its long-term goals; the nominee's exhibited ability and willingness to engage in the shared tasks that a departmental group must often perform; and the nominee's willingness to participate knowledgeably and reasonably in discussions germane to departmental policies and programs. In addition, each Department or School has developed benchmarks for promotion and tenure considerations, and these must be made available to all faculty members at the time of their appointment.

5. Application for Tenure: Faculty members who believe they have met the criteria for tenure consideration shall submit a letter of request for tenure consideration to their respective Department Head and Dean before May 15. In that letter the faculty member may request that review by a qualified external referee be arranged by the Department Head or Dean. It is the joint responsibility of the faculty member and the department head to assure that the tenure review process occurs no later than in the sixth-year of full-time service or within three years if credit for previous service at another institution has been given. The candidate's dossier must be presented to the Department Head by October 1. The credentials to be included in the dossier are a current vita and supporting documentation of the candidate's performance in teaching, research, and service. Recommendations about documentation are specified in annual workshops provided by the Office of the Provost.

After receiving the application for tenure consideration, the Department Head shall notify tenured members of the departmental faculty of their responsibility to review the candidate's credentials. In cases where there are fewer than three tenured faculty in the department, the Dean of the School will ask for participation of tenured faculty in other departments. The tenured members of the faculty may meet to discuss each applicant's materials; whether tenured faculty meet or not, each will submit to the Department Head (or appropriate Dean if the candidate is a Department Head) a written statement of his/her positive or negative vote on tenure, together with a justification of that vote.
No administrator in the direct supervisory chain (i.e., with recommending responsibilities at subsequent steps in the tenure process, such as the candidate's Department Head or Dean, or the Provost) shall be included in the departmental review process. Other eligible faculty holding administrative positions and having a significant and continuing involvement in the instructional or research programs of the department shall participate. These statements and the Department Head's written recommendation on tenure, including reasons for the positive or negative recommendations, will be sent forward with the candidate's resume and supporting material to the appropriate Dean by December 1. Candidates may respond in writing within five business days, and any response will become part of his/her dossier that is forwarded to the Dean. If the candidate wants to continue the process, the Department Head will forward all documents and letters, together with his/her evaluation and recommendation for action, to the Dean of the School.

If the candidate is a Department Head/Chair, normal procedures will be followed except that his/her Dean shall ask for participation of all tenured faculty in the department; each tenured faculty member shall submit to the Dean his or her positive or negative recommendation on tenure. The Dean will notify him or her of the Department's recommendation, and he/she may respond in writing within five working days, and any response will become part of his/her dossier that is forwarded to the Provost.

The Dean will forward all materials, including his/her letter of recommendation for or against tenure, to the Provost. The Dean's letter will include reasons for the positive or negative recommendation. By the date of his or her transmission of positive or negative recommendations to the Provost, the Dean will notify the candidate of his/her recommendation including reasons. Candidates may respond in writing within five business days; this response will become part of his/her dossier that is forwarded to the Provost. If the candidate wants to continue the process, the Dean will forward all documents and letters, together with his/her evaluation and recommendation for action, to the Provost.

The Provost shall transmit the materials to the University Committee on Promotion and Tenure. By the date of his or her transmission of positive or negative recommendations to the Provost, the Chairperson of the University Committee on Promotion and Tenure will notify the candidate of the Committee's recommendation. The Committee's letter will include reasons for the positive or negative recommendations. Candidates may respond in writing within five business days; this response will become part of his/her dossier that is forwarded to the Provost. If the candidate wants to continue the process, the Chairperson of the University Committee on Promotion and Tenure will forward all documents and letters, together with the committee's recommendation for action, to the Provost.

The Provost recommends to the Chancellor, and the Chancellor is responsible for making recommendations on tenure to the President. By the date of his or her transmission of positive or negative recommendations to the Chancellor, the Provost will notify the candidate of his/her recommendation. Candidates may respond in writing within five business days, and any response will become part of his/her dossier that is forwarded to the Chancellor.

Candidates shall be notified in writing of the President's decision by March 15. When a nomination for tenure is not approved, the candidate will be notified promptly by the Chancellor of the reasons for the denial.
At any time during the process prior to notification on March 15, candidates for promotion and/or tenure may withdraw their applications from consideration.

Tenured faculty members who resign from the University and are later re-employed in a faculty position similar to the one they previously held may have their tenure reinstated on the recommendation of the tenured faculty of the affected Department and on the approval of the Department Head, Dean, Provost, Chancellor, and the President. A tenured faculty member in a department at Auburn University who accepts a faculty appointment on the Auburn University at Montgomery campus may be awarded tenure at the time of appointment only through the usual tenure process.

Confidentiality and the right of tenured faculty members to express their viewpoints openly without fear of retaliation should be hallmarks of the tenure decision process. All documents, letters, and other materials shall be held in strict confidence at all levels of the review process. Should confidential discussions, documents, notes and communications become the subject of legal discovery, those who participated in the review process may be guided by University Counsel.

K. POLICIES AND PROCEDURES FOR APPOINTMENT, TENURE, AND PROMOTION OF LIBRARIANS WITH FACULTY RANK

INTRODUCTION

The following document describes the criteria and procedures to be used by Library faculty in dealing with questions of appointment, tenure, promotion, and non-retention. This document was written to be consistent with University policy applicable to non-librarian faculty described in the Faculty Handbook. Professional effectiveness replaces the teaching criterion in the evaluation of Library faculty. Librarians, therefore, will be judged on the basis of professional effectiveness, research/creative activity and service. In developing this document, librarians borrowed from tenure and promotion documents from several university libraries. (The University of Illinois at Chicago, University of Alabama Birmingham, Oklahoma State University, University of Mississippi, State University of New York at Buffalo, and Clemson University.)

CRITERIA FOR TENURE OF LIBRARY FACULTY

The Auburn University at Montgomery Library regards tenure as recognition of prior performance, accomplishments, and potential for continued growth. To that end the library shall recruit and retain the best qualified librarians available to fill the professional positions on its staff and shall provide for annual performance evaluations of each librarian.

