

FACULTY HANDBOOK

Note

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 Chancellor of Auburn University at Montgomery.

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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, the Southern Association of Colleges and Schools accredited AUM as an operationally separate institution. The Southern Association reaffirmed accreditation in 1978, 1988, 1998, 2008, and most recently in 2018.

A broad-based academic institution, AUM is organized into five academic colleges and the Library. The academic colleges are Business, Education, Liberal Arts and Social Sciences, Nursing and Health Sciences, and Sciences, all of which offer baccalaureate degrees. The Colleges of Business, Education, Liberal Arts and Social Sciences, Nursing and Health Sciences, and Sciences offer Masters degrees. The College of Education offers the education specialist degree. The College of Liberal Arts and Social Sciences offers a joint doctoral program in Public Administration with Auburn University. And the College of Nursing and Health Sciences offers a Doctor of Nursing Practice degree.

Classes on the AUM campus are held Monday through Thursday, from 8 a.m. to 10:10 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...

- A. Is known for its commitment to developing dynamic and applied academic and research programs.
- B. Is a student's first choice in a variety of programs of distinction.
- C. Embraces and builds an international presence at home and abroad, increasingly known for its ability to prepare students to thrive in a global community.
- D. Graduates students who become engaged alumni with a life-long interest in and personal connection to AUM.
- E. 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 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 faculty (including lecturers and clinical faculty) who hold an academic appointment.

Section 2. Officers of Faculty Council: The officers of the Faculty Council shall be the President, President-Elect, Secretary, and Parliamentarian. Department Chairs, Program Directors without teaching responsibilities, Associate Deans, Deans and above are not eligible to serve as Officers.

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 Executive Committee shall appoint an Elections Committee of six members representing the five Colleges 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 3b, 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 acting 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 assisting the President in the performance of his/her duties and serving as a member of the Executive Committee, the Faculty Welfare Committee, and the Planning, Priorities, and Resource Allocation 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 except Program Directors without teaching responsibilities and those employed at the rank of Dean and higher 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 Colleges 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 College shall be represented by three members of Faculty Council; the Library shall be represented by two members of Faculty Council.
- d. **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.
- e. **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.

- f. **Absences:** All members of the Faculty Senate are expected to attend every meeting. In the event that a member cannot attend a meeting, it is his/her duty and responsibility to provide a substitute on his/her behalf. Over the course of a Faculty-Senate year (June 1 to May 31), a member may be absent no more than four times total, and no more than two times without a substitute. A fifth absence (or third without substitute) constitutes the member's resignation regardless of circumstance. That member's college or unit must then conduct an election to fill the remainder of his/her term.

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

Executive
Faculty Welfare
Graduate Council
Grievance
Honors
Lectures
Library
Planning, Priorities, and Resource Allocation
Professional Improvement Leave
Recruitment and Retention
Teaching Effectiveness
University Promotion and Tenure/Post-tenure Review

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 each College and the Library. 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 each College 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. Further detail about policy and process, can be found in Part IV.

Calendar, Scheduling and Registration Committee: This committee shall consist of the Provost or a person appointed by him/her, and one representative from each College and the Library, the Registrar, a representative of the Office of Student Housing, and a representative of the Office of Financial Aid serve as non-voting *ex officio* members. The committee shall be co-chaired by a faculty member appointed by the Executive Committee, and the Provost or a person appointed by him/her. This committee shall submit a proposed University calendar for review 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-chaired by a faculty member appointed by the Executive Committee, and the Provost or a person appointed by him/her. Additional members of the committee shall consist of the Registrar and the Assistant Provost of Institutional Effectiveness as non-voting *ex officio* members, and one representative from each 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-chaired by a faculty member appointed by the Executive Committee and the Provost or a person appointed by him/her. Additional members of the committee shall consist of the Registrar and the Assistant Provost of Institutional Effectiveness as non-voting *ex officio* members, and one representative from each 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.

Executive Committee: This committee shall consist of the President of the Faculty Senate as Chair, the President-Elect, the Secretary, the Parliamentarian, and one representative of each College and the Library, and *ex officio*, the President of the Staff Council.

The committee members shall be nominated by the President-Elect of the Faculty Senate, who must nominate one candidate from each college, as well as one from the Library, no later than May 1. The candidates must then be confirmed at the next regular meeting of the Faculty Senate. A majority vote is required for confirmation. Confirmed members serve for one year. No faculty member may serve on the Executive Committee for more than three consecutive years. In the event that a member cannot complete his/her term of service, the sitting president shall nominate a replacement who must then be confirmed (as above) at the first meeting after the vacancy occurs.

This committee shall serve as the steering committee of the Faculty Senate. It provides leadership for the Faculty Senate and constitutes the governing body of the Faculty Senate between meetings of the Faculty Senate. The Executive Committee identifies the agenda for the Senate for the designated year, which it shall communicate to the members of the Faculty Senate, the Provost, and the Chancellor by August 1.

This Committee shall accept, review, advise, recommend, and initiate reports, policies, and issues relating to the functions of the Faculty Senate, and serve as a channel through which any member of the Faculty Council may introduce matters for consideration by the Senate. It assists in carrying into effect the rules, regulations, and actions of the Senate.

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 the articles of the Faculty Council Constitution. This committee shall make periodic studies of the Faculty Senate with respect to its objectives and its role in shared governance and may recommend changes that should be made to enable the Faculty Senate to function more effectively. This committee

shall ensure that any changes made to the faculty handbook passed by votes in Faculty Senate or Faculty Council shall be submitted to Provost and to the Chancellor by May 1.

Faculty Welfare Committee: This committee shall consist of the President-Elect, two representatives from each College and the Library. The Committee is chaired by a faculty representative selected by the Executive Committee from the faculty membership on the committee. 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 Executive 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, the Registrar, and the Assistant Provost of Institutional Effectiveness as non-voting, *ex officio* members, and representatives of each College. Colleges with graduate programs will each supply two members; those without a graduate program will supply one faculty member. In cases where a College has two members, both members shall be elected by the graduate faculty of that College. Colleges with one member shall be elected by that College's graduate faculty. Graduate coordinators from each academic 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 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 College 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" in Part IV. 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 College and the Library. Additional *ex officio* members include: the Director of the Honors Program (non-voting member), the co-chairs of the Curriculum Committee (voting members), the Director of Composition (voting member), and the three elected officers of the Honors Assembly (non-voting members). The Committee is advisory to the Director of the University Honors Program and works with him/her to screen and invite students, to select and schedule courses, and in assessment. The Committee is chaired by the Director of the University Honors Program and a Faculty representative selected by the Executive Committee from the faculty membership on the committee.

Lectures Committee: The committee shall consist of one representative from each 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 each College and the Library. 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, the Past President of the Faculty Council together with one representative from each College and from the Library. The Committee is chaired by a Faculty representative, selected by the Executive Committee from the faculty membership on the committee. 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. The chair of this committee serves on the Budget Advisory Committee.

Professional Improvement Leave: The committee shall be co-chaired by a faculty member appointed by the Executive Committee and the Provost or a person appointed by him/her. The committee shall be composed of two representatives from each College and one representative from the Library. The committee shall review applications for a professional improvement leave and make written recommendations to the Provost as described in the Faculty Handbook, Part IV. Prior to each new application cycle, the committee will review the reports for leaves taken in the previous year. The committee will regularly review the section of the Faculty Handbook regarding professional improvement leave and make recommendations to the Senate for improvements.

Recruitment and Retention Committee: This Committee shall consist of one faculty member from each College and the Library. The Chair of the University Retention Committee, the Provost or a person appointed by him or her, and the SGA President (or a designee) serve as *ex officio* members. This committee shall monitor the university's approach to both recruitment and retention and make recommendations for improvement to the Faculty Senate.

Teaching Effectiveness Committee: The committee consists of one faculty member of each College and the Library. The Senior Director of the Faculty Development Institute (FDI) serves as an *ex officio* member. This committee shall focus on the evaluation and enhancement of teaching effectiveness in traditional and online environments.

