FACULTY HANDBOOK
UNIVERSITY OF NEW HAVEN
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PART ONE

Introduction, History, and Background

Section 1.1—Introduction

The *Faculty Handbook* includes policies and provisions governing the employment of the Faculty of the University of New Haven and shall be in effect until revised or withdrawn. As the governing body of the University of New Haven, the Board of Governors establishes this Handbook. Before the Board of Governors finalizes any changes in the Handbook, both Faculty and Administration will be consulted about such proposed changes, as described in Section 2.18. The University of New Haven governance documents include (a) the *Bylaws of the University of New Haven*, (b) the *Faculty Handbook*, and (c) the *Constitution of the Faculty of the University of New Haven*. Additional clarifications of issues related to the employment of faculty are included in the *Academic Affairs Operating Guidelines*, the *Provost's Compensation Guidelines*, and other university policy.

Section 1.2—Message from the President

The University of New Haven is committed to providing a stimulating learning environment for its students and meeting their diverse educational needs. The success of our university in achieving this goal depends upon those who are closest to its mission—its faculty.

This *Faculty Handbook* serves as a valuable tool, describing the rights and responsibilities of UNH faculty members and outlining the fundamental relationship between the university's faculty and the Board of Governors. In defining the University of New Haven's system of shared governance, this handbook serves the entire university as a resource in the development of policies, agreements and procedures.

The publication of the handbook was achieved through a collaborative effort among many faculty and administrators who worked tirelessly to produce a quality document that can help the University of New Haven achieve its mission in the 21st Century. On behalf of the faculty and the Board of Governors, I thank them for their efforts.

As we strive together to continue providing the very best education possible for our students, let us also recognize the significant contribution through the years from the veteran members of our fine faculty and staff for their ongoing dedication to our students and to the University.

Steven H. Kaplan,
President

Section 1.3—History, Mission, and Governance of the University of New Haven

1.3.1 History of the University of New Haven

The University of New Haven was founded by the New Haven YMCA in 1920 to offer instruction in business and engineering in the local area. Affiliated with Northeastern University (from 1920 to 1926) as one of its branch junior colleges, the University also owed much to Yale University, for the use of its building and laboratories and for the assistance of its faculty and graduate students for nearly 40 years (until 1963).

The institution survived the start-up years and the Great Depression through careful financial management, subsidies from the YMCA, and contributions from Yale. In those years the emphasis was upon meeting the demands of the Connecticut economy for trained and educated workers. The University aided the World War II effort through programs for the armed forces and the Chance Vought Aircraft Company. The postwar years saw an expansion of the curriculum, including delivery of instruction through work-study, and programs such as the Executive Development Program. Because of the growing student demand for day as well as evening courses, the University first built a modern classroom building near East Rock in New Haven in 1958; it also received state authorization in 1959 to offer B. S. degrees in engineering and business. Outgrowing even its new building, the University acquired the former New Haven County Orphanage complex in West Haven in 1960 and simultaneously severed its official ties with the YMCA.
The University continued to grow on its new campus. It not only added new buildings, including a Freshman dormitory in 1968, but it also enlarged the scope of its academic degrees into the arts and sciences, public safety, hotel and restaurant administration, and even graduate education. For eighteen years (1985-2003), the University of New Haven offered a doctoral program in management science.

The undergraduate student body remained largely commuters until the 1990s, when the University acquired nearby apartment complexes and began to construct new dormitories. Since the 1970s both the undergraduate and graduate student population have included significant numbers of international students attracted by the University's career-oriented programs in the College of Business, the Tagliatela College of Engineering, the College of Arts and Sciences, and the Henry C. Lee College of Criminal Justice and Forensic Sciences. A number of the University's degree programs have been nationally recognized, most notably the ABET-accredited engineering programs, Criminal Justice and Forensic Science, and Music and Sound Recording. Since the 1960s faculty have come to UNH with degrees from prestigious American and European universities, and have established a record of research and publication. Through the leadership of university officers, the Board of Governors, and the faculty, the University of New Haven continues to evolve as it continues to reassess its mission, its programs, and its campus.

1.3.2 Mission of the University of New Haven

The University of New Haven is a student-focused comprehensive university with emphasis on excellence in arts and sciences and professional preparation. Our mission is to prepare our students to lead purposeful and fulfilling lives in a global society through experiential, collaborative, and discovery-based learning.

1.3.3 Roles of the Board, Administration, and Faculty

Governance of the University of New Haven is shared by the Board of Governors, the president and his or her administration, and the faculty. Subject to the *Bylaws of the University of New Haven (dated June 23, 2006)*, governance shall be shared by the Board of Governors, the president, and the faculty by the terms of this *Faculty Handbook*.

The Board of Governors is the governing board of directors of the corporation which is the University of New Haven. Among its powers, the Board of Governors has the ultimate authority to approve policy for the University and is responsible for its academic and fiscal soundness.

The president shall be the chief executive officer of the university and the executive agent of the Board of Governors. More particularly, he or she shall exercise the necessary oversight of all affairs of the institution and bring all matters to the attention of the board as are necessary or appropriate in order to keep the board fully informed so that it can properly meet its duties and responsibilities. Consistent therewith, the president and his/her administrative staff are delegated primary responsible for developing and executing the plans and programs of the University and administering its various affairs. The administration should endeavor to provide appropriate resources, subject to applicable budget constraints, for the faculty to carry out its assigned responsibilities in performing its instructional, scholarly, service, and administrative roles. In addition, the administration fulfills the role of codifying and archiving in writing approvals made and actions taken.

As stated in the AAUP "Statement on Government of Colleges and Universities," "The faculty has primary responsibility for such fundamental areas as curriculum, subject matter and methods of instruction, research, faculty status, and those aspects of student life which relate to the educational process." The faculty is delegated primary authority in instructional and curricular matters through the committees enumerated in faculty university governance documents (Shared Governance). Through these and other committees enumerated in this handbook, the Faculty consults with the Administration on a broad spectrum of other issues.

PART TWO
Terms and Conditions of Employment for Tenured and Tenure-Track Faculty

Part Two presents the terms and conditions of employment for tenured and tenure-track faculty. Provisions may also apply to non-tenure-track faculty where specified. Operational provisions are detailed in an *Academic Affairs Operating Guidelines* and in the *Provost's Compensation Guidelines*, which are published by the provost in consultation with the Faculty Affairs Committee.

Section 2.1—Faculty Status, Appointment, Tenure, and Promotion

2.1.1 The Tenured and Tenure-Track Faculty

The University of New Haven is primarily a teaching institution, but active research is expected of the faculty and is valued. The Faculty of the University has the dual responsibility of transmitting knowledge through teaching on the one hand and of participating in the discovery of new knowledge on the other. The roles are mutually supportive: teaching and research inform and sustain each other. Faculty are to structure their activities to maximize this interaction.

In addition, through service on committees, attendance at faculty meetings, and meeting and cooperating otherwise for the good of the University at the request or invitation of the dean, the provost or the president**,** and in other customary ways, faculty are expected to participate actively in the conduct of the University's affairs—the business of the departments, the colleges, and the institution generally. In addition, faculty members are expected to participate in service to their professions and/or service to the community.

The faculty as described in this section consists of all full-time tenured and tenure track faculty. Full-time tenured and tenure-track faculty assignments are the equivalent of 24 teaching credits over the course of the Academic Year unless the provost has approved the assignment of a portion of those credits for administrative duties or special projects, or unless the faculty member has been assigned a portion of the 24-credit teaching load to other faculty duties by the relevant chair and dean and approved by the provost. Such agreements on reassignment of teaching credits may not be made "in perpetuity," but for a stated period and may be revised at the discretion of the dean following consultation with the faculty member and chair with oversight by the provost. Tenure is granted in accordance with the University's rank and tenure process and criteria, as described in Section 2.1.12 and 2.1.14. Tenure is granted only by action of the Board of Governors.

Certain administrators may also hold academic rank and tenure. Under the provisions of the *Faculty Handbook*, these appointments are made at the discretion of the president after consultation with the provost, the appropriate dean, and the department chair and faculty of the department in which the individual will hold rank or tenure. The Board may grant the president faculty rank and tenure.

Non-tenure-track faculty are described separately in Part Three. However, adjunct and other non-tenure-track faculty (defined in Section 3.1) are not eligible for promotion or tenure. The appointment letter for full time faculty will specify that the appointment is either to a tenured position, a probationary tenure-track position, or a non tenure-track position.

2.1.2 Recruitment and Appointment of Tenure-Track Faculty

a. Recruitment—Appointments of tenure-track faculty are made by the president or the provost with the president's written authorization upon the recommendation of the full-time tenured and tenure-track faculty in the department in which the individual will be appointed, the department chair, the dean, and the provost. With the exception of a tenured appointment of a senior faculty member, all initial appointments are probationary and are expected to be for a maximum of one academic year, subject to annual renewal during the six-year probationary period. The rank offered new faculty members must be

in accord with the requirements of that rank and will be specified after review by the appropriate department. A faculty appointment is made in a specific academic unit (department or division).

The recruitment for a tenure-track position may be initiated by the department faculty, chair, or dean. The formal recruitment process requires discussion by the department faculty and chair of the need for a new or replacement faculty member and the area of expertise needed for the department's teaching needs. The department chair makes a formal request for the position to the dean, explaining the need and providing a rationale for the proposed position. The dean, in consultation with the provost, determines whether resources are available for a new hire and whether the rationale for the area of expertise matches the university's strategic needs. The provost, with the president's assent, has final authority to approve the department's request for a new or replacement position.

Upon approval by the provost of the request for the new or replacement position, the department chair in consultation with the department faculty, acting as a whole or through a committee, drafts a written job description, which must be approved by the dean and the director of human resources before publication. The job description must be sent to national publications in order to recruit from a national pool and to ensure a diverse candidate pool. The dean will provide a recruiting budget for each position, from which candidates' travel expenses will be paid.

The department chair will appoint a faculty search committee, which will act at all times in accordance with the University's Affirmative Action and search guidelines. The committee will review applications for the position and, in consultation with the department chair, will recommend to the dean up to three qualified candidates for personal on-campus interviews. The search committee will provide the department chair and the dean with copies of the candidates' credentials before their on-campus visits. During the on-campus visits, the committee will ensure that the candidate meets with the department faculty, chair, and dean and may meet with the provost and president.

The search committee will recommend to the department faculty and chair one qualified candidate for selection; the chair will forward the department's recommendation to the dean. Should the dean concur with the department's recommendation, the dean will forward the recommendation to the provost. Should the provost concur with the recommendation, he or she will make the official appointment.

Should the dean or provost disagree with the recommendation of the department, that individual will meet with the departmental faculty to discuss the search and the reasons for the disagreement. No candidate may be offered an appointment, either orally or in writing, without the approval of the provost.

b. Appointment—Probationary faculty (those appointed to tenure-track lines) will receive annual contracts. The probationary period is six years. Probationary faculty will be evaluated annually. During their sixth year of probationary status, tenure-track faculty will be evaluated for promotion and tenure. Should promotion and tenure not be granted, a seventh-year appointment will be offered that will serve as the terminal tenure-track appointment. Tenure is granted only by action of the Board of Governors.

Newly hired faculty members with previous teaching experience at another accredited institution may be granted probationary period credit of up to a maximum of three years at the discretion of the president in consultation with the provost, dean, and department chair. The award of credit toward the probationary period must be in writing and should appear in the initial letter of appointment. In extraordinary circumstances, tenure may be granted on appointment to a faculty member who has held equivalent faculty status elsewhere.

Newly hired faculty members who have held the rank of assistant, associate, or full professor at another accredited institution may be hired with a maximum of three years credit toward the time-in-rank requirements for promotion at the University of New Haven or may be hired at a higher rank if the stated criteria for higher rank have been met. The award of credit toward time in rank for promotion must be in writing and should appear in the initial letter of appointment.

The University of New Haven recognizes three tenure-track or tenured academic ranks, each of which has certain minimal requirements for appointment or promotion to each.

An ***Assistant Professor*** should possess an earned doctoral degree or equivalent terminal degree. In academic disciplines where the doctorate is the terminal degree, an assistant professor who has completed all requirements except the dissertation may be hired in a tenure-track position; however, the appointment letter must identify a specific deadline by which the degree must be completed. Initial appointments to the University of New Haven faculty will typically be at the assistant professor level.

An ***Associate Professor*** must have demonstrated an exemplary ability to teach and guide students and to carry out the teaching mission of the department, an active program of scholarly or creative activity as appropriate to the relevant discipline, must have earned a doctorate or the appropriate terminal degree in his or her academic discipline, and must demonstrate meaningful service to the University, community, and/or professional discipline. A candidate for associate professor should give evidence of excellent teaching evaluations, a consistent record of scholarship consistent with his or her department's elaborations of research and/or creative activity.

A ***Professor*** must demonstrate sustained excellence in teaching, guidance, and in carrying out the teaching mission of the department; distinguished scholarly or creative achievement; and must possess the terminal degree in his or her academic discipline as defined in Section 2.1.12. This scholarly or creative achievement should be evidenced by a consistent and substantial record of quality scholarship as described in 2.1.12.a.5 and in the department's elaborations, or by recognized creative activity appropriate to the discipline as defined in the department elaborations. Appointment or promotion to professor will also require a record of substantial and continuing leadership among the faculty in meaningful service to the university, community, and/or the profession or discipline, including significant contributions to the support and development of academic programs and courses and effective student guidance.

2.1.3 Assignment

The composition, assignment, and scheduling of specific faculty responsibilities for tenured and tenure-track faculty are normally identified by the department chair in consultation and in agreement with the faculty member. The chair and the faculty member shall take into consideration the programmatic needs of students in making decisions regarding faculty assignment. If the faculty member and chair cannot reach agreement on the assignment for a specific academic term and/or for the academic year, the final determination of those assigned responsibilities is held by the dean.

Tenured and tenure-track faculty may be assigned duties other than those of their original appointment and may be outside their initial departments or programs. A faculty member whose change of assignment involves duties in two or more departments shall normally assume advising, office hours and other non-instructional work according to the percentage of load in each department. If a faculty member shares assignments in more than one college, the deans of those colleges will determine the assignment jointly. Assignment of tenured and tenure-track faculty outside of the original appointment must be approved by the provost.

a. Instructional Assignment—The base instructional assignment for tenured and tenure-track faculty will be the equivalent of 24 teaching credits annually. This primary responsibility includes classroom, laboratory, field, and/or activity classes; studio instruction; direct supervision of theses, independent projects, interns, or field experiences; distance learning, directed study. Each tenured and tenure-track faculty member holds the responsibility to maintain and demonstrate currency in his or her academic discipline and to be fully prepared to perform his or her instructional duties.

Faculty with a Teaching Focus—Faculty members whose initial tenure-track appointment was prior to Fall 1990 may at their option and on an annual basis identify themselves as holding a teaching focus.

Faculty declaring a teaching focus will teach 24 credits during each academic year and will not be eligible for reassignment of a portion of the 24 teaching credits to support research or creative activity. However, they are responsible for being able to demonstrate that they continue to maintain currency in their academic disciplines as defined in the departmental elaborations. The total percentage of faculty in a school or department identifying a teaching focus if possible should also be consistent with the requirements of disciplinary accreditation standards. Reassignments of a portion of the 24 teaching credits for performance of coordinating activities may be made. Faculty members who have declared a teaching focus may choose to drop the designation in each subsequent academic year by notifying their chair and dean at the end of the annual evaluation cycle.

b. Assigned and Re-Assigned Time—Tenured and tenure-track faculty may be assigned a portion their 24 credits normally assigned to direct instruction to other faculty duties. Such assignments may be made when in the interest of the University of New Haven the magnitude of effort and time required to perform these specified duties warrants a reduction in assigned teaching load to allow for the accomplishment of the specified outcomes. The reassignment of a portion of the 24 teaching credits may be made in support of faculty activities beyond that normally expected of a tenured or tenure-track faculty member with accompanying expectations of an appropriate quality and magnitude of outcomes in categories such as the following: (1) Instructional and Curricular Development or significantly large class sizes; (2) Research, Scholarship, and Creative Activity; and (3) Service to the University, Profession, or Community, including shared governance, program coordination, and service as department chair.

Because instruction is a primary responsibility, the department and dean must consider responsibilities for full-time-equivalent student targets, curriculum delivery, and budgetary constraint as part of the management of potential assigned time. Assigned time is subject to review at the school and university levels. Assignments carry accountability. Tenured and tenure-track faculty receiving assigned time must expect these activities to be reviewed as part of various evaluation processes. The provost holds final approval for the distribution of assigned and re-assigned time across the university.

2.1.4 Reappointment, Promotion and Tenure

a. Reappointment—Each untenured probationary tenure track faculty member will be evaluated annually. The evaluation will be conducted by the department chair in the fall of the second and fourth probationary years and by the department tenure and promotion committee and department chair in the fall of the third and fifth probationary years. Each evaluation will be conducted by examining the probationary faculty member's performance against the promotion and tenure criteria (see Section 2.1) resulting in a recommendation to the dean regarding reappointment for the subsequent probationary year.

For each probationary review process, the department chair shall request input from all senior faculty members in the department regarding each probationary faculty member's performance. The chair or his/her designee will observe each of the probationary faculty member's courses at least once during each semester, and will provide suggestions for improvement if appropriate.

The department chair will meet with each probationary faculty member and will communicate the results of the annual evaluation and resulting recommendation both orally and in writing**.** The probationary faculty member will be given the opportunity to respond to the evaluation and recommendation both orally and in writing.

Results of the annual performance evaluation of each probationary faculty member, the recommendation regarding possible reappointment, and any written response from the faculty member being evaluated will be transmitted to the appropriate college dean and to the provost. The dean will review the faculty member's dossier, the department chair's evaluation and recommendation, and any response from the faculty member prior to recommending reappointment to the provost and will meet with each probationary faculty member prior to forwarding his or her recommendation to the provost.

The provost will review all of the materials prior to reaching the final decision regarding reappointment. The provost will issue a letter to the faculty member identifying the decision to reappoint or not to reappoint. The decision not to reappoint is not subject to the provisions of Section 2.9.

For first-year probationary faculty, a decision not to offer reappointment must be communicated to the faculty member by March 1. For probationary faculty members who have served for more than one year but less than two, the decision must be communicated to the faculty member by December 15. A decision not to reappoint a faculty member who has served for more than two years must be communicated to that individual twelve months prior to the end of the appointment.

b. Promotion and Tenure—The role of the Faculty at the University of New Haven is to maintain high standards in teaching, research/creative activity, and service in their own work, and to apply those standards rigorously to candidates, while striving to ensure fair and consistent treatment of all candidates for promotion and tenure.

Promotion from assistant professor to associate professor normally involves a decision whether or not to grant tenure. Tenure will not be awarded to individuals at ranks below associate professor, and the rank of associate professor will not be awarded without the simultaneous granting of tenure. Thus tenure will not be granted to any candidate unless the candidate is also qualified to be promoted to the rank of associate professor.

The faculty status of assistant professors who hold tenure at the time of the adoption of this handbook will not be affected by the provisions of the preceding paragraph.

Applications for tenure and promotion to the rank of associate professor are normally made in the sixth probationary year. Applicants who apply for tenure and promotion early, i.e., before their sixth probationary year, must demonstrate outstanding and exemplary performance in teaching competence and in at least one of the following two areas of performance: scholarly activity (research/creative activity) or university service with a minimum of strong performance in the other. Applicants for early tenure should understand that it is more difficult to demonstrate the same level of achievement in teaching, scholarship and service in a shorter period of time. Faculty may apply no more than one time for tenure prior to the completion of the six-year probationary period. Faculty may apply no more than one time for promotion prior to their sixth year in each rank.

A faculty member's probationary period may be extended one time by the provost for one additional year when a faculty member has been on approved leave of absence with or without pay.

2.1.5 Criteria in Tenure Decisions

University-wide criteria are expressed in this handbook; college criteria are expressed in writing and are developed through established policy development process in each college, must be consistent with university guidelines, and are reviewed and approved by the University Tenure and Promotion Committee and the provost. Department criteria are proposed by academic departments and are reviewed and approved by the dean, the University Tenure and Promotion Committee, and provost. Department chairs, deans, and other responsible administrators should communicate all criteria, including any special requirements applicable within a department or a college, to a tenure-track faculty member early in his or her career at the institution. When changes in tenure and promotion criteria occur, faculty should be provided the time and resources necessary to meet the new requirements including a possible extension of the probationary period for tenure review. Individual requests to extend a probationary period for these reasons must receive approval from the dean and the provost.

Consistent with the university's Equal Employment Opportunity policy, tenure and promotion decisions will be made without regard to a candidate's race, gender, disability, national origin, age, marital status, sexual

orientation, veteran status, religion, or any other characteristic protected under state or federal law. Formal evaluations of a single individual over time reflect a coherent set of expectations and a consistent analysis of the individual's performance. Department chairs and other colleagues should not convey excessive optimism about a candidate's prospects for tenure or promotion. A negative tenure or promotion decision should not be the first criticism the individual receives. Everyone who participates in reviews must scrupulously follow tenure and promotion policies and procedures, and administrators should take special care when reviewing candidates from their own disciplines. Tenure decisions are based on faculty performance. The specified process will be followed; however, in a case in which a procedural flaw is identified, the decision to grant or deny tenure shall not be based on the presence of a flawed process.

2.1.6 Annual Evaluation of Tenure-Track Faculty

The department chair or other responsible administrator will mentor and explain to every tenure-track faculty member the standards for reappointment, tenure and promotion, and the cycle for evaluations of his or her progress in meeting these requirements. However, it is that faculty member's responsibility to make consistent progress on all criteria and to demonstrate his or her progress in the evaluation portfolio.

Evaluations should be candid and expressed in written form. They should include specific examples illustrating the quality of performance (where appropriate), constructive criticism of any potential areas for improvement, and practical guidance for future efforts.

Evaluations will occur each year, with the participation of the faculty member and his or her academic peers.

To be recommended for continuation, a tenure-track faculty member must make continuous progress toward meeting all requirements for tenure and promotion.

Tenure-track faculty should be informed prior to the last probationary year if the University lacks the ability to award tenure due to financial or programmatic needs. This notification is the responsibility of provost.

2.1.7 Jurisdiction

The University-wide Tenure and Promotion Committee (T&P Committee) will assess the qualifications for all candidates for tenure and promotion and forward its recommendations to the administration. Should the administration not concur, specific reasons shall be communicated to the applicant and the committee in writing.

2.1.8 University Tenure and Promotion Committee—Committee Membership

a. There shall be a university tenure and promotion committee (T&P committee) consisting of one or two voting members from each college, each holding tenure and the rank of professor. The number of representatives from each college shall be determined by the number of full time faculty in each college utilizing the following criteria: colleges with fewer than fifteen (15) but more than five (5) full time faculty members shall have one (1) representative; colleges with fifteen (15) or more members shall have two (2) representatives. University at-large members shall be elected for colleges with fewer than two faculty members who are eligible to serve. The chair of the committee will be elected for a two-year term from the full-time tenured faculty at large and will have the rank of professor. The chair will serve in addition to the one or two representatives from his or her college. The committee will appoint a secretary from within its membership.

b. Each college will also elect an alternate who will serve on the committee should one of the regular members be unable to attend the primary hearing. The same person also serves on the appeals committee.

c. The term of membership will be two years. In colleges having more than one member, the terms of the members will alternate so that each of those colleges will hold an election annually to replace one of its members.

d. A candidate for tenure and/or promotion cannot serve on the T&P Committee.

e. In the event that these criteria leave a college without representation, the faculty of the affected college will elect a representative and an alternate to serve on the committee from the full-time, tenured professors of another college.

2.1.9 Application Procedure

a. An application for promotion or tenure may be initiated by either (1) the candidate, who must notify the chair of the University Tenure and Promotion Committee of his or her intent to apply, or (2) by his or her chair or dean, who must notify the chair of the University Tenure and Promotion Committee of the chair's or dean's recommendation to the faculty member to apply. The candidate will be responsible for compiling all supporting material, soliciting letters of recommendation, and forwarding his or her application package to the Chair before the announced deadline.

b. A department shall by consensus of the tenured faculty, establish a department tenure and promotion committee. It will consist of at least three tenured faculty but may be as large as all tenured faculty in the department. Department members up for promotion may not sit on the department committee. If a department has fewer than three eligible members, the tenured faculty of the department other than those to be considered for promotion will ask tenured full professors from other departments to serve. The department chair shall be a voting member of the committee if he or she is tenured and is not being considered for promotion. If the chair is not tenured, the department tenure and promotion committee shall select a committee chair from among its members. If no tenured faculty are eligible to serve on particular department tenure and promotion committee, the dean in consultation with the department chairs of the college will appoint a three-member committee of tenured faculty from other departments to serve as the department tenure and promotion committee.