1. Professional Effectiveness

Librarians support the University’s mission through daily performance of professional activities. These activities result in a library system that meets the needs of graduate and undergraduate students and faculty. Excellence in professional activities is expected of each librarian, and is the most crucial factor to be considered in tenure and promotion decisions. Within the assigned area of responsibility, the librarian develops his or her unique contribution to the Library and University. Responsibilities fall within the categories of collection development, bibliographic control, information services, library administration and management, and knowledge of subject/academic achievement.

a. Collection Development
In consultation with the teaching faculty, librarians who develop the collection decide which books, journals, and other materials should be made part of the library's collections. They design effective programs of acquisitions, and they carefully plan and monitor expenditure of the acquisitions budget. They regularly evaluate the collection to ensure that the library has materials which support and further campus programs.

b. Bibliographic Control

Librarians involved in bibliographic control are responsible for the intellectual and physical organization of library books, journals, electronic resources, and other materials to optimize access. They develop policies and procedures to ensure efficient and equitable access to circulating materials and to preserve the integrity of the collection. They catalog library materials, as well as direct the assembly and transmission of bibliographic information to local and external computer systems. They create and manipulate a variety of indexes to that information. They also analyze, design and monitor systems to facilitate access to information about library materials, as well as to the actual library materials.

c. Information Services

Librarians who provide information services mediate between individuals with information needs and the sources which can satisfy those needs. To do so they must understand the process of information seeking and users needs, interpret information requests, formulate appropriate search strategies, and locate and evaluate information sources. They determine when they should teach user strategies for independent information seeking or when they should directly provide the information. Librarians also participate in bibliographic instruction programs by teaching, lecturing, and otherwise instructing students, staff and faculty so as to encourage full use of the Library and its resources.

d. Library Administration and Management

Librarians who provide administration and management in their units are responsible for coordinating the work of the unit; they identify goals, set priorities, and organize work to achieve the goals. They perform administrative assignments, e.g. special projects and reports. They also provide effective management for current and anticipated use of Library resources.

e. Knowledge of Subject/Academic Achievement

Academic achievement is determined by one's formal degrees and intellectual pursuits. Librarians also maintain current competence through course work, attendance at workshops, participation in professional development activities, advanced instruction beyond the position requirements, or conducting seminars for library faculty and staff.

2. Research/Creative Activity

In the traditional academic setting, scholarly ability is usually evidenced by refereed, published research, which serves to increase the body of knowledge in a given discipline. In the field of librarianship, those traditional modes of scholarship are most commonly exemplified by library school faculty who hold the doctoral degree and whose work situations parallel those of professorial faculty in other disciplines. Although “practicing” librarians normally have limited opportunities to engage in pure research, they can and do make significant scholarly contributions to librarianship through a wide variety of publications in any medium. In the field of librarianship research/creative activity may be demonstrated through:
a. Publication (articles, book reviews, etc.) in professional journals or books
b. Editing of published or unpublished works
c. Classroom teaching (outside of the library)
d. Serving of accreditation teams
e. Special projects requiring substantive creative endeavor and awareness of current
developments in librarianship or other fields of professional or academic interest
f. Consulting
g. Participation in grant-supported activities
h. Development of scholarly applications of technology, e.g., laboratory devices, computer
software packages or programs, videotapes, web page design, etc.
i. Unpublished contributions to the profession, e.g., reviews, abstracts, special indexes
and bibliographies, guides to using resources, handbooks for training personnel,
manuals for departments within the Library
j. Publication (literary works, artistic works, etc.) in other periodicals or books
k. Papers and other presentations at conferences

3. Service

The three areas of service in which librarians participate are: service to the University and
Library, service to the library profession, and service to the community. The following serve as
examples of representative service activities.

a. Serving on or chairing Library committees and working on special projects not
necessarily related to the librarian’s area of specialization.

b. Serving on or chairing University committees, working on special projects for the
University, or working with faculty and student organizations.

c. Active participation in local, state, regional, national, or international professional or
scholarly organizations. Pursuits may include:
   - Holding office.
   - Serving on committees.
   - Acting as a discussion leader.
   - Organizing a conference or workshop.
   - Other professional activities.

d. Membership and participation in local, state, regional, national, or international
professional or scholarly organizations.

ej. Participation in community activities as a private citizen or as a representative of the
University and/or Library.

f. Honor, awards and special recognitions for service to the institution or the community.

FACTORS AFFECTING TENURE OF LIBRARY FACULTY

In addition to the criteria stated above, Librarians should also consult the Faculty Handbook,

IV-H, Factors Affecting Tenure.

PROCEDURES FOR GRANTING TENURE OF LIBRARY FACULTY

Where there are sufficient tenured library faculty (a minimum of three) to constitute a Tenure
Review Committee within the Library, the procedures for granting tenure shall be those set forth
in the *Faculty Handbook*. Until such time, the appointment of a Tenure Review committee shall be handled in the manner outlined in Procedures for Promotion of Library Faculty.

**LIBRARIAN APPOINTMENT**

The Dean of the Library recommends to the Provost the appointment with appropriate rank.

1. **Kinds of Appointment of Librarians**

   Each professional librarian at Auburn University at Montgomery is appointed in one of three classifications: Probationary, Tenured, or Temporary.

   a. Probationary appointments are assigned to librarians who, because of scholarly or professional achievement, have demonstrated their aptitude for becoming tenured members of the faculty.

   b. Tenured appointments are assigned to librarians who have completed an appropriate probationary period and who, following recommendation and review in accordance with University policy and approval by the President, have been awarded tenure. Only tenured librarians are eligible for professional improvement leave with pay.

   c. Temporary appointments, as the term implies, are assigned to librarians whose services are required only for a certain specified period of time, usually one year or less, which is identified on the appointment paper. Those on Temporary appointments are not eligible for tenure and promotion or for the insurance, medical, retirement, and various fringe benefits available to other librarians unless the employment period is for at least a full year (twelve months).