University Promotion and Tenure/Post-tenure Review Committee: The committee consists of

members who are tenured faculty with the rank of Associate Professor or Professor, or Librarian III or IV. The Committee consists of representatives from each College and the Library, and three at-large faculty representatives. By September 1 of each year, if there is a vacancy in the College or Library, a new member of the Committee and two alternate members will be elected for a three-year term within the College or Library. Every fall at the Faculty Council meeting one at large member and two alternates are also elected for a three-year term. The committee reviews the online dossiers and supporting materials of all candidates for tenure and for promotion. The committee shall consider the recommendations of the Department/Discipline faculty, Department Chair and of the Dean, but also provide an additional review in light of general University and specific departmental criteria. Recommendations will be sent to the Provost. When a faculty member is triggered into post-tenure review, the Tenure and Promotion committee will convene and serve as the Post-Tenure Review Committee. Further details about the election, the chair of the committee, and the decision-making process can be found in Part IV, Section H.

Section 3. Other Standing or Temporary Committees: The Executive Committee shall appoint 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 College and the Library appointed by the Executive Committee. Program Directors without teaching responsibilities, and those employed at the rank of Deans and higher may serve only as *ex officio* members on committees of the Faculty Senate.

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-day notice to remedy the situation. If there is no remedy, the chair can request that the Executive 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 Executive Committee for three-

year terms. *Ex officio* members of committees may serve only as co-chairs with the other co-chair being a regular committee member as described in Article IV, Section 4.

- b. Committee chairs may serve a second three-year term should the incumbent so desire and the Executive Committee so concur. Under normal conditions, after two terms, the chair should rotate to a new committee member. If the Executive 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 ten-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 Executive Committee. The replacement of committee chairs shall follow the procedures in Section 6a.
- 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 arrange 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 June and July. 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, all elected representatives are subject to the absence policy articulated in Part III, Article III, Section 5, part f.
- 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 Chancellor of Auburn University at Montgomery. 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 Chancellor of Auburn University at Montgomery. 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 Chancellor.

Adopted by the Faculty Council: April 16, 1982

Approved by the Board of Trustees of Auburn University: May 1, 1982

Amended: May 25, 1984

Approved: September 21, 1984

Amended: March 15, 1985

Approved: June 3, 1985

Amended: October 4, 1985

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Amended: May 10, 2019
Approved: November 22, 2019

Approved: January 31, 2020
AUM Chancellor

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 four classifications: Temporary, Non-tenure Track, Probationary Tenure-track, and Tenured. (Throughout Part IV, references to “Department Chair” shall refer to individuals acting in the capacity of unit heads.)

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, as 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. Non-tenured Track

These appointments are on an annual basis. These appointments are renewable depending upon availability of funds, the need for services, and satisfactory performance. Individuals in these appointments are not eligible for tenure or professional improvement leave with pay. These individuals may also be assigned to participate in other academic activities, such as advising, or service on committees in the division, department, college, and university. They are under the supervision of the department chair and have all of the benefits and privileges of faculty appointment except tenure and professional improvement leave. These privileges include membership in the Faculty Council. These positions are not intended as substitutes for resident, post-doctoral, or regular faculty positions. Neither are they used for extending the time frames associated with temporary, probationary, or tenured positions or as alternatives should regular appointment to such positions be inappropriate for whatever reason. Movement from a non-tenure track to tenure-track faculty may only occur through normal, faculty approved, Department Chair and Dean approved, Provost approved, and AA/EEO approved tenure-track recruitment.

3. Probationary Tenure Track 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.

4. 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 Chancellor, have been awarded tenure. Only tenured faculty are eligible for professional improvement leave with pay. The Chancellor 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 Associate Professor or Professor; and
- c. Tenure status has received approval through the 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 Chair. When making a recommendation for any appointment to the full-time faculty, the Department Chair 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 Chair, shall be transmitted to the Dean.

If the Dean approves the recommendation of a faculty appointment, 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 concurrence of the Chancellor. In the case of a probationary faculty appointment, the letter of appointment must specify the term during which the candidate may apply for promotion and 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 upon 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. APPOINTMENT, RENEWAL, AND PROMOTION GUIDELINES FOR NON-TENURE-TRACK FACULTY

CRITERIA FOR APPOINTMENT AND PROMOTION OF CLINICAL FACULTY

Individuals appointed in this classification will be those who because of professional preparation and achievement have demonstrated the aptitude for successful contribution to the university's mission through clinical teaching/supervision activities and clinical practice. (Clinical practice includes field experiences, practicum, and internships.)

1. Kinds of Appointment of Clinical Faculty

- a. **Clinical Assistant Professor:** The person appointed to be a clinical assistant professor must possess a minimum of a master's degree with 3 or more years of successful experience in professional practice, have the required certification and licensure (or eligibility for licensure), if applicable, and have potential for professional growth. The initial appointment is for one year. Subsequent appointments may be for one year as determined by the Department Chair.
- b. **Clinical Associate Professor:** Clinical associate professor is a rank of distinction attained by successful performance of assigned duties. Normally, a candidate serves at least five complete years on full-time appointment at the Clinical Assistant Professor level before nomination for promotion to Clinical Associate Professor. Prior faculty service at other colleges, universities, prior clinical experience or prior service in appropriate professional activities may qualify for consideration in meeting the requirement for years in rank for promotion. A candidate who is especially meritorious may be recommended for early promotion by the Department Chair. A candidate for Clinical Associate Professor should have demonstrated mastery of the subject matter in his/her field and the ability to apply it well in his/her clinical practice/education. Additionally, the candidate should have demonstrated contributions, to his/her area of specialization. Presentations at professional meetings, holding office and participating in professional activities of associations, etc., will be considered as part of the evaluation for promotion to this rank. Appointment or promotion to the rank of Clinical Associate Professor shall be made only after documented indication of continuous improvement and contribution by the individual in clinical practice. Successful participation in the activities of the department and contributions to the mission of the College and the institution are considered in the promotion process. Furthermore, the individual shall have demonstrated sustained professional growth in clinical teaching or practice, and through holding office or other significant participation in regional or national professional organizations. An appropriate salary adjustment would be considered upon promotion to the rank of Clinical Associate Professor from the Clinical Assistant Professor rank.
- b. **Clinical Professor:** Clinical Professor is a rank requiring distinction in the discipline. It is, therefore, expected that peers within and outside the University will attest to the

candidate's high professional standing. A candidate should hold an appropriate terminal professional degree or have the equivalent in training, ability, and experience. Normally, a candidate must serve at least five complete years on full-time appointment at the associate clinical professor level before he/she may be nominated for promotion to Clinical Professor. A candidate who is especially meritorious may be recommended for early promotion by the Department Chair. Appointment or promotion to the rank of Clinical Professor is an indication that, in the opinions of colleagues and administrators, the individual is outstanding in practice and education or other creative activity. Appointment or promotion to this rank requires a sustained record of scholarly productivity. Successful participation in the activities of the department and contributions to the mission of the College and the institution are considered in the promotion process. Evaluation of performance will be based on the allocation of time and effort as specified by contract terms for the last three years. This rank is recognition of attainment rather than years of experience or length of appointment. An appropriate salary adjustment would be considered upon promotion to the rank of Clinical Professor from the Clinical Associate Professor rank.

2. Clinical Faculty: Administrative Procedures

- a. Recruitment/Hiring:** Recruitment into clinical faculty positions must follow University Affirmative Action/Equal Employment Opportunity (AA/EEO) policies and be approved by the Office of the Provost and the AA/EEO Office. Appointments are for one (1) year duration (either 9 month or 12-month contract) with possibility for annual renewal. Clinical faculty will be issued annual letters of appointment. Clinical faculty are eligible for benefits equivalent to other full-time employees of Auburn University at Montgomery. They are also eligible for the same cost of living, merit, and equity raises as all other full-time faculty when raises are available. The remuneration for summer teaching should parallel the remuneration available to tenured and tenure track faculty members.
- b.** Before the Provost approves a hire request, the department seeking to make the hire must develop written policies that address the following:
 - i.** Evaluation: Criteria for annual performance evaluation (teaching and service expectations.) Evaluation metrics should be parallel to department faculty with similar duties, although satisfactory teaching will be the primary focus of the evaluation.
 - ii.** Departmental governance: specifically, the role of clinical faculty in the department.
 - iii.** Professional development opportunities available to clinical faculty positions.
 - iv.** These policies are subject to the approval of the Dean and the Provost.
- c.** Recommendations for appointments shall be made by the Department Chair. When making a recommendation for a non-tenured appointment, the Department Chair 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 Chair, 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.

With respect to teaching, clinical faculty are granted the same academic freedoms as are all other full-time faculty members.

