

PROPOSED *FACULTY MANUAL* AMENDMENTS (SPRING 2021)

FINAL TEXT

**To Be Presented to the Faculty Senate on March 9, 2021
for Approval on April 13, 2021**

TO: SLU Faculty

FROM: Miriam Joseph – Chair, Joint Faculty Senate/Provost Committee on *The Faculty Manual*

DATE: March 9, 2021

SUBJ: Final text of proposed *Faculty Manual* amendments (Spring 2021)

On February 9, 2021, I presented six amendments proposed by the Joint Faculty Senate/Provost Committee on *The Faculty Manual* to the Faculty Senate. Following the Senate meeting, Senate President Ruth Evans emailed a message to all faculty inviting their feedback via two open fora and a Qualtrics form. She subsequently sent out several reminders about these opportunities for input.

The open fora were held on February 24th and February 25th. In addition to *Manual* Committee members, there were five attendees at the first session, and six at the second (one person attended both sessions and also contributed to Qualtrics). The Qualtrics form, which remained open until 5:00pm on Thursday, March 4th, received responses from 21 unique respondents (assuming each of the anonymous submissions came from different people). Seven respondents identified themselves.

Between the open fora and Qualtrics, a maximum of 30 people provided feedback to the *Manual* Committee on the amendments proposed at the February 9th Senate meeting—clearly a tiny percentage of SLU's full-time St. Louis faculty. Nonetheless, the Committee was pleased to receive many positive responses to the proposed amendments, including some with substantive suggestions for clarification or other improvement. While all feedback was not supportive, even many of the negative responses contained substantive points. This was especially true of Amendment #2, which was intended to address exceptions to the selection process for senior-level administrators (specifically the Dean of the College of Philosophy and Letters and the Vice President for Mission and Identity).

The members of the *Faculty Manual* Committee wish to thank all of you who contributed feedback. All comments were closely read and thoroughly considered. In the end, no edits were made to Amendment #1. The changes made to Amendments #2, #3, #4, #5, and #6 are noted in their respective Explanation boxes.

Sec. IV of *The Faculty Manual* requires that amendments be approved by the Provost and President, as well as the Senate. Both Provost Mike Lewis and President Fred Pestello have advised me of their support. Should the Faculty Senate also approve these final amendments at its April 13th meeting, the SLU Board of Trustees will be asked to adopt them at the Board's early May 2021 meeting, and they will go into effect on that date. The revised *Manual* (2021) will then be accessible from the [Manual web page](#).

For reference purposes, you will find the text of the amendments originally proposed on February 9th at https://www.slu.edu/provost/policies/faculty-manual/proposed-fm-amendments_spring-2021_2-9-21.pdf

The final version of the proposed amendments, i.e., those the Senate will vote on, appears in two forms following this message: (1) amendment text showing edits; and (2) clean version of final amendment text.

Joint Faculty Senate/Provost Committee on *The Faculty Manual*:

Miriam Joseph, PhD, MLS – Assistant Provost for Academic Policy and Educational Compliance [Chair]*

Ruth Evans, PhD – Faculty Senate President

Terry Tomazic, PhD – Faculty Senate President-Elect

Julie Birkenmaier, PhD – Faculty representative appointed by the Faculty Senate Executive Committee

Amber Johnson, PhD – Faculty representative appointed by the Faculty Senate Executive Committee

Jane McHowat, PhD – Associate Dean for Faculty Affairs and Development/School of Medicine*

Michael Lewis, PhD – Associate Provost for Faculty Development* [*inactive on committee in 2020-21*]

Danielle Uy, JD – Senior Associate General Counsel*

*University Administration Representatives

BRIEF SUMMARY OF MAJOR CHANGES:

- ❖ Amendment #1: Non-Tenure-Track Faculty → Make explicit that NTT faculty may apply early for promotion for reasons other than negotiated prior service credit.
- ❖ Amendment #2: Participation in the Selection and Evaluation of Administrators → Recognizes the involvement of the Jesuit Provincial and/or Archbishop are exceptions to the usual selection process for the positions of Dean of the College of Philosophy and Letters and the Vice President for Mission and Identity.
- ❖ Amendment #3: Medical Leaves of Absence and Termination for Medical Reasons → Clarified contradictory text and ensure the amended text continues to apply only to tenure-track faculty.
- ❖ Amendment #4: Annual Review → Requires that faculty submit their annual activity reports in a timely way, reinforces the timeliness of evaluator written feedback, and ensures active faculty participation in the evaluation process.
- ❖ Amendment #5: Midpoint Review → Explicitly acknowledges department chair role and addresses effect of tenure clock extensions on the timing of the review.
- ❖ Amendment #6: Third Year Review of Non-Tenure Track Faculty → Establishes a requirement of a review in the third year of employment, unless officially approved leaves warrant a delay.

FINAL TEXT OF PROPOSED AMENDMENTS with EDITS

Key to proposed changes:

- Text to be added per February 9th Senate presentation appears in **bold**.
Subsequently added text in both the amendments and explanations of modified amendments appears in **bold CAPS**
- Deletions appear in ~~red~~ with strikethrough
- Explanations appear in **blue** box.
- New deletions (i.e., changes from original (2/9/21) amendments) are highlighted in **yellow**

AMENDMENT #1

III.D.2. Non-Tenure-Track Faculty (p.14)

Non-tenure-track faculty members are individuals who are not eligible for tenure, although some have renewable appointments. Non-tenure-track faculty members function on a full-time basis in clinical service or supervision, in research positions supported either by University sources or by grants or contracts from organizations outside the University, as aviation specialists, in research, clinical, or teaching positions whose long-term existence is not assured, or under other conditions that make the attainment of tenure according to the norms in Sec. III.F a practical impossibility. Professional Librarians ordinarily are non-tenure-track faculty members, but the Law Librarians, if so recommended by the Law School faculty, may be appointed to the Law faculty with academic rank and tenure eligibility. The four ranks of Non-Tenure-Track faculty are, in ascending order, Instructor, Assistant Professor, Associate Professor, and Professor; however, for internal purposes, the University prefaces the name of the rank with "Non-Tenure-Track."

Normally, non-tenure-track faculty must have served for at least five years at the University in order to apply for promotion. ~~For the purpose of promotion, p~~ Previous service at institutions comparable to the University may be substituted for not more than three years of service. The amount of previous service to be substituted must, in each case, be agreed to in writing by the faculty member, the appropriate Dean or comparable administrator, and the Provost, prior to initial appointment. Unless thus agreed, previous service may not be claimed. **However,** ~~A~~an agreement to consider previous faculty

appointment(s) does not require the faculty member to use this time toward **promotion. Faculty may still opt to remain in rank for five years prior to applying or apply early because they have met the applicable standards for promotion.** ~~Except as noted above, non-tenure-track faculty must have served for at least five years at the University in order to apply for promotion.~~

A non-tenure-track faculty member may apply to the appropriate search committee for an available tenure-track position, unless that person held a previous appointment as a tenure-track faculty member at Saint Louis University. The committee will investigate the qualifications of the faculty member and will solicit opinions from those it deems appropriate. Favorable recommendations will be handled as in Sec. III.B.1 for new appointments.

In addition to the general classifications described in the first paragraph of this section, the University recognizes five specialized categories of non-tenure-track faculty:

EXPLANATION:

Paragraph 2 – Early P&T Applications by NTT Faculty: Amend to explicitly reflect the practice of recent years in which NTT faculty could apply early for promotion even without prior service credit. This amendment also aligns with the practice for TT faculty.

Note: Sec. III.E.1.: Advancement (pp.16-17) currently contains the following two provisions. The amendment to Sec. III.D.2. eliminates the inadvertent restriction that only previous service credit can justify early NTT faculty applications for promotion.

(1) Paragraph 1: “Early applications for tenure and/or promotion must demonstrate they have met the standards.”