2. **Definition of Librarian Academic Ranks**

   Librarians shall be accorded faculty status with academic appointments in four ranks with titles equivalent to the standard academic ranks and titles. These ranks are:

   a. **Librarian I** (equivalent to instructor)

      A candidate for appointment as a Librarian I must have a master's degree from an American Library Association accredited library school or equivalent and appropriate skills. Appointment at this rank shall be predicated on the expectation of successful overall performance and the potential for a promising career in librarianship. Those holding this rank must be promoted to Librarian II to be eligible for tenure.

   b. **Librarian II** (equivalent to Assistant Professor)

      This is a professional level characterized by assignments with some degree of independent responsibility and action. Appointment or promotion to the rank of Librarian 11 should be based on demonstrated ability and potential for growth. The candidate should have a strong academic record and shall have completed a master's degree in library science from an American Library Association accredited library school or equivalent.

   c. **Librarian III** (equivalent to Associate Professor)
This is an advanced professional level characterized by considerable independent responsibility and action. It should provide for depth in areas of librarianship and may include other subject fields as well. Promotion to this rank shall require evidence of substantial professional contributions to the library and to the University; attainment of a high level of professional effectiveness in research and other professional endeavors, and the ability to handle successfully increased responsibility, including supervision of library personnel. Librarian III is a high professional rank and requires the master's degree in library science from an American Library Association accredited school or equivalent. Promotion to this rank, in and of itself, carries no presumption of further promotion.

d. Librarian IV (equivalent to Professor)

This is the highest professional level and is characterized by administrative responsibility for general library operations at the divisional level or above and by demonstrated ability in a specialized field or fields of librarianship. A master's degree in library science from an American Library Association accredited school or equivalent and a doctoral degree in library services or in another discipline is a customary requirement. Exceptional and advanced training, research and publication, and/or evidence of exceptional ability in librarianship may be substituted for the doctorate. Demonstrated ability in providing leadership in professional and university organizations is required.

e. Candidates for appointment to the position of Dean of the Library must meet the requirements of Librarian III or IV.

PROMOTION OF LIBRARY FACULTY

Because a librarian's mastery and effectiveness within an area of specialization contributes most directly to the academic community, the most important criterion for promotion shall be professional effectiveness. Only those librarians who have discharged their responsibilities with distinction and demonstrated continued growth in their other professional activities while employed by the Library will be promoted.

For some, promotion may not necessarily involve position change but will involve increased responsibility as well as growing competence and contributions in the same position.

1. Criteria

The following specific criteria shall be considered in the evaluation of the librarian's performance and achievement:

a. Professional Effectiveness and Quality of Service within the Library

The librarian's performance and potential will be evaluated within the assigned area of responsibility. These responsibilities may include:

- Collection Development.
- Bibliographic Control.
- Information Services.
- Library Administration and Management.
- Knowledge of Subject/Academic Achievement.
In addition, librarians will be judged on consistency of performance, grasp of library methods, command of their subjects, continued growth in their fields, judgment, leadership, originality, ability to work effectively with others, and ability to relate their functions to the more general goals of the library and the University.

Evidence of effective service may include the opinions of professional colleagues, particularly those who work closely or continuously with the candidate; the opinions of other faculty members or other members of the University community as to the quality of a collection developed, or the technical or public service provided by the candidate; the opinions of librarians outside the University who function in the same specialty as the candidate; the effectiveness of the techniques applied or procedures developed by the candidate; and relevant additional educational achievement, including programs of advanced study or courses taken toward improvement of subject knowledge or foreign language.

b. Service

A candidate's professional commitment and contribution to the library profession should be evaluated by taking account of such activities as the following: membership and activity in professional and scholarly organizations; participation in library and other professional meetings and conferences; consulting or similar service; outstanding achievement or promise as evidenced by awards, fellowships, grants; teaching and lecturing; and editorial activity.

Recognition shall be given to those who participate in library-wide and university service (including service on campus or university-wide administrative or academic committees and advisement to students and student groups), and in services to the community, state, and nation.

c. Research/Creative Activity

Research by practicing librarians has a growing importance as library, bibliographical, and information management activities become more demanding and complex. It is, therefore, appropriate to take it into account in measuring a librarian's professional development. Examples of research/creative activity may be found under Section K, 2, a-k in this document.

PROCEDURES FOR PROMOTION OF LIBRARY FACULTY

1. Nominations for promotion will be initiated by the librarian's immediate supervisor.

2. The Dean of the Library shall appoint a Review Committee. The Committee shall consist of three librarians holding the appropriate rank. If there is an insufficient number of librarians holding the appropriate rank, the Dean of the Library will submit to the Provost a list of the names of six teaching faculty from throughout the University who are familiar with library techniques, procedures, functions, resources and personnel and who hold a rank higher than that of the candidate. The Provost shall select three faculty from among those suggested and appoint them as the Promotion Review Committee.

Further procedures shall be in accordance with those outlined in the Faculty Handbook.
L. APPEALS PROCEDURES FOR PROMOTION AND TENURE DECISIONS

Grounds for appeal of a promotion or tenure decision exist when the candidate believes that:

- He/she can provide new evidence, not previously available, in support of tenure or promotion.
- There have been significant factual inaccuracies in the Chancellor’s letter of denial.
- Significant procedural irregularities in annual performance reviews have occurred, including failure by the Department Head to conduct annual performance reviews.
- Tenure or promotion procedures of the Department, School, or University were not properly followed.

A faculty member who has been denied either promotion or tenure may choose to discuss the reasons for the denial and the appeal process with the Provost and the Chancellor. If a faculty member chooses to appeal the denial, that intention should be expressed in writing to the Chancellor within 30 days of the notification of the negative decision and should be accompanied by all supporting evidence. The Chancellor shall respond to the faculty member’s request for an appeal by appointing an appeals committee within fifteen days of receipt of the request.

The Appeals Committee shall consist of the Provost (non-voting chairperson), an academic Dean (other than the appellant’s), and four members of the tenured faculty appointed by the Chancellor from eight names submitted by the Faculty Senate. This committee shall make its recommendation to the Chancellor within fifteen days of being notified by the Chancellor of the creation of the committee.

M. POST-TENURE REVIEW

Post-Tenure Review shall be conducted by the Post-Tenure Review Committee, a standing committee of the Faculty Senate. This is a special committee appointed by the Chancellor from nominees provided by the Rules Committee of the Faculty Senate. The committee shall review dossiers of faculty participating in the University’s Post-Tenure Review procedure and advise the Provost. The committee consists of nine tenured faculty with at least one representative from each school including the library.

N. NONCONTINUATION OF APPOINTMENT

The provisions for notice of noncontinuation described in this section apply only to full-time faculty members on probationary appointment. The provisions are not applicable to terminations for cause or where a termination is specified in the appointment instrument.