   Only tenured professors may participate on the committee during consideration of a candidate for promotion to professor. Tenured professors and tenured associate professors may participate on the committee during consideration of a candidate for promotion to associate professor. If the number of tenured faculty members of appropriate rank is less than three for a particular candidate for promotion, the dean in consultation with the department chairs of the college will appoint an alternate member from tenured faculty with appropriate rank from other departments to serve on the committee for the consideration of that candidate for promotion.

c. The candidate shall consult with his or her department chair concerning the assembling of the candidate's portfolio. The portfolio should conform to the published guidelines of the University-wide T&P Committee. The portfolio must contain evidence that can support a conclusion for each of the five criteria: Education, Years of Credited Collegiate Faculty Experience, Teaching Competence, Scholarly Activities (research/creative activity), and University Service. For promotion to the rank of professor, a sixth criterion, External Visibility, must also be addressed. The sixth criterion is applied only to decisions regarding promotion to the rank of professor. At a minimum the portfolio must contain the following: (1) an up-to-date curriculum vita that includes a description of educational preparation; (2) a copy of the initial letter of appointment to a tenure-track position; (3) evidence of teaching competence that includes a one-page description of the faculty member's teaching philosophy or approach to teaching, a list of all courses taught during the evaluation period, course evaluations including those conducted by students, peers or department chairs, and at least two additional elements that can serve as evidence of teaching proficiency; (4) representative copies of publications, works in progress, conference papers, and other writings or creative projects and supporting materials the faculty member has authored during the period of consideration; (5) evidence of service to the department, school, and university, to the profession or discipline engagement in the community, and/or evidence of programmatic activities; and (6) copies of individualized professional plans. An accompanying set of supporting documents should be included with the portfolio. An indexed list of items serving as supporting documents must also be in the portfolio.

d. Regarding scholarly activities, the portfolio submitted must identify which publications have appeared, or have been accepted by refereed journals, the percent of effort for jointly authored publications, and all work in progress.

e. The candidate shall meet with the department chair to discuss the name of at least one external reviewer who will review the candidate's work. The chair will then consult with the dean concerning the selection of external evaluator(s). The candidate may not either select or veto the external evaluators, whose letters will be confidential and will not be shared with the candidate.

f. The portfolio will be shared with departmental faculty, outside reviewer(s), and other faculty and administrators involved in the promotion and tenure review process. Portfolio materials may be provided in electronic form; URLs directing the reviewer to the appropriate material must be identified in the portfolio.

g. The department tenure and promotion committee will meet to review the candidate's portfolio and confidential external letters against the established criteria for promotion and tenure. The department chair or committee chair, if the department chair is not eligible to serve on the committee, will record the consensus of the department tenure and promotion committee. A vote by secret ballot will be taken at the meeting. The candidate must have a majority of positive votes in order to receive a positive recommendation by the department. Abstentions will be viewed as a vote not to support the promotion or tenure recommendation.

h. The department chair (or committee chair if appropriate) will prepare a narrative that discusses the views of the department tenure and promotion committee with respect to the candidate's performance on each of the criteria for promotion and tenure (listed below). The chair will circulate a draft of the narrative for comment and possible correction by the members of the committee. The department committee narrative will be shared with the candidate. The candidate may respond in writing to the department chair (or committee chair if appropriate) within seven (7) calendar days if desired. The department chair or committee chair shall then forward the recommendation of the department tenure and promotion committee, including the candidate's views if any, to the college tenure and promotion committee.

i. Each college shall have a college tenure and promotion committee. The college committee shall be composed of no fewer than five tenured faculty members. Departmental representation on this committee will be as widely and evenly distributed as possible among the programs in the college. The charge and membership of the college-level tenure and promotion committees are described in Section 4.5.3.

j. The dean shall meet with the committee to discuss applicants but will be absent from committee deliberations. Each college committee shall follow the review process identified in items "f," "g," and "h" above.

k. The college tenure and promotion committee shall forward both the departmental and college recommendations and the candidates' responses to the University Tenure and Promotion Committee and to the dean.

l. The candidate may add to the package documents or statements to clarify issues raised by the department or college committee and may add information about very recent developments. He or she will then forward it to the chair of the University committee and the dean before the announced deadline.

m. The university committee and the dean will consider each candidate's portfolio and the accompanying recommendations during the same period of time. The university committee will forward its recommendation to the provost, and the college dean will separately forward his or her recommendation to the provost.

n. The provost will then consider the candidates' portfolios and accompanying recommendations, forwarding his or her recommendation to the president.

o. The president will consider the candidates' portfolios and accompanying recommendations, make the final decisions, and report his or her decisions to the candidates, to the University Tenure and Promotion Committee, and to the Board of Governors.

2.1.10 Calendar

The following is the recommended calendar for tenure and promotion committee deliberations. If a date falls on a weekend or holiday, the due date becomes the last working day before the prescribed date.

a. June 15: Reviewer(s) nominated.

b. June 30: Reviewer(s) selected by dean, chair and candidate.

c. September 10: The name of the chair of each college tenure and promotion committee will be announced.

d. September 15: Each potential candidate for tenure or promotion must notify the chair of the University Tenure and Promotion Committee and his/her chair and dean of the intention to apply. The provost will provide the chair of the University Tenure and Promotion Committee with a list of all faculty serving in the final pre-tenure year.

e. October 10: Each candidate should deliver application materials to the chair of his or her departmental T&P committee.

f. On or Before October 15: The chair of the department T&P ensures that a copy of each candidate's portfolio is mailed to the external reviewers with cover letters providing instructions for responses.

g. The remainder of the calendar will be published annually by the provost by October 10 following consultation with the University Tenure and Promotion Committee.

h. The process employed will permit a minimum of four weeks for committees or individuals to review the portfolio, deliberate, and forward the recommendation. In addition, the calendar will permit a minimum of one week for the candidate for promotion or tenure to provide an optional written statement to accompany the recommendation to the next level.

i. Each candidate will receive a copy of the recommendation forwarded by the committee or individual to the next level.

j. The department committee and chair will review the portfolio during the same four weeks and may meet to discuss the evaluation at the invitation of the committee and at the option of the chair.

k. The college committee will forward review the portfolio and the accompanying recommendations during the next four weeks and will forward its recommendation separately to the University Tenure and Promotion Committee and to the college dean.

l. The University Tenure and Promotion Committee and the college dean will review the portfolio and supplementary materials during the same four-week period and may meet to discuss the evaluation at the invitation of the committee and at the option of the dean.

m. The provost will forward his or her recommendation to the president.

n. The president will notify the candidates who have been recommended for tenure or promotion and will report his or her decisions to the Board of Governors.

2.1.11 Meetings of the University Tenure and Promotion Committee

a. The primary hearing

1. Discussions by the University Tenure and Promotion Committee should be attended by ALL members of the committee. If a member is unable to attend, the alternate from the absent member's school will serve. Otherwise, the chair will postpone deliberations until such time that the regular members are again able to attend.

2. All information, discussion, and votes taken during the meeting are to be held completely confidential by members of the committee and not disclosed to others except as designated in 2.1.11.a.7.

3. Each candidate's dean will submit a written evaluation and meet with the committee in accordance with 2.1.10.l to respond to questions. The dean will leave prior to committee deliberations and vote.

4. The University Tenure and Promotion Committee shall maintain a record of all actions.

5. All decisions of the University Tenure and Promotion Committee must be arrived at by secret ballot without comment and will contain a record of whether (in the mind of the voter) the candidate has satisfied all of the criteria for promotion and/or tenure.

6. A single vote is conducted regarding promotion, and a single vote is conducted regarding tenure. A majority of votes is required to recommend a positive decision.

7. Recommendations, both positive and negative, with reasons for the same, will be sent to the provost and the president after the appeal process is completed. The actual vote (numbers of yes and no ballots) will be sent to the provost. Relevant documentation should be retained by the Senate, and candidates' application materials shall be made available to the provost and the president. Should the president, in consultation with the provost, not feel able to concur with a recommendation by the committee, he or she should so inform the chair of the committee in writing and include reasons for non-concurrence.

8. At the end of the annual tenure and promotion process, each applicant's documents including the indexed list of supporting documents shall be sealed and forwarded to the University's Office of Human Resources, as custodian of record. The documents shall be kept for six years after the tenure decision or one year following termination, whichever is later. The supporting documentation will be returned to the applicant.

b. Appeals

1. In the event that the University Tenure and Promotion Committee's recommendation be a denial, the candidate shall be notified by the chair of the committee and given reasons for the negative votes.

2. Any decision by the University Tenure and Promotion committee may be appealed by the candidate by requesting a hearing with the committee. To initiate the appeal process, the candidate should notify the chair of the committee within ten working days from the date of the notification letter written by the chair of the University Tenure and Promotion Committee.

3. At the appeals hearing, the candidate will be given the opportunity to appear, either directly or through others of his or her choosing, to present and defend his or her case. Only after such a hearing shall the committee make its official recommendation.

4. The right of a faculty member to constitutional grievance procedures with respect to process in tenure and promotion decisions shall not be denied. (See Section 2.14.1.)

5. Any unresolved conflict regarding procedures or substantive issues between the University Tenure and Promotion Committee and the General Grievance Committee shall be adjudicated by the president of the University. (See Section 2.14.)

6. Faculty may make a final appeal to the president.

2.1.12 General Criteria for Tenure and Promotion

a. General Criteria—In considering any petition for tenure or promotion, the candidate will be judged only according to the criteria defined below for tenure and for the rank for which he or she is applying. The candidate will be expected to demonstrate professionalism and to meet all relevant criteria adequately in order to qualify for promotion or tenure. This section describes the criteria and the nature of the evidence that might be presented for each. Where applicable, the extent and level of experience required for tenure and for promotion to each rank is detailed below. Tenure will not be awarded to holders of faculty appointment below that of associate professor.

1. ***Education.*** A candidate must possess a terminal degree appropriate to his or her discipline. The initial contract of each faculty member will indicate the nature of the "terminal degree" that will be used for the individual new faculty member, in the process of determining tenure and promotion. Very rarely will this degree not be a doctorate.

2. ***Years of Credited Collegiate Faculty Experience***. To qualify as a year of experience under these criteria, the experience must be full-time tenure-track faculty service at a regionally accredited four-year college or university, or equivalent. The year of application for tenure or promotion is counted as one of these years.

3. ***Teaching Competence***. The candidate must have demonstrated an exemplary ability to teach and guide students in his or her discipline. To help the committee ascertain the effectiveness of such teaching, the candidate must present the following: (a) a one-page description of the faculty member's approach to teaching or instructional philosophy, (b) a list of all courses taught during the evaluation period, (c) course evaluations, including those conducted by students, peers, or department chairs; and (d) at least two additional elements, such as sample course syllabi, exams, and/or assignments, that can serve as evidence of teaching proficiency. The candidate must also demonstrate that he or she has communicated and worked well with the department chair, colleagues, and students to carry out the teaching mission of the department, school, and university.

   Teaching competence shall be evaluated considering each of two key elements: (1) teaching performance and (2) related educational activities.

   - ***Teaching performance*** is defined as those activities by the faculty member that directly contribute to student learning. These teaching activities may extend beyond the classroom to include field or community settings or the use of technology. Effective teaching can include many pedagogical approaches, such as lectures, individual and group exercises, inquiry-based learning, discussion sessions, and other techniques. It can also include a wide range of activities such as coordinating and supervising students in learning experiences; collaborating with students on research, performance, artistic, and other projects; mentoring students; professional counseling of students (by counseling faculty); tutoring students; and enabling student access to and use of information and knowledge resources. The evaluation of teaching performance shall include multiple measures. The basis of the evaluation shall be the quality and effectiveness of the performance.

   - ***Related educational activities*** are defined to include, but are not limited to academic advisement, curriculum/program development, programmatic assessment of learning outcomes, membership on thesis committees, the development and evaluation of comprehensive exams, and other academic support activities that enhance student retention and student achievement.

4. ***University and Professional Service***. The candidate should present evidence of effective service to the University; for example, evidence of positive outcomes or impacts resulting from the faculty member's effective service on school or university committees, performance of departmental duties, implementation of program assessment, work with student groups, involvement in intramural activities, performance of program coordination, writing grant applications, conducting school visits, and representing the University at community events. In addition, evidence of service to the profession and the faculty member's discipline and evidence of engagement in the community should be presented.

   The candidate must also demonstrate that, during this service, he or she has communicated and worked well with committee chairs, colleagues, and students to carry out the mission of committees, school, and university.

5. ***Scholarly Activity***. Relevant activity may include, but is not limited to, research, scholarly publications, conference presentations and publications, successful grant applications, public exhibits or performances, books, or anthologies. As part of the documentation of this activity, the candidate is encouraged to provide additional external recommendations from people capable of judging the merit of such accomplishments.

6. ***Visibility in the Discipline***. The candidate should make a clear contribution within his or her discipline, sufficient to create regional visibility. Relevant activity depends on the candidate's field. It may include, but is not limited to external consulting, organizing meetings, reviewing manuscripts, exhibits and performances, patents, university outreach programs, membership on an editorial board, or office in a professional organization.

Of the six categories, Category 3—Teaching Competence will normally have the greatest weight. To receive a favorable recommendation for tenure and promotion, performance in each category must meet the standards identified in the criteria. In the case of a faculty member who is appointed or elected to a non-teaching position, consideration shall be given to performance in that assignment.

b. Departmental Elaborations—Academic departments* must formulate written elaborations of three categories of criteria: (a) Teaching Competence, (b) University and Professional Service, and (c) Scholarly Activity. Specific elaborations will be developed for the department as a whole as well as separate elaborations for each academic discipline in the department. Elaborations will also describe the criteria upon which faculty with a declared teaching focus will demonstrate continued currency in their disciplines. All elaborations and amendments to them must be approved by the University Tenure and Promotion Committee, the dean, and the provost prior to their first use in a review process. These elaborations are to address the criteria for promotion to associate professor, for promotion to professor, and for tenure for each discipline grouping in the department and in consideration of the goals of the department. Once approved, departmental elaborations remain in effect for all subsequent reviews until amended or replaced by the department. Any such changes must be approved by the University Tenure and Promotion Committee, the dean and the provost. Each faculty portfolio must contain copy of the current as well as any applicable prior elaborations. A faculty member has the right to be evaluated according to elaborations in effect when he or she was hired or to which the faculty member subsequently has agreed. The initial elaborations will be forwarded to the University Tenure and Promotion Committee by the end of the first semester following the approval of the handbook. A formal review of each department's elaborations by the University Tenure and Promotion Committee, dean, and provost shall occur every three years.

* *(The terms "department" and "departmental" refer to the faculty of a department within a college, the faculty of a division within a college, and the faculty of a college without departments.)*

c. Individualized Professional Plans—Each faculty member shall have the discretion to develop, in collaboration with his or her chair an individualized professional plan. Such plans shall specify the

candidate's goals and objectives and may alter the balance of effort among teaching, scholarship (research/creative activity), and university/professional service for a specified period of time. All individualized professional plans must be approved by the faculty member, chair, college dean, and the provost and vice president for academic affairs. In cases where such plans are submitted, they will be taken into account by each reviewing body or officer.

d. Request for External Review of Materials—A request for an external review of materials in one's personnel file may be made by any of the parties involved in the review; however, the external review may be conducted only with permission of the candidate.

2.1.13 Criteria for Promotion to Associate Professor

a. ***Education***. The candidate must hold an earned doctorate or the appropriate terminal degree, as defined in Section 2.1.12.a.1 above.

b. ***Years of Credited Collegiate Faculty Experience***. Candidates shall have a minimum of six years of tenure-track full-time faculty experience at the rank of assistant professor at the University of New Haven or combined tenure-track full-time faculty experience at the rank of assistant professor at the University of New Haven and at other accredited universities or colleges as identified in the initial appointment contract (maximum of three years as specified in 2.1.2.b).

c. ***Teaching Competence***. The candidate must demonstrate an exemplary ability to teach and guide students, and to carry out the teaching mission of the department.

d. ***Scholarly or Creative Activities***. The candidate must demonstrate a consistent record of quality scholarly or creative achievement in his or her field as described in Section 2.1.12.a.5 above.

e. ***University and Professional Service***. The candidate must demonstrate meaningful service to his or her department, school, and university during which he or she has worked effectively with members of the community in a variety of contexts. Service in the form of program development or active participation in program development or improvement shall be considered part of this element.

f. At this level, a candidate is not required to have external visibility.

2.1.14 Criteria for Tenure

a. ***Education***. A candidate for tenure must hold a discipline-appropriate terminal degree, as defined in Section 2.1.12.a.1 above.

b. ***Years of Credited Collegiate Faculty***. Candidates shall normally have a minimum of six years experience in a tenure-track position at the University of New Haven, or a minimum of three years tenure-track experience at UNH plus sufficient additional tenure-track experience to equal six or more total at another accredited university. The number of specific years of credit toward tenure shall be specified in the faculty member's initial appointment contract. By the end of each spring semester, the Provost's Office will present to the University Tenure and Promotion Committee a list of faculty who will be entering their last probationary year during the upcoming academic year.

c. ***Teaching Competence***. The candidate must demonstrate an exemplary ability to teach and guide students, and to carry out the teaching mission of the department.

d. ***Scholarly or Creative Activities***. The candidate must make an active and continuing contribution to his or her field and demonstrate the potential for future significant contribution.

e. ***University and Professional Service***. The candidate must demonstrate meaningful service to his or her college and to the University, community, and/or profession or discipline during which he or she has worked effectively with members of the committee, school, and university.

f. At this level, a candidate is not required to have external visibility.

2.1.15 Criteria for Promotion to Professor

For promotion to professor each candidate must demonstrate he/she has met all of the following criteria:

a. ***Education***. The candidate must hold the terminal degree, as defined in Section 2.1.12.a.1 above.

b. ***Years of Credited Collegiate Faculty Experience***. Candidates shall have at least ten years of full-time tenured and tenure-track faculty service at the University of New Haven, with at least five at the rank of Associate Professor. (This requirement may be modified by the faculty member's initial appointment contract.)

c. ***Teaching Competence***. The candidate must continue to demonstrate sustained excellence in teaching, guidance, and in carrying out the teaching mission of the department.

d. ***Scholarly or Creative Activities***. The candidate must demonstrate a consistent record of sustained quality scholarship in his or her field as described in Section 2.1.12.a.5 above and as detailed in the department elaborations. Faculty members who have been provided reduced classroom contact hours and research support for the purpose of research and publication in referred journals will be expected to demonstrate superior effectiveness in this element compared to faculty with more classroom teaching, university service, and/or student advising assignments. A faculty member who demonstrates superior teaching effectiveness and dedicated service to the University will also be expected to meet the requirement for scholarly activity, but at a lower level.

e. ***University and Professional Service***. The candidate must demonstrate substantial and continuing leadership among the faculty in meaningful service to the university community, and/or profession or discipline, and that he or she has worked effectively with members of the University community in a variety of contexts. Demonstration of competence in this element will include activity such as serving as department chair and/or chairing major university committees and/or projects and/or participating in faculty governance. The candidate must demonstrate that he or she has significantly contributed to the support and development of academic programs and courses. The candidate must also demonstrate effective student guidance.

f. ***Visibility in the Discipline***. The candidate should demonstrate professional maturity in his or her discipline as described in Section 2.1.12.a.6 above.

2.1.16 Persons Subject to the Provisions of this Document

Faculty members hired before this document goes into effect and wishing to apply for tenure and/or promotion within five years of its going into effect may choose to be evaluated according to the previous criteria. Otherwise, all candidates for tenure and/or promotion are bound by the criteria stated in Section 2.1.

2.1.17 Faculty Hired at Ranks Higher than Assistant Professor

When a faculty member comes to UNH with experience in a tenure-track position at another institution, his or her initial employment contract will state the number of years of collegiate faculty experience credit that will be awarded toward tenure and separately toward promotion at UNH. These numbers will be used in all contexts where experience is a required criterion for promotion or tenure.

a. Tenure. Tenure shall not be awarded, upon hire, to a candidate who did not hold tenure at a prior institution. Thus, a faculty member could be given the rank of associate professor without tenure.

However, in extraordinary circumstances, tenure may be granted to a faculty member who has held equivalent faculty status elsewhere

b. Rank

1. An experienced faculty member hired by UNH will generally be granted rank equal to the rank held at the prior institution or one rank higher. In addition, the candidate must meet the UNH criteria for the rank granted.

2. If a new hire is granted the rank of assistant professor, his or her initial contract letter will state the number of years of collegiate faculty experience that will be credited toward tenure and the number credited toward promotion to associate professor. These do not need to be identical.

3. If a new hire is granted the rank of associate professor, his or her initial contract letter will state the number of years of collegiate faculty experience that will be credited toward tenure and the number credited toward promotion to professor. These do not need to be identical.

2.1.18 Ad Hoc Personnel Committees

Faculty with formally identified joint appointments in two or more academic departments or divisions will be reviewed for retention, promotion, and tenure decisions by an ad hoc personnel committee.

a. If all of the departments or divisions are in a single college, the dean will appoint a faculty personnel committee of six tenured faculty members to serve in the role of the department personnel committee for that individual for that particular decision. The six faculty will include the chairs of each department or division in which the joint appointment is held, the most senior tenured faculty member from each department or division and additional tenured full professors from the departments or similar departments selected by the dean.

b. If the departments or divisions are in more than one college, the provost will appoint the committee following the same criteria identified in 2.1.18.a. In these situations, the deans will jointly prepare the dean's evaluation in the reappointment, tenure, and promotion processes.

c. The provost will develop and distribute general guidelines for the operation of the ad hoc personnel committees.

Section 2.2—Other Faculty Appointments

The University may appoint an individual to a non-tenure track position in one of six non-tenure-track faculty classifications (lecturer, senior lecturer, professional in residence, practitioner in residence, visiting professor, or adjunct). The general description of these ranks and titles is contained in Section 3.1. The terms and conditions of employment for individuals appointed to non-tenure track titles are contained in their individual employment contracts (letters of appointment) and are not part of this *Faculty Handbook* unless specifically identified in this handbook.

Section 2.3—Professional Development

2.3.1 General Guidelines—Professional development refers to the acquisition and dissemination of knowledge or the acquisition of information and skill that enables a faculty member to become more proficient in his or her professional endeavors, and thus better contribute to the mission, vision, goals, and priorities of the department, college, and university. University faculty are encouraged to participate in and avail themselves of professional development opportunities including those that are programmatically sponsored and provided by the university as well as those of outside agencies and organizations.

The university establishes annually a pool of funds for faculty professional development and allocates a portion of these funds as equitably as possible to each college. The funds are allocated by the deans. A Professional Development Committee in each college will advise the dean on guidelines and criteria to be applied in distributing the funds within the college. Tenured, tenure-track, and full-time-non-tenure-track faculty may apply for these funds.

Professional development funds may be used to support a number of activities including but not limited to travel to meetings and conferences, participation in workshops and short courses, development and incorporation of new teaching styles and methodologies, disciplinary and interdisciplinary retooling efforts, preparation of manuscripts, and purchase of research materials that are otherwise unavailable.

It is generally expected that the university shall provide faculty with access to their field's major scholarly publications. If such access cannot be provided, the dean may elect to approve a request for a faculty member to use professional development funds for journal subscriptions.

Applications for professional development funds should be submitted to the appropriate department in a timely fashion prior to the travel or activity start date to allow for appropriate review. Applications for professional development funds must be endorsed by both the department chair of the appropriate department and the dean of the college. Each dean will provide the provost with an annual report of the allocation of professional development funds.

2.3.2 Professional Development Committees

Each college will establish a Professional Development Committee. See Section 4.5.4.

Section 2.4—Faculty Rights and Responsibilities

2.4.1 Faculty Rights

a. Right to Expression of Views. The faculty, both individually and collectively, has a right to express their concerns and opinions to the administration about all aspects of the university without retaliation. This right includes queries, complaints, suggestions, and any other communication that the faculty, through its representatives, deems worthy of expression. This right is anchored in *The Constitution of the Faculty*, which provides for the faculty to elect representatives to express the collective views of the faculty, and further describes the system of elected representatives.

When the faculty exercises its right to communicate concerns to the administration through its collective representatives, it has a corresponding right to expect a response from the administration in a timely fashion.

This right of the faculty to communicate collectively through their representatives with the administration in no way abridges the right of each and every member of the faculty to express his or her individual views**.**

b. Right to Performance Evaluation. Each faculty member has a right to an annual performance evaluation. This evaluation will be based upon his or her teaching, research and/or creative activity, and service to the University, profession, and/or community within the context of his or her faculty assignment during the specified period of time.

The format and criteria for annual performance evaluations are described in Section 2.11. Annual performance evaluation criteria may not conflict with University criteria for promotion and tenure.

c. The Right to Academic Freedom. The Faculty of the University of New Haven have a right to academic freedom as it is commonly understood in American universities.

This right is set forth in the following excerpt from the "1940 Statement of Principles on Academic Freedom and Tenure" endorsed by the American Association of University Professors.

1. Teachers are entitled to full freedom in research and in the publication of the results, subject to the adequate performance of their other academic duties; but research for pecuniary return should be based upon an understanding with the authorities of the institution.

2. Teachers are entitled to freedom in the classroom in discussing their subject, but they should be careful not to introduce into their teaching controversial matter which has no relation to their subject.

3. College and university teachers are citizens, members of a learned profession, and officers of an educational institution. When they speak or write as citizens, they should be free from institutional censorship or discipline, but their special position in the community imposes special obligations. As scholars and educational officers, they should remember that the public may judge their profession and their institution by their utterances. Hence they should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that they are not speaking for the institution.