(2) Paragraph 2: “Typically, a faculty member is expected to complete five years in rank at the University (seven years for School of Medicine faculty) in order to apply for promotion and/or tenure. Exceptions to this norm include authorized credit for previous faculty appointment(s) at comparable institutions, Provost-approved promotion and tenure guidelines of individual units, and early applications for promotion and/or tenure.”

AMENDMENT #2**III.H.7. Participation in the Selection and Evaluation of Administrators (p.29)**

A search committee is established to help the Board of Trustees or the appropriate administrator locate and interview suitable candidates for senior-level administrative positions (e.g., President, Provost, Vice Presidents, Deans, School Directors, ~~Assistant Provost for University Libraries, Chief Executive Officer of SLUCare CEO of the UMG~~). ~~Exceptions to this process include any administrative position that requires the approval of the Jesuit Provincial and/or the Archbishop.~~ **EXCEPTIONS TO THIS PROCESS INCLUDE ADMINISTRATIVE POSITIONS THAT REQUIRE THE APPROVAL OF THE JESUIT PROVINCIAL AND/OR THE ARCHBISHOP, I.E., DEAN OF THE COLLEGE OF PHILOSOPHY AND LETTERS AND VICE PRESIDENT FOR MISSION AND IDENTITY.**

When vacancies occur in the positions of other key administrators whose work substantially affects the academic and fiscal condition of the University (e.g., Treasurer), the counsel of the Faculty Senate Executive Committee will be solicited. Ordinarily, these positions are filled through a national search. In those cases where such vacancies occur and it is necessary to appoint an interim officeholder, a search committee typically is appointed and a national search process initiated at or near the same time that the interim appointment is made.

Faculty members form the majority of search committees for the position of Dean or comparable administrator. For other administrative positions, the number of faculty members on the search committee will reflect the extent of faculty involvement with the position. When the position has University-wide responsibilities, faculty members of this committee will be recommended by the Faculty Senate Executive Committee. For other positions, the appropriate Faculty Assembly or equivalent group will make the recommendation. The person chosen for an administrative position will be selected from among those found by the search committee to be qualified for the position.

Faculty members participate in the formal, ongoing evaluation of academic administrators. These evaluations help administrators to enhance their performance and are a significant factor in the decision to retain or terminate an administrator. The procedures for the evaluation of a Dean or comparable administrator are established by the Provost, following consultation with the faculty. Moreover, because it is important for academic administrators to continue

developing their skills and abilities between formal evaluations, and because decanal evaluations typically cover multiple years, Deans or comparable administrators should themselves establish means for obtaining timely feedback regarding their performance, such as seeking informal input from Chairpersons, Directors, and other faculty.

EXPLANATION:

- (1) Assistant Provost for University Libraries is an outdated title; the current position title is Dean.
- (2) CEO of the UMG: Changed to reflect current title.
- (3) Exception recognizes the role of the Jesuit Provincial and/or the Archbishop in the identification and approval of individuals for such THE positions **OF DEAN OF THE COLLEGE OF PHILOSOPHY AND LETTERS AND VICE PRESIDENT FOR MISSION AND IDENTITY. ITS SOLE POINT IS THAT INPUT INTO THE SELECTION OF INDIVIDUALS FOR THESE POSITIONS DIFFERS FROM THAT OF OTHER SENIOR-LEVEL ADMINISTRATIVE POSITIONS DUE TO THE INVOLVEMENT OF THE PROVINCIAL AND/OR THE ARCHBISHOP. THE FACULTY MANUAL COMMITTEE ENCOURAGES THE FACULTY SENATE EXECUTIVE COMMITTEE TO FURTHER DISCUSS THE SELECTION PROCESS FOR THESE POSITIONS WITH PRESIDENT PESTELLO AND PROVOST LEWIS.**
- (4) Split current first paragraph into two paragraphs.