Notice of noncontinuation or of nonreappointment is to be given in writing to full-time faculty members on Probationary appointment in accordance with the following schedule:

- By March 1 of the first academic year of service.
- By December 1 of the second academic year of service.
- At least twelve months before the expiration of an appointment for persons with two or more years of service at Auburn University Montgomery. In the event that a tenure review in the sixth year of service results in denial of tenure, the faculty member will be given notice in
writing of noncontinuation at least twelve months before the expiration of the appointment, and no tenure review, except that undertaken in response to an appeal, will be conducted in the seventh year of service.

If shorter notice is necessary because of major enrollment shifts, program changes, or budget stringency, the affected faculty member shall be informed as soon as possible and every effort shall be made to find another appropriate position in the University. It is anticipated that analyses of enrollment and decisions about moving of positions to meet changing enrollment pressures can be made each fall in time for affected faculty members to be notified by November 15.

O. DISMISSAL

Termination of a tenured appointment shall be carried out by the University only for just cause and according to the procedures set forth in this statement. Just cause for dismissal of a tenured appointment shall be related, directly and substantially, to the fitness of faculty members to continue in their professional capacities as teachers, researchers, and/or service specialists. Rights of due process, as described in this statement, shall also apply to a nontenured faculty member dismissed before completion of his/her appointment. Just cause for dismissal of a tenured appointment may result from actions of misconduct or may be directly related to the academic and/or administrative performance of a faculty member as described in this statement.

Just Cause Resulting from Misconduct

Dismissal of a faculty member for just cause resulting from misconduct includes, but is not limited to, actions that bear a significant relationship to fitness to continue to serve as a faculty member, such as:

1. Conviction or admission of guilt in a court proceeding of a felony or of a crime involving moral turpitude during the period of employment, or prior thereto if the conviction or admission of guilt was willfully concealed;
2. Conviction or admission of guilt in a court proceeding of a felony drug offense including, but not limited to: unlawful manufacture, distribution, sale, use or possession of a controlled substance or other illegal or dangerous drugs as defined by Alabama Law;
3. Intentional false swearing on official documents filed with the institution;
4. Repeated convictions or admission of guilt in court proceedings of substantive misdemeanors;
5. Significant or repeated violations of substantive University policy, rules or regulations, other than violations of professional ethics.

Just Cause Resulting from Performance

Dismissal of a faculty member for just cause resulting from academic and/or administrative performance includes, but is not limited to, actions that bear a significant relationship to fitness to continue to serve as a faculty member, such as:
1. Serious or substantial violation of professional ethics in administrative, teaching, research, or service activities;
2. Demonstrated incompetence in teaching, research, and service activities;
3. Serious or substantial neglect of professional or academic responsibilities.

Preliminary Proceedings

Dismissal proceedings against a faculty member shall be initiated by the Provost. The Provost will request that an informal inquiry into the substantiality of cause for dismissal be made by a faculty inquiry committee and will advise the faculty member of such action. The Faculty Inquiry Committee will be composed of:

1. The Immediate Past Chair of the University Faculty Senate unless the faculty member involved is in the same school, in which case the past chair immediately preceding that person shall serve instead; and
2. The most senior current member (in terms of years of service at Auburn University at Montgomery) of the University Post-Tenure Review Committee unless the faculty member involved is in the same school, in which case the second most senior member of the committee shall serve instead; and
3. The most senior immediate past member of the University Promotion and Tenure Committee unless the faculty member involved is in the same school, in which case the second most senior immediate past member of the committee shall serve instead.

Throughout this procedure the phrase 'working day' shall refer to any day except Saturday, Sundays and recognized University Holidays.

The Inquiry Committee will review the reasons for dismissal submitted, their strength and validity, and will recommend to the Provost whether or not formal dismissal proceedings should be instituted. The Inquiry Committee shall not seek to make a determination of guilt or to predicate the likelihood of a subsequent recommendation for dismissal to be made later. The faculty member who is the subject of the inquiry shall be given an opportunity to respond to the reasons submitted to the Inquiry Committee and to present evidence in rebuttal to the charges presented to the Inquiry Committee. The Inquiry Committee will elect its own chair and its business will be conducted in confidence. The Faculty Inquiry Committee's report to the Provost will be made within twenty (20) working days after the committee is appointed.

If the Provost decides to proceed with the dismissal process, formal termination proceedings will be commenced by a written communication addressed to the faculty member by the Provost. This letter will contain the following information:

- A statement with reasonable particularity of the grounds proposed for dismissal of the faculty member.
- Information that the faculty member has a right to be present at a hearing before an impartial faculty committee.
• A copy of this statement of procedures.

If the faculty member intends to participate in the hearing, his/her written request must be delivered to the Provost within ten (10) working days of receipt of the Provost's letter. The faculty member will be given written notice of the place and time of the hearing, which shall be no less than twenty (20) working days from the date of the notice of a hearing. The notice shall also contain the names of known witnesses and the general nature of expected available evidence. The faculty member wishing to participate in the hearing will deliver any response he/she wishes to make to the proposed grounds for dismissal, the names of known witnesses, and the general nature of expected available evidence to the Provost within fifteen (15) working days of the date of notice of hearing. The names of any witnesses and/or the general nature of any evidence discovered after these responses are made will be delivered in writing to the other party promptly.

Hearing Committee

The Hearing Committee shall be composed of five (5) faculty members. To constitute a committee, the Provost shall request the Faculty Senate to submit within ten (10) working days from the date of Provost’s request a list containing the names of ten (10) tenured faculty members without administrative status above the level of Department Head who have no personal involvement in the case to be heard or other just reason to be excused. The following shall pertain in the selection of the five members of the Hearing Committee:

a. If the faculty member intends to participate in the hearing, the faculty member and the University administration may strike up to two names each from the list without stated cause. The strikes will be in alternate order, with the faculty member allowed the first. Whatever further reduction is necessary to arrive at five (5) will be accomplished by lot. Of those persons not included on the list of five, one will, as determined by lot, if necessary, serve as an alternate. However, no person whose name has been struck by either party will be allowed to serve as an alternate.

The alternate to the Hearing Committee shall observe, but not participate in, all proceedings through the formal hearing; but unless the alternate has replaced a sitting member of the Hearing Committee, the alternate shall neither vote on any matter before the Hearing Committee nor participate in the post-hearing deliberations of the committee.

b. If the faculty member does not intend to participate in the hearing, the members of the Faculty Inquiry Committee will appoint the five (5) members of the Hearing Committee plus one alternate.