2.4.2 Responsibilities of Tenured and Tenure-Track Faculty

All faculty are expected, at a minimum, to engage in the following activities:

a. Maintain competence and expertise in the field in which the faculty member is employed to teach, staying abreast of current research and developments in the field.

b. Produce scholarly research and/or creative activities consistent with the requirements for the faculty member's specific classification and rank in accordance with other sections of the handbook.

c. Contribute through service to the department, college, university, profession, and/or community.

d. Post and attend regular office hours convenient to students.

e. Be available to read and answer email and other correspondence from students and colleagues throughout the work week.

f. Be present on campus or other university-approved work site and available to interact with students and attend meetings the equivalent of four days per week during the academic year.

g. Plan courses, provide a syllabus complete with calendar of the semester's work and assignments, expected student learning outcomes, and grading policy at the beginning of the course, and update it when necessary.

h. Ensure appropriate standards of student integrity in assigned work.

i. Order books for the courses in a timely fashion.

j. Meet classes as scheduled during the academic term and during final exams; follow defined process to ensure coverage of classes because of illness or during approved absences.

k. Advise students.

l. Interact with students outside of class to support their academic progress, supervising research projects, arranging internships, etc.

m. Submit grades within established timelines.

n. Work in a collegial fashion with colleagues to ensure a full program of instruction in the field or program.

o. Anticipate and avoid potential conflicts in interest.

p. Attend at least one commencement event each academic year.

In general, faculty will be provided appropriate levels of support to the extent feasible within budgetary constraints to satisfy fully their required responsibilities.

2.4.3 Classroom Attendance and Advising Policy

Faculty members are expected to be available to be on campus from one week before the first day of fall semester through University Commencement, with the exception of semester break.

All faculty, including non-tenure track and adjunct faculty**,** are expected to meet their assigned classes punctually on a regular basis and to hold class as scheduled, including final examinations. If a faculty member becomes ill and cannot attend class, he/she must notify the department chair and where appropriate to the program director or coordinator. The chair or the program director or coordinator will identify an appropriate substitute instructor or, if necessary, will cancel the class. Cancelled classes must be made up as soon as possible or as appropriately arranged.

The faculty member shall not enroll or refuse to enroll students in courses on the basis of their race, gender, national origin, religion, beliefs, color, age, disability, or sexual orientation, or otherwise unlawfully discriminate among them. The faculty member has the right to maintain and enforce classroom behavior conducive to the learning process for all students involved. When grades or other evaluations of academic performance are required, a faculty member shall provide the University with such grades or evaluations of each student on the basis of academic performance. A faculty member shall return tests and required papers to students within a reasonable time with appropriate comments and/or grades.

All faculty members are expected to serve as academic advisors to students. The department chair may assign individual students to faculty for advising purposes. Faculty members are expected to be thoroughly familiar with major and degree requirements in advising students. Faculty may also be expected with compensation (see *Provost's Compensation Guidelines*) to participate in summer advisement of incoming students, as in SOAR, transfer advisement, etc.

The faculty member is not authorized to make representations or commitments on behalf of the University which are contrary to or not supported by authorized University policies, regulations, or procedures.

2.4.4 Availability and Office Hours

A full-time faculty member shall be regularly available on campus during the academic year. (A part-time faculty member shall regularly be available on campus in proportion to the percentage of time for which he/she is employed.) Each faculty member shall establish, post, and make students aware of regular and adequate office hours so distributed through the week as to be of maximum convenience to the students. Guidelines regarding the number and distribution of office hours will be published in the *Academic Affairs Operating Guidelines*. Additional office hours will normally be needed during registration and examination periods. A copy of the office hours schedule is to be submitted to the appropriate department chair and college dean at the beginning of each semester.

2.4.5 Code of Professional Ethics

The University of New Haven adopts the "Statement on Professional Ethics" developed by the American Association of University Professors.

a. Professors, guided by a deep conviction of the worth and dignity of the advancement of knowledge, recognize the special responsibilities placed upon them. Their primary responsibility to their subject is to seek and to state the truth as they see it. To this end professors devote their energies to developing and improving their scholarly competence. They accept the obligation to exercise critical self-discipline and judgment in using, extending, and transmitting knowledge. They practice intellectual honesty. Although professors may follow subsidiary interests, these interests must never seriously hamper or compromise their freedom of inquiry.

b. As teachers, professors encourage the free pursuit of learning in their students. They hold before them the best scholarly and ethical standards of their discipline. Professors demonstrate respect for students as individuals and adhere to their proper roles as intellectual guides and counselors. Professors make every reasonable effort to foster honest academic conduct and to ensure that their evaluations of students reflect each student's true merit. They respect the confidential nature of the relationship between professor and student. They avoid any exploitation, harassment, or discriminatory treatment of students. They acknowledge significant academic or scholarly assistance from them. They protect their academic freedom.

c. As colleagues, professors have obligations that derive from common membership in the community of scholars. Professors do not discriminate against or harass colleagues. They respect and defend the free inquiry of associates. In the exchange of criticism and ideas professors show due respect for the opinions of others. Professors acknowledge academic debt and strive to be objective in their professional judgment of colleagues. Professors accept their share of faculty responsibilities for the governance of their institution.

d. As members of an academic institution, professors seek above all to be effective teachers and scholars. Although professors observe the stated regulations of the institution, provided the regulations do not contravene academic freedom, they maintain their right to criticize and seek revision. Professors give due regard to their paramount responsibilities within their institution in determining the amount and character of work done outside it. When considering the interruption or termination of their service, professors recognize the effect of their decision upon the program of the institution and give due notice of their intentions.

e. As members of their community, professors have the rights and obligations of other citizens. Professors measure the urgency of these obligations in the light of their responsibilities to their subject, to their students, to their profession, and to their institution. When they speak or act as private persons, they avoid creating the impression of speaking or acting for their college or university. As citizens engaged in a profession that depends upon freedom for its health and integrity, professors have a particular obligation to promote conditions of free inquiry and to further public understanding of academic freedom.

2.4.6 Policy on Conflicts of Interest and Commitment

With the acceptance of a full-time appointment at the University of New Haven, an individual makes a commitment to the University that is understood to be full-time in the most inclusive sense. Every faculty member is expected to accord the University his or her primary professional loyalty, and to arrange outside obligations, financial interests and activities so as not to conflict with the overriding commitment to the University.

The term "conflict of interest" refers to situations in which financial or other personal considerations may compromise, or give the appearance of compromising, an employee's professional time, energy, or judgment in administration, management, instruction, research and other professional activities. The bias such conflicts could conceivably impart may inappropriately affect the goals of research, instructional, or administrative programs. The education of students, the methods analysis and interpretation of research data, and the hiring of staff, procurement of materials, and other administrative tasks at the University must be free of the undue influence of outside interests.

The mere appearance of a conflict may be almost as serious and are potentially as damaging as an actual distortion of instructional, research, or administrative goals, processes, or outcomes. Reports of conflicts based on appearances can undermine public trust in ways that may not be adequately restored even when the mitigating facts of a situation are brought to light. Apparent conflicts, therefore, should be evaluated and managed with the same vigor as known conflicts.

Conflicts of interest have the potential to bias directly or indirectly many activities and aspects of the academic endeavor, particularly when employees are in a position to set University policies, manage contracts, select equipment and supplies, involve students in sponsored projects, or when they have other administrative roles in which objectivity and integrity are paramount. Faculty members who are unsure as to whether their current or future actions may pose a conflict of interest should consult with their department chair and dean. The dean will notify the provost.

Full-time members of the University's faculty are expected to engage in a variety of professional, cultural, governmental, and humanitarian activities external to the institution. Such activities are intended to enhance the faculty member's contributions to the education process and not to interfere with the faculty member's primary obligations and assignments within the University. Such activities can consume no more than the equivalent of one day per work week during the faculty member's teaching year. Teaching at other colleges or universities may be permitted provided that there is full disclosure to the University; a determination by the dean in consultation with the department chair that the teaching load is not excessive; and no harm is foreseen to the University's enrollments, educational quality, or fiscal stability. Unauthorized teaching in programs which compete directly with University programs is viewed as a conflict of interest.

Consulting and similar business activities, including any active role in a for-profit corporation, is a legitimate faculty activity only if it does not consume more than the equivalent of one day per work week during the faculty member's teaching year, or diminish the teaching, advising, and governance roles of the faculty member. Any substantial outside commitment which conflicts with faculty responsibilities obligates the faculty member to discuss the situation with the dean and to accept, if necessary, something less than a full-time relationship with the University. As a basic principle, the University expects that a faculty member's primary commitment is to the University, its students, academic programs, governance system, committee structure, and research activities.

If a faculty member has consulting or similar business activity, or plans to assume, significant ownership or managerial responsibilities in an enterprise established for the purpose of commercializing the results of his or her professional endeavors, then he or she is required to disclose to the dean and if necessary to the provost and president the extent of the proposed involvement. Such disclosure will then be reviewed for conformance with University policy.

This policy permits UNH faculty members to undertake outside activities in one or more of the classifications of activities described not to exceed a collective average of the equivalent of one day per week concurrent with the faculty member's teaching assignments. These activities should increase their effectiveness and broaden their experience in relation to their functions at the University, or should be of service to the community, private sector, nation, or world provided:

a. The cumulative total of outside professional activities and overload activities does not substantially interfere with the performance of the faculty member's University duties.

b. The outside activities do not involve use of University property, facilities, equipment, or services, except in limited circumstances when approved by the faculty member's department chair and dean.

c. The faculty member makes it clear to the outside employer (agency, board, jury, or audience) that he or she is acting in an individual capacity and does not speak, write, or act in the name of the University or directly represent it.

d. The faculty member does not list his or her University telephone number in commercial listings or other public documents, the purpose of which is to draw attention to the individual's availability for compensatory service. Further, use of the University name, logo, and stationery is prohibited.

e. The outside employment is consistent with policies of the faculty member's college, school, or division.

f. The faculty member will inform his or her department chair of such activity at the beginning of each semester and will verify for the chair that the activities comply with university policy.

g. During the other days of the week, faculty members are expected to be fully engaged in the work of the University, including such items as are enumerated in Section 2.4.2.

If the dean, provost, and president determine that a faculty member's involvement with an enterprise entails or is likely to entail a significant conflict of commitment, then he or she may request and receive a one-year term half-time appointment with appropriate reduction in obligations to and from the University. Alternatively, the individual may request and receive if approved by the president leave without pay for one year.

At the end of the one-year term, the individual may return to full-time status if the obligations to the private enterprise are discharged or acceptably reduced. Otherwise, the individual will be expected to relinquish full-time status and tenure if applicable. Notice of the faculty member's intent to return to full-time status must be received by the dean no later than April 15 for a potential return to full-time status as of the following fall academic term.

Once tenure is relinquished, the individual may accept an offer of adjunct status; however, reappointment to full-time status requires application and approval through the University's ordinary faculty appointment procedures.

Special Conflict of Interest Situations—A special kind of problem may arise when an individual has a consulting agreement or other substantial personal interest in an organization which either manufactures equipment or provides services that are purchased for use by the University of New Haven.

Responsibility for the propriety of arrangements in which multiple and possibly conflicting interests exist rests in the first instance with the individual. For the protection of all concerned in which the appearance of a conflict of interest exists, members of the faculty are expected to provide full information to, and obtain the approval of, the appropriate dean and the president and provost for any arrangement in which a conflict of interest is implicit has the or potential to exist.

2.4.7 Nondiscrimination and Harassment

The University of New Haven does not discriminate against employees or students on the basis of race, gender, disability, national origin, age, marital status, sexual orientation, veteran status, religion, or on the basis of any other characteristic protected under state or federal law. In addition, the University of New Haven prohibits harassment against employees or students on the basis of any of the above-enumerated characteristics. The University's Sexual Harassment Policy is available from the Department of Human Resources.

2.4.8 Statement on Consensual Relationships

Anyone in a position of power or authority shall avoid situations where he or she would make determinations or evaluations affecting the terms and conditions of employment or student status for relatives, family members, spouses or significant others with whom he or she has an intimate relationship. Such a relationship, combined with the power and responsibility of making such determinations or evaluations, is considered to be a conflict of interest.

If a consensual relationship should develop between an instructor and a student, or between a supervisor and a subordinate, where a power differential exists, the instructor or supervisor should report the matter, as soon as possible, to his or her immediate supervisor, i.e.; department chair or other supervisor. This immediate supervisor, in consultation with the college dean, will immediately make arrangements so that the official determination(s) affecting the terms and conditions of employment, study, or progress in a program of the person(s) involved in the consensual relationship can be carried out under the direction of a competent objective third party(s). This should be carried out in a manner that maintains the highest degree of confidentiality possible.

It should also be made clear that the instructor, mentor, tutor, or supervisor should not, thereafter, be allowed to have undirected responsibility for supervising, evaluating, or grading the consensual relationship partner's performance.

All instructors, supervisors, students and supervisees should understand that these situations are of concern to the University of New Haven. It is the instructors and supervisors, who, by virtue of their special power and responsibility, will bear the burden of accountability in such cases. There are substantial risks in an apparently consensual relationship where a power differential exists, even if the conflict of interest issues are resolved, involving potential charges of sexual harassment and/or violations of University policy. Such consensual relationships have the potential for very serious consequences and should be avoided, where possible.

Where such relationships cannot be, or are not avoided, this policy mandates the declaration to and intervention by a supervising authority, for the protection of both parties involved in the consensual relationship. Any instructor or supervisor who enters into such a relationship should be aware that liability protection under state law may not apply in subsequent actions arising out of consensual relationship situations, where the instructor or supervisor failed to comply with this policy, and that failure to comply with this policy can lead to disciplinary action up to and including dismissal.

2.4.9 Policy on Intellectual Property

This Policy shall apply to all original works of authorship created, and all discoveries and inventions conceived or first reduced to practice, on or after formal approval of this policy.

This Policy establishes criteria for guidance of University of New Haven administrators, faculty, staff, and students, as well as others in making supervised use of university facilities and resources concerning the development, ownership, management, and marketing of intellectual property ("IP"). This Policy applies to any invention, discovery, technology, creation, development, writing, art work, musical composition and performance, literary work, software, or other forms of expression of an idea or the idea itself that arises from the activities of such persons.

The governors, administrators, and faculty of the University of New Haven wish to foster an intellectual environment in which creative efforts and innovations – some using new instructional technologies and models, including distance learning methods – can be encouraged and rewarded, while providing the University and its learning communities with reasonable access to, and use of, IP academically beneficial to them.

a. Definitions—As used in this Policy, the following capitalized terms have the following meanings:

1. **"Academic Works"** means original work(s) of authorship protectable under copyright law in any media that are created by faculty and/or by students in the course of their educational endeavors but that are not patentable. "Academic Works" includes works such as course materials, textbooks, articles, theses, dissertations, abstracts, fiction and non-fiction books, software, musical compositions, paintings, sculptures, and all other works of artistic or scholarly creation that are not UNH Works.

2. **"Course"** means an organized body of information used for educational instruction, including all instructional materials and presentations made by faculty member(s) or other instructors responsible for delivering the instructional materials.

3. **"More than Incidental Use of UNH Resources"** means use of specialized, research-related facilities, equipment, or supplies provided by the University for academic purposes, but does not include routinely available office equipment such as desktop computers and commercially available software, reference materials, or other resources.

4. **"Extraordinary UNH Resources"** means a direct allocation of University funds or use of specialized equipment, either of which is significantly greater than or different from that ordinarily available for the creation of Academic Works, and includes substantial contribution by non-faculty employees working within the scope of their University employment. "Extraordinary UNH Resources" does not include the incidental use of University facilities, support staff, and related resources, to the extent that those resources are customarily available for regular faculty members' use in their academic activities.

5. **"UNH Works"** means any original work(s) of authorship protectable under copyright law that are created: (1) at the specific direction or request of the University for a specific University purpose; (2) as part of a project involving a grant, contract sponsor, or other third party pursuant to a written agreement; or (3) using Extraordinary UNH Resources.

b. Copyright Policy—Under U.S. copyright law, copyright in all works created by a person within the scope of his or her employment belongs to the employer. However, it is traditional at the University of New Haven (and other universities) that the copyright in certain works be deemed owned by the creator. The University disclaims ownership of such works, under certain circumstances, as described in this Policy. Faculty retain copyrights for academic works created within the ordinary level of resource and support provided the faculty in general. Faculty share copyrights with the University in situations where academic works are created with extraordinary levels of resources and/or support relative to that provided the faculty in general. The University retains copyrights in all UNH Works.

1. <u>Academic Works with Ordinary Resources and Support</u>. The University will not claim any ownership interest in the copyrights in Academic Works. Faculty who create Academic Works shall have the right to own the copyrights in such works.

The University shall have a non-exclusive royalty-free right to retain, use, reproduce, and distribute a limited number of copies of each Academic Work solely for research and noncommercial educational purposes, provided such license is consistent with any contract the author enters into with a publisher regarding such Academic Work.

The University reserves a non-exclusive royalty-free license to use descriptive or exemplary material created for classroom teaching use for the documentation of the Course itself, such as announcements and catalogs, curricular review, and accreditation reporting.

2. **<u>Academic Works with Extraordinary UNH Resources</u>.** When Academic Works are created with extraordinary resources and support being provided to a faculty member, the faculty member shall own the copyright in such Work, but the faculty member and the University shall identify the relative shares of the Net Proceeds each shall be entitled to prior to the creation of the work and any such decision shall be stated in a written agreement. In situations where the relative shares are not identified, then each shall be entitled to a fifty-percent (50%) share of the Net Proceeds received by the faculty member, unless and until such time as the parties may agree otherwise. Any change to the fifty percent (50%) shared arrangement must be reflected in a written agreement between the parties." "Net Proceeds" means all revenue received by the faculty member for the publication or other exploitation of the Academic Work, less the faculty member's costs related to such publication or exploitation (including by way of example and not limitation, legal fees and agent commissions).

3. **UNH Works.** The University shall retain the copyrights in all UNH Works.

   The University's copyright notice should appear on all works owned by the University, *e.g.*, "Copyright © 20__ Board of Governors of the University of New Haven. All rights reserved."

c. Patent Policy

1. **General.** All discoveries and inventions (collectively, "Inventions") that have been for the first time reduced to practice or conceived in whole by members of the University faculty or staff (including student-employees) of the University shall be disclosed in writing to the provost. Likewise, all Inventions that have been for the first time reduced to practice or conceived by members of the University faculty or staff (including student-employees) of the University in collaboration with persons or entities outside the University shall be disclosed in writing to the provost. Such disclosures in writing are to be forwarded to the provost in cases that meet either of the following descriptions: (a) If the employee discovered or invented something within the scope of his or her employment and/or (b) If the employee discovered or invented something with More than Incidental Use of University Resources regardless of whether the discovery or invention is within or outside the scope of employment. In each of these situations, the Invention should be reported so the University can assess its possible interest in such Inventions developed using its resources. The University makes no claim to Inventions by its faculty or other employees unrelated to the activities for which the individual is employed and that have not involved More than Incidental Use of UNH Resources.

2. **Disclosure of Inventions.** Promptly following the occurrence of an Invention, whether or not patentable, inventors/discoverers must prepare and submit in writing to the University an Invention disclosure for each Invention subject to this patent policy. Each such disclosure will include information about the inventor(s)/discoverer(s), what was invented or discovered, circumstances leading to the Invention, and facts concerning subsequent activities. The University and inventors/discoverers will maintain appropriate confidentiality of the disclosure while the University conducts the process of defining the University's interest.

3. **University Interest.** The provost will evaluate the interests involved and make a recommendation to the president in three (3) months or less from the University's receipt of a complete Invention disclosure from the inventors/discoverers; however, an extension of up to six (6) months from receipt of such Invention disclosure may be declared by written notice from the University to the inventors/discoverers. If the University has not identified its interest by the end of such six (6) months, then the University forfeits its interest in the IP unless the University and the inventors/discoverers agree otherwise. The provost may appoint an ad hoc committee to conduct a review prior to making a recommendation. The president will review the provost's recommendation and determine whether or not the University desires to exercise its interest in the IP.

   If the University does not desire to exercise its interest in the IP, it will so notify the inventors/discoverers, who will thereafter be free to deal with the IP as they choose. In such instances, the University may reserve a nonexclusive, royalty-free license to use the IP solely for research and educational purposes, unless expressly agreed otherwise in writing.

   When the University desires to exercise its interest in the IP, the inventors/discoverers will assign all rights in such IP to the Board of Governors of the University of New Haven.

   If the University does not patent and/or license an Invention it had elected to retain in a timely manner, then upon the request of the inventors/discoverers, the University may assign ownership of all rights in such IP to the inventors/discoverers in a writing executed by the Provost, to the extent that it may lawfully do so under the terms of any applicable third-party agreements. The University may retain a nonexclusive, royalty-free license to use any such IP solely for research and educational purposes.

Because decisions regarding when it may be appropriate for the University to exploit an Invention depend in part on the stage of the Invention, differences in opinion regarding development-related issues may arise. For example, some inventions may be worthy of patents but not ready to be exploited until they are further developed. Some Inventions could be exploited early on but may be more marketable and yield better returns/commercialization at a later time. If questions regarding the timeliness of the University's exploitation arise, either party, the inventors/discoverers or the University through the provost may submit the question for dispute resolution pursuant to Section 2.4.9.f.3 of this Policy.

d. Commercialization Considerations—The University encourages the development of Inventions resulting from University research by industry for public use and benefit. It recognizes that protection of proprietary rights, *e.g.*, in the form of a patent or copyright, is appropriate to induce a company to risk the investment of its personnel and financial resources to develop the Invention. In some cases, an exclusive license may be necessary to provide an incentive for a company to undertake commercial development and production.

e. Income Sharing Arrangements

1. If the University exercises its interest in the IP and enters into an arrangement for the commercialization of the Invention (or any other income-producing transaction with respect to such IP), it will share the net income derived from such activities as described in this section.

2. "Net Royalties" means: (1) all amounts received from the exploitation of an Invention, whether or not such amounts are designated as royalties and regardless of the form of such payments, plus (2) amounts received from the sale of a patent or Invention (clauses (1) and (2) collectively, the "Royalties"); less (3) the University's costs related to the patent and commercialization process (including but not limited to assessing patentability, prior art and related searches, filing and prosecution of patent applications, maintenance fees, payments to third parties, and any legal and consulting fees for the foregoing and/or related to a license, sale, or other transaction), and (4) ten percent (10%) of Royalties after reduction of other expenses to cover administrative overhead.

3. Except as agreed in a prior writing by the parties, Net Royalties will be paid annually as follows: Fifty percent (50%) to the inventor(s) and fifty percent (50%) to the University. In the event of multiple inventors, they will be expected to agree among themselves on the fractional distribution of the "inventor" share of any Net Royalties.

f. Administrative Matters

1. **Applicability.** All university employees, including faculty, staff, post-doctoral fellows, and student employees, and non-employees, including students and volunteers are covered by this Policy as are all persons having More than Incidental Use of UNH Resources. All covered persons are required to execute the University Intellectual Property Agreement. This Policy applies to them whether or not a signed agreement is on file with the University. Non-employees and other unpaid persons associated with the University who do not have More Than Incidental Use of UNH Resources are not covered by this Policy.

   Visiting scholars and faculty will be subject to the same provisions of this Policy as regular University personnel during the period they are associated with the University, unless otherwise specified in writing.

2. **Exclusions.** This policy does not establish University policy with respect to University faculty members' consulting, non-University professional, or other business activities.

3. **Policy and Contract Dispute Resolution.** Ownership of IP where faculty interests are involved shall be considered matters of faculty welfare. If disputes regarding intellectual properties issues

arise, a dispute-resolution committee consisting of the chair of the Faculty Senate, the chair of the Faculty Affairs Committee, the chair of the Budget and Finance Committee, and two university administrators appointed by the provost will review the issues and establish a resolution. Examples of issues that may be addressed by the committee are (a) determining if Extraordinary UNH Resources have been provided for in Academic Works and (b) determining if an individual is covered by the Patent Policy. The decision of the committee exhausts the internal process of the university in settling IP disputes. Ongoing disputes would then need to be resolved by voluntary settlement, mutually agreed-upon arbitration, or civil litigation.

4. **Intellectual Property Policy Modification.** The University may from time to time determine that this document and its tenets require modification. The University administration and the University Intellectual Property Advisory Committee, Faculty Senate, or its designated committee will discuss any proposed revisions prior to implementation, in accordance with the *Faculty Constitution* and *Faculty Handbook*. Similarly, the General Faculty may revise its approvals with respect to those matters that fall under its purview, consistent with its responsibility under the *Faculty Constitution* and *Faculty Handbook.*

5. **Guidelines for Disclosure.** The provost will develop and distribute general guidelines to clarify what is expected of an individual to meet the disclosure requirements of the intellectual property policy.

2.4.10 Institutional Review Board

The Institutional Review Board's (IRB) major role is to safeguard the rights and welfare of all human subjects who participate in research projects conducted by employees and students of the University of New Haven and their collaborators. All research projects involving human subjects or human material must be reviewed and approved by the IRB, whether or not the research is federally funded or receives external funds from any source. All biomedical, social and behavioral research projects conducted by the faculty, the staff and students of the University are subject to the policies and procedures of the Institutional Review Board.

The IRB has the authority to disapprove, modify, or approve protocols based upon consideration of human subject protection. It also requires progress reports from the investigators at least annually and oversees the conduct of the study.