- d. **Non-continuation of Appointment:** The contractual period for faculty in the Clinical Faculty Series is one year (nine or twelve-month as specified in the appointment letter) and the university retains the right to continue or non-continue a faculty member in the Clinical Faculty series. Notification of non-continuation shall be provided at the time the faculty member in the Clinical Faculty series receives his or her annual evaluation.
- e. **Dismissal:** Termination of a clinical faculty member during the annual contract term shall be effected by the University only for lack of funding or adequate cause. If termination during the annual contract term is for reasons other than lack of funding, then the same procedures regarding due process outlined for termination of tenured faculty in the AUM Faculty Handbook shall be followed.
- f. **Promotion Procedures:** Promotions in the Clinical Faculty series will be specified for each department, and criteria must be approved by the Provost's Office. Promotion of clinical faculty members will be permitted only if performance reviews demonstrate sustained exemplary teaching performance and extraordinary value to the institution. Promotion will follow the same general process and timeline as promotion for tenure-track faculty to Associate and Full Professor. This includes a review of the application by the department review committee composed of every tenured member of the department and any clinical faculty in the department who holds a higher rank. A committee recommendation and the results of a vote conducted by secret ballot will be forwarded to the Department Chair. The Department Chair will forward the committee's vote and her or his recommendations to the Dean. The Dean will forward his or her recommendation to the Provost, who will make the final determination.
- h. **Change of Appointment:** An appointment of a clinical faculty member from the clinical title series to tenure-track faculty may only occur through normal, faculty approved, Department Chair and Dean approved, Provost approved, and AA/EEO approved tenure-track recruitment. Clinical faculty time will not count toward the tenure clock unless negotiated at the time of appointment. An appointment from a tenure-track position to the clinical title series may only occur through faculty approved, Department Chair and Dean approved, Provost approved, and AA/EEO approved recruitment.

CRITERIA FOR APPOINTMENT AND PROMOTION OF LECTURERS/SENIOR LECTURERS

1. . Definition of Lecturer Ranks

- a. **Lecturer:** Lecturers should meet SACSCOC guidelines for being qualified to teach in their discipline. The rank is designed to allow a department to continue to employ outstanding teachers. Normally, the Lecture-track teaching load will be higher than the teaching load for tenure-track faculty who have scholarship responsibilities.

- b. **Senior Lecturer:** The rank of Senior Lecturer is typically designated for those who have sustained an outstanding performance in teaching and service at the Lecturer level. There is no fixed requirement for years of service at the Lecturer rank before a Lecturer can be promoted. However, the qualifications for promotion to Senior Lecturer rank generally cannot be demonstrated fully in less than five complete years of service. Senior lecturers should have a graduate-level degree that is appropriate for the discipline. A salary adjustment would be considered upon promotion to the rank of Senior Lecturer.

2. Lecturer/Senior Lecturer: Administrative Procedures

- a. **Recruitment/Hiring.** Recruitment into Lecturer or Senior Lecturer positions must follow University Affirmative Action/Equal Employment Opportunity (AA/EEO) policies and be approved by the Office of the Provost and the AA/EEO Office. Appointments are for one (1) year duration (9-month contract with summer office space) with possibility for annual renewal. Lecturer/ Senior Lecturer will be issued annual letters of appointment. Lecturer/ Senior Lecturer are eligible for benefits equivalent to other full-time employees of Auburn University at Montgomery. They are also eligible for the same cost of living, merit, and equity raises as all other full-time faculty when raises are available. The remuneration for summer teaching should parallel the remuneration available to tenured and tenure track faculty members.
- b. Before the Provost approves a hire request, the department seeking to make the hire must develop written policies that address the following:
 - i. Criteria for annual performance evaluation: Evaluation metrics should be parallel to department faculty with similar duties, although satisfactory teaching will be the primary focus of the evaluation.
 - ii. Departmental governance: specifically, the role of Lecturer/ Senior Lecturer in the department.
 - iii. Professional development opportunities available to Lecturer/ Senior Lecturer positions.
 - iv. These policies are subject to the approval of the Dean and the Provost.
- c. Recommendations for appointments shall be made by the Department Chair. When making a recommendation for a non-tenured appointment, the Department Chair 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 Chair, 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.
- d. With respect to teaching, Lecturer/ Senior Lecturers are granted the same academic freedoms as are all other full-time faculty members.
- e. **Non-continuation of Appointment:** The contractual period for faculty in the lecturer title series is one year (nine or twelve-months as specified in the appointment letter) and the university retains the right to continue or non-continue a faculty member in the lecturer

series. Notification of non-continuation shall be provided at the time the faculty member in the lecturer title series receives his or her annual evaluation.

- f. **Dismissal:** Termination of a Lecturer/ Senior Lecturer member during the annual contract term shall be affected by the University only for lack of funding or adequate cause. If termination during the contract term is for reasons other than lack of funding, then the same procedures regarding due process outlined for termination of tenured faculty in the AUM Faculty Handbook shall be followed.
- g. **Promotion Procedures:** Promotion of Lecturer/ Senior Lecturer members will be permitted only if performance reviews demonstrate sustained exemplary teaching performance and extraordinary value to the institution. Promotion will follow the same general process and timeline as promotion for tenure-track faculty to Associate and Full Professor. This includes a review of the application by the department review committee composed of every tenured member of the department and any Lecturer/ Senior Lecturer in the department who holds a higher rank. A committee recommendation and the results of a vote conducted by secret ballot will be forwarded to the Department Chair. The Department Chair will forward the committee's vote and her or his recommendations to the Dean. The Dean will forward his or her recommendation to the Provost, who will make the final determination.
- h. **Change of Appointment:** An appointment of a Lecturer/ Senior Lecturer member from the lecturer title series to tenure-track faculty may only occur through normal, faculty approved, Department Chair and Dean approved, Provost approved, and AA/EEO approved tenure-track recruitment. Lecturer/ Senior Lecturer time will not count toward the tenure clock unless negotiated at the time of appointment. An appointment from a tenure-track position to the clinical title series may only occur through normal, faculty approved, Department Chair and Dean approved, Provost approved, and AA/EEO approved recruitment.

D. TENURABLE PROFESSORIAL RANKS

The following general considerations shall apply to appointment or promotion to academic ranks of assistant professor, associate professor, and professor. 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.

- 1. **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.)

2. **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 must have the terminal degree appropriate to the discipline.

3. **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.

E. FACULTY WORKLOAD POLICY

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

Assumptions:

1. Given that teaching is the primary mission of AUM, paramount in the assignment of workloads is furthering the education of our students.
2. Assignments are made with an understanding of mutual trust and in an effort to be fair and equitable.
3. The mission of the various Colleges and the departments within those Colleges are often unique and require flexibility in workload assignments.
4. A primary responsibility of Deans and Department Chairs is to assign, monitor, and evaluate the workload.
5. Department Chairs are in the best position to oversee the performance in their areas and have the primary responsibility for assigning the workloads.

6. 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. Reasonable arrangements should be made for faculty on nine-month appointments regarding service expectations outside of the regular academic year. 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 year all faculty members will submit a short plan to their Department Chair, indicating what they expect to do during the coming year in teaching, research, and service. The Department Chair 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 Chairs have the authority to reduce an individual faculty member's teaching load to eighteen semester hours from twenty-one semester hours for the academic year. Reductions below this level will require approval of the Dean and Provost. Decisions concerning reduction in load typically should be based on (i) contributions to graduate-level instruction, or (ii) achievements in research or creative activity, or (iii) department, unit, or university service or other responsibilities that exceed annual expectations.

The Deans and Department Chairs 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 College.

Summer Teaching and Workload Expectations for Faculty on Nine-Month Appointments:

Teaching in the summer is an option for full-time faculty, but it is not guaranteed because schedules and course availability depend upon student need. For faculty who teach in the summer, they can earn an additional ten percent of their base salary for each three-hour class taught, up to a maximum of six hours. Full-time faculty can teach more than six hours for overload compensation only in case of instructional emergency. Reasonable arrangements concerning service expectations should be made for faculty who are teaching in the summer. Faculty who have secured external funding may earn additional funds beyond the maximum allowed for summer teaching provided they adhere to both AUM employee policies and the regulations of the funding source.

F. CLASS SCHEDULING GUIDELINES

Teaching schedules and related assignments must balance the needs of the university, the College, and the department with the personal preferences of the faculty involved. Faculty may need to adjust their preferences to meet the needs of the students and 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.