The Hearing Committee, by simple majority vote, elects its own chair.

Procedure

a. If the faculty member has not requested to participate in the hearing, the committee shall meet and consider the case on the basis of available information and submit its findings to the Provost with a recommendation for or against dismissal.
b. When the faculty member has requested to participate in the a-hearing, the committee shall proceed by considering the statement of grounds for dismissal already formulated, any written answers submitted by the faculty member before the time of the hearing, and evidence received at the hearing.

The committee hearing shall be governed by the following rules and regulations:

• All proceedings will be private and closed to all persons save those officially involved.

• The Provost will direct the presentation of reasons for discharge by such representatives as he/she may select.

• The faculty member has the right to be accompanied and represented by counsel, employed by the faculty member, and an academic advisor. However, if counsel is present, counsel may not participate in the hearing other than through providing legal advice to the client.

• A verbatim record of all proceedings will be taken and a copy made available to the faculty member if requested.

• The Hearing Committee will not be bound by strict rules of legal evidence; however, it will make every effort to obtain the most complete and reliable evidence available that bears upon the charges. Determination concerning consideration of evidence will be made by the Chair.

• The Hearing Committee will grant adjournments to either party to enable investigation of evidence to which a valid claim of surprise is made.

• The faculty member will be afforded a reasonable opportunity to obtain necessary witnesses and documentary evidence, and the administration of the University will cooperate with the Hearing Committee in securing witnesses and making available pertinent documentary and other evidence.

• The faculty member and the administration will have the right, within reasonable limits, to confront and examine all witnesses and to present oral and/or written argument to the Hearing Committee.

• Where a witness cannot or will not appear, but the interests of justice require admission of written statements, the committee shall identify the witnesses, disclose the statement, and if possible, provide for interrogation.

• The burden of proof that adequate cause exists rests with the University and will be satisfied by clear and convincing evidence in the record considered as a whole.

• Public statements and publicity about the case by either the faculty member or the University administration should be avoided.

• By majority vote, the Hearing Committee will decide all procedural matters not covered by this statement of procedures.
Committee Report

After all pertinent evidence has been presented; the Hearing Committee will conduct its deliberation in closed and confidential session. The committee's report shall be forwarded to the Provost and the faculty member within ten (10) working days after the close of the hearing. The committee, by majority vote of its five members, will provide written findings on the facts of each ground proposed for dismissal and will make specific recommendations as to each ground and as to the grounds as a whole. The Committee's written report and recommendation for or against dismissal will be based solely on the hearing record. Any committee member in disagreement with the committee report may submit a minority report.

At his/her discretion, the Provost may review all evidence introduced into the hearing. However, the chair of the Hearing Committee will retain custody of all records of the hearing until all procedures provided for in this document have been exhausted. At such time, the records will be placed in the confidential administrative files of the Chancellor's Office. The Provost shall forward the Hearing Committee's recommendation for or against dismissal, any minority report and his/her recommendation to the Chancellor within five (5) working days after receipt from the Hearing Committee.

Chancellor's Decision and Appeal

The Chancellor's decision shall be rendered within thirty (30) working days after receipt of the Hearing Committee's report. A copy of the decision shall be forwarded to the chair of the Hearing Committee and the faculty member. If the Hearing Committee recommends dismissal and the Chancellor sustains this recommendation, the faculty member may, by written request to the Chancellor, submitted within five (5) working days of the date of notice of the Chancellor's action, appeal the decision to President. The Chancellor on receipt of the appeal will transmit to the President of Auburn University, the record of the case. The President's decision will be final. If no such request for an appeal is received from the faculty member, and the Chancellor sustains the Hearing Committee's recommendation, he/she will so notify the Committee and faculty member, and the case will be considered closed.

If the Hearing Committee concludes that adequate cause for dismissal has not been established, and the Chancellor does not sustain the report, he/she will state his/her reasons, in writing, to the Committee and to the faculty member. The faculty member may appeal the Chancellor's decision to the President within five (5) working days of the date of notice of the Chancellor's action. Procedures noted above will be followed.

Review by the President or a designated committee will be based on the record of the Hearing Committee and it will provide opportunity for argument, oral or written or both, by the principals or their representatives at the hearing. The decision of the President will be final.

If the Hearing Committee concludes that adequate cause for dismissal has been established, and the Chancellor does not sustain this recommendation, he/she will state his/her reasons, in writing, to the Committee and to the faculty member. The decision of the Chancellor will be final.

Right to Council
In this procedure each party involved in the hearing may be accompanied by another person of its choosing. The opposing party shall be given prior notification of the decision to bring such a representative at least fifteen calendar days prior to the hearing in order to have a representative present if desired. However, if counsels or advisors are present, neither counsel nor other representative may participate in the hearing other than through providing advice to their clients.

**Termination**

A tenured faculty member dismissed as a result of misconduct or as a result of performance is not entitled to further notice of termination.

**Suspension Pending the Outcome of the Dismissal Process**

**Suspension With Pay**

Suspension of the faculty member with pay prior to or during the dismissal proceedings, is justified only if immediate harm is threatened by the continuance of the faculty member. A primary concern in suspension is the effect of the alleged offense upon the well being of the faculty, students, and the University. Suspension under these circumstances will be the decision of the Provost. In such cases, salary will be continued during the period of suspension until the conclusion of the normal dismissal process or until the faculty member pleads guilty to, or is convicted of, a felony or other serious crime.

**Suspension Without Pay**

Suspension of the faculty member without pay will be the decision of the Provost in cases where a faculty member pleads guilty to, or is convicted of, a felony or other serious crime. The action of suspension without pay shall be taken pending the outcome of the normal dismissal process and will only take place after completion of the following procedure:

1. The faculty member will be provided notice of the charges and the basis of those charges;
2. The faculty member will be provided an explanation of the evidence;
3. The faculty member will be provided an opportunity to refute the charges in an informal meeting with the Provost.