AMENDMENT #3

III.H.12.b. Medical Leaves of Absence and Termination for Medical Reasons (pp.31-32)

Faculty members are entitled to receive medical leaves of absence when they are unable to perform their assigned duties for medical reasons, although the University requires proof of disability before granting a medical leave of absence. Faculty members on medical leaves of absence receive full pay as long as the condition continues, for a period not to exceed six calendar months. If the condition extends beyond six months, the faculty member may request a special leave of absence, consisting of partial or complete relief from duties, with corresponding reduction or cessation of salary, for one full semester. Alternatively, if the condition extends beyond six months, the faculty member may qualify for long-term disability insurance benefits, terms of which are available from the University Benefits Office.

If there are repeated leaves of absence for medical reasons, or if a faculty member does not qualify for long-term disability insurance benefits and is unable to perform his/her assigned duties for medical reasons extending beyond the additional semester of the special leave of absence, the contractual agreement between the University and the faculty member may be terminated by the University, with the possibility of renegotiation by mutual agreement at a later date. The University's decision to terminate for medical reasons will be based upon clear and convincing medical evidence that the faculty member cannot continue to fulfill the terms and conditions of the appointment and that a reasonable accommodation of the disability cannot be made. The decision to terminate will be reached only after the faculty member concerned, or someone representing the faculty member, has been informed of the basis of the proposed action and has been afforded an opportunity to present the faculty member's position and respond to the evidence. If the faculty member or representative so requests, the evidence will be examined by the Professional Relations Committee of the Faculty Senate, which then makes a recommendation to the President before a final decision is made.

The President of the University makes the final decision to terminate for medical reasons and notifies the faculty member in writing promptly of that decision. A faculty member whose appointment has been terminated is entitled to receive full salary for four months if in the first year of employment, six months if in the second year, and twelve months otherwise, less any salary paid during the previous twelve months under a medical leave of absence.

In cases in which a medical leave of absence has not been requested, the University reserves the right to terminate or place a faculty member on medical leave of absence if, in the judgment of the President of the University, based upon clear and convincing medical evidence, the faculty member cannot continue to fulfill the terms and conditions of the appointment for medical reasons and a reasonable accommodation of the disability cannot be made. In such a case, the procedures, standards, and compensation described in the preceding paragraphs apply.

~~For a tenure-track faculty member, a medical leave of absence normally will not be counted as a year or part of a year of service toward eligibility for tenure according to Sec. III.D.1. The Provost will specify in writing whether a the medical leave of absence will or will not be counted as a year or part of a year of service.~~ **For a tenure-track faculty member, a A medical leave of absence normally will not be counted as a year or part of a year of service toward eligibility for tenure according to Sec. III.D.1.** A copy of this specification is forwarded to the University Committee on Academic Rank and Tenure by the Provost.

EXPLANATION:

Paragraph 5 – The current provision contains contradictory text regarding continuous years of service and counting FMLA time. FMLA would not normally be considered as an interruption of continuous full-time serve as the person is still an employee of the University. However, while Sec. III.H.12.b. (p.32) of the *Faculty Manual* states that medical leaves of absence normally aren't counted “as a year or part of a year of service toward eligibility for tenure...”, it also states that “The Provost will specific in writing whether the medical leave of absence will or will not be counted as a year or part of a year of service.” Re-sequencing the first two sentences of this paragraph eliminates the contradiction. **THE ORIGINAL AMENDMENT PRESENTED TO THE SENATE ON FEBRUARY 9TH WAS REVISED TO CORRECT AN OVERSIGHT AND ENSURE THAT THIS *MANUAL* TEXT CONTINUED TO APPLY ONLY TO TENURE-TRACK FACULTY.**

AMENDMENT #4

III.I.2. Annual Review (p.36)

Every full-time faculty member is evaluated annually by the Department Chairperson or comparable administrator, and it is the responsibility of the appropriate Dean or comparable administrator to ensure that such evaluations are timely and consistent with the mission of the University and the provisions of this *Manual*. All evaluations of faculty members are conducted openly with the faculty member's full knowledge. All material collected is held in confidence in a manner determined by the College, School, Library, or comparable academic unit.