The overall criteria for IRB approval are:

a. The risks to subjects are minimized as much as possible.

b. The risks to subjects are reasonable in relation to anticipated benefits.

c. The informed consent is adequate.

d. Where appropriate, the research plan makes provisions for the safety of the subjects during the data collection process.

e. Where appropriate, there are adequate provisions to protect the privacy of subjects and maintain confidentiality of data.

f. Appropriate safeguards are included within the study to protect the rights and welfare of the vulnerable subjects.

Guidelines for the IRB and for researchers who seek approval from the IRB are available from the Office of the Provost.

2.4.11 Research Misconduct and Academic Dishonesty

The University of New Haven supports the faculty member's right to conduct research free from political or other inappropriate interference. However, if the faculty member engages in research misconduct or academic dishonesty, the University will, upon learning of possible misconduct or academic dishonesty, investigate the situation and, should misconduct or academic dishonesty be found to have occurred, may recommend disciplinary action to be applied to the individual(s) appropriately, up to and including dismissal.

Under this policy "research misconduct" shall include but shall not be limited to:

- Fabrication, falsification, plagiarism and other forms of misappropriation of ideas, or additional practices that seriously deviate from those that are commonly accepted in the research community for proposing, conducting, or reporting research.
- Material failure to comply with federal and University requirements for the protection of researchers, human subjects, or the general public or for ensuring the welfare of laboratory animals.
- Failure to adhere to other material legal requirements governing the field of research.
- Failure to comply with established standards regarding author names on publications.
- Retaliation of any kind against a person who reported or provided information about suspected or alleged misconduct and who has not acted in bad faith.

The definition of research misconduct does not include honest error or honest differences in interpretations or judgments of data. Moreover, the definition contained in this policy is not intended to override or contradict provisions of other regulations or policies, in particular those policies governing human research subjects and animal welfare. A finding of a substantive violation of specific policies in these areas will also be considered misconduct under this policy.

The University will undertake reasonable efforts to protect those persons who make good faith allegations regarding research misconduct. Institutional actions engaged in pursuant to this policy shall be conducted in a way that preserves confidentiality to the maximum extent possible, unless this would be inconsistent with protecting public health and safety.

a. College-Level Investigative Committees on Potential Research Misconduct and Academic Dishonesty—Each college shall establish a standing committee on potential research misconduct and academic dishonesty to carry out this policy. These committees are described Section 4.5.5 of this faculty handbook.

b. Responsibilities of the Committees on Potential Research Misconduct and Academic Dishonesty

Each committee shall:

1. Take appropriate action to maximize awareness of the need to avoid activities that might be misinterpreted as research misconduct, assure that each unit has well known standards for authorship, and otherwise enhance concern regarding ethics in research related activities.

2. Be well publicized on each campus and widely recognized as the group to whom suspected misconduct is to be reported.

3. Receive allegations of misconduct in research and authorship.

4. Ensure that an appropriate balance is struck between protecting the rights of the person accused of misconduct (the respondent) and protecting the person making the allegation (the complainant) from possible retaliation. The course of action must be suitable to the circumstances of each individual case.

5. Make every reasonable effort during an inquiry or investigation to keep confidential all information. Normally, only those persons directly involved in the inquiry and subsequent stages of investigation should be informed that a review is in progress and be advised of information that is uncovered during the course of the investigation.

6. Promptly report to the appropriate dean and provost any allegation that is judged to have been made without reasonable basis in fact and is considered to have been made with malicious intent.

7. Promptly notify the appropriate dean; the associate vice provost for graduate studies, research, and faculty development; and the provost if federal funds for scientific research or any other external or internal research funds are involved, during an inquiry or investigation that any of the following conditions exist: (a) an immediate health hazard is involved; (b) there is an immediate need to protect Federal funds or equipment, other external or internal research funds or equipment, or University resources, reputation, or other interests; (c) there is an immediate need to protect the interests of the person(s) affected by the inquiry; (d) it is probable the alleged incident will be reported within the scientific community or publicly; or (e) there is a reasonable indication of possible criminal violation. In this instance, the University must inform the OSI within 24 hours of acquiring the information, and the OSI will then immediately notify the Office of the Inspector General. The associate provost for graduate studies, research, and faculty development serves as the university's research integrity officer.

8. Follow established operating rules and procedures to carry out this policy, consistent with Section 2.4.11.d.

9. Ensure that all persons adhere to established operating rules and procedures.

While conducting an inquiry or investigation, the University shall take appropriate interim measures to ensure the protection of Federal funds or other research funds and that the purposes for which the federal financial assistance or other research assistance was designated is being carried out. Moreover, if the University plans to terminate an inquiry or investigation for any reason without completing all relevant federal requirements or requirements of other funding agencies then a report of such planned termination, including a description of the reasons, shall be made to the university's research integrity officer.

c. Inquiry—Response to Allegations of Misconduct—Upon receiving an allegation of misconduct, the standing committee shall conduct an information-gathering inquiry to determine whether a full investigation is warranted. The standing committee shall consist of individuals with the necessary and appropriate expertise to carry out a thorough and authoritative inquiry. The committee shall make reasonable efforts to avoid real or apparent conflicts of interest on the part of those involved in the inquiry phase. The committee shall:

1. Immediately interview the person making the allegation (the complainant) and determine if further inquiry is warranted.

2. If further inquiry is warranted, notify the individual against whom the allegation is made (the respondent) in writing: (a) that an inquiry is to be conducted; (b) of the potential consequences if misconduct has occurred; and (c) of the respondent's due process rights. Due process rights shall include an opportunity for the respondent(s) to comment on allegations and on the reported findings of the inquiry.

3. After notification to the respondent, conduct a thorough preliminary fact-finding inquiry and determine within 60 calendar days whether a full investigation is warranted. If the inquiry takes longer than 60 days to complete, then the final report documenting the inquiry process must include the reasons for this extension.

4. Prepare a written inquiry report detailing the fact-finding process that includes summaries of all interviews conducted, the evidence reviewed, and the conclusions of the inquiry.

5. Give to the respondent a copy of the inquiry report and allow him/her to make comments, and if such comments are made, include said comments in the record.

6. Promptly notify the complainant and respondent, in writing, if the allegation does not warrant a full investigation. The complainant and respondent shall be provided with a written report indicating the reasons for the decision.

7. Promptly notify the respondent if, at any time during the inquiry, (a) research procedures should be modified immediately to minimize the possibility of future questions regarding misconduct; or (b) the right of the respondent to procedural or substantive due process requires notification.

8. Promptly notify the respondent, in writing, if the allegation does appear to warrant a full investigation. The standing committee shall discuss the allegation with the respondent and review the decision regarding the need for a full investigation.

If the standing committee determines that a full investigation is not warranted, it must prepare and securely maintain for at least three years a detailed documentation of the inquiry. If the misconduct involves federal funds for scientific research, the documentation must be provided to authorized Department of Health and Human Services personnel upon request.

If, after discussion with the respondent, the standing committee determines that a full investigation is appropriate, the committee shall:

1. Notify the dean and provost that such an investigation is to be conducted and is to be initiated within 30 days of the completion of the inquiry.

2. Select, in consultation with the respondent, the complainant, and the appropriate dean or provost, an appropriate committee with the necessary expertise to conduct a full investigation. The investigative committee may include a representative who is not affiliated with the University if it is deemed necessary to ensure an unbiased but thorough and competent investigation. Individuals sitting on the investigative committee may not have any real or apparent conflict of interest that may jeopardize objectivity in the investigation.

3. Negotiate with the investigative committee to establish a time schedule that will permit both an adequate investigation and one that can be completed within 120 calendar days of the investigation's initiation.

d. The Full Investigation and Responsibilities of the Investigative Committee

The investigative committee shall take precautions to keep all details of the investigation confidential. The investigative committee's responsibilities shall include but are not limited to the following:

1. Initiate a full investigation within 30 days of the completion of the inquiry, if findings from the inquiry provide a sufficient basis for conducting a full investigation.

2. If an investigation is to be initiated of scientific research involving Federal funds, inform the university's research integrity officer that it will be commenced on or before the date the investigation actually begins.

3. Promptly and expeditiously conduct a thorough investigation of the allegation(s) and collect sufficient data, which may include but is not limited to research data, research proposals, publications, and correspondence, in order to make an informed judgment regarding the

allegation(s). The investigative committee shall take reasonable steps to ensure confidentiality in gathering information and shall request confidentiality from any persons who are asked to present information to the committee.

4. Seek appropriate consultation from individuals within or external to the University as necessary.

5. Keep the chair of the standing committee informed of the progress of the investigation.

6. If relevant, notify the university's research integrity officer about the following, if they occur at any time during the investigation: (a) immediate health hazards; (b) a need to protect Federal funds or equipment; (c) immediate need to protect the interests of the individuals affected; or (d) it is probable that the alleged incident will be publicly reported.

7. If relevant, notify the university's research integrity officer if there is a reasonable indication of criminal violation(s). In this instance, the Office of Research Integrity must be notified within 24 hours of obtaining such information.

8. Complete the investigation within 120 calendar days from its initiation, determine whether the alleged misconduct occurred and promptly report its findings to the standing committee.

9. Include the following information in the final investigative report: (a) whether the misconduct that occurred was deliberate or merely careless; (b) whether the misconduct was an isolated event or part of a pattern; (c) the seriousness of the misconduct; (d) a description of policies and procedures used to conclude the investigation; (e) how and from whom information was obtained relevant to the investigation; (f) the findings and their basis; (g) the actual text or a summary of the views of the individual(s) found to have engaged in misconduct; and (h) a description of any recommended sanctions.

10. If the misconduct involved Federally-funded scientific research, submit this report to the Office of Research Integrity upon its completion, no later than 120 days from initiation of the investigation. If unable to meet this time requirement, submit to the university's research integrity officer a request for an extension. The extension request must include an explanation for the delay, an interim report on progress to date, an outline of what remains to be done, and an estimated date of completion.

11. Ensure a copy of the final report is available to the respondent and allow the respondent to make comments on the report, include said comments in the final report and, if required, send the final report to the university's research integrity officer.

12. Prepare and maintain adequate documentation to substantiate the investigation's findings. This documentation must be made available to the university's research integrity officer for cases of scientific misconduct involving Federal funds.

e. Action to Be Taken on the Final Report

The committee shall:

1. Review the report of the investigative committee and request additional information or further investigation, if necessary.

2. Notify the respondent, the complainant, and the appropriate dean and provost of the outcome.

3. Make recommendations to the appropriate dean and provost regarding possible disciplinary action, policy changes, or any other action that might ensure, in the future, that similar misconduct does not occur. Recommendations for disciplinary action must be consistent with the rules of the University

(See Section 2.9 of this *Faculty Handbook*). Disciplinary actions may be taken only in accordance with appropriate University procedures.

4. Make recommendations, if necessary, to the appropriate dean and provost regarding steps to be taken to prevent retaliation against the complainant.

5. Determine whether the respondent's reputation has been unjustly damaged by the investigation, and in cooperation with the appropriate dean, provost, and peers, make every reasonable effort to repair that damage.

f. Role of the Dean and Provost

Using information supplied by the standing committee, it shall be the responsibility of the dean or provost to do the following:

1. Notify the research sponsor, if any, and any other appropriate governmental entities, or persons with a legitimate need to know: (a) if any of the conditions specified in Section 2.4.11.b.7 of this policy are present; (b) of the fact that a full investigation is being undertaken; (c) of the course of the investigation; and (d) of the final disposition and report of the full investigation.

2. Secure withdrawal of pending abstracts and papers emanating from the research in question if, at the conclusion of the investigation, misconduct is found. Editors of journals in which abstracts and papers based on the research in question have already appeared should also be notified.

3. Ensure that all disciplinary actions are consistent with other University policies.

4. Ensure that the complainant is protected from retaliation.

5. Ensure that all recommendations for changes in policy and procedures, and all other measures recommended to minimize future misconduct, are responded to in an appropriate administrative fashion.

Section 2.5--Periodic Program Review

Academic programs not subject to periodic disciplinary or professional accreditation and the departments or units in which they are located will undergo a formal review every five years or at such other intervals as the college dean or provost may deem appropriate. This review may involve the use of at least one external consultant, and will focus on (a) the quality of the curricular offerings, (b) the degree to which students are meeting the expected programmatic learning outcomes, (c) the match between faculty qualifications and the curriculum to be delivered, (d) the continuing demand for the program in terms of enrollments and local and regional needs, and (e) fiscal viability. Academic programs subject to periodic disciplinary or professional accreditation may be subject to a limited or focused university periodic review if the disciplinary or professional review does not answer questions generally sought in university program review.

In preparation for the program review, the dean and provost will meet with the department/unit faculty to discuss the format for and content of a self-study to be prepared by the department or other academic unit. The self-study will include an evaluation of strengths, weaknesses, opportunities and threats to the program, an evaluation of the degree to which students are meeting the expected programmatic learning outcomes, and an initial proposal of measurable goals to be reached by the next program review. After the program faculty members have completed the self study, the University may engage an external consultant to review the self study, to meet with faculty, students, employers of students, alumni, and the administration, and to prepare a report discussing the strengths of the program and areas in which improvement can be made.

Completion of the program review may include a response to the external reviewer's report. It will always include a discussion of the report with the program faculty by representatives of the administration, including the dean and provost. Goals for the future will be set and recorded.

The goals set with each department or unit during the program review may be considered in the annual performance evaluation of the individual members of the unit. Individual faculty members are expected to contribute to the success of the department or unit in realizing the common goals of the unit.

Section 2.6--Program Restructuring or Reallocation

From time to time the University may need to restructure programs, merge units, reallocate resources, or eliminate certain departments, programs, majors, etc. in response to shifts in student interest, private or government support, or for other financial or curricular reasons. The Board of Governors holds the final authority to make such determinations in cases of major strategic restructuring, reallocation of resources, or the closure or elimination of departments or programs.

2.6.1 Cases of Minor Restructuring or Reallocation. Minor cases of restructuring or reallocation may involve merging or dividing units and restructuring programs within a college. It may also include the movement of departments or programs between or among existing colleges. In minor cases of restructuring or reallocation, the University may merge or divide units and restructure programs after consultation with the faculty affected by the proposed changes. In such cases the dean will provide to the faculty a written proposal for restructuring, hold a meeting of all affected to discuss the reasons for and consequences of the proposed changes, and accept written comments on the same. Then the dean may revise his or her proposal (or not) and forward his recommendation along with the comments of the faculty to the provost, who will approve or disapprove the proposed restructuring or reallocation. The provost will settle any disputes between the deans regarding minor restructuring or reallocation.

The reallocation of resources may also involve the reassignment of faculty to teaching or administrative duties that differ from their current teaching or administrative assignment. Any reassignment of a faculty member to administrative or staff duties as a result of a minor restructuring or minor reallocation will follow the provisions of Section 2.8—Reassignment.

2.6.2 Cases of Major Strategic Restructuring, Major Reallocation of Resources, or Closure or Elimination of Departments or Programs. In cases of major strategic restructuring, reallocation of resources or the closure or elimination of departments or programs, final decisions can only be made by the Board of Governors after consultation with the faculty. Major strategic restructuring may also involve the creation or deletion of colleges or schools. The decision to close a program will be made on the basis of criteria that are important to the continued success of academic endeavors: among those criteria are size and reputation of faculty, size and quality of student body, financial viability, and importance of the program to the mission of the university. Any reassignment of faculty to another unit, reassignment of faculty to an administrative or staff assignment, termination of an appointment with continuous tenure, termination of a probationary or special appointment before the end of the specified term may occur as a result of bona fide formal discontinuance of a program or department of instruction and will follow the provisions of Section 2.8.

These procedures apply only to program reduction, closure, restructuring, or reallocation; a finding of financial exigency at the University as a whole is not required. Procedures to be used in a situation of financial exigency are found in Section 2.7.

Section 2.7—Financial Exigency.

The Board of Governors has the responsibility for determining when a state of financial exigency exists at the University of New Haven. Financial exigency is a serious institutional crisis in which the University must reorder its expenditures to meet projected annual expenses with sufficient revenue. The AAUP defines the term "financial

exigency" in its "Recommended institutional Regulations on Academic Freedom and Tenure" as follows: "an imminent financial crisis which threatens the survival of the institution as a whole and which cannot be alleviated by less drastic means." A bona fide financial exigency is a serious, sustained, unfavorable financial condition that impairs the institution's ability to continue as a going concern. This condition may result from multiple periods of large decreases in total net assets which have a direct impact on the generation of cash flow. Continuing periods of large operating losses can also result in the inability to continue as a going concern.

2.7.1 Process of Declaring Financial Exigency—In making an initial assertion of financial exigency, the president will make available for review the evidence of exigency to the faculty and to the rest of the University community. The evidence must include complete audited financial statements of the University, certified by the University's auditors, as well as a narrative explanation of how the University has reached the state of financial exigency.

After publishing the evidence of financial exigency, the president will provide the Faculty Senate, the deans, and the provost with an opportunity to be heard. Deans will consult with faculty committees before making their comments and recommendations. Faculty committees will be comprised of elected representatives of each academic department or division in the school or college. The provost and president will review the comments and recommendations of the deans and their respective school committees with respect to the determination of the existence of a state of financial exigency. The president will then make a recommendation to the Board of Governors that will include the comments and recommendations of the Faculty Senate and the deans, as well as the president's own assessment.

The Board will decide whether a condition of financial exigency exists with auditors' concurrence. Upon the declaration by the Board of Governors of a state of financial exigency, the Faculty Affairs Committee will review the reports and recommendations of the faculty committees from each college. The Faculty Affairs Committee may request assistance from other expert faculty.

Ordinarily, the positions of non-tenured faculty will be eliminated before the positions of tenured faculty, unless the institution's current or projected teaching needs require that non-tenured faculty be retained and tenured faculty be dismissed. Tenured faculty selected for dismissal have the right to a hearing before the Grievance Committee. The final decision on the dismissal of a tenured faculty member on the grounds of financial exigency is the president's.

2.7.2 Process and Guidelines Governing Termination of Faculty Appointments Due to Financial Exigency

Termination of an appointment with continuous tenure, or of a probationary or special appointment before the end of the specified term, may occur under extraordinary circumstances because of a bona fide financial exigency.

a. Termination of tenured faculty appointments because of financial exigency should be sought only as a last resort, after every effort has been made to meet the need in other ways and to find alternate employment for the faculty member within the institution.

b. Situations that make retrenchment of this sort necessary should preclude expansions of the staff at other points at the same time, except in extraordinary circumstances that are clearly connected to specific plans to restore financial stability.

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

d. An ad hoc committee of faculty will be formed to provide input into the Board of Governor's decision that a condition of financial exigency exists or is imminent, and that all feasible alternatives to termination of appointments have been pursued. The board and administration have primary responsibility with respect to these particular decisions for ensuring the continued solvency of the institution.

e. This ad hoc committee will be comprised of three members each of the Academic Affairs Committee, the Budget and Development Committee, and the Faculty Affairs Committee plus the Chair and Vice Chair of the Faculty Senate. The ad hoc committee will recommend where, within the overall academic program, termination of appointments might most likely occur, since such judgments involve considerations of educational policy and faculty status. The ad hoc committee will recommend to the provost specific guidelines and criteria for restructuring, reducing, or closing academic programs, departments, or majors. The provost and president will consider the recommendations of the ad hoc committee and will make recommendations to the Board of Governors regarding guidelines and criteria for restructuring, reducing, or closing academic programs, departments, or majors.

f. The faculty will also recommend the criteria for identifying individuals whose appointments are to be terminated. These criteria should include considerations of length of service to the institution.

g. Appointments of tenured faculty members should not be terminated because of financial exigency in favor of retaining a faculty member without tenure, except in extraordinary circumstances where a serious distortion of the academic program would otherwise result.

h. Before a faculty appointment is terminated for financial reasons, the institution, with faculty participation, is to make every effort to place the faculty member concerned in another suitable position within the institution in accordance with that section which specifies procedure on reassignment of faculty.

2.7.3 Notification of Faculty

a. If the administration issues a notice to a particular faculty member of an intention to terminate the appointment because of financial exigency, the faculty member will have the right to a full hearing before the Grievance Committee.

b. The issues in this hearing may include (1) the validity of the educational judgments and the criteria for identification for termination and (2) whether the criteria have been properly applied in the individual case at hand.

c. If the institution terminates tenured appointments, it will not at the same time make new temporary or permanent appointments except in extraordinary circumstances where a serious distortion in the academic program would otherwise result, and, where no faculty member facing termination is qualified to be trained for the available position. If such appointments are made, they shall be temporary and terminate once displaced faculty members can be qualified for that position.

d. Up to one year's notice or severance will be provided subject to available resources.

e. Terminated faculty members will be offered the opportunity to refill faculty positions in disciplines where positions are re-established within a period of three years. Terminated faculty members will be provided a reasonable period of time in which to accept or decline the offer.

Section 2.8—Faculty Reassignment

The objective of the faculty reassignment policy and procedure is to provide a fair, reasonable and fact-based process to reassign tenured faculty as circumstances change at the university. It attempts to address changing resource needs and program demand changes at the university. It recognizes that university faculty, once tenured, expect and have the right to continuous employment until retirement unless otherwise terminated in accordance with provisions of this *Faculty Handbook*. The following policy guidelines provide the University appropriate flexibility to adapt successfully to its changing environment.

2.8.1 Formal Faculty-Staffing Review—A formal faculty-staffing review may begin once it is determined by the provost that a particular program is overstaffed. Additional factors which may be used to determine whether

a program is overstaffed include the following: annual course offerings; long-term enrollment trends; retention rates; graduation rates; long-term industry and /or profession trends; annual and long-term university financial support levels and other relevant information. The specific determinant factors should be dependent on the specific program/discipline.

As a general guideline, a program is considered to be overstaffed if the department has more tenured faculty than needed to meet fully the department's instructional obligation. More specifically, this measure is computed by identifying the total full-time tenured faculty credit hours available in a specific academic year, subtracting the administrative and research release time from that total, and comparing that figure to the total number of credit hours needed to meet curriculum requirements and operational efficiency targets in the program. Examination of at least three consecutive years of data is required to generate a clearer representation of the evolving trends.

The provost will form a seven-member advisory committee consisting of a faculty member selected by the provost, dean of the college or school, dean of another college or school or designee, vice president of enrollment management, chair of the Faculty Senate or designee, chair of Faculty Affairs Committee or designee, chair of Budget and Finance or designee. In addition, all affected faculty members may participate in committee deliberations but may not vote. All voting members should have sufficient knowledge to be able to make fair and reasonable decisions. All members of the committee (three administrators and four faculty members) except for the affected faculty members shall have voting rights.

The committee will review available data and recommend action to the provost. The services of an appropriate outside consultant may be engaged to assist in this process. This individual will be selected by the provost with concurrence by the committee.

2.8.2 Possible Recommended Actions—If the formal faculty-staffing review confirms the presence of excess tenured faculty members to teach in a program the committee may recommend one of the following actions:

a. Development of a new program in the college or school to apply potentially affected faculty members' current skills and knowledge.

b. Development of a new program in a different college or school to apply potentially affected faculty members' current skills and knowledge.

c. Retraining potentially affected faculty members to meet other faculty needs within the college or school.

d. Retraining potentially affected faculty members to meet other faculty needs in another college or school.

e. Reassigning potentially affected faculty members to administrative or staff positions.

2.8.3 Additional Guidelines—The university will apply the following guidelines in completing a reassignment of a tenured faculty member as a result of a formal faculty-staffing review:

a. The primary consideration in the identification of which tenured faculty will remain in a department or program and which may be reassigned will be the determination of the best fit of the faculty to the future success of the academic program. Factors to be considered include experience, knowledge of the field, annual reviews, personal interviews, and other relevant information.

b. If a faculty member is to be permanently transferred to another department or sub-department discipline then that department's or sub-department discipline's tenured faculty will meet to advise the dean and provost if the individual is qualified to teach. The department or sub-department discipline's faculty may recommend a decision of non-assignment. If not qualified to teach, the discipline's tenured faculty will advise the dean and provost regarding a process that could be followed to achieve appropriate retraining for preparation to teach in that particular discipline. The decision to transfer will belong to the dean if the transfer is within the same college or to the provost if the transfer is between colleges. If the dean's

decision results in a disagreement between the department and dean, either party may request an outside mediator to assist in the discussion. The provost retains the right to make the final decision.

c. If the faculty member is to be assigned fully or partially to an administrative or staff position, the provost and the faculty member will enter into a formal written agreement for reassignment thereto. The faculty member may receive appropriate training for his or her new assignment and shall retain tenure rights as described in Section 2.8.3.h while holding a reassigned position.

d. Within six months of assuming the administrative or staff position, the former faculty member may choose to opt our of the assignment and receive the severance pay identified in 2.8.3.i.(i) except that the severance payment shall be reduced by one month's pay for every month served in the administrative or staff position.

e. A faculty member who is not satisfied with a potential reassignment may request that the reassignment process be reviewed by the General Grievance Committee.

f. Once reassigned, the faculty member shall be paid a salary commensurate with the new discipline or former discipline, whichever is higher.

g. A faculty member who transfers to a staff position shall be compensated at his or her former salary level or the salary level associated with the new position, whichever is higher. Subsequent raises shall be consistent with those received by other administrative employees.

h. The faculty member who has been reassigned to an administrative or staff position may continue to expect to have the right to continuous employment in a meaningful, productive assignment and as long as the reassigned faculty member complies with university policies and procedures, continues to perform his or her defined role in a satisfactory manner, and continues to demonstrate productive performance of assigned duties, unless financial exigency is declared.

i. If a tenured faculty member who is not transferred to another faculty position in a different department or sub-department discipline and is either not offered an administrative or staff assignment or if agreement cannot be reached regarding the reassignment to an administrative or staff assignment, the tenured faculty member's tenured appointment may be terminated. Such termination will include severance pay according to the following conditions: (i) If the faculty member declines an offer to be assigned to an administrative or staff position or if agreement cannot be reached, he or she will receive a minimum of one year's salary plus one additional month's salary for every year of service beyond achievement of tenure up to a maximum of three years' salary. (ii) If the faculty member is not offered an assignment to an administrative or staff position, he or shall receive a minimum of two years' salary plus one additional month's salary for every year of service beyond assuming a tenure-track or tenured appointment, whichever is earlier, up to a maximum of four years' salary. (iii) As a condition of and prior to the receipt of severance pay, the faculty member shall sign a statement relinquishing tenure and releasing the University with respect to all claims, actions, liabilities, damages, charges or suits against the University.