**P. Termination Because of Financial Exigency**

In the event that financial stress poses a threat to University programs or continuation of faculty employment, the nature and extent of the situation shall be demonstrated to faculty by appropriate documentation. An explanatory statement shall be issued by the Chancellor, after consultation with the leadership of the Faculty Senate, to the University faculty concerning the financial condition of the University and the relation of that condition to all units and programs. Faculty and administrators shall then be involved in formulating plans which could result in discontinuation of programs and/or dismissal of personnel. A review process that includes the considerations noted below shall be implemented to guarantee the right of due process to those affected. If the administration issues notice to a faculty member of an intention to terminate his or her appointment because of financial exigency, the faculty member shall have the right to a full hearing before a faculty committee. The hearing need not conform in all respects to one
conducted by the faculty dismissal Hearing Committee, but the essentials of an on-the-record adjudicative hearing shall be observed. The issues in this hearing may include:

1. The existence and extent of the condition of financial exigency. The burden of proof shall rest on the University.

2. The validity of the educational judgments and the criteria for identification for termination. The recommendation of a faculty body on these matters shall be considered valid.

3. Whether the criteria are being properly applied in the individual case.

If the university terminates appointments because of financial exigency, it shall not make new appointments at the same time except in extraordinary circumstances where a serious distortion in the University's teaching, research, or outreach program would otherwise result. The appointment of a faculty member with tenure shall not be terminated in favor of retaining a faculty member without tenure.

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

In all cases of termination of appointment because of financial exigency, the place 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 a reinstatement.

Q. APPOINTMENT AND TENURE OF MORE THAN ONE MEMBER OF THE SAME FAMILY

Members of the same family may be appointed to the faculty of Auburn University Montgomery except that they are not to be in positions where one exercises direct administrative supervision over the other. Members of the same family may be given Probationary appointments and thus be eligible for tenure in keeping with university criteria.

R. Professional Improvement Leave of Absence

1. **Definition.** A professional improvement leave (PIL) is a leave of absence to permit a tenured faculty member to undertake approved activities that will result in the faculty member's rendering more effective professional services to the University upon his/her return.

   PIL recipients are responsible for making arrangements to include providing alternates for committee or service obligations to ensure completion of their stated objectives.

2. **Requirements.** One semester at full salary or two semesters at half salary may be granted after 5 years of full-time service. No faculty member is eligible for a second such leave until at least five years have elapsed since the completion of the previous leave.

3. **Length of Leave.** Leave may not extend beyond two semesters, whether on full or half salary.
Leave without pay may be approved for a maximum of one year and generally may not
be extended for more than one additional year.

4. **Compensation.** Compensation for one semester will be at full salary or two semesters
at half salary.

   a. Faculty member on leave with partial compensation may receive fellowship
      support or part-time teaching or research appointments which do not interfere
      with their programs provided that in no instance is the compensation for the
      period of the leave to be greater than the University salary would have been
      during that period.

   b. Leave without pay may be granted for appropriate professional improvement.
      Faculty members on leave without pay have no formal obligations to return to
      Auburn University Montgomery, but are expected to give adequate notice
      (generally at least six months) if they decide not to return. On formal request by
      the faculty member, the University will continue his/her group life insurance and
      hospital/medical insurance programs, making the institution's regular
      contributions. If the faculty member does not return to Auburn University
      Montgomery for at least one academic year after such leave, he/she is obligated
      to reimburse the University for its contributions to his/her insurance programs.

5. **Request Procedure.** The application must be accompanied by a proposed project that
   includes reasonable promise of contributing to the improvement of the applicant's
   professional services to Auburn Montgomery. Ten copies of the application and vita
   must be submitted through the Department Head and Dean to the Provost by November
   1 proceeding the academic year in which the proposed leave would begin.

   If the leave request is approved by the Department Head, he/she must provide a
   statement describing how the faculty member's duties will be performed during the
   leave. If the leave request is denied by the Department Head he/she must provide
   reasons for not recommending the leave request.

   The Dean must sign the request form after the Department Head has reached a decision
   as to whether the applicant will or will not be granted approval for professional
   improvement leave.

   The Provost forwards the applications to the Academic Affairs Council for review and
   recommendation to him/her and makes a recommendation to the Chancellor.

6. **Academic Affairs Council.** This committee will evaluate all requests and recommend
   to the Provost those applicants whose proposed programs have sufficient long-range
   benefit to the University to warrant consideration.

   The Academic Affairs Council will meet and make a decision regarding the applications
   by December 1.

   The Academic Affairs Council shall rank the requests in priority order for presentation to
   the Provost.
7. **Disposition of Leave Request.** The Provost shall inform each applicant, the University Chancellor, the Dean, and the Department Head in writing regarding the disposition of the leave request by the January 15.

8. **Professional Improvement Leave Report.** Employees granted a professional improvement leave are to submit a written report describing the professional growth that occurred during the leave. This report must be submitted no later than eight weeks following the return to service. The report must be a minimum of 2 double spaced pages. The report is to be submitted to the Provost with copies provided to the Department Head and Dean.

**Timeline for Professional Improvement Leave:**

- November 1 - Application and vita submitted through the Department Head and Dean to the Provost by November 1 preceding the academic year in which the proposed leave would begin.
- December 1 - The Academic Affairs Council will meet and make a decision regarding the applications by December 1.
- January 15 - The Provost shall inform each applicant, the University Chancellor, the Dean, and the Department Head in writing regarding the disposition of the leave request by the January 15.

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**S. FACULTY GRIEVANCE PROCEDURE**

This procedure provides members of the Faculty Council a means of presenting grievances (as defined in this section of the Faculty Handbook) to other members of the Faculty Council for evaluation and for recommendation to the Chancellor. See details in Article IV of the Faculty Council Constitution.

**DEFINITION OF A GRIEVANCE**

A grievance is a complaint of alleged
- Violation of academic freedom;
- Failure to follow officially approved policies and procedures in matters concerning nonrenewal of appointments or concerning nomination or review for tenure or promotion;
- Administrative mishandling in such matters as performance evaluation, departmental assignments, or other working conditions; or
- Improper or unethical activities such as, but not limited to, failure to honor commitments, harassment, or discrimination.

A complaint may be filed by one or more faculty members affected. It may be directed against the action of one or more administrators or any member of the Faculty Council.