G. PERIODIC PERFORMANCE REVIEW

1. It is the joint responsibility of a faculty member and the Department Chair to review the faculty member's professional progress. As part of the evaluation process, the Department Chair will meet with the faculty member to review the evaluation and the Department Chair 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 Chair. 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 Chair should take care to relate the faculty member's performance to the promotion criteria and/or to factors affecting tenure and/or promotion. If the faculty member does not agree with the Department Chair's written evaluation of his/her performance, he/she may write a separate statement, submitting it within ten 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.

Evaluation of Administrators by Administrator Evaluation Committee: The Administrator Evaluation committee of the Faculty Senate (see Part III, Section Article IV, and Section 2) coordinates the annual evaluations of administrators. Similar to the staff evaluations or faculty Course Evaluation Forms (CEFs), administrator evaluation results are used to inform the individual administrator and supervisors of current performance. As a component of formative evaluation in annual evaluations, results can indicate areas suggesting improvement, revealing potential opportunity for development at individual or institutional level. Members of the Administrator Evaluation committee are representatives from each college with a chair appointed by the Executive Committee of the Faculty Senate. Their central responsibilities include the following: (i) ensuring that all eligible participants in their respective units are included in the email distribution list provided to the Office of Institutional Effectiveness; (ii) encouraging participation among faculty within their respective units; and (iii) reporting to Faculty Senate information about the annual participation rate in the survey. The Office of Institutional Effectiveness is responsible for conducting the survey, collecting results, and communicating these results to the relevant administrators. Campus results are aggregated for an individual to compare performance to other administrators at the same level. Data for all administrators above the level of Department Chair (Assistant/Associate Deans, Deans, Assistant/Associate Provosts, Provost, and Chancellor) may be aggregated to increase the number for comparison. Should an administrator receive fewer than five responses (n=5), numerical data will be reported, without inclusion of written comments to protect responder anonymity. Following the survey, the Office of Institutional Effectiveness will distribute individual results to each administrator and the administrator's immediate supervisor at Auburn University at Montgomery. Additionally, the Provost and the Chancellor will receive copies of all results. Results will not be shared with faculty, staff, or any member of the Administrator Evaluation Committee. Longitudinal data may be analyzed at least once during the SACSCOC cycle to determine whether data driven recommendations for professional development opportunities may be linked to improvement in administrator evaluations. Administrators must be in their positions for at least one full semester before being evaluated. Full time faculty of all ranks are eligible to participate in the administrator evaluations survey if they have been employed by Auburn University at Montgomery for at least two semesters. The survey will be administered for all academic administrators in Spring semester of each year.

H. THIRD-YEAR REVIEW FOR PROBATIONARY TENURE TRACK 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 Chair 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 and promotion 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 Chair which provides suggestions for faculty development.

The Department Chair shall prepare a written report covering the findings of the review. Tenured faculty of the department will agree upon action items included in the written report. The Department Chair will share the written report with departmental tenured faculty, Dean, and Provost. The letter will become part of the promotion and/or tenure dossier. 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.

I. UNIVERSITY COMMITTEE ON PROMOTION AND TENURE

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

The Committee consists of representatives from each College and the Library, and three at-large faculty representatives. By September 1 of each year, if there is a vacancy in the College or Library, a new member of the Committee and two alternate members will be elected for a three-year term within the College or Library. Every fall at the Faculty Council meeting one at large member and two alternates are also elected for a three-year term.

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.

J. CRITERIA AND PROCEDURES FOR PROMOTION OF TENURABLE PROFESSORIAL RANKS

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.

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 college 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:
 - i. Continuing education.
 - ii. Participation in professional development opportunities.
 - b. Professional growth in the field of specialization. Examples of measures in this area may include:
 - i. Contribution to fieldwork.
 - ii. Evaluation and assessment of curricula.
 - iii. Development of new distance curricula.
 - iv. 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:
 - i. Presentation of portfolio of syllabi and test design with revisions according to trends and assessment.
 - ii. Presentation of portfolio of student work.
 - iii. Peer evaluation.
 - iv. Evaluation of teachers by students, including formal teaching evaluations and written comments that address the candidate's performance.
 - d. In addition, consideration should be given to
 - i. The candidate's ability to organize material, keep it up to date, and present it with force and logic.
 - ii. The ability to awaken in students an awareness of the relationship between the course subject(s) and other fields of knowledge.

- iii. The ability to stimulate students as demonstrated by the scholarly or creative work of a candidate's current or former students.
 - e. Other activities to be considered include:
 - i. Direction of theses, dissertations, independent study courses, and special student projects.
 - ii. Involvement in interdisciplinary or Honors courses.
 - iii. Publication of a candidate's textbooks, manuals, or lecture notes.
 - iv. Adoption of a candidate's textbooks.
 - v. Achievement of honors or other special recognitions as a result of teaching accomplishments are also relevant.
 - f. Finally, the candidate's contributions to the instructional programs of his/her department should be considered, including:
 - i. Development of new courses or programs.
 - ii. Preparation of innovative teaching materials and techniques.
 - iii. 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:
 - i. Books published by commercial and university presses.
 - ii. Chapters in books published by commercial and university presses.
 - iii. Refereed journal articles.
 - iv. Refereed scholarly papers presented at professional meetings.
 - v. Bulletins and reports.
 - vi. Pedagogical scholarship.
 - vii. 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.
 - i. Editing or referring professional publications.
 - ii. Organizing professional meetings.
 - iii. 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:
 - i. Serving as Faculty Council officers.
 - ii. Chairing University committees and task forces.
 - iii. Serving on University committees and task forces.
 - iv. Developing and assisting in the coordination of innovative academic programs.
 - d. College Service: Consideration should be given to a candidate's contribution to the College. Examples may include:
 - i. Chairing College committees and task forces.
 - ii. Serving on College committees and task forces.
 - iii. Developing and assisting in the coordination of College wide academic programs.
 - e. Department Service: Consideration should be given to a candidate's contribution to the Department. Examples may include:
 - i. Chairing or serving on Departmental committees and task forces.
 - ii. Developing and assisting in the coordination of departmental academic programs/courses.
 - f. Faculty Consulting: Such recognition serves as validation of expertise.

Application for Promotion: Faculty members who believe they have met the criteria for promotion in rank shall submit a letter of request for promotion, which includes the names of individuals qualified to offer external review to their respective Department Chair or Dean by May 15. The candidate's dossier shall be presented by October 1 to the Department Chair 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 Chair 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 College 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 Chair. 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 Chair 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 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. A candidate may respond in writing within five business days and any response will become part of the dossier that is forwarded to the Dean. The response may include new documentation that enhances the application for promotion. The Department Chair will forward all documents and letters, together with his or her evaluation and recommendation for action, to the Dean of the College. The response may include new documentation that enhances his or her application for promotion.

If the candidate is a Department Chair, 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. A candidate may respond in writing within five business days; this response will become part of the dossier that is forwarded to the Provost. The response may include new documentation that enhances an application for promotion. The Dean will forward all documents and letters, together with his or 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. A candidate may respond in writing within five business

days; this response will become part of the dossier that is forwarded to the Provost. The response may not include new documentation that enhances the application for promotion. 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. By the date of his or her transmission of positive or negative recommendations to the Chancellor, the Provost will notify the candidate of his or her recommendation. A candidate may respond in writing within five business days, and any response will become part of the dossier that is forwarded to the Chancellor. The response may not include new documentation that enhances their application for promotion. The Provost will forward all documents and letters, together with his or her recommendation for action, to the Chancellor.

Candidates shall be notified in writing of the Chancellor's decision by March 15. If promotion is not approved, the candidate will be notified promptly in writing by the Chancellor of the reason(s) for the denial.

At any time during the process prior to their notification on March 15, candidates for promotion to professor may withdraw their applications from consideration. The Chancellor's decision is final.

K. CRITERIA AND PROCEDURES FOR TENURE OF TENURABLE PROFESSORIAL RANKS

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:

“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."

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

In addition, each Department or College 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 tenure-track appointment. Faculty members given probationary appointments with the rank of Assistant Professor or higher become eligible for tenure consideration after a probationary period of meritorious performance.

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 five complete academic years shall 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 shall be considered for tenure during their sixth year of full-time service at Auburn University at Montgomery.

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.