The criteria for the evaluations must be based on the norms for advancement in Sec. III.F, as applicable, the responsibilities of faculty specified in Sec. III.G, and the requirements of the respective College, School, Library, or comparable academic unit, as provided for in Secs. III.F and III.G. The instruments and standards are determined by the appropriate Dean or comparable administrator in consultation with the faculty of the academic unit.

Because the primary purpose of the annual review is to provide information that allows the faculty member to improve his/her teaching, student advising, research and scholarly activity, and University and community service, the evaluation should be candid, providing the person evaluated the opportunity to better understand his/her strengths as well as areas of relative weakness. Candor is especially important when assessing the performance of pre-tenure faculty, who look to their Chairpersons for guidance as they work to earn tenure. The annual review may also be used to establish the salary to be offered the faculty member in a subsequent contract and to provide information for an advancement decision, although the process used for advancement decisions should be separate from the process used for the annual review. A faculty member is allowed reasonable access to his/her own records and is allowed to add additional material.

FACULTY SHALL SUBMIT THEIR ANNUAL ACTIVITY REPORT IN TIMELY FASHION AS DIRECTED BY THEIR DEPARTMENT CHAIRPERSON OR COMPARABLE ADMINISTRATOR. Evaluators shall provide timely written feedback to the faculty they evaluate each year. Evaluators' reports shall include a place for faculty to comment/respond if they wish, as well as a place for them to sign to acknowledge their activity report submission, their subsequent discussion with their evaluator, and their receipt of their evaluator's written report (not necessarily their agreement with the report).

EXPLANATION:

Faculty inquiries indicate the need for the *Manual* to explicitly reinforce the timeliness of evaluator feedback, state that that feedback be written, and ensure that faculty are active participants in the evaluation process vs. simply being aware that an evaluation of their performance has conducted. **FOR EVALUATORS TO BE ABLE TO CONDUCT THEIR EVALUATIONS IN A TIMELY WAY, FACULTY MUST SUBMIT THEIR ANNUAL ACTIVITY REPORTS IN A TIMELY WAY.**

Note: The Faculty Senate's Academic Affairs Committee recently initiated a project to review the faculty annual review process across the University, the results of which may drive future *Manual* amendments in 2021-2022.

AMENDMENT #5

III.I.3. Midpoint Review (p.36)

Pre-tenure faculty will be reviewed near the midpoint of the probationary period [**Sec. III.D.1.**]. The purpose of this review, which is separate from the annual review, is to candidly assess the individual's progress toward achieving tenure, using established standards. While this evaluation is initiated at the Departmental, **College**, or School level, it **also** includes **the Chair (or Director where applicable), and** the unit Dean ~~and, where applicable, the School Director.~~ **A p**Peer **OR MENTORING** committees ~~may~~ **can** also be involved, at the discretion of the College or School. A positive midpoint review does not guarantee a positive tenure review. **Should a faculty member obtain an extension of their probationary period prior to the completion of their midpoint review, they may choose to delay the midpoint review for the time period equivalent to the extension. A faculty member's decision to delay must be submitted in writing to the Dean's office; this documentation will be a component of the midpoint review report.**

EXPLANATION:

Amend this provision, relevant only for pre-tenured TT faculty, to explicitly acknowledge that a department chair has a role in the process **AND REFLECT THAT MENTORING, AS WELL AS PEER COMMITTEES, MAY ALSO BE INVOLVED.** The proposed last sentence addresses faculty inquiries about the effect of tenure clock extensions on the timing of midpoint review, **and** permits faculty to decide whether or not to delay their midpoint review, **AND REQUIRES DOCUMENTATION OF A DECISION TO DELAY THE REVIEW.**

AMENDMENT #6 [TO BE INSERTED FOLLOWING SEC. III.I.3. AS SEC. III.I.4 WITH RENUMBERING OF SUBSEQUENT CURRENT *MANUAL* TEXT]