2.8.4—Termination of Tenure for Medical Reasons

a. Termination of an appointment with tenure 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. Such termination can occur only after expiration of the benefits provided by the university's Medical Leave of Absence policy. A faculty member who intends to return to work following a Medical Leave of Absence is required to provide a physician's statement or other appropriate verification of the faculty member's fitness to work.

b. A tenured faculty employee shall retain his or her tenured position for a period of two years following the expiration of the University's Medical Leave of Absence. During this period, the university will provide full coverage of medical benefits for the employee and eligible dependents at no additional cost to the employee. The employee shall provide a minimum of 30 days notice in writing of his or her intent to

return and will provide a physician's statement or other appropriate verification of the faculty member's fitness to work.

c. A medical condition, which by its nature may make the faculty member unfit to perform in the classroom, may not prohibit the faculty member from performing in some other position within the institution. Such reassignment will follow the faculty reassignment process described in Section 2.8.

Section 2.9—Faculty Discipline and Dismissal for Cause

This section governs faculty discipline and dismissal for cause. The University of New Haven is a community of scholars dedicated to the creation, communication, expansion, and integration of knowledge. Among the functions of a University is the establishment of proper intellectual and personal integrity among the faculty, between the faculty and the students, and between the faculty and the national and international academic community. This integrity is fostered by the creation of an environment of personal interaction and mutual trust whereby its members are mindful of their responsibilities to maintain standards of competence, and a proper attitude of objectivity, industry and cooperation with their associates and students within and outside the University community. However, if the community is to be sustained it is necessary to take action when commonly held standards of conduct are violated. Thus disciplinary action up to and including dismissal may be undertaken for cause, with dismissal being reserved for the most serious of cases.

2.9.1 Types of Sanctions

If proceedings are initiated against a faculty member and result in a finding of cause, dismissal or disciplinary action less than dismissal may be recommended and imposed. Disciplinary action less than dismissal may include but is not limited to

a. Verbal or written reprimand;

b. Suspension with pay;

c. Suspension without pay;

d. Demotion in rank with a concurrent reduction in annual salary; and/or

e. Dismissal.

Suspension without pay, demotion in rank with a concurrent reduction in annual salary, and/or dismissal are serious sanctions for which the Faculty Disciplinary Committee will be called upon to review relevant evidence and advise the provost or president regarding the appropriateness of the proposed sanction (See Sections 2.9.7 through 2.9.12).

2.9.2 Temporary Suspension

The faculty member may be temporarily suspended with pay from any or all academic duties at the discretion of the dean with concurrence of the provost as early as this preliminary stage. Temporary suspension is not considered disciplinary action. The utmost care should be taken, particularly throughout this preliminary stage, to preserve confidentiality so as to protect the faculty member concerned and to maintain collegiality

2.9.3 Cause for Dismissal for Disciplinary Reasons

Dismissal of a faculty member on the grounds of performance will only be for cause, based upon a determination that the faculty member's conduct directly and substantially affects adversely the ability to

carry out satisfactorily his or her responsibilities to the University. Examples of conduct that may warrant dismissal include, but are not limited to:

a. Intentional fraud or intentional misrepresentation of facts;

b. Abuse of authority or influence;

c. Willful violations of University rules or policies;

d. Demonstrated incompetence or dishonesty in teaching, or scholarship, or service;

e. Continued neglect of academic duties despite oral and written warnings;

f. Personal misconduct, including unethical or illegal acts, which substantially impairs the individual's fulfillment of his or her instructional responsibilities or impairs the University's ability to fulfill its mission;

g. Falsification of credentials or experience;

h. Evidence of multiple faculty performance evaluations that fail to meet acceptable university standards; and/or

i. Serious criminal misconduct, including abuse of controlled substances.

A faculty member who has been found to have performed in an unsatisfactory manner during his or her annual faculty performance review on three occasions in the past 10 years may be dismissed. With each unsatisfactory review, a remediation plan will be developed by the dean with the faculty member under review in consultation with the chair. If agreement cannot be reached, the provost will make the final determination. (Note: This process is also described in 2.11.1.h.)

Dismissal of probationary faculty member prior to the expiration of his or her appointment will also follow the procedures in this section. Discipline, dismissal or the threat of discipline or dismissal may not be used to restrain faculty members in their exercise of academic freedom.

2.9.4 Informal Resolution/Preliminary Stage

When the attention of a department chair is drawn to credible allegations about a faculty member that, if true, would be grounds for disciplining, including possible dismissal, the department chair will conduct a preliminary investigation. In doing so, the chair may use the results of investigations conducted by external sources such as the police or auditors. The chair shall seek assistance as appropriate with the investigation from the Director of Human Resources. During the course of this preliminary investigation, the chair must notify the faculty member of the allegations and provide the faculty member with an opportunity to respond to the allegations.

If the allegations still seem credible, the chair will notify the dean and the faculty member in writing that such allegations have been made. The faculty member will have the opportunity to respond in writing to these allegations. Should the dean determine that discipline, rather than dismissal, is appropriate, the dean will recommend one or more sanctions to the provost.

If credible allegations about a department chair are made, the dean is responsible for the investigation. If good reason exists not to involve the department chair in the investigation, then a similar process will be followed by the administration.

The chair (or dean, in cases when the chair is under investigation) will notify the faculty member at issue, in writing, of the chair's recommendations to the dean, either that the matter be dropped, that discipline short of dismissal be imposed, or that the faculty member be dismissed. After reviewing the recommendations of the chair, the dean will recommend to the provost either that the matter be dropped, that discipline short of dismissal be imposed, or that the faculty member be dismissed. The dean's recommendation must be accompanied by a written explanation of his or her reasoning. If discipline short of dismissal is recommended, procedures under Section 2.9.5 will be followed. If dismissal is recommended, procedures under Section 2.9.6 will be used.

Prior to the implementation of procedures in Section 2.9.5 or 2.9.6, the provost will invite the faculty member to participate in voluntary and confidential settlement negotiations which could involve, with the agreement of both parties, formal mediation. If formal mediation is invoked, the parties shall agree on the appointment of a mediator. Formal mediation must be completed within 90 days of the appointment of the mediator, unless both parties agree to an extension. Either party may withdraw from the mediation process at any time.

If settlement is not achieved by negotiation or mediation, the procedures in Sections 2.9.5 or section 2.9.6 will be followed.

2.9.5 Procedures for Disciplining Short of Dismissal

Where disciplinary action short of dismissal for cause is sought, the dean, after consultation with and approval by the provost, shall provide the faculty member with written notice of the cause for disciplinary action, the anticipated disciplinary action, and an opportunity to respond prior to a specific and reasonable deadline before the imposition of any disciplinary action.

After receiving the response from the faculty member or if the faculty member fails to respond, the dean shall make a decision regarding the disciplinary action and notify the faculty member in writing. The faculty member may challenge the imposition of any disciplinary action short of dismissal, suspension without pay, and/or demotion in rank with a concurrent reduction in annual salary by filing a grievance under provisions of the grievance procedure, found in Section 2.14 of this Faculty Handbook.

Disciplinary action may include but is not limited to verbal or written reprimand; suspension with or without pay or demotion in rank with a concurrent reduction in annual salary. Suspension without pay during the academic year may not exceed one semester. Suspension without pay during the academic year would normally not be imposed until the hearing process conducted by the Faculty Disciplinary Committee is completed.

2.9.6 Procedures for Dismissal

a. General Process--When a dean recommends the dismissal of a tenured faculty member, the provost shall determine whether further investigation is necessary. If the provost determines that further investigation is necessary, the provost or his or her designee(s) will conduct the investigation. The results of that investigation along with the recommendation of the dean and any other information available to the provost will be used by him or her to determine if the dean will be permitted to file formal charges to initiate the dismissal process.

No formal charges shall be filed until after the faculty member has been informed in person by the provost that such charges are to be filed (which may occur at this first face-to-face conference). In cases in which the faculty member is not available for a face-to-face meeting, the requirement of this section will be met by a telephone discussion and/or correspondence with a reasonable opportunity to respond. This face-to-face meeting is intended to be collegial. However, upon appropriate notice to the provost, the faculty member may be accompanied by legal counsel or other representative if the faculty member chooses.

The faculty member may elect to forgo meeting with the provost.

Following conclusion of the face-to-face meeting with the provost, or the faculty member's refusal to meet with the provost, the provost can decide that the matter be dismissed entirely, that discipline short of dismissal will be imposed under the procedures of Section 2.9.5 above, or that the faculty member should be dismissed.

b. Formal Charges—When the provost decides to pursue formal charges, the procedures in Steps 1 through 5 below will be followed.

1. The dean shall initiate formal charges.

2. The provost shall notify the president before proceedings are initiated that charges against the faculty member will be filed by the dean. The faculty member may be suspended from any or all academic duties during the proceedings at the discretion of the president if recommended by the provost. Such suspension of duties shall be with pay, except in the most egregious situations, such as crimes against persons or extreme financial misappropriation.

3. Formal proceedings shall be deemed initiated when the dean files with the provost a written statement of explicit charges against the affected faculty member. The statement shall contain the following: (a) the nature of the charges; (b) the names of the witnesses, insofar as known, who will testify in support of the specific allegations; and (c) the nature of the testimony likely to be presented by each of these witnesses.

4. The provost or his/her designee shall within five (5) working days of receipt of the dean's charges, give notice by registered mail to the affected faculty member stating the explicit charge(s) against him or her. The written notice to the faculty member shall contain the following: (a) the nature of the charge(s); (b) the names of the witnesses, insofar as known, who will testify in support of the specific allegations; and (c) the nature of the testimony likely to be presented by each of these witnesses.

5. A panel of five members of the Faculty Disciplinary Committee will act as a hearing board to consider whether the charges the faculty member have been supported by the University and, if so, to recommend whether or not the faculty member should be dismissed. All members of the hearing board must be tenured faculty members. The Faculty Disciplinary Committee will propose five members to serve on the hearing board. Either the faculty member to be dismissed or the University may object to any proposed hearing board member on the grounds of conflict of interest or bias. Proposed hearing board members so objected to may be replaced by the committee with other Committee members. The hearing board shall proceed as described in the "Committee Proceedings" item in Section 2.9.9.

2.9.7 The Faculty Disciplinary Committee—The Faculty Disciplinary Committee is charged with reviewing relevant evidence in cases where serious sanctions are to be imposed on individual faculty members. The charge, membership, and reporting lines for the committee are detailed in Section 4.4.15 and will follow the procedures expressed in Section 2.9.9.

2.9.8 Commencement of Formal Disciplinary Proceedings for Potential Disciplinary Action in the Form of Suspension without Pay, Demotion in Rank, or Dismissal.

a. Formal proceedings commence through written communication addressed to the faculty member by the provost. This document informs the faculty member of the charges, and also informs the faculty member that a hearing will be conducted by the full committee at a specified time and place to review the proposed disciplinary action and advise the president regarding the appropriateness of the proposed sanction.

b. In setting the date of the hearing, sufficient time should be allowed the faculty member to prepare a defense. The faculty member should be informed, in detail or by reference to published regulations, of the procedural rights that will be accorded.

2.9.9 Committee Proceedings

a. Disciplinary hearings will normally not be open to individuals other than the committee, the involved parties, and their designated representatives. If any facts are in dispute, the testimony of witnesses and other evidence concerning the matters set forth in the provost's letter to the faculty member should be considered by the committee during the hearing.

b. The provost shall have the option of attendance during the hearing. The provost may designate an appropriate representative to assist in developing the case; but the committee should determine the order of proof, should normally conduct the questioning of witnesses, and, if necessary, should secure the presentation of evidence important to the case.

c. The faculty member shall have the option of assistance by counsel, whose functions should be advisory and should be similar to those of the representative chosen by the provost. The faculty member should have the aid of the committee, when needed, in securing the attendance of witnesses.

d. The faculty member will have the opportunity to confront all witnesses. Where unusual and urgent reasons move the hearing committee to withhold this right, or where the witness cannot appear, the identity of the witness, as well as the statements of the witness, should nevertheless be disclosed to the faculty member. Subject to these safeguards, affidavit statements may, when necessary, be taken outside the hearing and reported to it. All of the evidence should be duly recorded. Unless special circumstances warrant, it should not be necessary to follow formal rules of court procedure. Judicial rules of evidence do not apply to Faculty Disciplinary Committee hearings.

e Conflicts of interest and the appearance of impropriety are to be avoided. Any individual who has participated in, intervened in, or otherwise been or had become involved in a case which is the subject of the hearing should recuse himself or herself from the committee and a substitute selected by the remaining members of the committee.

f. A record of the hearing will be taken and maintained in confidence by the chair. The members of the committee may review this record as part of their duties. The proceedings will be recorded at the University's expense, and a copy of the tape will be made available to the faculty member and to the University upon request.

2.9.10 Decision by the Hearing Committee

a. The committee should reach its decision regarding the appropriateness of the proposed sanction in conference, on the basis of the hearing record. Before doing so, it should give an opportunity to the faculty member and the faculty member's counsel and the representative designated by the provost to argue orally before it. If written briefs would be helpful, the committee may request them.

b. The committee may proceed to decision promptly, without having the record of the hearing transcribed, where it feels that a just decision can be reached by this means; or it may await the availability of a transcript of the hearing if its decision would be aided thereby. It should make explicit findings with a reasoned, written opinion to each charge presented.

c. The president and the faculty member should be notified of the decision in writing.

d. Any release to the public should be made through the president's office in accordance with the law.

2.9.11 Decision by the President

The hearing board will notify the president and the faculty member of its findings of fact and recommendations in writing. The president will review the hearing board's fact-finding and recommendations. If the president disagrees with the hearing board's fact-finding or recommendations on suspension without pay, demotion, and/or dismissal, the president will meet with the hearing board to discuss the reasons for his or her disagreement. The hearing board will then reconsider its earlier recommendation and, within 10 working days of the meeting with the president, will transmit either a new recommendation or will affirm its earlier recommendation to the President.

After receiving the hearing committee's new or affirmed recommendation, the president will make the final determination whether to discipline or dismiss the faculty member. The decision of the president is final.

2.9.12 Publicity

Publicity concerning the committee's decision may properly be withheld until the decision has been reported to the governing body of the institution. Except for such simple announcements as may be required, covering the time of the hearing and similar matters, public statements about the case by either the faculty member or administrative officers should be avoided so far as possible until the proceedings have been completed. Announcement of the final decision shall be in accordance with applicable law and should include a statement of the hearing committee's original action, if this has not previously been made known .

Section 2.10—Department Chairs

Department chairs are faculty members serving in administrative roles with appropriate authority and responsibility to organize and carry out the mission of departments in cooperation with the relevant dean, consistent with the mission of the school and the interests of the University. Chairs serve at the pleasure of the dean.

2.10.1 Responsibilities of Department Chairs—The responsibilities of a department chair fall into four major categories. The chair's role is to carry out, or to delegate where appropriate, the responsibilities described below. The chair is responsible for overseeing coordinators and department faculty. This role requires the chair to monitor and mentor faculty development and productivity. The chair is responsible for ensuring the curriculum is current and instructional standards are met. The chair is critical for communication between the department and the rest of the university and beyond. In this role, the chair acts as the face and the voice of the academic department. Finally the chair is responsible for supporting the students. For each of these categories, examples of tasks needed to fulfill them are listed below.

a. Faculty Development and Retention

- Oversee and conduct annual faculty evaluations under the faculty evaluation system of the University.
- Oversee the departmental tenure and promotion process.
- Manage faculty resources for the most effective course coverage and maximum research and service productivity.
- Create an environment conducive to good teaching and research and high morale among both full- and part-time faculty.
- Review and make recommendations on faculty assignments and applications for assigned time, university research support, and sabbaticals.
- Encourage faculty participation in presenting papers and other professional activities at regional and national meetings.
- Resolve problems among faculty members.
- Make merit salary recommendations.
- Ensure affirmative action.
- Assist in faculty searches and in recruitment of non-tenure-track faculty.

- Observe instructional performance of department faculty for the purposes of evaluation and mentoring. Faculty members being observed should be provided with two weeks notice prior to the observation session .
- Mentoring faculty.
- Investigate and recommend disciplinary action.

b. Curriculum and Instruction

- Schedule and staff classes in consultation with the faculty and the dean to ensure optimum faculty utilization for undergraduate and graduate programs.
- Monitor and provide for timely revision of existing curricula.
- Support the development of new and innovative programs.
- Manage the department's collection of programs
- Ensure department faculty members submit grades and course-related information on time.

c. Leading and Representing the Academic Department

- Develop department goals and plans in concert with the department faculty as part of the University's planning process and accreditation.
- Communicate department plans and needs to appropriate deans and others involved with long-range planning.
- Communicate school and university plans to the departmental faculty.
- Implement approved plans and goals within the context of available resources.
- Conduct regular meetings of the department, at least twice per semester and as needed.
- Prepare and manage departmental budget.
- Supervise department staff.
- Interface with outside accrediting agencies.
- Prepare annual and other reports for the department.
- Process forms, requisitions and departmental correspondence.
- Determine assigned worksite for department faculty.
- Ensure the department meets accreditation requirements for assessment and publication of expected student learning outcomes.
- Assist the dean by carrying out such other tasks as may become customary for chairs to perform in the particular school or college, such as administering teaching evaluations, overseeing other assessment procedures, filing year-end reports, formulating department goals and objectives, etc.

d. Student Support

- Support the recruitment of students and participation in Admission Office events.
- Manage and assign academic advisors for students in the department's programs.
- Encourage student participation in multi-disciplinary programs and internships.
- Advise students and coordinate the advisement and registration of students
- Receive student complaints, arbitrate them if possible, and bring them to the attention of the dean.
- Resolve student problems with faculty.

2.10.2 Selection of Department Chairs—When the term of a chair expires or there is a vacancy for any other reason, the dean will invite the tenured and tenure-track faculty of the department or division to confer. The dean may initiate an internal or an external search; however, an external search requires the approval of the provost. For an external search this policy will be followed in conjunction with the policy for hiring new faculty members.

For an internal search, the tenured and tenure-track faculty may propose a candidate or a list of acceptable candidates for chair through a deliberation process established by the department. The tenured and tenure-track faculty in a department or division may consult with non-tenure-track faculty in their deliberations to the extent they wish. The dean will consider the department faculty's recommendation(s).

If the dean disagrees with the department faculty's recommendation, the dean will meet with the department faculty at a scheduled time to discuss his or her reasons for the disagreement. The department faculty will then confer and will either submit another candidate or will affirm the selection of the original candidate. In the unlikely event that the procedure described above does not lead to selection of a department chair within a reasonable length of time for example (one academic semester) the provost may appoint an acting chair for a non-renewable term not exceeding one year.

Because of department chairs' roles in the recruitment, retention, tenure and promotion processes, normally tenured faculty (preferably professor rank) will fill these roles. In the event that few or no tenured faculty are available to fill the role of department chair, tenure-track or full-time non-tenure-track faculty from the same department, or tenured faculty from other departments with justification for their recommendations may be forwarded to the dean by the department faculty and/or appointed by the dean.

Department chairs will serve a three-year term unless removed from office by the dean. Chairs will receive additional compensation over their base annual salaries and will also receive re-assigned time as appropriate. The additional salary and amount of re-assigned time will be determined by the relative complexity of the position as determined by the dean and approved by the provost. Parameters will be defined in the *Provost's Compensation Guidelines*.

Chairs are expected to work full-time for 10½ months (may be modified by agreement with the chair), and to arrange their schedule to fulfill the responsibilities of the chair throughout the summer, including advising current and prospective students. During periods of personal vacation, chairs will be expected to arrange for the department to be staffed to receive and advise current and prospective students.

2.10.3 Evaluation of Department Chairs—The department chair's administrative performance will be subject to annual reviews by the college dean according to procedures established by the college. All full-time faculty and those part-time faculty serving during the year of the review, as well as full-time staff, must have the opportunity to participate in this evaluation of the chair's administrative performance. The evaluation of all department chairs within a college will follow similar procedures. These annual reviews will result in formal written reports to be included in the department chair's personnel file in addition to the results of the annual faculty review process. The reviews will involve an appraisal of the leadership provided by the chair in selecting, mentoring and retaining a highly qualified faculty; addressing and resolving problems; developing and revising curriculum; achieving effective course scheduling; managing the department's resources; and performing other responsibilities of the position. The dean's office will also provide a standardized questionnaire that faculty may respond to and return anonymously regarding the performance of the chair.

2.10.4 Removal of Department Chairs—The dean may remove a department chair at any time during his or her term of office, after consulting with the chair and full-time department faculty to discuss the dean's concerns with the performance of the chair and consulting with the provost prior to taking action. The department faculty may also request that the dean remove a department chair if the consensus of the department faculty is that the chair is not meeting the requirements of the position, including the scheduling of courses, appropriate evaluation of non-tenured and tenured faculty, and the management of the department's resources. Should such a recommendation be made, the dean will meet with the chair to discuss the faculty members' concerns. Should the dean decide to reject the recommendation of the department faculty, the dean will meet with the faculty to discuss his/her reasons.

The decision of the dean to remove a chair is only subject to the grievance process under circumstances in which proper process has not been followed. Otherwise, after consultation with the provost, the decision of the dean to appoint, sustain or remove a chair is final and is not subject to the grievance process.

Section 2.11—Annual Faculty Review Policy

A faculty-review process is a significant part of faculty self-governance at the University of New Haven. The goal of the annual faculty-review process is to promote continuous improvement and support of the faculty member. The process provides a fair, reasonable and collegial process that benefits the entire faculty and the university. The review process should lead to improvements in performance and to improvements in communications between the faculty member and the chair.

2.11.1 Annual Faculty Activities Report Procedures—Each full-time faculty member prepares and files a Faculty Activity Report with the chair by a date to be specified in Part B of the *Academic Affairs Operating Guidelines*, unless otherwise extended with authorization by the dean. The FAR describes the faculty member's activities over the previous 12 months.

The *Academic Affairs Operating Guidelines* shall specify procedures to complete the annual report requirements. Any necessary transition period will be defined in the *Academic Affairs Operating Guidelines*. ***(Approved by faculty vote on March 1, 2012; approved by the president on April 26, 2012.)***

~~a. Each full-time faculty member prepares and files a faculty activities report with the chair by April 15, unless otherwise extended with authorization of the dean. The faculty activities report describes his or her activities over the previous 12 months (April 16 of the previous year through April 15 of the current year).~~

~~b. The department or division chair shall meet with the faculty member to discuss the report not later than June 1, unless otherwise extended with authorization of the dean.~~

~~c. The report shall include a review of the past year's activities, plans for the next academic year, and future goals for teaching, research and/or creative activity, and service.~~

~~d. Faculty members' written self-assessments include areas of teaching, service, and scholarly activities, and faculty members rate themselves on whether they met or did not satisfactorily meet requirements~~

~~e. The department or division chair prepares a written assessment of each faculty member's activities. (Note: This assessment will result in one of three conclusions—fully satisfactory, satisfactory,, or unsatisfactory. The criteria for each of these categories are described in Sections 2.13.1.a, 2.13.1.b, and 2.13.1.c.) For faculty holding formally designated joint appointments in two or more departments or divisions, the chairs of each of the divisions will jointly perform this step in the process.~~

~~f. The department or division chair will meet with each faculty member to discuss the written assessments and plans for the next year. Plans for the next year would include remedies to correct any deficiencies if a faculty member is judged not to have met his or her obligations. The remediation plan shall include an explicit progress timeline. It should include what is expected to be achieved within one year and completed at the end of two years. The faculty member is provided with one week to prepare a written rebuttal if he or she wishes.~~

~~g. The reports and rebuttal (if forwarded) are sent to the dean.~~

~~h. If the dean objects to the conclusions of the report and/or rebuttal, then he or she may meet individually with the faculty member or simultaneously with the faculty member and the department chair. With each unsatisfactory review, a remediation plan will be developed by the dean with the faculty member under review in consultation with the chair. If agreement cannot be reached, the provost will make the final determination.~~

~~i. Following the evaluation process, the dean, faculty member, and/or department chair as appropriate will meet to discuss mutual goals and directions in relation to the faculty member's contributions to the mission of the college and the university for the subsequent year.~~

2.11.2 Additional Guidelines—Faculty members who do not submit faculty activities reports shall be found to have not met their obligations in a satisfactory manner. The chair will forward a statement to that effect to the dean.