- 1. Time Extension for Mandatory Tenure Consideration:** This policy provides the opportunity for faculty to petition the University for exceptions to the maximum time limit for mandatory tenure consideration.
 - a. Requests for extension of the tenure time clock can be made at any point during the probationary period, prior to submission of the letter requesting tenure, and must be made in writing. Any extension of the tenure clock must be approved by the Chancellor.
 - b. A faculty member who has qualified and been approved for Family Medical Leave (FML) through AUM's Office of Human Resources for a continuous period of six weeks or more may request that the tenure clock be extended for one year.
 - c. A one-semester extension may be granted for other extreme hardships resulting from the death of members of the immediate family limited to one's parent, child, spouse or domestic partner.
 - d. Extensions may be available for other reasons as required by applicable law, including the Americans with Disabilities Act, or as granted in the sole discretion of the Chancellor.

- e. The total of all extensions of the tenure clock for any individual may not exceed two years.
- f. This policy applies only to time extension for mandatory tenure consideration. Salary, compensation, leave time, fringe benefits, etc. are not covered under this section.
- g. This policy applies to tenure-track faculty only.
- h. One semester is defined as fifteen weeks of instruction in an academic year either (e.g., August through December or January through May).
- i. Procedures:
 - i. The request for an extension under this policy must be made in a timely manner.
 - ii. Application for a tenure-clock extension must be in writing, clearly stating the need for the extension, the beginning and end dates of the extension, and must be delivered to the requesting faculty member's Department Chair. If a leave through the Family and Medical Leave Act has been approved, then proof of such leave must be attached to the application.
 - iii. After receiving a completed written application for an extension, the faculty member's Department Chair must make a recommendation to their Dean who, in turn, must make a recommendation to the Provost who recommends to the Chancellor for a final decision.
 - iv. The Department Chair, the Dean, the Provost and the Chancellor each have five working days in which to respond to the application.
 - v. When a request for extension of the tenure clock is granted, the nature, time, and other conditions of the extension will be memorialized in a written agreement signed by an appropriate representative of the University and the faculty member.
- j. This policy does not guarantee any type of paid leave offered by the University nor does it waive the employee's obligation to comply fully with current policies and procedures.
- o. The Chancellor will have the final authority regarding interpretation of this policy.

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 Chancellor. A faculty member who contends that he/she has served full time in an academic rank for more than seven 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 Chair. If employment begins during a spring semester, the first semester will be counted towards de facto tenure service period.

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 Chairs 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 College has developed benchmarks for tenure and promotion considerations, and these must be made available to all faculty members at the time of their appointment. Because the standards for tenure are more exacting than those for promotion within the junior ranks, a faculty member holding the rank of assistant professor recommended for tenure must also be promoted to associate professor.

- 5. Application for Tenure:** Faculty members who believe they have met the criteria for tenure consideration shall submit a letter of request for tenure, which includes the names of individuals qualified to offer external review, to their respective Department Chair or Dean by May 15. It is the joint responsibility of the faculty member and the Department Chair to assure that the tenure review process occurs no later than in the sixth year of full-time service or as specified in the appointment if credit for previous service at another institution has been given. The candidate's dossier must be presented to the Department Chair 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 Chair 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 College 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 Chair (or appropriate Dean if the candidate is a Department Chair) 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 Chair 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 Chair'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. A candidate may respond in writing within five business days, and any response will become part of the dossier that is forwarded to the Dean. The response may include new documentation that enhances the

application for tenure. The Department Chair will forward all documents and letters, together with his/her evaluation and recommendation for action, to the Dean of the College.

If the candidate is a Department 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 or she may respond in writing within five working days, and any response will become part of the dossier that is forwarded to the Provost. The response may include new documentation that enhances the application for tenure.

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. A candidate may respond in writing within five business days; this response will become part of the dossier that is forwarded to the Provost. The response may include new documentation that enhances the application for tenure. 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. A candidate may respond in writing within five business days; this response will become part of the dossier that is forwarded to the Provost. The response may not include new documentation that enhances the application for tenure. 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. 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. A candidate may respond in writing within five business days, and any response will become part of the dossier that is forwarded to the Chancellor. The response may not include new documentation that enhances the application for tenure.

Candidates shall be notified in writing of the Chancellor'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. The Chancellor's decision is final.

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 Chair, Dean, Provost, and the Chancellor. 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.

L. POLICIES AND PROCEDURES FOR APPOINTMENT, PROMOTION, AND TENURE 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, promotion, tenure, 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.)

LIBRARIAN APPOINTMENTS

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

- c. 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 Chancellor, have been awarded tenure. Only tenured librarians are eligible for professional improvement leave with pay.

2. Definition of Librarian Academic Ranks: Librarians shall be accorded faculty status with academic appointments in three ranks with titles equivalent to the standard academic ranks and titles. These ranks are:

- a. **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 II 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.
- b. **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.
- c. **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.

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

CRITERIA AND PROCEDURES 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 user's 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 effective training, supervision and evaluation of library personnel. They 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 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:
 - i. Holding office.
 - ii. Serving on committees.
 - iii. Acting as a discussion leader.
 - iv. Organizing a conference or workshop.
 - v. Other professional activities.
 - d. Membership and participation in local, state, regional, national, or international professional or scholarly organizations.
 - e. 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-I, 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*, Part IV, Section K. Until such time, the appointment of a Tenure Review committee shall be handled in the manner outlined in Procedures for Promotion of Library Faculty below.

CRITERIA AND PROCEDURES FOR 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:
 - i. Collection Development.

- ii. Bibliographic Control.
- iii. Information Services.
- iv. Library Administration and Management.
- v. 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 above in the section on research/creative activity in the criteria and procedures for tenure of library faculty.

2. PROCEDURES FOR PROMOTION OF LIBRARY FACULTY

- a. Nominations for promotion will be initiated by the librarian's immediate supervisor.
- b. 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*.

M. APPEALS PROCEDURES FOR PROMOTION AND TENURE DECISIONS

Grounds for appeal of a promotion or tenure decision exist when:

- a. The denial resulted from a significant deviation from University policies and/or from procedural irregularities, including material inconsistencies between basis of denial and annual performance reviews.
- b. Tenure or promotion procedures of the Department, College, or University were not properly followed.
- c. The denial resulted from discrimination with respect to race, ethnicity, sex, religion, national origin, age, physical handicap, marital status, sexual orientation, or other class protected by law or university policy.

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/or Chancellor. If a faculty member chooses to appeal the denial that intention should be expressed in writing to the Chancellor within thirty 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. The Chancellor within fifteen days of receipt of the recommendation will make a decision. The Chancellor's decision is final.

N. POST-TENURE REVIEW

1. Purpose: The purpose of post-tenure review at Auburn University Montgomery is to support faculty development and productivity. It is designed to enhance public trust in the University by ensuring that the faculty holds itself accountable to high professional standards. The post-tenure review policy is not a dismissal policy and should not be viewed as such. The University's dismissal policy is outlined in part IV of the *Faculty Handbook*. Post-tenure review is an extension of AUM's annual performance review process. All tenure-track faculty members, both tenured and untenured, develop an annual performance plan that defines

their workload and outlines their proposed contributions to the missions of their College or the Library and the University. This plan includes goals for teaching effectiveness, scholarly activity, professional development, and service to the institution and the community. A performance review, conducted by the chair of the pertinent department, assesses the extent to which the plan has been accomplished. The ratings should be based on written benchmarks that are specific to the department and approved by the Dean. Faculty members who receive an overall unsatisfactory performance evaluation are to be put on notice that a second overall unsatisfactory evaluation in the next five years (i.e., 2 in a 6-year period) will trigger post-tenure review.

2. Selection of Faculty for Review

- a. Faculty with an overall unsatisfactory (below expectations) in annual performance evaluations in two of six consecutive years will be triggered for review. (Faculty members in full-time administrative positions cannot be triggered into review.)
- b. The person in the unit responsible for conducting the performance review will forward the name of the faculty member with unsatisfactory ratings along with a justification letter for such evaluation to the Dean.

3. Materials to be submitted for Review: The review assesses the quantity and quality of the faculty member's work over the preceding five years with respect to his/her assigned duties in terms of teaching, research, and service as described in the *AUM Faculty Handbook*.