Third Year Review of Non-Tenure Track Faculty (p.36)

Reviews of non-tenure track faculty will be conducted in the third full year of the faculty member's employment **UNLESS A PREVIOUSLY-APPROVED DEVELOPMENTAL, FAMILY, MEDICAL OR OTHER OFFICIAL LEAVE WARRANTS A DELAY.** The purpose of this review is separate from the annual review but provides a candid peer faculty assessment of the individual's overall job performance and progress toward achieving future promotion, and uses established standards. While this evaluation is initiated at the Departmental, College, or School level, it includes the Chair (or Director where applicable), and the unit Dean. A peer **OR MENTORING** committee may also be involved, at the discretion of the COLLEGE, SCHOOL, OR Library, **College, or School.** A positive third year review guarantees neither continued employment nor future promotion.

EXPLANATION:

Review of NTT faculty analogous to midpoint review for TT is not currently addressed by the *Faculty Manual*, but is a current optional practice of some academic units. This new provision acknowledges that practice and makes it required for three reasons: (1) it ensures that NTT faculty will receive feedback on their job performance—something not done universally across the institution—to enable them to be better informed about what they may need to do to achieve a successful promotion application, (2) it permits peer participation in the assessment process, (3) the requirement provides equity and transparency such that it applies to all NTT faculty and cannot be a surprise. **THIS PROVISION RECOGNIZES THAT SPECIFIC CIRCUMSTANCES MAY DELAY THIS REVIEW PROCESS BEYOND THE THIRD YEAR OF EMPLOYMENT.** As is the case with midpoint review of TT faculty, the review process for NTT track faculty is to be determined at the local level, **AND MAY INCLUDE A PEER OR MENTORING COMMITTEE.**

FINAL TEXT OF PROPOSED AMENDMENTS – CLEAN COPY

AMENDMENT #1

III.D.2. Non-Tenure-Track Faculty (p.14)

Non-tenure-track faculty members are individuals who are not eligible for tenure, although some have renewable appointments. Non-tenure-track faculty members function on a full-time basis in clinical service or supervision, in research positions supported either by University sources or by grants or contracts from organizations outside the University, as aviation specialists, in research, clinical, or teaching positions whose long-term existence is not assured, or under other conditions that make the attainment of tenure according to the norms in Sec. III.F a practical impossibility. Professional Librarians ordinarily are non-tenure-track faculty members, but the Law Librarians, if so recommended by the Law School faculty, may be appointed to the Law faculty with academic rank and tenure eligibility. The four ranks of Non-Tenure-Track faculty are, in ascending order, Instructor, Assistant Professor, Associate Professor, and Professor; however, for internal purposes, the University prefaces the name of the rank with “Non-Tenure-Track.”

Normally, non-tenure-track faculty must have served for at least five years at the University in order to apply for promotion. Previous service at institutions comparable to the University may be substituted for not more than three years of service. The amount of previous service to be substituted must, in each case, be agreed to in writing by the faculty member, the appropriate Dean or comparable administrator, and the Provost, prior to initial appointment. Unless thus agreed, previous service may not be claimed. However, an agreement to consider previous faculty appointment(s) does not require the faculty member to use this time toward promotion. Faculty may still opt to remain in rank for five years prior to applying or apply early because they have met the applicable standards for promotion.

A non-tenure-track faculty member may apply to the appropriate search committee for an available tenure-track position, unless that person held a previous appointment as a tenure-track faculty member at Saint Louis University. The committee will investigate the qualifications of the faculty member and will solicit opinions from those it deems appropriate. Favorable recommendations will be handled as in Sec. III.B.1 for new appointments.