Chairs' faculty performance shall be evaluated by the dean, with input and advice from the three most-senior faculty with equal or higher rank of the chair's department or division. If fewer than three faculty members in the department or division meet this qualification, the dean shall select tenured faculty from other departments or divisions in the school to participate in the faculty review of the chair's faculty performance. The dean's assessment of faculty performance will be forwarded to the provost. Chairs' administrative performance shall be evaluated by the dean, and this aspect of the chair's annual review shall be determined solely by the dean and administration but will include input from the faculty of the department or division.

Chairs shall be provided appropriate training to try to assure consistency in the review process. The training will include setting and evaluating goals and activities for the three criteria areas.

The dean is responsible for the proper carrying out of the faculty review process procedures.

Any faculty member who meets his or her obligations or performs in a satisfactory manner in any year shall have successfully completed the annual activities review.

Annual faculty activities reports are intended to provide a fair and collegial method for faculty to compile and share their accomplishments, and to provide for an opportunity to demonstrate that they have been dutiful in their roles as teachers and scholars. It is generally separate and apart from other faculty review procedures. Although the information gathered relates to the process by which non-tenured, tenure-track faculty are counseled as they approach their tenure application, this process is independent of the tenure and promotion process. A separate application, with supporting materials, shall be prepared by the faculty member who wishes to apply for tenure and/or promotion, and shall be submitted in accordance with the tenure and promotion procedures in effect at any given time.

Performance evaluation decisions are based on faculty performance. The specified process will be followed; however, in a case in which a procedural flaw is identified, decisions related to performance evaluation shall not be diminished due to the presence of a flawed process.

2.11.3 Format for the Annual Faculty Activities Report—The annual faculty activities report will be presented in the following format:

Annual Faculty Activities Report, 20xx-20xx

Name of faculty member:
Rank:
Tenure status:

I. Summary of Activities for the Past Academic Year 20xx-20xx
   a. Teaching Activities
   b. Scholarly Activities
   c. Service Activities

II. Copy of Prior Year's Goals (to be attached)

III. Goals (include required resources)
   a. Short-Term Goals (next academic year):
      1. Teaching Activities
      2. Scholarly Activities
      3. Service Activities

   b. Long-Term Goals:
      1. Teaching Activities

2. Scholarly Activities
3. Service Activities

IV. Faculty Member's Self-Assessment Dated and Signed Statement (includes whether he or she performed in a fully satisfactory, satisfactory, or unsatisfactory manner)

V. Chair or Evaluator's Assessment Dated and Signed Statement (includes whether the faculty member performed in a fully satisfactory, satisfactory, or unsatisfactory manner)

VI. Faculty Member Response to Evaluator's Assessment (if needed)

VII. Plan to remediate any deficiencies if faculty member did not satisfactorily meet his or her obligations. This plan is to be developed by faculty member and the evaluator. The plan shall include what is expected to be achieved within one year and completed at the end of two years.

Assessment agreed to by or Assessment not agreed to by (selected and initialed)

_____ _____
(Faculty Member's Signature) (Date)

_____ _____
(Chair's or Evaluator's Signature) (Date)

2.11.4 Faculty Review Process Criteria with Examples of Activities—Note: These criteria examples provide only a partial list of acceptable activities and are enumerated to assist faculty members in preparing their annual faculty activities reports. Faculty members are not expected to undertake every activity within each of the criteria listed. Faculty members are expected to provide relevant evidence of activity for each of the criteria that appropriately meet their planned goals. Planned goals can be modified with the agreement of the chair during the academic year.

a. Teaching Activity Criteria Examples

- Effective teaching as demonstrated by results on a faculty-approved student instructor/course evaluation form (mandatory).
- Evidence of effective teaching as reliably and objectively determined by faculty peers.
- List of courses taught during the evaluation period.
- Providing course outlines, syllabi, book orders, reports, grades, etc., in a timely manner.
- Maintaining office hours for course students.
- Covering course material specified by the department faculty.
- Maintaining and improving course materials as appropriate.
- Providing evidence of students' achievement of expected learning outcomes.
- Providing experiential learning opportunities such as student engagement in one's own scholarship/research or through inclusion of civic/community engagement activities in course work.
- Achievement of teaching honors, awards, and other formal acknowledgements of teaching. effectiveness by student groups, colleagues, supervisors, learned societies, and others.
- Developing new teaching methods, approaches, and other instructional materials, including presentations and publications (including textbooks, lab manuals, and journal articles) describing new and innovative educational methods, materials, and philosophies; developing of new or advanced courses; developing of short courses and special programs.
- Writing and submitting successful grant proposals for the purpose of improving teaching or laboratory instruction.
- Developing new or revised courses, laboratories, and curricula; including the design of new software or the creative employment of software and computers for use by students in class assignments or labs.
- Directing dissertations, theses, and projects (including projects with business and industry) to completion.
- Supervising of internship students.
- Generating positive peer and supervisor's evaluations.

- Providing academic advising and mentoring to students at the undergraduate and graduate levels.
- Performing other teaching activities, such as membership and active participation in national educational societies and their committees; professional meetings attended related to educational methods, materials, philosophies and leadership; participation in accreditation preparation, and/or serving as an accreditation team member; serving on and/or chairing curriculum committees.

b. Service Activity Criteria Examples

- Attending and/or contributing to appropriate department, college, and university meetings.
- Serving as a contributing member of department, college, and university committees, task forces, working groups, ad-hoc, etc.
- Developing of new academic programs.
- Serving on non-university organizations where professional expertise is applied.
- Performing university administrative responsibilities (chair, coordinator, program advisor, etc.) as a faculty member, including specific duties and assignments, special administrative skills, and note-worthy accomplishments.
- Recruiting students and supporting retention activities, prospective student counseling, and outreach activities.
- Providing public and governmental service activities on behalf of the University.
- Service to professional and scholarly societies, including service as an officer.
- External fund raising activities including non-cash contributions.
- Performing other service activities such as: mentoring students and new faculty; faculty advisor for student groups; speaking engagements, radio and television appearances, newspaper articles, etc., relating to the academic, professional, and public service activities of the University.

c. Scholarly Activity Criteria Examples

- Refereed Publications; including articles describing new and innovative educational research, methods, materials and philosophies. Citation frequency of publications.
- Books, Monographs, or Chapters published by recognized professional/educational publishers.
- Copyrights or Patents.
- Grants and Contracts Received; including grants submitted and/or awarded for the purposes of improving teaching or laboratory instruction.
- Development of research laboratory and teaching facilities.
- Presentations at Scholarly Conferences, Workshops and Seminars. List in the following order: Presentations at refereed conferences, Invited presentations, presentations at non-refereed conferences and other meetings.
- Presentations at university, school or department events.
- Presentations at professional organizations.
- Consulting in area of expertise.
- Recitals, Concerts, Exhibits, and other evidence of artistic accomplishment.
- Other Scholarly Activity such as: fellowships and post doctoral awards; editorship of journals, including guest editorship of special journal issues; non-refereed publications; referee activities for publication and conferences; invitations as reviewer of theses and dissertations from other academic institutions; non-academic publications (newspapers, weekly or monthly periodicals; interviews in area of expertise; legislative testimony in area of expertise; academic and professional memberships, professional licensures and certifications; activities to learn a new area in their field of expertise; and other activities to maintain and improve knowledge in areas of expertise.

Section 2.12—Student Evaluations of Courses and Instruction

2.12.1 Purpose—The primary objective of the student evaluation of courses and instruction process is to provide faculty members with information to help them improve, develop, and maintain effective instructional performance. Additionally, the student evaluation of courses and instruction instrument serves as one component of the evaluation of faculty members' teaching performance. The student evaluation of courses

and instruction process should be considered in its totality (as a set of surveys). The same holds for answers to individual questions.

2.12.2 Task Force—A Student Evaluation of Courses and Instruction Task Force will be formed periodically by the provost and the chair of the Faculty Senate. The charge, general guidelines, membership, and reporting lines of this task force are described in Section 4.4.14.

Section 2.13—Performance-Based Faculty Salary Policy

The president, in conjunction with the Board of Governors, will determine the amount of funds each year to be allocated for faculty salary increases. The distribution system will be based on individual faculty performance during the preceding year with the overall goal of maintaining market-competitive faculty salaries. The Board of Governors has the final authority to determine if it would not be fiscally prudent to award salary increases for salary and exemplary performance in any particular academic year.

All faculty salary increase decisions will be made on the basis of a performance-based remuneration system. Performance shall be determined using the annual faculty performance review.

2.13.1 Performance Categories—A faculty member's performance shall be assigned to one of three categories of performance. The three categories are fully satisfactory, satisfactory, and unsatisfactory performance. A merit performance bonus or salary increase for exemplary performance will also be available for faculty members who are assigned to the fully satisfactory performance category.

The three performance categories that a faculty member may be assigned during the annual performance review are as follows:

a. **Fully Satisfactory Performance**—This performance assessment shall be assigned to a faculty member during the annual performance review who performs each of the following areas in a fully satisfactory manner: teaching duties, required faculty responsibilities as per the handbook (see 2.4.2), participates in discipline's program activities (development of new, revision of current or course improvements); actively participates in college and university service activities; and maintains and improves his or her knowledge of the academic field and provide evidence of achievement and/or progress in scholarly activities. The criteria may be modified by the assigned workload during the period of review. A faculty member found to have performed in a fully satisfactory manner shall receive a salary increase as described in the salary benchmark adjustment plan. A faculty member who performs in a fully satisfactory manner may be eligible for a merit performance salary increase and/or a merit performance salary bonus. Note: Faculty members who have been designated as "teaching focus faculty" (see 2.1.3.a) will be judged against a revised set of criteria that matches their classification.

b. **Satisfactory Performance**—This performance assessment shall be assigned to a faculty member during the annual performance review who performs each of the following areas in a satisfactory manner: teaching duties, required faculty responsibilities as per the handbook and maintenance of currency in his or her field. The criteria may be modified by the assigned workload during the period of review. A faculty member who has performed in a satisfactory manner shall receive an annual cost of living adjustment (COLA) to his or her base salary. Faculty members in this category are not eligible for a salary benchmark adjustment nor a merit performance salary increase and/or merit performance bonus.

c. **Unsatisfactory Performance**—This performance assessment shall be assigned to a faculty member during the annual performance review if the faculty member fails to satisfactorily perform any one of the following activities: teaching duties, required faculty responsibilities as per the handbook and maintenance of currency in his or her field. A faculty member found to have performed in an unsatisfactory manner shall not receive any salary increase or merit performance award.

2.13.2 Merit Performance Salary Increase and Performance Bonus Policy—The merit performance salary policy and process recognizes up to 35 percent of the full-time faculty members for exemplary performance. Faculty who have received an assessment of their performance as fully satisfactory by the

dean and who have performed at least one of the activities in an exemplary manner may be considered for a merit-based award. Judgments regarding performance for each activity shall take into account any workload reduction provided the faculty member. Each dean shall forward his or her recommendations of no more than 30 percent of the college's full-time faculty to the provost for receipt of a merit increase. The provost will then review the recommendations of the deans plus any additional applications for merit not recommended by the deans and will recommend to the president no more than 35 percent of the university's full-time faculty for a merit performance salary increase and/or performance bonus. The president will then review and select up to 35 percent of the university's full-time faculty members to receive a merit performance salary increase and/or performance bonus.

2.13.3 Definitions

a. **COLA** – Cost of living adjustment. The university shall be guided by the U. S. Department of Labor, Bureau of Labor Statistics, Consumer Price index for the Northeast Region (Urban Consumer).

b. **Benchmark** or **Market Target Salary** – The university shall use the regional (New England states, Pennsylvania, New York, and New Jersey) average salaries by discipline and rank in private institutions published by the College and University Personnel Association (CUPA) for prior year or substitute benchmark market data for specialty disciplines where CUPA survey data is inappropriate. The substitute data source for a discipline and rank shall be subject to review by the dean of the discipline's school and agreed to by the administration and the Faculty Affairs Committee. The provost and the Faculty Affairs Committee shall review and maintain the salary discipline database to assure it is representative of the discipline and statistically valid. The benchmark market target salary is defined as the third step for each rank as described in the *Academic Affairs Operating Guidelines*. Minimum benchmark salary levels may be substituted for a discipline's rank if CUPA or substitute benchmark data are inappropriate.

   The specific process used for implementing the Benchmark or Market-Target Salary increases are detailed as part of the *Academic Affairs Operating Guidelines*, which are updated on a regular basis in collaboration with the Faculty Affairs Committee.

c. **Maximum Benchmark Salary Adjustment**—The maximum possible benchmark salary adjustment is the lower of the difference between the faculty member's benchmark target salary and his or her current salary including the annual cost of living adjustment or the amount available for benchmark salary adjustments.

d. **Annual Benchmark Adjustment Salary Amount** –The amount available for benchmark salary adjustment to each faculty member shall be the annual benchmark salary funding amount in the university's budget divided by the number of eligible faculty. This average amount shall be distributed to each eligible faculty member subject to the maximum benchmark salary adjustment. If funds remain due to the maximum benchmark salary adjustment constraint then the remaining funds shall be distributed in the same manner. Any remaining funds shall return to the university if all eligible faculty members are at or above their benchmark target salary.

e. **Annual Amount Available for Benchmark Salary Adjustments**—Each year in which it is fiscally prudent to do so, the university shall fully fund COLA for those eligible and provide an additional 2 percent of the prior year's aggregate faculty salaries, as found in the university's audited financial report for benchmark salary adjustments. It is assumed the proposed budget shall reflect decisions regarding revenues and expenditures that are in the best long-term interests of the university.

f. **Annual Thresholds**—If the university projects a budget that falls below the following thresholds, the university may temporarily suspend or reduce the amount provided for faculty salary increases: (i) A $1,000,000 increase in net assets for 2007-08, (ii) a $1,250,000 increase in net assets for 2008-09; (iii) a $1,500,000 increase in net assets for 2009-10; (iv) a $1,750,000 increase in net assets for 2010-11; and (v) a $2,000,000 increase in net assets for 2011-12 and beyond. The president or provost shall notify the Faculty Affairs Committee no later than May 1 that the Performance-Based Faculty Salary Policy at the

minimum level specified in 2.13.3.e will not be fully funded for the forthcoming year's budget. The president and/or the provost shall notify and fully disclose the reasons, including the financial data to support the disclosed reasons, and will meet with the Faculty Affairs Committee to discuss the decision no later than June 1.

g. **Related Remuneration Thresholds**—If the Performance-Based Faculty Salary Policy is not to be fully funded in the budget for the forthcoming year, then the remuneration of all other university employee groups not governed by collective bargaining agreements shall not be raised to a percentage level higher than the percentage increase that is provided for the faculty in the same fiscal year in accordance with 2.13.3.e.

2.13.4 Additional Provisions

a. **Salary Exception for a Faculty Member**—A faculty member may have a higher salary than the amount provided by the salary policy if the administration determines it is in the best interests of the university. This provision cannot be used to circumvent the purpose of the performance-Based Faculty Salary Policy. Its use is suspended if the Performance-Based Faculty Salary Policy is not fully funded.

b. **Annual Amount Available for Merit Performance Salary Increases and/or Performance Bonus** – Each year the university may provide additional funding, generally up to an additional 1 percent of the prior year's aggregate full-time faculty salaries, as found in the university's audited financial report for merit performance salary increases and/or performance bonuses. The university shall fund the merit policy awards only after it has fully funded the annual COLA and applied up to 2 percent of the prior year's aggregate full-time faculty salaries for benchmark salary adjustments.

c. **Eligibility**—Each faculty member who performs at least one of the activities evaluated for fully satisfactory performance as determined in the annual faculty review in an exemplary manner will be considered eligible for consideration for a merit award.

d. **Merit Performance Award Year**—The same time period used for the annual faculty performance review.

e. **Eligible Activities for Merit Performance Awards**—A faculty member may self nominate for a merit award in one or more of the following areas: (1) teaching, (2) program and course development, (3) university/discipline/community service, and (4) scholarly and professional activities. A chair or the dean may nominate a faculty member when in his or her opinion a faculty member has performed in a exemplary manner based on the faculty member's annual faculty performance review.

f. **Process**--The process will be described as part of the *Academic Affairs Operational Guidelines*.

g. **Merit Award Determination of Amount and Allocation**—The president and provost shall determine the amount and type of allocation of the merit award to each meritorious faculty member. The merit performance award may be either a salary increase and/or performance bonus. The president shall each year distribute to the faculty a report that includes describing the criteria they used in their selection process for a merit performance award; the range in amounts distributed; type and distribution of allocations used; and the distribution of merit performance awards for each performance category.

Section 2.14—Grievance Policy and Procedure

The University of New Haven recognizes and endorses the importance of fair process and of adjusting grievances properly without fear of prejudice or reprisal. Accordingly, the University encourages the informal and prompt settlement of grievances. The goal of the informal procedure is—if at all possible—to identify favorable resolution to the issues raised without going through the formal grievance process.

The University intends that these policies and processes be the sole method for the resolution of all grievances as defined herein. Appeals of dismissals for cause, suspension without pay (unless required by law), and demotion will be governed by the provisions of Section 2.9 of this Faculty Handbook. No distinctions are made among full-time, adjunct, and/or non-tenure track faculty as respondents to grievances and in the application of Grievance Committee policy and authority. The committee is likewise accessible to all students of the University.

2.14.1 Definition of a Grievance

a. Faculty Grievance—A faculty grievance is an allegation by a faculty member or group of such faculty that there has been:

1. a violation of University policies as set forth in this *Faculty Handbook* including an infringement of the procedural rights of a faculty member;

2. an infringement of professional conduct or academic freedom; and/or

3. discrimination based on race, color, sex, national origin, age, religion, marital status, sexual orientation or disability or any other issue or on the basis of status or conduct otherwise protected by federal or state law unless the faculty member has initiated administrative proceedings with the applicable state or federal agency.

The correctness of a promotion, tenure, salary, or dismissal decision may not be grieved, but alleged procedural irregularities in such decisions may be grieved under this section.

b. Student or Staff Grievance—A student grievance or a staff grievance is an allegation by a student or staff member, as the case may be, that one or more faculty members have violated university policy applicable to the grieving party or parties.

2.14.2 Time Guidelines and Definitions—The time limits regarding the initiation of grievances are firm; time limits regarding process are guidelines and should be understood to be normative and not prescriptive. Any parties to a grievance may, by mutual agreement, waive the time limits set forth in these procedures if all parties so agree, provided, however, that such waiver will only be effective if all parties agree to substitute a new extended time limit for the time limit of these procedures. No more than one calendar year may elapse from the time an alleged grievous action has been discovered until the time when the complainant first contacts the Chair of the Grievance Committee to initiate grievance procedures.

a. The Grievance Committee" is identified herein as “GC” or as "the committee." "Chair" refers to the chairperson of the Grievance Committee.

b. The UNH "Board of Governors" is identified herein as "BOG.”

c. "Academic chain of command" refers to the hierarchical sequence of positions within the faculty ranks: instructors/professors, chairs of departments/divisions, deans, provost, president.

d. "Complainants" are any person or persons bringing the grievance to the Grievance Committee. "Respondents" are those against whom the grievance is brought.

e. "Face-to-face" hearings are those in which complainants and respondents are permitted to interact directly and ask each other questions for the benefit of the committee. All respondents retain their right to confront their accuser(s) in face-to-face hearings. Further, all parties to a grievance retain the right to cross-examine one another as well as any witnesses heard by the committee. Under normal circumstances, face-to-face hearings will be held so that the parties may exercise their rights to confront one another. This right may, however, be waived. When both parties waive their rights to a

face-to-face hearing, the committee may interview complainants, respondents, and others separately. One's *failure* or *refusal* to appear before the committee, when called, will be interpreted under Section 2.14.5.c.

f. "Administration" refers to the officers of the University and to the senior officials in the academic chain of command. "Staff" refers to University employees in professional positions who are not

faculty, who do not qualify as administrators as defined above, and who are not Clerical/Technical or maintenance employees.

2.14.3 Informal Procedure—Although a grievant is not required to utilize the informal procedure prior to initiating the formal grievance procedure, grievants are encouraged to attempt to resolve grievances informally if possible. The necessary first step toward an informal solution is for the grievant to attempt personally to resolve the grievance with the other person or persons. This informal procedure normally should not extend longer than a 30-day period. It begins on the day on which the grievant calls upon the aid of the department chair or supervisor to attempt resolution. The grievant or the principals may also call upon any other person who has knowledge of the grievance or who may assist in an informal resolution.

Should the grievance not be resolved informally, the grievant may utilize the formal grievance procedure in Section 2.14.4.

2.14.4 Formal Grievance Procedure

a. **Timelines**—Unless the grievance is of such a nature as to demand immediate attention, the grievant(s) must wait at least 30 days from the date on which he or she had knowledge of the acts or omission forming the basis for the grievance to allow for a cooling-off period and to encourage an informal resolution. The grievant may then file a formal grievance with the chair of the Grievance Committee of the Faculty Senate. The grievant shall file the formal grievance within 10 days after the 30-day waiting period, unless the grievant can establish that a delay in filing is the result of extenuating circumstances. No more than one calendar year may elapse from the time an alleged grievous action has been discovered until the time when the complainant first contacts the chair of the Grievance Committee to initiate grievance procedures.

b. **Written Statement—**The grievant must provide a written statement of the grievance to the chair of the Grievance Committee, the appropriate college dean, and the provost. The written statement must describe the general nature of the grievance, and must name the person or persons against whom the grievance is made. The written statement must also include the desired outcome of the grievance.

c. **Determination of Scope**--The Grievance Committee will determine whether the grievance is within the scope of the *Faculty Handbook*'s grievance policy and whether it is complete. The Grievance Committee is primarily concerned with determining whether violations of due process exist. When the committee finds that the substance of the grievance merits examination, it notifies the grievant, who must submit copies to all persons named in the grievance statement, the department chair, any other appropriate supervisor, the grievant's college dean, the provost, and the president. If the Grievance Committee dismisses the grievance, the grievant may appeal this decision to the provost, whose decision on the whether the grievance is within the scope of the Faculty Handbook's grievance policy and/or whether it is complete is final.

d. **Grievance Panels**—Within ten working days of the filing of the formal grievance, the Grievance Committee, if it has determined that the grievance merits examination, shall designate four committee members plus a case manager to serve as a grievance panel. The panel must have a faculty member representing each college. The case manager must be a regular member of the Grievance Committee. Both the University and the grievant may object to any of the selected members on the basis of a conflict of interest or personal bias. Grievance panel members may not be members of the grievant's department. If a proposed member of the grievance panel is struck from the list for cause, the

Grievance Committee shall select a replacement from the remaining members of the Grievance Committee or seek an ad hoc replacement until a panel of five is in place . The chair of the Grievance Committee will immediately notify the grievant and the University of the names of the faculty making up the grievance panel and its case manager.

e. **Grievance Panel's Process**—The grievance panel will be given the written grievance and any response to the grievance from the respondent(s). The grievance panel will review the written grievance and the written responses to determine if it wishes to accept or reject the charges in the grievance for further action. If rejected, the panel will report this decision to the chair of the Grievance Committee, who will supply a written statement to the grievant(s) and to the respondent(s). If accepted, the panel will designate the charge(s) that will proceed to a formal hearing and begin making plans for a formal hearing of oral arguments from each side. Both the grievant(s) and the respondent(s) may call witnesses who have significant information that is relevant to the grievance. The panel may also call additional witnesses to the hearing if this is considered necessary to its understanding of the case. The panel will hear oral testimony and will review any relevant documents presented by the grievant(s) and the respondent(s). Should the parties be able to reach a settlement at any point prior to the issuance of a decision by the grievance panel, the grievance panel will be dissolved and the matter will be closed.

f. **Grievance Panel's Recommendation—**Should the grievance not be resolved, the grievance panel will issue its findings within ten working days from the end of the hearing. The findings of the Grievance Committee are advisory to the president, who will consider the grievance panel's findings and recommendations prior to making a final resolution of the grievance. The decision of the president is final and may not be appealed.

g. **Student Grievances—**In cases that involve student grievances concerning grades and/or grading practices, after consultation with faculty having relevant expertise in the subject matter, the Grievance Committee may instruct the provost to effect a grade change in those exceptional instances where it is found that the privileges of Academic Freedom have been misused, used capriciously and/or arbitrarily.

h. **Access to Evidence—**Subject to applicable legal restrictions, the chair has the right and authority to request appropriate access to relevant evidence from all UNH offices and officials, and will properly safeguard the confidentiality of information and materials.

i. **Committee Conclusions and Recommendation—**If the Grievance Committee's decisions are overturned, in part or in whole, or any part of its recommendations set aside by the president, reasons for this unusual action must be communicated in writing to the committee and the parties to the grievance.

j. **Recordkeeping and Archiving—**At the conclusion of the grievance procedure, a single file shall be maintained in the Office of the Provost. This file shall include copies of all formal communication regarding the grievance process and final decision. These files shall be maintained for a period of six years beyond the date of decision or one year beyond termination, whichever is later.