- a. The faculty member being reviewed will prepare a packet of materials and submit it to the Provost. If a faculty member agrees in writing that a professional development plan is warranted, the Post-Tenure Review Committee does not need to convene. The faculty member, the Chair, and the Dean will prepare the development plan as outlined in section G. A faculty member who does not prepare the materials shall be considered to have agreed that a professional development plan is warranted.

b. The materials for review include:

- i. Annual performance reviews, annual work plans, CEFs for the period under consideration, and peer review of teaching (if available). The packet must also contain a current curriculum vitae that clearly separates published work, proceedings, submissions, work in progress, and presentations. The published work section should have headings that indicate refereed work, proceedings if published, books, and book chapters.
- ii. The results of a vote (by secret ballot) of all tenured faculty members in the department (who are not full-time administrators). The members shall vote yes, no, or abstain on whether or not the faculty member under review is discharging satisfactorily the academic duties associated with her or his

position and report the results to the faculty member for inclusion in the packet.

- iii. A letter from the person in the unit responsible for conducting the annual performance review that assesses and evaluates the faculty member's performance. The letter must justify the unsatisfactory evaluation, explain the metric used for the evaluation, and address the outcome of the faculty vote. The Dean also has the option of submitting a letter.
 - iv. The person under review may submit a written response to any or all the contents of the packet, including the letters of the Department chair and Dean.
 - v. After all the materials are in, the Dean, the Department Chair, and the faculty member will have one week to review the materials and make a final written comment.
- c. The Post-Tenure Review Committee may request additional materials from either the faculty member or the Department chair, including asking the various parties to meet with the committee to discuss the materials. This may also include asking a Department chair to respond to the faculty member's response letter.
4. Post-Tenure Review Committee: Post-Tenure Review shall be conducted by the University Promotion and Tenure Committee, a standing committee of the Faculty Senate. For selection of committee members and chair, see Part III, Article IV, Section 2; Part IV, Section H. If a member of the Post-Tenure Review Committee is selected for review, the alternate from that person's unit will serve in her or his stead.
5. Schedule for Review:
- a. The Department chair will forward the name the faculty member who is subject to review to the Dean by March 1. If approved, the Dean will forward the name to the Provost by March 15.
 - b. Faculty for review will notified by March 22.
 - c. The faculty member will prepare a packet containing the materials described in section 3 above and submit all material for review to the Provost by April 22.
 - d. The Provost will provide the materials to the Post-Tenure Review committee by May 1. It is the responsibility of the chair of the committee to convene all meetings of the Post-Tenure Review Committee.

- e. The members of Post-Tenure Review Committee will review the submitted materials. If further information is needed, both parties will be interviewed to obtain the information. The committee will forward a written recommendation (with justifications) to the Provost by June 15.
- f. The Faculty member will be notified in writing by the Provost of her or his decision by July 1.
- g. By July 15, faculty members or Department chairs may appeal the committee's decision to the Chancellor by notifying the Provost and the Chancellor and requesting that submitted materials be forwarded to the Chancellor. The Chancellor will make a decision and notify the faculty member, the Department chair, Dean, and Provost by August 1 of that decision.

6. Post-Tenure Review Committee Decision:

- a. The committee may select from the following alternatives:
 - i. The committee concludes that the documented deficiencies in performance are not serious enough to require the development of a professional development plan. At this point the trigger is set back to zero and the faculty member needs two overall unsatisfactory evaluations in a six-year period from the point of this decision to be subject to Post-Tenure Review.
 - ii. The committee concludes that the documentation indicates the deficiencies in accomplishing goals and in meeting College or Library and departmental expectations warrant a formal professional development plan.
- b. For a faculty member being evaluated:
 - i. Every committee member privately votes either professional development plan warranted "yes" or professional development plan not warranted "no."
 - ii. The decision will be made by a simple majority.
 - iii. The chair of the Post-Tenure Review committee will report the results of the vote to the Provost, Dean, Department chair, and faculty member.
- c. The faculty member, Department chair, and Dean will develop the professional development plan. The professional development plan will define specific goals, describe actions to be taken to achieve these goals, and indicate criteria for measuring progress during the review. The goals will include an appropriate timeline (two-year maximum) for evidence of progress. The plan must be submitted to the Provost for

his/her approval three weeks after the beginning of the fall academic term. If the timeline is longer than 12 months, the faculty member must submit a progress report to the Department chair and Dean at the 12-month point.

7. Review of the Professional Development Achievements: At the close of the implementation period, the faculty member will submit a copy of the professional development plan and documentation that substantiates successful implementation to the Provost. If the Provost, in consultation with the Department chair and Dean, decides that the faculty member has satisfactorily completed the development plan, the process ends. The faculty member cannot be subject to post-tenure review unless he or she receives two additional unsatisfactory evaluations in a six-year period. The Provost may conclude that the plan has not been satisfactorily implemented. Until the plan is satisfactorily completed, and upon a recommendation from the Department chair and the Dean, sanctions may include withholding of summer appointments, merit-based salary increases, and professional improvement leaves. Sanctions may also include loss of teaching reductions, travel funds, and internal grants.
8. Appeal of Provost's Decision: The faculty member may appeal the Provost's decision on whether the plan was accomplished within one month of receipt. The appeal will be made in writing to the Post-Tenure Review Committee. The Post-Tenure Review Committee will meet without the Provost and review the progress on the development plan and make a recommendation regarding the appeal to the Chancellor. The Chancellor will make a final decision.

O. NON-CONTINUATION OF APPOINTMENT:

The provisions for notice of non-continuation 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 non-continuation is to be given in writing to full-time faculty members on Probationary appointment in accordance with the following schedule:

- a. By March 1 of the first academic year of service.
- b. By December 1 of the second academic year of service.
- c. At least twelve months before the expiration of an appointment for persons with two or more years of service at Auburn University at Montgomery

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.

P. 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 non-tenured faculty member dismissed for cause 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 College, 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 College, 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 College, 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 predetermine 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. A statement with reasonable particularity of the grounds proposed for dismissal of the faculty member.
- b. Information that the faculty member has a right to be present at a hearing before an impartial faculty committee.
- c. 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 Chair 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 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:
 - i. All proceedings will be private and closed to all persons save those officially involved.
 - ii. The Provost will direct the presentation of reasons for discharge by such representatives as he/she may select.
 - iii. 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.
- iv. A verbatim record of all proceedings will be taken and a copy made available to the faculty member if requested.
 - v. 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.
 - vi. The Hearing Committee will grant adjournments to either party to enable investigation of evidence to which a valid claim of surprise is made.
 - vii. 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.
 - viii. 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.
 - ix. 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.
 - x. 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.
 - xi. Public statements and publicity about the case by either the faculty member or the University administration should be avoided.
 - xii. 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. The Chancellor's decision will be final. Following notification to the Committee and faculty member, 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 Chancellor's decision 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 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.

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:

- a. The faculty member will be provided notice of the charges and the basis of those charges;
- b. The faculty member will be provided an explanation of the evidence;
- c. The faculty member will be provided an opportunity to refute the charges in an informal meeting with the Provost.

Q. 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.

R. 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.

S. 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 significant scholarly and/or professional activities that will contribute to the faculty member's professional development and/or the University's reputation. Only tenured faculty or those who have been officially informed of the award of tenure can apply.

PIL recipients are responsible for making a reasonable attempt to provide alternates for committee or service obligations.

The following list provides examples of the general pursuits that are appropriate for Professional Improvement Leaves:

1. To improve an individual's research, artistic, or scholarly skills.
2. To change the direction, thrust, or area of an individual's specialization within a subject field.
3. To work on a worthy project or activity that could not be accomplished under a normal academic workload, including developing and enhancing one's skills as an instructor.
4. To collaborate with an external peer either at AUM or at another institution or organization when collaboration under a normal academic workload is not feasible.
5. To conduct intensive research or other scholarly activity that requires access to material that is not available at local museums, archives, or libraries.
6. To use equipment, laboratories, or facilities that are not available on the AUM campus.
7. To conduct extended field research.

8. To develop and prepare material for a book. Note that faculty with evidence (e.g., a book contract) that significant work has been done towards a book will be given preference over faculty with no evidence.
9. To conduct other scholarly endeavors of equal merit.

- 2. Requirements.** All faculty members must have completed six years of full-time employment to take a leave. No faculty member is eligible to take another PIL leave until six additional years of service have been accrued since the completion of the previous leave. Faculty may apply during their sixth year of service. Leaves may be for fall, spring, or for both fall and spring semester. It is expected that all faculty granted a PIL will return to the University for at least one full academic year of service.