**FACULTY GRIEVANCE COMMITTEE**
1. Composition and Election of Members

The Faculty Grievance Committee shall be composed of one member from each school and one member from the Library. The election of the members of the Faculty Grievance Committee shall be conducted in the Faculty Senate, following procedures approved by the Faculty Senate. To be eligible for election to the Faculty Grievance Committee, an individual must be a member of the Faculty Council and must have been a member of that organization for at least two years. In addition, the individual must hold a tenured appointment at AUM.

Elections to the Faculty Grievance Committee shall occur before the end of classes in the Spring Semester of each academic year. Candidates must receive a majority of the votes cast to be elected to the Faculty Grievance Committee. If vacancies occur on the committee, the Faculty Senate shall be responsible for calling an election within thirty calendar days. All members shall serve three-year terms that will begin on September 1. The terms shall be staggered to ensure that approximately one-third of the membership is elected annually.

2. Meetings of the Faculty Grievance Committee

a. Election of Chair

By September 15 of each year, the President of the Faculty Council shall convene the Faculty Grievance Committee for the purpose of electing a chair from its membership. The term of the Chair shall begin at the time of election and shall run until August 31 of the following calendar year. If the person elected to this position vacates the position before the end of the term, the President of the Faculty Council shall convene the Faculty Grievance Committee within twenty calendar days to elect a replacement.

b. Selection of Hearing Panel

By October 15, the Faculty Grievance Committee shall select a Hearing Panel. The membership of the Hearing Panel should be chosen in such a way as to reflect the number of elected representatives from the academic schools and library on the Faculty Senate. Membership on the Hearing Panel shall be limited to those members of the Faculty Council who have been members of that organization for at least two years and who hold tenured positions at AUM. Before including an individual on the Hearing Panel, the Faculty Grievance Committee shall consult with that individual and secure the individual’s agreement to serve on the Hearing Panel. The names of the members of the Hearing Panel shall be arranged in random order for the purpose of selecting members of hearing committees, according to procedures outlined in Grievance Procedures 2c.

c. Other Meetings
The Faculty Grievance Committee shall meet on call of the Chair. If the Chair fails to call meetings as specified by Duties of the Chair (see below), the President of the faculty Council shall convene the committee and preside over its functions. A quorum shall consist of two-thirds of the elected membership.

3. Duties of the Chair

The duties of the Chair of the Faculty Grievance Committee shall include, but not be limited to, the following:

- Receiving statements of complaints under this procedure.
- Calling meetings of the Faculty Grievance Committee as necessary to review all statements of complaints.
- Clarifying for the concerned parties any questions relating to the procedures per se.
- Maintaining any necessary records and ensuring the confidentiality of these records.
- Supervising the selection of the Hearing Panel from which hearing committees will be chosen.
- Polling potential members of a Hearing Committee to determine whether these individuals have a personal involvement in the case to be heard.
- Informing all parties to the complaint of the names of Faculty Council members available to serve on a Hearing Committee.
- Attending all formal hearings held by a Hearing Committee, being responsible for recording such hearings, and maintaining the records of those hearings.
- Receiving a copy of the written recommendations of the Hearing Committee.
- Receiving a copy of the written decision of the Chancellor.
- Scheduled storage of records in University Archives and purging of same.

GRIEVANCE PROCEDURES

1. Filing a Complaint

Before filing a complaint with the Faculty Grievance Committee the complainant(s) should make reasonable efforts to resolve the complaint with the persons involved.
If feasible, the complaint should also be discussed with the person’s immediate superior before the complaint is brought to the Faculty Grievance Committee. A faculty member who alleges officially approved policies and procedures concerning nomination or review for tenure or promotion were not properly followed must complete the process for appeal in the tenure or promotion procedure before filing a complaint with the faculty Grievance Committee. To file a complaint with the Faculty Grievance Committee a member of the Faculty Council must provide a written statement of the complaint to the Chair within six months of the date by which the complainant could reasonably have become aware of the occurrence giving rise to the complaint. A complaint alleging that officially approved policies and procedures concerning nonrenewal of appointment or concerning nomination for tenure or promotion were not followed must be filed within six months of the date the faculty member is notified of the decision resulting from the appeals procedure. The written statement of the complaint must contain:

- The date of the complaint.
- The name(s) of the person(s) filing the complaint.
- The name(s) of the administrators and/or Faculty Council member(s) against whom the complaint is filed.
- The nature of the complaint in relation to section, Definition of a grievance, of this procedure.

The date of the occurrence giving rise to the complaint. (In a complaint alleging that officially approved policies and procedures concerning nonrenewable of appointment or concerning nomination or review for tenure or promotion were not properly followed, this date shall be the date on which notification of the results of the appeals procedure was received.)
- A brief account of the events leading to the complaint,
- A description of the efforts taken to resolve the complaint, and
- A statement of the action sought to redress the complaint.

2. Response by the Faculty Grievance Committee to a Complaint

a. Authentication

Within fourteen calendar days of receiving the complaint, the Chair shall convene a meeting of the Faculty Grievance Committee to decide the following:

- Does the complaint constitute a grievance?
- Have reasonable attempts been made to resolve the complaint?
• Does the complaint contain all of the information requested in the grievance procedures?
• Is the complaint directed towards persons subject to the Faculty Grievance Procedure?
• Has the complaint been submitted within the specified period of time?
• Is the complaint adequately substantiated so as to merit a formal hearing?

When a complaint is referred to a formal hearing, the Faculty Grievance Committee shall supply to each party involved a written statement of the specific grievances to be heard.

If dismissed, a letter of recommendation shall follow within seven calendar days to person(s) filing the grievance.

b. Dismissal

If the response to any of the questions to be answered in the authentication process is no, the Faculty Grievance Committee shall dismiss the complaint. If the complaint is dismissed, the Faculty Grievance Committee shall report its action in writing, with reasons for the dismissal. If dismissed, a letter of recommendation shall follow within seven calendar days to person(s) filing the grievance.

c. Referral to a Formal Hearing

The Faculty Grievance Committee shall refer a complaint to a formal hearing if no ground for dismissal, as described in the preceding section is found.