In addition to the general classifications described in the first paragraph of this section, the University recognizes five specialized categories of non-tenure-track faculty:

AMENDMENT #2

III.H.7. Participation in the Selection and Evaluation of Administrators (p.29)

A search committee is established to help the Board of Trustees or the appropriate administrator locate and interview suitable candidates for senior-level administrative positions (e.g., President, Provost, Vice Presidents, Deans, School Directors, Chief Executive Officer of SLUCare). Exceptions to this process include administrative positions that require the approval of the Jesuit Provincial and/or the Archbishop, i.e., Dean of the College of Philosophy and Letters and Vice President for Mission and Identity.

When vacancies occur in the positions of other key administrators whose work substantially affects the academic and fiscal condition of the University (e.g., Treasurer), the counsel of the Faculty Senate Executive Committee will be solicited. Ordinarily, these positions are filled through a national search. In those cases where such vacancies occur and it is necessary to appoint an interim officeholder, a search committee typically is appointed and a national search process initiated at or near the same time that the interim appointment is made.

Faculty members form the majority of search committees for the position of Dean or comparable administrator. For other administrative positions, the number of faculty members on the search committee will reflect the extent of faculty involvement with the position. When the position has University-wide responsibilities, faculty members of this committee will be recommended by the Faculty Senate Executive Committee. For other positions, the appropriate Faculty Assembly or equivalent group will make the recommendation. The person chosen for an administrative position will be selected from among those found by the search committee to be qualified for the position.

Faculty members participate in the formal, ongoing evaluation of academic administrators. These evaluations help administrators to enhance their performance and are a significant factor in the decision to retain or terminate an administrator. The procedures for the evaluation of a Dean or comparable administrator are established by the Provost, following consultation with the faculty. Moreover, because it is important for academic administrators to continue developing their skills and abilities between formal evaluations, and because decanal evaluations typically cover multiple years, Deans or comparable administrators should themselves establish means for obtaining timely feedback regarding their performance, such as seeking informal input from Chairpersons, Directors, and other faculty.

AMENDMENT #3

III.H.12.b. Medical Leaves of Absence and Termination for Medical Reasons (pp.31-32)

Faculty members are entitled to receive medical leaves of absence when they are unable to perform their assigned duties for medical reasons, although the University requires proof of disability before granting a medical leave of absence. Faculty members on medical leaves of absence receive full pay as long as the condition continues, for a period not to exceed six calendar months. If the condition extends beyond six months, the faculty member may request a special leave of absence, consisting of partial or complete relief from duties, with corresponding reduction or cessation of salary, for one full semester. Alternatively, if the condition extends beyond six months, the faculty member may qualify for long-term disability insurance benefits, terms of which are available from the University Benefits Office.

If there are repeated leaves of absence for medical reasons, or if a faculty member does not qualify for long-term disability insurance benefits and is unable to perform his/her assigned duties for medical reasons extending beyond the additional semester of the special leave of absence, the contractual agreement between the University and the faculty member may be terminated by the University, with the possibility of renegotiation by mutual agreement at a later date. The University's decision to terminate for medical reasons will be based upon clear and convincing medical evidence that the faculty member cannot continue to fulfill the terms and conditions of the appointment and that a reasonable accommodation of the disability cannot be made. The decision to terminate will be reached only after the faculty member concerned, or

someone representing the faculty member, has been informed of the basis of the proposed action and has been afforded an opportunity to present the faculty member's position and respond to the evidence. If the faculty member or representative so requests, the evidence will be examined by the Professional Relations Committee of the Faculty Senate, which then makes a recommendation to the President before a final decision is made.

The President of the University makes the final decision to terminate for medical reasons and notifies the faculty member in writing promptly of that decision. A faculty member whose appointment has been terminated is entitled to receive full salary for four months if in the first year of employment, six months if in the second year, and twelve months otherwise, less any salary paid during the previous twelve months under a medical leave of absence.

In cases in which a medical leave of absence has not been requested, the University reserves the right to terminate or place a faculty member on medical leave of absence if, in the judgment of the President of the University, based upon clear and convincing medical evidence, the faculty member cannot continue to fulfill the terms and conditions of the appointment for medical reasons and a reasonable accommodation of the disability cannot be made. In such a case, the procedures, standards, and compensation described in the preceding paragraphs apply.