Each faculty member approved for a PIL will sign a contract agreeing to return to the university for at least one full semester (fall or spring) following a completion of the PIL. The contract will also specify that they agree to reimburse the University for the Salary paid to them during the PIL if they do not return for one full semester.

- 3. Length of Leave.** A PIL may not extend beyond two semesters, whether on full or half salary.
- 4. Compensation.** Compensation for one semester will be at full salary or two semesters at half salary.
 1. A faculty member on leave may receive additional fellowship support or accept part-time teaching or research appointments at another institution so long as these activities are identified in and consistent with the goals for the PIL. If the extra compensation is the result of employment, the university policy on consultation applies and a UPO-10 form should be submitted.
 2. If the faculty member chooses to take two semesters of leave, he/she will receive credit for only one of those semesters by the Retirement Systems of Alabama.
 3. Faculty members on PIL will not be denied a raise or other salary supplement because they are on leave. They will receive any raises earned at the same time all other AUM employees.
- 5. Special circumstances: fellowships and grants.** If a tenured faculty receives a competitive grant or fellowship (e.g., a Fulbright, NEH, NSF, or other external funding) the mandatory six-year waiting period between leaves may be waived. Application for consideration of a special circumstance PIL should follow the deadlines outlined below unless notification of the grant occurs outside these timelines. When the faculty member returns to AUM, they may not take another ordinary professional improvement leave until accruing six additional years of service.

6. **PIL without pay.** A PIL without pay may be approved for a maximum of one year and generally may be extended for not more than one additional year.
 - a. Leave without pay may be granted for appropriate professional improvement that includes but is not limited to externally funded fellowships, grants, and visiting appointments. 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.
 - b. If a formal request is made by the faculty member, the University will continue the institution's regular contributions to his/her group life insurance and hospital/medical insurance programs during the leave without pay. Prior to taking the leave the faculty will sign a contract agreeing to reimburse the University for its Contributions to his/her insurance programs if she or he does not return to Auburn University Montgomery after such leave.

2. **Application Materials.** Applications for fall semester leaves and for the fall-spring semesters combined will occur in fall of the previous year. Application for spring semester only leaves will occur in the spring of the previous year. The following materials need to be submitted by October 1 (or April 1 for spring leaves) as a single document in the order specified below. However, letters of support may be submitted as separate documents either by the faculty member or by the author of the letter.
 1. AUM Professional Improvement Leave Application Cover Sheet, which is available on AUMnet at <https://sharepoint.aum.edu/aumaa/ad/pil/default.aspx>
 2. A detailed description (up to two single-spaced pages) of the proposed project in addition to the brief summary in the cover sheet.
 3. A complete curriculum vitae.
 4. For those faculty granted leave previously, a copy of the most recent Professional Improvement Leave Report.
 5. An approval letter from the Department Chair describing how the faculty member's duties will be performed during the leave and reasons for supporting the leave in light of its importance to AUM, the department, and the faculty member. (If the person applying is a Department Chair this letter is not required).
 6. An approval letter from the Dean with reasons for supporting the leave in light of its importance to AUM, the school, and the faculty member. (If the person applying is at the Dean level or above, this letter is not required).

In addition to the above six items, all applicants are encouraged to submit any other documentation, which strengthens the application. One might also include letters of

support from a collaborator an applicant plans to visit or a letter from an institution that plans to provide temporary support.

The Provost's office forwards the applications to the Professional Improvement Leave Committee for review and recommendation to him/her.

3. **Professional Improvement Leave Committee.** This Senate committee will evaluate all requests and recommend to the Provost those applicants whose proposed programs warrant consideration. For each application a brief statement of the Committee's reasons for support or lack of support shall be included in the Committee's letter to the Provost.

The Professional Improvement Leave Committee shall meet and make its recommendations to the Provost regarding the applications by November 1.

The Professional Improvement Leave Committee may rank the applications in priority order for presentation to the Provost. The Provost will make a recommendation to the Chancellor.

4. **Disposition of Leave Request.** The Chancellor shall inform each applicant, the Provost, the Dean, and the Department Chair and the co-chairs of the PIL committee in writing regarding the disposition of the leave request by the December 15.
5. **Professional Improvement Leave Report.** Employees granted a professional improvement leave are to submit a written report describing their activities during the leave with respect to their proposal. This report must be submitted no later than eight weeks following the return to service. The report must be a minimum of two double-spaced pages. The report is to be submitted to the Provost with copies provided to the Department Chair and Dean. The Provost's office will place this report on SharePoint to be reviewed by the Professional Improvement Leave Committee.

Timeline for Professional Improvement Leave:

Fall Cycle (fall leaves, fall-spring leaves)

- | | |
|-------------|--|
| October 1 | Application materials submitted electronically to the Provost's office by October 1 preceding the academic year in which the proposed leave would begin. |
| November 1 | The Professional Improvement Leave Committee will meet and make a recommendation regarding the applications by November 1. |
| December 15 | The Provost shall inform each applicant, the University Chancellor, the Dean, and the Department Chair in writing regarding the disposition of the leave request by December 15. |

Spring Cycle (spring leaves)

- | | |
|---------|--|
| April 1 | Application materials submitted electronically to the Provost's office by April 1 preceding the academic year in which the proposed leave would begin. |
|---------|--|

- May 1 The Professional Improvement Leave Committee will meet and make a recommendation regarding the applications by May 1.
- May 15 The Provost shall inform each applicant, the University Chancellor, the Dean, and the Department Chair in writing regarding the disposition of the leave request by May 15.

T. OUTSIDE ACTIVITIES / CONSULTING POLICY

A central part of Auburn University at Montgomery's mission is to foster and support an environment conducive to teaching, research, scholarship, and collaboration with government agencies, our community, and other educational institutions. Accordingly, Auburn University at Montgomery recognizes its obligation to make available the services of the many highly trained specialists from within the University to business, industries, governments, professional societies, or other appropriate groups. Therefore, AUM encourages the involvement of its University members (faculty and professional staff) to engage in outside activities/consulting.

The term "outside activities/consulting" should be construed broadly to include activities whereby faculty and staff members are invited to use their specialized knowledge to provide advice or judgment about a problem, situation, or area of scholarship in an academic discipline. These activities are inclusive of professional practice outside of one's University obligations, teaching at an institution other than AUM, or activity that has the potential to conflict with University obligations. It may include the individual's commercial activities or the use of one's professional capabilities to benefit the individual or third party for a personal financial gain, whether one is on the payroll of the organization, working as an independent contractor, or serving as a director or manager. It may also include non-compensated consulting activities that extend and enhance a University member's primary responsibilities of teaching, research, and/or service obligations, administrative duties, and other appropriate duties assigned by the University.

Full time University members may be allowed to consult and/or be involved in appropriate continuing education and public service activities for extra compensation at a maximum of 30 hours per month. Hours not used within the month will be forfeited and not rolled over to the next month.

Faculty engaging in consulting and similar outside activities also must comply with state ethics laws and other applicable AUM policies, including those relating to conflicts of interest and use of university resources.

Outside activities/Consulting shall be encouraged or permitted providing:

- a. The required activity is not in direct competition with the individual or University, either personally or through a firm in which he/she has substantial interest.
- b. The activity complements the University's programs.
- c. The activity is approved in advance.

- d. The activity does not interfere with the effective discharge of the University members' responsibilities to the University.
- e. These responsibilities for faculty include not only formal classroom and laboratory activities, but also such other duties as student counseling, committee work, preparation of scholarly publications, and continued professional development.

CONSIDERATIONS

The following joint American Association of University Professors and the American Council on Education policy statement "On Preventing Conflicts of Interest in Government-Sponsored Research at Universities" has been adopted as Auburn Montgomery's basic policy on conflicts of interest (AAUP Redbook, 1990, pp 83-85):

The increasingly necessary and complex relationships among universities, government, and industry call for more intensive attention to standards of procedure and conduct in government-sponsored research. The clarification and application of such standards must be designed to serve the purposes and needs of the projects and the public interest involved in them and to protect the integrity of the cooperating institutions as agencies of higher education.

The government and institutions of higher education, as the contracting parties, have an obligation to see that adequate standards and procedures are developed and applied; to inform one another of their respective requirements; and to ensure that all individuals participating in their respective behaves are informed of and apply the standards and procedures that are so developed.

Consulting relationships between university staff members and industry serve the interests of research and education in the university. Likewise, the transfer of technical knowledge and skill from the university to industry contributes to technological advance. Such relationships are desirable, but certain potential hazards should be recognized.