2.14.5 Rights and Obligations of Parties to a Grievance

a. **To Confront Accusers—**All respondents retain their right to confront their accuser(s) in face-to-face hearings. Further, all parties to a grievance retain the right to cross-examine one another as well as any witnesses heard by the committee. (See 2.14.2.e.)

b. **To Confidentiality—**All documentation, information, and committee hearings and deliberations are to be kept confidential, and decisions are to be communicated only to the parties involved and to the appropriate University officers. All committee hearings and interviews with parties to a grievance are confidential and closed to the public as well as to the University community except as required by law.

c. **To Appear**—All complainants and respondents involved in cases accepted by the committee for action have a right to appear before the committee to be interviewed by the committee. Complainants and respondents are expected to appear before the committee when called. If a respondent cannot, or will not, appear (and a reasonable effort has been made by the Grievance Committee for accommodation), the case may still be acted upon despite the absence of said respondent. A respondent's failure or refusal to appear before the Grievance Committee may not serve as a basis for questioning the legitimacy of committee conclusions or invalidating the said conclusion. Reasons for refusing to appear must be communicated to the committee in writing.

d. **To Withdraw**—If a complainant withdraws the grievance or refuses to appear when called, the case will be dismissed by the committee without prejudice. However, the case can be resubmitted if the committee determines that changed circumstances or new evidence warrant such action.

e. **To Examine Evidence**—The respondent has a right to examine all evidence provided to the committee by the complainant. The complainant has a similar right to examine evidence presented by the respondent(s).

f. **To Representation**—Legal counsel or other representative may accompany to interviews or hearings any party to a grievance as part of their representation function in an advisory capacity, but may not substitute for either party in the proceedings. The parties and if applicable the attorneys or other representatives will be advised that civil court procedures or those procedures known in the legal profession as "rules of evidence" will not apply. When a hearing is scheduled, both parties will be advised of the hearing procedures and format.

2.14.6 Conflicts of Interest Guidelines

a. Conflicts of interest are to be avoided.

b. If the committee determines that a grievance directly affects a committee member, the chair will recruit an appropriate ad hoc replacement from among eligible faculty.

2.14.7 General Procedures

a. **Student Cases**—Grievances filed by students must be referred together with the Grievance Committee "Student Grievance Initiation Form." Grievance forms will be available from the committee chair, the Provost's Office, the Dean of Students' Office; and from the Faculty Senate Office. The form will include the identity of the complainant (one per form), the respondent(s), a description of the nature of the grievance, the remedy sought, addresses and phone numbers of the person submitting the form. The form must be signed and dated by the affected faculty members' institutional superiors (department chair and dean) and the provost before the committee will accept it. The form will state that it is expected that school-specific remedies have been pursued and the academic chain of command followed before seeking the involvement of the committee.

b. **Petitions for Non-Student Cases**—In all other cases, the complainant will follow 2.14.4.b. No form is required for non-student cases. The committee may advise complainants about how to seek resolution of grievances before accepting a case for action. Advising the complainant to discuss the issues with their supervisors following the academic chain of command is recommended.

c. **Evaluating the Petition**—Once formed, the grievance panel will convene in a timely manner (typically within 15 working days) after receipt of a petition and response to consider the issues, to gather evidence, and to schedule hearings as they deem appropriate.

c. **Hearings**—Under normal circumstances, face-to-face hearings will be held so that the parties may exercise their rights to confront one another. This right may be waived, however, and when both parties waive their rights to a face-to-face hearing, the committee may interview them separately.

One's *failure* or *refusal* to appear before the committee, when called, will be interpreted under Section 2.14.5.c. (See Section 2.14.2.e)

d. **Case Representatives**—The chair may assign grievances to members of the committee so that the member is empowered to communicate with the parties, witnesses, and University offices and officials on the behalf of the committee.

e. **Modifying Procedures**—When time limitations or other procedural constraints described herein prove impractical, the committee may modify them as circumstances require and with proper consideration for the needs of the parties, and provided that due notification is given the principal parties. Such a modification of procedure shall not serve *per se* as a basis for questioning the legitimacy of the committee's conclusions or any actions it recommends.

2.14.8 Types of Cases

Because of differences in rank, authority, and reporting relationships among possible parties to a grievance, it is necessary to treat cases differently depending on the parties involved.

a. **Faculty vs. Faculty and Faculty vs. Staff Member:**
- Both parties are expected to submit in writing to the Grievance Committee chair a statement that describes their positions.
- The president will be advised in writing by the Grievance Committee chair of grievance petitions accepted by the committee for action.
- Decisions are communicated in writing to the president and to all parties to the grievance.

b. **Faculty vs. Administration:**
- All parties are expected to submit in writing to the Grievance Committee chair a statement that describes their positions.
- The president and BOG chair will be advised in writing by the Grievance Committee chair of grievance petitions accepted for action.
- Decisions are communicated in writing to the president, the BOG chair, and all parties to the grievance.

c. **Faculty vs. Student:**
- The grievance form must be signed by the faculty member's institutional superiors.
- Grievances are forwarded to the committee chair by the Office of the Provost.
- Decisions are communicated in writing to the provost, who will communicate the decisions to the parties involved, including the department chair and dean where appropriate.

Section 2.15—Sabbatical Leaves and Other Forms of Research Support

2.15.1 Conditions of Sabbatical Leave—Sabbatical leave is a program for professional development which benefits the entire University and is granted in order to contribute to the fulfillment of the University's mission. Sabbatical leave provides opportunities for study, research, creative effort, improvement of teaching capabilities and methods, and related travel in order that the quality of each recipient's service to the University may be enhanced. Applicants must propose a project that can be accomplished in the period of the proposed leave. Priority will be given to proposals with the potential for disseminating and/or applying anticipated achievements through publications, grant proposals, presentations, and development of curricular and instructional activities. A sabbatical leave may be granted for the purpose of enabling the faculty member to become proficient in a discipline other than his or her own. The president makes the final decision on which faculty are awarded sabbatical leaves.

A faculty member may request either a one-semester sabbatical leave at full pay or a full academic year sabbatical leave at half pay, but applicants should understand that one-semester leaves at full pay may be limited and may be denied on this basis. The provost shall provide guidance to the committee regarding the potential availability of leaves each year prior to their deliberations. A faculty member who meets the eligibility criteria is eligible for a sabbatical leave seven years after the first appointment or seven years after the last sabbatical leave, with the exception that a faculty member otherwise eligible for a sabbatical leave who, on the request of the department head and with the approval of the dean, postpones application for one year, will be eligible for a subsequent leave in the sixth year of service after return to the University. Eligibility for a sabbatical leave does not mean that such leave will be granted. Up to one third of the sabbaticals awarded in any one year may be for professional development designed to improve the faculty member's ability to perform his or her faculty role.

Upon completion of the sabbatical leave, faculty members will submit a report summarizing the work accomplished during the leave. Faculty members are expected to return for at least one full academic year of service following the completion of the leave. Faculty members who do not return from sabbatical leave will be required to repay the University the salary and benefits paid to them during the sabbatical leave except for disability, illness or mutually agreed to arrangement with university.

2.15.2 Criteria for Approval of Sabbatical Leave—Applications for sabbatical leave will be considered in terms of the following:

a. The relevance of the proposed project to the continued development of the faculty member.

b. The quality of the faculty member's proposed research and/or creative activity project during the leave and the likelihood that the project will be completed during the leave or shortly thereafter.

c. The relevance of the faculty member's proposed activities to the educational mission of the university.

d. The needs of the academic unit to which the faculty member is appointed.

e. The quality of the faculty member's established record of research and/or creative activity and other academic and professional accomplishments.

f. Length of service, time since the last sabbatical leave, and academic rank will also be considered in evaluating applications for sabbatical leave.

2.15.3 Process for Approval of Sabbatical Leave—The faculty member must submit an application for sabbatical leave by October 31of the year prior to the requested sabbatical leave to the relevant department chair. The application must describe what research, creative activity, or other substantial professional activity that will benefit the faculty member and the university. The chair must either endorse the application or state his or her reasons for not endorsing the application, and if there is more than one such application in the department or division, must prioritize them. The application(s) are then sent to the appropriate college dean. The dean will evaluate and prioritize the applications, taking the school-wide mission, the course offerings of the department, and financial conditions into account. The dean will make a written recommendation for or against granting the sabbatical for each application.

The deans will transmit all of the applications to the provost and the University Sabbatical Leave Committee. The applications from all the colleges will be reviewed by the Sabbatical Leave Committee. The committee will transmit all applications and their evaluations and recommendations to the provost.

The provost will review the university committee's recommendations. Those approved by the committee and the provost will be transmitted to the president for final approval. The president will announce the awards.

Based upon the accumulated evaluations of the applications, the provost will briefly explain to unsuccessful applicants how their applications could be strengthened.

The decision of the president on sabbatical leave applications is final. Faculty members may grieve the denial of a sabbatical leave only on grounds of violations of academic freedom or alleged discrimination or violation of process.

2.15.4 Status During Sabbatical Leave—Faculty members on a sabbatical leave of one year or less will advance in rank and salary as if they were on campus during the period. Grants, fellowships, or other awards from sources outside the University are supplemental to and not in lieu of a faculty member's salary while on sabbatical leave, but a faculty member may not earn more than 133 percent of his or her salary from a combination of University salary and external funding in recognition of the increased costs that may be incurred during the sabbatical assignment. Employment outside of the specific terms of the sabbatical leave is not permitted.

A faculty member on sabbatical leave shall continue to receive full benefits from the University (e.g., insurance and other regular benefits) with the exception that for a full-year sabbatical leave at half pay, retirement benefits must be paid based on the actual salary paid.

2.15.5 Other Forms of Research Support—Research assistants will be allocated by the provost, upon the recommendation of department chairs and deans. The graduate research assistant is a completely research-oriented position. It is intended for faculty who are carrying out research projects in their discipline and who need the help that a graduate student can provide. In evaluating applications, the chair, dean, and provost will consider the demonstrated need for the position, outcomes of previous research, the potential for future external funding, the potential benefits for the student, appropriate and beneficial use of previous assistants, and the impact of the proposed research. It is understood that the assistantship is awarded specifically to the faculty applicant and that he or she will directly supervise the graduate research assistant.

Allocation of research funding and summer research grants will use the same criteria and process described in Sections 2.15.2 and 2.15.3 for the allocation of sabbatical leaves but with different deadlines. Summer grants will also include formative or preliminary research projects. A faculty member shall submit a brief written report on his or her activities to the provost by the end of the academic term following the term of the grant. The Sabbatical Leave Committee will make recommendations to the provost.

Section 2.16—Other Leaves

2.16.1 Medical Leave—The university's policy on medical leave is considered to be appended and incorporated herein by reference.

2.16.2 Family Leave—The University's policy on Family Leave is considered to be appended and incorporated herein by reference.

2.16.3 Unpaid Leave—A faculty member who wishes to take unpaid leave from the University must submit a request to his/her department chair, stating the reason for the leave and the expected date of return to the University. The chair may either endorse or reject the request, and then must send the request to the appropriate college dean. If the dean rejects the request, the decision is final. Should the dean concur with the request, the request is then sent to the provost, who makes the final decision.

Unpaid leaves of absence will generally be approved for up to one calendar year only. Under extenuating circumstances, and when a second year of leave will benefit the University, a second year of unpaid leave may be requested and may be approved if the approval is judged to bring identifiable benefit to the university.

Section 2.17—Professor Emeritus Policy

The University of New Haven may recognize and honor retiring full-time members of the faculty who have served for many years with distinction. The University Board of Governors may confer emeritus status along with the privileges outlined below as an honor for such faculty according to the procedures described below.

2.17.1 Procedures for Awarding Emeritus Status

a. Upon retirement, if a retiree has completed 15 years of service at UNH and has continued to meet the criteria for the rank held, his or her department may nominate him or her for emeritus status.

b. With the candidate's permission, the department will forward the nomination to the University Tenure and Promotion Committee with a brief letter.

c. Any member of the faculty or administration may nominate any retiring member of the faculty who meets the criteria in item 1.

d. Should a retiree fail to meet the 15-year requirement because he or she joined the faculty at UNH after a distinguished career elsewhere, his or her department or dean may petition the University Tenure and Promotion Committee for a waiver of the 15-year requirement.

e. In most cases the candidate's department will provide supporting documentation to the University Tenure and Promotion Committee, but any member of the university community may write a letter in support of such an application.

f. The University Tenure and Promotion Committee may solicit whatever documentation it deems necessary from the candidate's department or from the candidate's dean. It will then submit its recommendation to the president, who in turn will recommend approval or denial of the candidate's application the Board of Governors.

2.17.2 Privileges Included With Emeritus Status:

a. Subject to availability of University resources, office or desk space and telephone for professional activities.

b. Library usage.

c. Access to those university facilities that are accessible to regular faculty members, e.g. access to email etc.

d. Parking permit.

e. Catalog listing and professional use of title.

f. Tuition remission at UNH for the professor emeritus and for his or her legal dependents, in accord with the policy in effect for full-time faculty members.

g. Participation in meetings open to the faculty with voice but without vote.

h. Should the emeritus faculty member be asked to teach a course or courses, he/she shall be remunerated at a premium rate consistent with his or her status.

Section 2.18--Amendments to and Suspension of Specific Sections of the *Faculty Handbook*

University policies, including the policies contained in the Faculty Handbook, are established by the Board of Governors of the University of New Haven. The Board reserves the right to modify these policies from time to time, upon the advice of either the administration or the faculty through the process described below.

2.18.1 Process to Amend the *Faculty Handbook*

As specified in the Second Amended and Restated Bylaws of the University of New Haven (dated June 23, 2006), "the Board shall have the powers, rights and duties necessary or appropriate for the proper governance of the business and affairs of the University" including "the approval of the academic policies of the University (including various matters relating to accreditation); and an evaluation of the implementation thereof." The following processes are applied consistent with the specified powers, rights, and duties of the Board:

a. Changes to the *Faculty Handbook* sections describing (i) Faculty Rights and Responsibilities (Section 2.4); (ii) faculty status (Section 2.1), salary (Section 2.13), and merit (Section 2.13) policies; (iii) financial exigency (Section 2.7); (iv) termination of employment (Section 2.9); (v) reassignment of faculty (Section 2.8); (vi) Grievance Policy and Procedure (Section 2.14); and (vii) Amendments to and Suspension of Specific Sections of the Faculty Handbook (Section 2.18) will require approval of the faculty and the university administration prior to action by the Board of Governors unless the Board determines that exceptional circumstances or financial exigency prevail. In such situations, reasons will be communicated to the faculty. Faculty votes conducted regarding revisions to the *Faculty Handbook* will be conducted in accordance to the amendment process specified in the *Faculty Constitution*.

b. Changes to all other sections of the *Faculty Handbook* not specified in 2.18.1.a may be proposed by the administration or by the faculty.

    1. When proposed by the administration, the proposal, including a rationale for the change, shall be submitted to the Faculty Senate for review and comment. The Faculty Senate will refer such proposed changes to the faculty committee with appropriate jurisdiction for study and recommendations. The appropriate committee will consult with the administration and work toward a mutually satisfactory proposal. The Faculty Senate will refer the proposal to the full faculty for comment. The administration shall receive a response from the Faculty Senate on behalf of the faculty within eight (8) weeks. Days in the months of June, July, and August are not counted as part of the eight weeks. The response time may be extended by mutual agreement.

    2. When proposed by the faculty, the proposal and rationale will be forwarded to the provost and president who will review the proposal and respond to the faculty as a whole within eight (8) weeks. Once the administration has responded, the proposed changes will be submitted to the faculty as a whole by the Faculty Senate. Days in the months of June, July, and August are not counted as part of the eight weeks.

    3. Following consultation between the faculty and administration, the president may forward proposed changes to other sections of the Faculty Handbook except those identified in Sections 2.18.1.a and 2.18.1.b unless exceptional circumstances prevail provided that the faculty's recommendation regarding the proposal accompanies the proposal for review by the Board of Governors.

    4. Eligibility for all faculty votes, including votes to amend this handbook, is governed by the *Faculty Constitution*.

c. Changes to the *Academic Affairs Operating Guidelines* and to *the Provost's Compensation Guidelines* will be implemented by the provost in consultation prior to implementation with the University Faculty Affairs Committee.

2.18.2 Process to Suspend Specific Sections of the *Faculty Handbook*

For the purposes of Section 2.18 only, an exceptional circumstance is a grave crisis that occurs prior to the Board of Governors' having to declare a financial exigency at the university exists. The Board must declare an exceptional circumstance exists to take appropriate and specific actions to address the reason(s) for the problem(s). The declaration of an exceptional circumstance should occur after discussing the grave situation with the administration and the faculty. An exceptional circumstance occurs when one of the following conditions exist: (1) when there is a sustained financial problem; or (2) when there exist significant operational inefficiencies due to either administrative or academic operational problems; or (3) when a significant unforeseen event should occur (e.g. destruction of an entire instructional building).

After the Board has declared an exceptional circumstance exists, the Board, the administrative officers, and at least five faculty representatives (chair of Faculty Senate, chair of Faculty Affairs and chair of Budget and Development and two additional knowledgeable faculty members selected by the other three members) shall meet and develop solutions to address the problems creating the exceptional circumstance.

The Board retains final authority to determine how the problems shall be addressed. The Board may suspend for a period of time (up to two years) specific sections of the handbook, confining such sections to elements that will allow the university to address the financial obligations created by the exceptional circumstances and excluding Section 2.4.1—Faculty Rights and Section 2.8—Reassignment of Faculty. For example, the Board may suspend the tenure and promotion process by stopping the clock for accruing time towards tenure and/or promotion. Any such sections suspended shall be discussed by the joint board/administrative/faculty group described in the preceding paragraph and shall be made public. If after two years of the implementation of a suspension of any eligible section of the handbook, the Board shall declare a financial exigency exists or shall extend the period time of the declaration of exceptional circumstances by agreement with the faculty. The handbook will become fully operational in its form at the point of suspension or as revised through 2.18.1 as soon as the problems creating exceptional circumstances have been addressed (if less than two years or if extended by agreement).

PART THREE
Non-Tenure-Track Faculty

Section 3.1--Non-Tenure-Track Faculty

Non-tenure-track faculty are essential members of the UNH faculty, providing vital components of the University's instructional program. The diverse array of non-tenure-track faculty permits the university to provide a strong element of current professional expertise to complement the academic preparation of the tenured and tenure-track faculty. Non-tenure-track faculty include full-time lecturers, professionals in residence, practitioners in residence, adjunct instructors, and visiting professors.

Non-tenure-track faculty enjoy the same rights of academic freedom as all other faculty members at the University of New Haven. After three continuous years of service, full-time non-tenure-track faculty on multiple-year contracts may be eligible to vote in university faculty elections and to serve on shared governance committees as described in the constitution and handbook. To serve on shared governance committees, these non-tenure-track faculty must hold a multiple-year contract that includes the time period for which the committee position is to be held.

The terms and conditions of employment of non-tenure-track faculty are described in the individual letters of appointment.

3.1.1 Full-Time Lecturers--Full-time lecturers (also formerly known as full-time instructors) are recruited regionally or nationally to teach in subject areas in which they have particular expertise. In most cases they hold the Ph.D. or the appropriate terminal degree in their discipline. They usually teach at least 24 credit hours. With appropriate justification, and upon recommendation of the dean and the provost, full-time lecturers may be titled senior lecturers. In some cases, full-time lecturers may be assigned a portion of their teaching load to other faculty duties such as coordination of a program. Full-time lecturers whose full-time faculty status began no later than Fall 2002 and who have maintained continuous and consecutive full-time faculty service since Fall 2002 are eligible for election to the Faculty Senate.

Full-time lecturers may be appointed on annually renewable contracts or on multi-year contracts. The exact nature of the contract as well as date by which the contract may be renewed or terminated will be identified in the letter of appointment.

Full-time lecturers are paid an annual salary at a rate negotiated between the University and the lecturer, independently of any agreements that may be in place regarding tenured or tenure-track faculty. Benefits available to full-time lecturers are the same as those available to tenured and tenure-track faculty. They are eligible for faculty pay increases through the process for full-time faculty pay increases described in Section 2.13 of the *Faculty Handbook* and at levels approved annually by the Board of Governors. Full-time lecturers on multi-year contracts are also eligible for professional development funding.

The terms and conditions of appointment of full-time lecturers are contained in letters of appointment, and nothing in this handbook or in the *Provost's Compensation Guidelines* should be construed to overrule the terms or conditions of appointment contained in the letter of appointment.

3.1.2 Professionals in Residence—Professionals in residence are recruited regionally or locally to teach in subject areas in which they have particular expertise. In most cases, they hold the Ph.D. or appropriate terminal degree in their fields. They normally teach half time to full time and may hold other assigned duties as part of their contracts.

Terms and conditions of appointment are contained in the letter of appointment, and nothing in this handbook or the *Provost's Compensation Guidelines* should be construed to overrule the terms or conditions of appointment contained in the letter of appointment.

Professionals in residence may be appointed on annually renewable contracts or on multi-year contracts. The exact nature of the contract as well as the date by which the contract may be renewed or terminated will be made clear in the letter of appointment

Professionals in residence are paid an annual salary at a rate negotiated between the university and the instructor, independently of any agreements that may be in place regarding tenured or tenure-track faculty.

For less-than-full-time appointments, partial benefits are paid by the university for professionals in residence. By paying for the difference between the university's contribution and the full contribution, a professional in residence can enjoy the same benefits as those available to tenured and tenure-track faculty. For full-time appointments, full faculty benefits are provided.

3.1.3 Practitioners in Residence—Practitioners in residence are recruited regionally or locally to teach in subject areas in which they have particular expertise. In most cases, they hold at least a master's degree and appropriate professional certification in their fields. They normally teach half time to full time and may hold other assigned duties as part of their contracts.

Terms and conditions of appointment are contained in the letter of appointment, and nothing in this handbook or the *Provost's Compensation Guidelines* should be construed to overrule the terms or conditions of appointment contained in the letter of appointment.

Practitioners in residence may be appointed on annually renewable contracts or on multi-year contracts. The exact nature of the contract as well as the date by which the contract may be renewed or terminated will be made clear in the letter of appointment

Practitioners in residence are paid an annual salary at a rate negotiated between the university and the instructor, independently of any agreements that may be in place regarding tenured or tenure-track faculty.

For less-than-full-time appointments, partial benefits are paid by the university for practitioners in residence. By paying for the difference between the university's contribution and the full contribution, a professional in residence can enjoy the same benefits as those available to tenured and tenure-track faculty. For full-time appointments, full faculty benefits are provided.

Adjunct Faculty—Adjunct instructors are hired locally or regionally to teach specific courses in which they have particular expertise. They normally teach no more than half of the full-time load. Adjunct instructors receive a letter of appointment for each semester in which they teach; they are paid on a per-course basis. No expectation of continuing employment is implied.

The usual compensation for adjunct instructors is described in the *Provost's Compensation Guidelines*, which is separate from this handbook; however, those rates are flexible in order to permit the university to hire the best-qualified adjunct instructors.

Nothing in this handbook or the *Provost's Compensation Guidelines* should be construed to overrule the terms or conditions of appointment contained in the letter of appointment. Adjunct instructors do not qualify for benefits.

Visiting Professors—Visiting professors are usually professors holding permanent positions at other universities. Terms and conditions of their temporary employment at UNH are described in letters of appointment. The exact nature of the contract as well as the date by which the contract may be renewed or

terminated will be made clear in the letter of appointment. (This does not prejudice the contract of any instructor who was appointed to this classification prior to the adoption of this handbook.) Visiting professors may be entitled visiting assistant professor, visiting associate professor, or visiting professor, corresponding to their appointment at the home institution.

Visiting professors are individuals who hold or have held academic rank at the level of assistant professor or above at another accredited institution of higher education or have accomplishments that are considered equivalent (e.g., outstanding performance in the creative arts or in the business or professional community). The appointment is for instruction and other university responsibilities for a limited period of time with no expectation of a continuing or subsequent appointment, agreed upon in writing between the visiting professor and the provost after consultation with the appropriate college dean and department chair.

Section 3.2—Terms of Appointment

The periods of service of full-time non-tenure-track faculty are defined in the letters of appointment. However, the following guidelines apply for notifying non-tenure-track faculty of the intention to offer or not to offer a subsequent contract:

Full-time non-tenure-track faculty members in their first year of service will be notified whether their contracts will be renewed by May 1 of that year.

Full-time non-tenure-track faculty members with more than one year of service will be notified whether their contracts will be renewed by January 1 prior to the expiration of their contracts.

The University of New Haven reserves the right to rescind an intention to offer a subsequent contract if financial circumstances change after the notice of intention is delivered and before a subsequent contract is signed.

In the event of a conflict between the appointment letter and the provisions of Section 3.2, the appointment letter will control.