The Chair of the Faculty Grievance Committee shall poll, in order, by school, individuals in the Hearing Panel until nine have been found who have no personal involvement in the case to be heard. If nine such individuals cannot be found on the Hearing Panel, the Faculty Grievance Committee shall increase the membership of the Hearing Panel until it contains nine individuals who have no personal involvement in the case to be heard. The Chair shall supply a copy of the list of names of these nine individuals to each party to the grievance. Within ten calendar days of receipt of this list each of the opposing parties may strike two names from the list. Of those names remaining on the list the first three shall comprise the Hearing Committee for the grievance, and the Faculty Grievance Committee shall designate one of these individuals Chair of the Hearing Committee. The next two persons listed shall be alternates and will serve on the Hearing Committee if any of its members becomes unable to serve.

The order of the names of individuals in the Hearing Panel shall not be altered, except that the names of the members of the Hearing Committee and the alternates shall be placed, in their original order, at the bottom of the list for subsequent panels.
The Chair of the Faculty Grievance Committee shall serve the Hearing Committee as an aid on procedural matters. A University secretary designated by the Chair of the Hearing Committee may be asked to assist the Committee in its clerical functions.

3. Hearing Committee Responsibilities and Procedures

The Chair of the Hearing Committee shall call meetings of that committee, and these meetings shall be private. The Hearing Committee shall determine by majority vote the procedures to be followed at the hearing and procedures to be followed prior to the hearing. Within twenty-one calendar days of receipt of the grievance, the Chair of the Hearing Committee shall supply a written statement of these procedures to each party to the grievance and shall notify them of the date of the hearing. This hearing date shall be no later than thirty calendar days after such notification. Personal contact concerning the grievance between the Chair of the Hearing Committee and participants in the hearing prior to the hearing shall be limited to procedural matters only. There shall be no contact between the participants and other members of the Hearing Committee during this time.

There shall be no formal rules of evidence, but the party who filed the grievance must present substantive evidence to support the complaint. Each party to the grievance may present its own witnesses, and if it so desires, the Hearing Committee may also call witnesses of its own. A list of witnesses to be heard shall be served upon all parties to the grievance and to the Chair of the Hearing Committee at least seven calendar days prior to the hearing. The list of witnesses chosen by the Hearing Committee shall be served upon the parties at least two work days prior to the hearing. The presence of a witness at the hearing is the responsibility of the party calling the witness. University employees shall be excused from their normal duties to participate in the hearing. Each witness may be questioned by the parties to the grievance and by members of the Hearing Committee in accordance with established procedures. The Hearing Committee shall have access to all information from University sources which it considers necessary to reach a decision in the case unless it is determined by the Chancellor that the information sought is confidential and not subject to release. Tenure and promotion records and records specified in the Family Educational and Privacy Act shall be considered as confidential and not subject to release. Questions of procedure shall be resolved by the Chair of the Hearing Committee; a ruling of the Chair may be overruled by majority vote of the Hearing Committee.

The proceedings of the hearing shall be recorded on audio tape by the Chair of the Faculty Grievance Committee. This tape shall be kept in the confidential files of the Faculty Grievance Committee as outlined in the section MAINTENANCE AND DESTRUCTION OF RECORDS. All participants in the hearing shall keep matters of the grievance confidential.

Alternates to the Hearing committee shall observe, but not participate in, all proceedings through the formal hearing; but unless an alternate has replaced a member of the
Hearing Committee, the alternate shall neither vote on any matter before the Hearing Committee nor participate in the post hearing deliberations of the Committee.

4. Recommendations to the Chancellor and Disposition

The decision of the Hearing Committee shall be based exclusively on evidence presented at the hearing. A decision in favor of the grievant shall require a preponderance of evidence to support the grievance. In other words, there must be a greater weight of evidence in support of the grievance than there is against it. A majority vote of the committee shall determine its decision.

Within fifteen calendar days of the hearing, the Chair of the Hearing Committee shall submit the written recommendations of the Committee to the Chancellor, with copies sent to all parties to the grievance and to the Chair of the Faculty Grievance Committee. By mutual agreement of the Faculty Grievance committee and the Chair of the Hearing committee the deadline for this report may be extended an additional fifteen calendar days after notice of the same is served upon the parties to the grievance.

Within thirty calendar days of the receipt of the recommendations of the Hearing Committee, the Chancellor, giving due weight to these recommendations, shall render a decision and so notify in writing all parties to the grievance, the Chair of the Hearing Committee, and the Chair of the Faculty Grievance Committee. In unusual instances in which a decision cannot be reached within thirty calendar days, the Chancellor shall give written notification to the persons noted above and indicate a date on which a decision can be expected. If the decision of the Chancellor is inconsistent with the recommendations of the Hearing Committee, the Chancellor shall provide reasons for the decision. The decision of the Chancellor is final.

RIGHT TO COUNSEL

In this procedure each party involved in the hearing may be accompanied by another person of its choosing. The opposing party shall be given prior notification of the decision to bring such a representative at least fifteen calendar days prior to the hearing in order to have a representative present if desired. However, if counsels or advisors are present, neither counsel nor other representative may participate in the hearing other than through providing advice to their clients.

WITHDRAWAL OF COMPLAINT

The member(s) of the Faculty Council who filed the complaint may withdraw the complaint at any time. Such withdrawal shall be without prejudice.

INTERPRETATION OF THIS PROCEDURE
The Faculty Grievance Committee shall have the final authority to interpret this
procedure except where this procedure places such authority on the Hearing
Committee.

MAINTENANCE AND DESTRUCTION OF RECORDS

All tapes, exhibits, documents, and records pertinent to a hearing shall become a part of
the confidential files of the Faculty Grievance Committee. By August 31 of each year,
the Committee Chair shall submit all confidential records from the preceding year to the
University Archivist. The Archivist will be responsible for maintaining the records, with
restricted access, in the University Archives. A signin/signout log shall be maintained
by the Archivist. The records shall be retained for a minimum of three years after action
is taken on the case(s) (in accordance with the AUM General Records Schedule), or
after settlement of all claims due.

By August 31 of each year, the Committee Chair will purge, in the presence of the
University Archivist, all documents that have been retained for the required period of
time. All records will be shredded and both the Committee Chair and the University
Archivist shall sign and date a record of the actions taken.

REPRISALS

No reprisal is to be brought against any person for participating in any way under this
procedure. Such reprisal would be grounds for instituting another grievance.

PROCEDURAL REVIEW

Every three years the Faculty Senate shall appoint an ad hoc committee to review the
Faculty Grievance Procedure and to make recommendations of any changes that are
needed.