Accordingly, the following guiding principles and procedures have been established to prevent conflicts of interests, conflicts of commitment, or unethical practices:

1. Conflict of Interest: A conflict of interest occurs when the University members are in a position to influence a decision on policy or purchases where they might directly or indirectly receive a financial benefit or give improper advantage to associates.
 - a. When a University member undertaking or engaging in government-sponsored work has a significant financial interest in, or a consulting arrangement with, a private business concern, it is important to avoid actual or apparent conflicts of interest between government-sponsored university research obligations and outside interests and other obligations. Situations in or from which conflicts of interest may arise are the following:

- i. Undertaking or orientation of the staff member's university research to serve the research or other needs of the private firm without disclosure of such undertaking or orientation to the University and to the sponsoring agency;
 - ii. Purchase of major equipment, instruments, materials, or other items for University research from the private firm in which the staff member has the interest without disclosure of such interest;
 - iii. Transmission to the private firm or other use for personal gain of government-sponsored work products, results, materials, records, or information that are not made generally available (this would not necessarily preclude appropriate licensing arrangements for inventions, or consulting on the basis of government-sponsored research results where there is significant additional work by the staff member independent of the government-sponsored research);
 - iv. Use for personal gain or other unauthorized use of privileged information acquired in connection with the staff member's government-sponsored activities (the term "privileged information" includes, but is not limited to, medical, personnel, or security records of individuals; anticipated material requirements or price actions; possible new sites for government operations; and knowledge of forthcoming programs or of selection of contractors or subcontractors in advance of official announcements);
 - v. Negotiation or influence upon the negotiation of contracts relating to the staff member's government-sponsored research between the University and private organizations with which the staff member has consulting or other significant relationships;
 - vi. Acceptance of gratuities or special favors from private organizations with which the University does, or may conduct, business in connection with a government-sponsored research project, or extension of gratuities or special favors to employees of the sponsoring government agency, under circumstances which might reasonably be interpreted as an attempt to influence the recipients in the conduct of their duties
2. Conflict of Commitment: A conflict of commitment occurs when the time devoted to outside activities/consulting interferes with a faculty or professional staff's responsibilities to perform assigned duties, teach, conduct research, and to meet obligations to students, colleagues, and the University.
- a. Outside activities/consulting should not compromise an individual's ability to perform all the activities expected of him/her as the University employee.
 - b. Unless approved by the appropriate Dean or Director, a faculty or professional staff member may not accept full-time employment at another educational or service providing institution while serving as a full-time employee for Auburn Montgomery.
 - c. It is the responsibility of the Department Chair and Dean or Director to exercise judicious control of outside activities/consulting so that no University functions are neglected. It is the faculty or staff member's responsibility to ensure that work is performed or teaching is covered during the approved consulting period.

- d. Faculty obligations move beyond simply meeting classes and include availability to students outside the classroom, carrying a reasonable share of committee responsibilities and remaining engaged in research and other scholarly pursuits.
- e. University members must ensure complete accuracy when calculating the amount of intellectual effort that has actually been devoted to the research in question.
 - i. A system of precise time accounting is incompatible with the inherent character of the work of faculty members, since the various functions they perform are closely interrelated and do not conform to any meaningful division of a standard work week.
 - ii. If the research agreement contemplates that a University member will devote a certain fraction of effort to the government-sponsored research, or the University members agrees to assume responsibility in relation to such research, a demonstrable relationship between the indicated effort or responsibility and the actual extent of the University member's involvement is to be expected.

PROCEDURES

1. A formal application, Form UP0-10 must be used for both faculty and professional staff and must be filed at least five working days in advance for permission to engage in outside activities/consulting private consulting activities other than the traditional functions in professional, scholarly, or honor societies. The UP0-10 must be approved by the University member's Department Chair and Dean or Director and the appropriate Vice Chancellor and Human Resources. Copies of approved applications shall be maintained in the department and in the individual's personnel file. Failure to receive prior approval will be considered a violation of this Policy.
2. Exceptions to this policy must be approved by the Provost/VC upon recommendation of the Department Chair, Dean or Director. Outside activities/consulting for extra compensation will be counted against this maximum of 30 hours per month; travel days must be counted as consulting time.
3. This policy is not intended to limit consulting activities of faculty outside the normal work day, during vacation leave, or during the summer for nine-month employees not employed full-time by the University for the summer semester.
4. This policy is not intended to require professional staff to obtain permission for non-consulting jobs used for extra employment opportunities where their primary skills and responsibilities as utilized by Auburn Montgomery are not required and when the work is outside the normal work day.
5. While this policy is applicable for full-time employees who are salaried (exempt), non-exempt employees with special considerations (i.e. Campus Police, other safety personnel) will be reviewed on a case-by-case basis.
6. Auburn Montgomery will assume no responsibility for the competence of its faculty members with respect to the performance of outside activities/consulting, except those carried out under the auspices of established programs operated by the University.

7. In connection with outside activities/consulting arranged outside established University programs, the name of Auburn Montgomery shall not be used for advertising or promotional purposes or in any report or statement that implies approval or endorsement by Auburn Montgomery.
8. University members should not commit specialized University facilities and equipment or other resources to external consulting projects unless such use is specifically approved in writing in advance by the Department Chair or other appropriate administrator. University members will be expected to reimburse the University for the use of specialized equipment and facilities as well as materials. Use of University computer facilities for consulting will also require prior written approval and will be reimbursed at the external user rate. Approval or reimbursement will not be required for the use of the library or office space for consulting activities.

U. 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

- a. Violation of academic freedom;
- b. Failure to follow officially approved policies and procedures in matters concerning nonrenewal of appointments or concerning nomination or review for tenure or promotion;
- c. Administrative mishandling in such matters as performance evaluation, departmental assignments, or other working conditions; or
- d. 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 any AUM Faculty or Administrator.

FACULTY GRIEVANCE COMMITTEE

1. Composition and Election of Members

The Faculty Grievance Committee shall be composed of one member from each College and the Library. The nomination of members shall be conducted in each College and 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 Pool:** By October 15, the Faculty Grievance Committee shall select a Hearing Panel Pool. The membership of the Hearing Panel Pool should be chosen in such a way as to reflect the number of elected representatives from the academic Colleges and Library on the Faculty Senate. Membership on the Hearing Panel Pool 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 Pool, the Faculty Grievance Committee shall consult with that individual and secure the individual's agreement to serve on the Hearing Panel Pool. The names of the members of the Hearing Panel Pool 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:
- a.** Receiving statements of complaints under this procedure.

- b. Calling meetings of the Faculty Grievance Committee as necessary to review all statements of complaints.
- c. Clarifying for the concerned parties any questions relating to the procedures per se.
- d. Maintaining any necessary records and ensuring the confidentiality of these records.
- e. Supervising the selection of the Hearing Panel Pool from which hearing committees will be chosen.
- f. Polling potential members of a Hearing Committee to determine whether these individuals have a personal involvement in the case to be heard.
- g. Informing all parties to the complaint of the names of Faculty Council members available to serve on a Hearing Committee.
- h. Attending all formal hearings held by a Hearing Committee, being responsible for recording such hearings, and maintaining the records of those hearings.
- i. Receiving a copy of the written recommendations of the Hearing Committee.
- j. Receiving a copy of the written decision of the Chancellor.
- k. 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:

- a. The date of the complaint.

- b. The name(s) of the person(s) filing the complaint.
- c. The name(s) of the administrators and/or Faculty Council member(s) against whom the complaint is filed.
- d. The nature of the complaint in relation to section, Definition of a grievance, of this procedure.
- e. 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.)
- f. A brief account of the events leading to the complaint.
- g. A description of the efforts taken to resolve the complaint.
- h. 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:
 - i. Does the complaint constitute a grievance?
 - ii. Have reasonable attempts been made to resolve the complaint?
 - iii. Does the complaint contain all of the information requested in the grievance procedures?
 - iv. Is the complaint directed towards persons subject to the Faculty Grievance Procedure?
 - v. Has the complaint been submitted within the specified period of time?
 - vi. 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 College and the Library, individuals in the Hearing Panel Pool 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 Pool, the Faculty Grievance Committee shall increase the membership of the Hearing Panel Pool 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 Pool 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. Witnesses shall be present only for the time they are presenting testimony and being questioned; otherwise they shall not be present in the hearing room. 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 sign in/sign out 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.