The Provost will specify in writing whether a medical leave of absence will or will not be counted as a year or part of a year of service for a tenure-track faculty member. A medical leave of absence normally will not be counted as a year or part of a year of service toward eligibility for tenure according to Sec. III.D.1. A copy of this specification is forwarded to the University Committee on Academic Rank and Tenure by the Provost.

AMENDMENT #4

III.I.2. Annual Review (p.36)

Every full-time faculty member is evaluated annually by the Department Chairperson or comparable administrator, and it is the responsibility of the appropriate Dean or comparable administrator to ensure that such evaluations are timely and consistent with the mission of the University and the provisions of this *Manual*. All evaluations of faculty members are conducted openly with the faculty member's full knowledge. All material collected is held in confidence in a manner determined by the College, School, Library, or comparable academic unit.

The criteria for the evaluations must be based on the norms for advancement in Sec. III.F, as applicable, the responsibilities of faculty specified in Sec. III.G, and the requirements of the respective College, School, Library, or comparable academic unit, as provided for in Secs. III.F and III.G. The instruments and standards are determined by the appropriate Dean or comparable administrator in consultation with the faculty of the academic unit.

Because the primary purpose of the annual review is to provide information that allows the faculty member to improve his/her teaching, student advising, research and scholarly activity, and University and community service, the evaluation should be candid, providing the person evaluated the opportunity to better understand his/her strengths as well as areas of relative weakness. Candor is especially important when assessing the performance of pre-tenure faculty, who look to their Chairpersons for guidance as they work to earn tenure. The annual review may also be used to establish the salary to be offered the faculty member in a subsequent contract and to provide information for an advancement decision, although the process used for advancement decisions should be separate from the process used for the

annual review. A faculty member is allowed reasonable access to his/her own records and is allowed to add additional material.

Faculty shall submit their annual activity report in timely fashion as directed by their department chairperson or comparable administrator. Evaluators shall provide timely written feedback to the faculty they evaluate each year. Evaluators' reports shall include a place for faculty to comment/respond if they wish, as well as a place for them to sign to acknowledge their activity report submission, their subsequent discussion with their evaluator, and their receipt of their evaluator's written report (not necessarily their agreement with the report).

AMENDMENT #5

III.I.3. Midpoint Review (p.36)

Pre-tenure faculty will be reviewed near the midpoint of the probationary period [Sec. III.D.1.]. The purpose of this review, which is separate from the annual review, is to candidly assess the individual's progress toward achieving tenure, using established standards. While this evaluation is initiated at the Departmental, College, or School level, it includes the Chair (or Director where applicable), and the unit Dean. Peer or mentoring committees may also be involved, at the discretion of the College or School. A positive midpoint review does not guarantee a positive tenure review. Should a faculty member obtain an extension of their probationary period prior to the completion of their midpoint review, they may choose to delay the midpoint review for the time period equivalent to the extension. A faculty member's decision to delay must be submitted in writing to the Dean's office; this documentation will be a component of the midpoint review report.

AMENDMENT #6 [TO BE INSERTED FOLLOWING SEC. III.I.3. AS SEC. III.I.4 WITH RENUMBERING OF SUBSEQUENT CURRENT *MANUAL* TEXT]

Third Year Review of Non-Tenure Track Faculty (p.36)

Reviews of non-tenure track faculty will be conducted in the third full year of the faculty member's employment unless a previously-approved developmental, family, medical or other official leave warrants a delay. The purpose of this review is separate from the annual review but provides a candid peer faculty assessment of the individual's overall job performance and progress toward achieving future promotion, and uses established standards. While this evaluation is initiated at the Departmental, College, or School level, it includes the Chair (or Director where applicable), and the unit Dean. A peer or mentoring committee may also be involved, at the discretion of the College, School, or Library. A positive third year review guarantees neither continued employment nor future promotion.