Section 3.3—Responsibilities of Non-Tenure-Track Faculty

All non-tenure-track faculty are expected, at a minimum, to engage in the following activities:

a. Maintain competence and expertise in the field in which the faculty member is employed to teach, staying abreast of current research and developments in the field.

b. Post and attend regular office hours convenient to students.

c. Plan courses, provide a syllabus complete with calendar of the semester's work and assignments, expected student learning outcomes, and grading policy at the beginning of the course, and update it when necessary.

d. Ensure appropriate standards of student integrity in assigned work.

e. Order books for the courses unless other arrangements are made by the department chair.

f. Meet classes as scheduled during the academic term and during final exams; follow defined process to ensure coverage of classes because of illness or during approved absences.

g. Submit grades within the established timelines.

h. Work in a collegial fashion with colleagues to ensure a full program of instruction in the field or program.

i. Anticipate and avoid potential conflicts in interest. Report any employment at other universities and other compensated employment to the department chair.

Section 3.4—Annual Evaluation of Non-Tenure-Track Faculty

Full-time, non-tenure-track faculty members will participate in the university's annual faculty review process as described in Section 2.11. The performance of each non-tenure-track faculty member with a less-than-full-time appointment shall be evaluated annually by the department chair with a summary evaluation report provided to the non-tenure-track faculty member and the dean. For all non-tenure-track faculty evaluations, the chair may request input from the tenured and tenure-track faculty regarding each non-tenure-track faculty member's performance.

Section 3.5—Service on Governance Committees

Full-time non-tenure-track faculty may be eligible to serve on the committees of shared governance enumerated in this handbook unless prohibited in the committee description or the rules they establish. Participation of non-tenure-track faculty in the Faculty Senate and its committees is regulated by the *Constitution of the Faculty of the University of New Haven*.

Section 3.6—Existing Titles

The positions of non-tenure-track faculty already employed at the University of New Haven at the adoption of this faculty handbook who were hired with other titles or terms and conditions of employment stated in active contracts at variance with this section are not prejudiced. Other titles than these, involving such honorifics as "distinguished" and "senior" are not excluded by this list of categories of non-tenure-track faculty, but letters of appointment should indicate which of these categories is applicable.

Section 3.7—Portions of Part Two That Apply to Non-Tenure-Track Faculty

The following sections of Part Two of this Faculty Handbook apply to non-tenure-track faculty:

- Section 2.1.3—Assignment
- Section 2.4.1—Faculty Rights
- Section 2.4.3—Classroom Attendance and Advising Policy
- Section 2.4.4—Availability and Office Hours
- Section 2.4.5—Code of Professional Ethics
- Section 2.4.6—Policy on Conflicts of Interest and Commitment
- Section 2.4.7—Nondiscrimination and Harassment
- Section 2.4.8—Statement on Consensual Relationships
- Section 2.4.9—Policy on Intellectual Property
- Section 2.4.10—Institutional Review Board
- Section 2.4.11—Research Misconduct and Academic Dishonesty
- Section 2.9—Faculty Discipline and Dismissal
- Section 2.10—Department Chairs (Shall only apply in unusual circumstances where a full-time non-tenure-track faculty member might be serving as department chair.)
- Section 2.11—Annual Faculty Review Policy (Applies to full-time non-tenure-track faculty)
- Section 2.12—Student Evaluations of Courses and Instruction
- Section 2.13—Performance-Based Faculty Salary Policy (Applies to full-time non-tenure-track faculty if hired for a subsequent year)
- Section 2.14—Grievance Procedure

PART FOUR
Shared Governance Committees

Shared governance implies cooperation of the Board of Governors, the University administration, and the faculty in governing the affairs of the university. Committees provide a vehicle for such management of the university affairs and for communication between the faculty and administration in the interest of the University as a whole**.**

Section 4.1—The Faculty Senate

The Faculty Senate provides a primary channel of communication between the faculty and the administration. Its responsibilities and bylaws are contained in the *Constitution of the Faculty of the University of New Haven*.

Section 4.2--Constitutional Committees

Constitutional committees are established in the *Constitution of the Faculty of the University of New Haven* and include (a) The Academic and Student Affairs Committee, (b) The Faculty Affairs Committee, (c) The Budget and Finance Committee, and (d) the Grievance Committee. The descriptions below are quoted from the constitution.

4.2.1 Academic and Student Affairs Committee—The Academic and Student Affairs Committee shall monitor, review and recommend changes to policies and operations pertaining to academics, including curriculum, courses, programs, methods of instruction, calendar, standards, etc. The committee shall deliberate policy changes, review changes proposed by the administration, and forward recommendations to the Faculty Senate for further discussion with the administration**.** The committee shall engage in discussion with the administration on curriculum, instruction, calendar, and other academic issues of whatever description. The committee shall meet with the provost to discuss academic concerns on a regular and timely basis. The Academic and Student Affairs Committee shall not engage in case adjudication.

a. Membership: The membership of the committee will consist of full-time tenured faculty members elected by each college to terms of two years, as per the *Constitution of the Faculty*. The Faculty Senate chair and vice-chair shall also be voting ex-officio members of the committee. The provost or provost's designee will be a non-voting ex-officio member of the committee.

b. Reporting: Agendas and actions of all meetings of the committee will be forwarded in writing by paper document or by e-mail to the Faculty Senate, deans, provost, and president in timely fashion. The committee shall meet with the Faculty Senate at least once per semester – and otherwise upon request of the Senate Chair – to fully discuss the committee's activities and those of all committees reporting to it. The committee will forward a written report and deliver an oral report of its actions and accomplishments to the general faculty no less than once each year.

4.2.2 Faculty Affairs Committee—The Faculty Affairs Committee shall review all policies related to faculty employment and discuss them with the administration. This committee initiates proposals for changes to the *Faculty Handbook* and reviews changes proposed by the administration. The committee shall engage in discussion with the administration on issues related to faculty personnel policies and procedures prior to the implementation of policy. The committee shall meet with the provost to fully discuss faculty welfare concerns on a regular and timely basis. The Faculty Affairs Committee shall not engage in case adjudication.

a. **Membership:** The membership of the committee will consist of tenured full-time faculty members elected from each college to terms of two years, as per the *Constitution of the Faculty*. The Faculty Senate chair and the vice chair shall be voting ex-officio members of the committee. The provost or provost's designee will be a non-voting ex-officio member of the committee.

b. **Reporting:** Agendas and actions of all meetings of the committee will be forwarded to the Faculty Senate, deans, provost, and president in timely fashion. The committee shall meet with the Faculty Senate at least once per semester – and otherwise upon request of the Faculty Senate chair – to fully discuss the committee's activities. The committee will forward a written report and deliver an oral report of its actions and accomplishments to the general faculty no less than once each year.

4.2.3 Budget and Finance Committee—The Budget and Finance Committee shall review and make recommendations about budget priorities and the allocation of financial resources. The committee is empowered on behalf of the general faculty to have access to relevant University documents to enable it to carry out its objectives. The Budget and Finance Committee will meet jointly with the Faculty Affairs Committee with the CFO to review the University's fiscal-year budgets in sufficient time to allow for analysis and comment prior to formal approval by the Board of Governors. The committee issues reports with recommendations to the Faculty Senate on the committee's findings. The committee shall also review the fiscal implications of course and program proposals recommends acceptance, rejection, or deletion to the Faculty Senate. The committee shall engage in good-faith discussion with the administration on financial operations, capital budgeting, development, audited financial reports, and other material documentation. The committee shall meet with the chief financial officer to discuss fully budget and financial concerns on a regular and timely basis. The Budget and Finance Committee shall not engage in case adjudication.

a. **Membership**: The membership of the committee will consist of tenured full-time faculty members elected from each college to terms of two years, as per the *Constitution of the Faculty*. The Faculty Senate chair, the vice chair, and the chair of the Faculty Affairs Committee shall be voting ex-officio members of the committee. The University's CFO or designee will be a non-voting ex-officio member of the committee.

b. **Reporting**: Agendas and actions of all meetings of the committee will be forwarded to the Faculty Senate, deans, provost, and president in timely fashion. The committee shall meet with the Faculty Senate at least once per semester—and otherwise upon request of the Faculty Senate chair – to discuss fully the committee's activities. The committee will forward a written report and deliver an oral report of its actions and accomplishments to the general faculty no less than once each year.

4.2.4 Grievance Committee—The Grievance Committee shall manage the grievance process with respect to grievances involving faculty as specified in the Faculty Handbook. In particular the Grievance Committee shall select members of grievance panels as provided in the Faculty Handbook. Grievances include those filed by (i) faculty against other faculty; (ii) faculty against the administration or members of the administration, including deans and chairs; (iii) students against faculty; and (iv) staff members against faculty. The Grievance Committee shall be available to review due process in actions taken by any faculty committee including appeals mechanisms employed by those committees. The Grievance Committee implements the grievance policy and procedures described in Section 2.14 of the *Faculty Handbook*.

a. **Charge:** The Grievance Committee manages the grievance process within the parameters of the policy and procedures described in Section 2.14 of the *Faculty Handbook*. The committee accepts written formal grievances, determines whether formal grievances fall within the scope of the committee's role, determines whether the written formal grievance document is complete, forms case panels from the Grievance Committee membership or selects ad hoc members for the case panels when needed to properly staff a panel, and ensures that the grievance procedures are followed.

b. **Membership:** The membership of the committee will consist of tenured full-time faculty members elected from each college to terms of two years, as per the *Constitution of the Faculty*. The Faculty Senate shall oversee the election in April of each year.

c. Reporting: Reporting lines are described in Section 2.14 of the *Faculty Handbook*.

Section 4.3—Senate Committees

4.3.1 University Undergraduate Curriculum Committee—

a. Charge: The Faculty Senate's University Undergraduate Curriculum Committee will review and approve all new or substantially revised undergraduate courses and all new undergraduate academic programs and degrees. The committee will also consider any recommended changes to the University general education requirements and core curriculum, consistent with state and regional accreditation requirements and the mission of the University. The committee may create subcommittees of its members.

b. Membership: The membership of the committee will consist of one full-time faculty member elected at large from each college to a term of two years plus one representative elected from within – and by – each college's curriculum committee to a term of one year. The provost or provost's designee will be a non-voting ex-officio member of the committee. A student representative of the USGA shall serve on the committee without vote.

c. Reporting: The committee will forward its recommendations to the Senate.

4.3.2 University Graduate Curriculum Committee—The Graduate Curriculum Committee is a joint committee comprised of members of the University Graduate Council and the University Undergraduate Curriculum Committee, plus three tenured faculty elected by the faculty at large, one university administrator and one graduate student.

a. Charge: The University Graduate Curriculum Committee will review and approval all new or substantially revised graduate courses and all new graduate academic programs and degrees. The committee will forward its recommendations to the Faculty Senate.

b. Membership: The committee is comprised of eight full-time faculty members plus the provost or provost's designee as an ex officio, non-voting member. A graduate student representative of the Graduate Student Council shall also serve as a non-voting member of the committee. Two of the eight faculty members will be members of and selected by the University Undergraduate Curriculum Committee for a term of appointment of up to two years. Three of the eight faculty members will be members of and selected by the University Graduate Council for a term of appointment of up to two years. Three additional members will be tenured faculty who are elected at large by the faculty for a term of up to two years. ***(Approved by General Faculty May 14, 2008; Approved by Board of Governors June 13,, 2008)***

c. Reporting: The committee will forward its recommendations to the Senate.

Section 4.4--University-Level Committees

4.4.1 University Tenure and Promotion Committee—

a. Charge: The University Tenure and Promotion Committee will consist of tenured full professors drawn from all of the academic units of the University and will review applications for promotion and tenure forwarded to the committee from the appropriate college-level tenure and promotion committees. All committee members must be present to take action; however, a committee member who has voted at the department or college level on a candidate's promotion and/or tenure may participate in the discussion

but may not vote on the decision regarding that particular candidate. The committee will advise the provost—in writing—as to whether each candidate merits promotion and/or tenure.

b. Membership: See section 2.1.8.

4.4.2 University Sabbatical Leave Committee—

a. Charge: The University Sabbatical Leave Committee will review applications for sabbatical leave. The committee will consider the applications against the established sabbatical leave criteria along with the endorsement of the department chair and recommendation of the candidate's dean. The committee will forward the application and its own evaluation and recommendations to the provost. The committee will also review applications for university-level research funding and forward its recommendations to the provost.

b. Membership: The membership of the committee will consist of full-time tenured faculty members elected by each college to terms of two years with the number of members and selection process consistent with the number and process for Constitutional Committees as described in the *Constitution of the Faculty*.

4.4.3 University Graduate Council—

a. Charge: The University Graduate Council serves as an advisory committee to the Associate Provost for Graduate Studies, Research, and Faculty Development regarding issues related to graduate recruitment, graduate admissions, and graduate academic policy development. The council may create subcommittees of its members.

b. Membership: The membership of the committee will consist of each of the graduate directors/coordinators. The Associate Provost for Graduate Studies, Research, and Faculty Development and the Provost or Provost's designee will be non-voting ex-officio members of the committee. The associate provost will serve as chair of the council. A graduate student representative of the Graduate Student Council shall serve on the committee without vote.

4.4.4 University Library Advisory Committee—

a. Charge: The University Library Advisory Committee advises the University Librarian regarding the development and implementation of university policies in support of the university's academic mission.

b. Membership: The membership of the committee will consist of one full-time faculty member elected at large from each college to a term of two years plus one representative from the Senate A&SA Committee to a term of one year. The University librarian will serve as a non-voting administrative liaison for the committee. A student representative of the USGA shall serve on the committee without vote.

c. Reporting: Full minutes of all meetings of the committee will be forwarded to the A&SA Committee, the faculty, and the provost in timely fashion. The A&SA representative of the committee will report to the full A&SA committee at least once per semester on the activities of the committee.

4.4.5 University Information Technology Advisory Committee—

a. Charge: The University Information Technology Advisory Committee will advise the chief information officer and the director of audio-visual regarding the development and implementation of university academic technology and audio visual policies in support of the University's academic mission. The committee will also advise the CIO in the development and implementation of a university academic technology plan.

b. Membership: The membership of the committee will consist of one full-time faculty member elected at large from each college to a term of two years plus one representative from the Senate A&SA Committee to a term of one year. The University's chief information officer will serve as a non-voting administrative liaison for the committee. A student representative of the USGA shall serve on the committee without vote.

c. Reporting: Full minutes of all meetings of the committee will be forwarded to the A&SA Committee, the Faculty Senate, and the provost in timely fashion. The A&SA representative of the committee will report to the full A&SA committee at least once per semester on the activities of the committee.

4.4.6 University Enrollment Management Advisory Committee—

a. Charge: The University Enrollment Management Advisory Committee will work in concert with the vice president for enrollment management to promote communication between his or her office and the Faculty Senate. The committee will advise the vice president for enrollment management regarding policies, procedures, and actions designed to meet established admissions goals.

b. Membership: The membership of the committee will consist of one full-time faculty member elected at large from each college to a term of two years plus one representative from the Senate A&SA Committee to a term of one year. A student representative of the USGA shall serve on the committee without vote.

c. Reporting: Full minutes of all meetings of the committee will be forwarded to the A&SA Committee and to the Faculty Senate in timely fashion.

4.4.7 University Facilities Advisory Committee—

a. Charge: The University Facilities Advisory Committee will work in concert with the university officer in charge of facilities to promote communication between his/her office and the faculty senate. The committee will provide input and advice into facilities planning and facilities operations with the goal of ensuring that university facilities help the university meets its academic mission.

b. Membership: The membership of the committee will consist of one full-time faculty member elected at large from each college to a term of two years. The University's officer in charge of facilities will be a non-voting member of the committee. A student representative of the USGA shall serve on the committee without vote.

c. Reporting: Full minutes of all meetings of the committee will be forwarded to the Faculty Senate in timely fashion. The committee shall meet with the Faculty Senate at least once per semester – and otherwise upon request of the Faculty Senate chair – to fully discuss the committee's activities.

4.4.8 Academic Standing and Readmissions Committee—

a. Charge: The Academic Standing and Readmissions Committee serves as ~~a~~ the final appeals mechanism for students who have been dismissed from the university for academic performance. It provides an opportunity for a student to present his or her case for readmission. The committee is authorized to uphold dismissals or to establish terms for readmission.

b. Membership: One full-time faculty member from each college elected by the faculty of the college. Staff members include the director of admissions, the director of the Office of Academic Services, the director of the Office of Disability Services and Resources, the associate provost for student affairs & dean of students, and the registrar, who is nonvoting. The committee will be convened and chaired by the associate provost for undergraduate studies, assessment, and accreditation.

c. Reporting: Committee actions are reported to the provost and vice president for academic affairs.

4.4.9 University Intellectual Property Advisory Committee—

a. Charge: The University Intellectual Property Advisory Committee advises the provost regarding university decisions related to intellectual property considerations, including copyrights and patents. The committee also recommends revisions to the university's intellectual property policy and procedures.

b. Membership: Six tenured or tenure-track faculty with demonstrated research experience, four—one from each college—elected by the faculty of that college and two at-large faculty appointed by the provost. The committee is chaired by the associate provost for graduate studies, research, and faculty development.

c. Reporting: This committee advises the provost and president on University policies regarding copyrights and patents.

4.4.10 Advisory Committee on Student Life—

a. Charge: This committee serves to integrate academic affairs and student affairs. In achieving this goal, the committee develops and reviews University policy related to student organizations, residence halls, co-curricular activities, and other student life activities. The committee advises the chief student affairs officer related to initiatives to integrate academic experiences in student life

b. Membership: Each college will elect one full-time faculty member, one undergraduate student, and one graduate student to serve on this committee. The chief student affairs officer serves ex officio; in addition, the chief student affairs officer may appoint two additional student affairs administrators or staff members to serve.

c. Reporting: The committee reports to the chief student affairs officer and forwards academic policy issues to the Faculty Senate.

4.4.11 Institutional Review Board—

a. Charge: The Institutional Review Board reviews research protocols in research projects conducted by employees, students, and collaborators of the University of New Haven with the goal of safeguarding the rights and welfare of all human subjects who participate. All research projects involving human subjects or human material must be reviewed and approved by the IRB, whether or not the research is federally funded or receives external funds from any source. All biomedical, social and behavioral research projects conducted by the faculty, the staff and students of the University are subject to the policies and procedures of the Institutional Review Board. The IRB holds the authority to disapprove, modify, or approve protocols based upon consideration of human subject protection. It also requires progress reports from the investigators at least annually and oversees the conduct of the study. See Section 2.4.10.

b. Membership: One tenured faculty member from each college, nominated by the college dean; one member outside of UNH appointed by the provost; and the associate provost for graduate studies, research, and faculty development.

4.4.12 University Assessment Committee—

a. **Charge:** The University Assessment Committee provides university-wide leadership in the development and strengthening the university's assessment of education outcomes. The committee provides a university-wide perspective on student assessment as carried out in undergraduate and graduate programs. Specifically, the UAC (1) reviews, develops, and recommends institutional assessment procedures and policies; (2) develops mechanisms for using assessment data in decision making; (3) reviews the usefulness of assessment strategies, reporting strategies, and feedback processes; and (4) provides opportunities to strengthen UNH faculty's uses of assessment to support

student learning; (5) highlights best assessment practices, and (6) facilitates period evaluation of academic assessment efforts at UNH.

b. **Membership:** Eight full-time faculty—four of whom are elected by the full-time faculty of each college and four of whom are appointed by the college deans. The Director of Institutional Research and the associate provost for undergraduate studies, accreditation, and assessment serve as ex officio members. The committee is chaired by the associate provost.

c. **Reporting:** Reports to the provost and vice president for academic affairs. The committee forwards academic policy recommendations through the Faculty Senate.

4.4.13 University Academic Administrative Review Committee—

a. **Charge:** To conduct a survey of full-time faculty to provide insight for the dean and the provost regarding the faculty's perception of the overall performance of each college dean during the second semester of his or her third year of service as dean and in every third year thereafter. The committee will follow the general process as described in 4.4.13.b. In addition, the committee may be called upon by the president to provide insight into the faculty's perception of the overall performance of the provost following a similar process to that described below. Surveys will be conducted following these five principles: (1) Be run by and meaningful to the supervisor, namely, the provost; (2) protects the individual dean's rights, including privacy rights; (3) reflects the job expected of the dean; (4) allows for input from appropriate parties in a professional, responsible, and accountable manner; and (5) is oriented towards continuous improvement, though the results may affect future re-appointment decisions. The committee may also be called upon by the faculty to provide insight into the faculty's perception of the overall performance of the president following a similar process to that described below.

b. **Process:** (1) The committee prepares a draft survey instrument based on a review of the dean's position description and designed to serve as a formative survey instrument. The committee revises the draft as necessary until approved by the provost. (2) The survey instrument will be sent to each active full-time faculty member who has served at least one academic year as a full-time faculty member at the time the instrument is distributed. (3) The provost will receive the responses, share with the dean the aggregate responses to survey items reflecting numerical ratings and will share with the dean individual comments after the comments are transcribed from the original response. The names of respondents will not be identified. (4) The responses will serve as input into the formal evaluation process of each dean in his or third year of service as dean and in every third year thereafter. (5) The provost will meet with the faculty of the college to provide a general report regarding the results of the survey.

c. **Membership:** Two tenured faculty members from each college elected by the full-time faculty with voting rights in each college.

d. **Reporting:** The committee reports to the provost regarding evaluation of deans. The committee reports to the president regarding evaluation of the provost. The committee reports to the faculty and will forward its evaluation of the president to the Board of Governors.

4.4.14 University Student Evaluation of Courses and Instruction Task Force—

a. **Charge:** The Student Evaluation of Courses and Instruction Task Force considers ways to assure validity of the student evaluation of instruction process and to develop additional policies and procedures to implement and operate the review process (i.e. security of the data, digitization of survey results and comments, web privacy process, faculty and student privacy rights, archiving controls, rules for data analysis, rules for access to data, etc.).

b. **General Guidelines**—In general, the survey instrument should be administered in class by a person other than the course instructor. The survey results shall be summarized and stored in a secure

digitized format. Privacy rights shall be protected during this process. A web-based survey instrument may be considered if it appropriately addresses the administrative, collection, archival and privacy issues. The surveys themselves - including written comments—with privacy fully protected, will be available to the faculty member, chair, and chair's evaluator (only chair's data).

Aggregate data (average and distribution of results displaying both count and percentage) will be made available to the faculty member, chair, chair's evaluator (only chair's data), and dean for examination and consideration by the individual faculty member and in support of retention, promotion, tenure, and faculty-evaluation processes. The aggregate data shall also include discipline/department comparisons and trends. Please note the evaluation of comparison and trend results must take into account the difference in courses taught by each faculty member. The president and provost may have access as well.

Written comments will be available to the faculty member, chair, chair's evaluator (only chair's data), and dean. The president and provost may have access as well

Additional analysis will be allowable for research purposes as long as privacy rights are fully protected. Additional analysis can occur if agreed to by the individual faculty member or by a vote of approval by the entire faculty. Raw data (need to avoid risk of data selection bias) and analyzed data may be used in other academic review processes if agreed to by the individual faculty member or by a 60-percent vote of approval by the entire faculty.

c. Membership: The task force is formed periodically but no less than once every three years by the provost and the chair of the Faculty Senate. The task force shall consist of two deans or associate deans appointed by the provost and two members from each college with at least one of the two from each college having expertise in survey development and testing.

c. Reporting: The committee shall present its findings and recommendations to the Faculty Senate and provost for review and appropriate action**.**

4.4.15 University Faculty Disciplinary Committee—

a. Charge: The Faculty Disciplinary Committee (committee) shall be charged with reviewing relevant evidence in cases where the sanction to be imposed is either suspension without pay (unless required by law), demotion, or termination. However, in the case of criminal charges the committee will be consulted by the administration to ensure the faculty member is accorded due process.

b. Membership: The committee consists of two tenured faculty members from each college with more than 15 faculty members (one member from each college or school with 15 faculty members or fewer). One additional member, the chair of the committee, will be elected by the tenured and tenure-track faculty of the university for a two-year term from the full-time tenured faculty at large and will have the rank of professor. The committee will appoint a secretary from within its membership.

Each college will also elect an alternate who will serve on the committee should one of the regular members be unable to attend the primary hearing or have a conflict of interest. The term of membership will be four years. In colleges having more than one member, the terms of the members will alternate so that each of those colleges will hold an election biennially to replace one of its members.

In the event that these criteria leave a college without representation, the faculty of the affected college will elect a representative and an alternate to serve on the committee from the full-time, tenured, professors of another college.

c. Reporting: The committee reports to the provost and vice president for academic affairs.

4.4.16 University Honors Program Committee—

a. Charge: The University Honors Program Committee serves as the faculty governance committee for the University Honors Program. The committee recommends Honors Program policy and procedures, recruits students, and recruits faculty to develop new Honors Program courses.

a. **Membership**: Seven full-time faculty appointed by the provost. At least one faculty member must be appointed from each college. The associate provost for undergraduate studies, accreditation, and assessment serves as an ex officio, non-voting member.

b. **Reporting**: The committee reports to the provost and vice president for academic affairs.

4.4.17 ~~University~~ College of Lifelong and eLearning Faculty Committee—

a. **Charge:** The ~~University~~ College of Lifelong and eLearning Faculty Committee serves as the faculty governance oversight committee for the dean of the academic unit that administers extended and executive education courses, certificates, and programs.

b. **Membership:** Seven full-time tenured faculty including one each from the following disciplines: arts, humanities, social sciences, natural sciences, business, engineering, and public safety. Committee members are appointed by the provost after consultation with the chair of the Faculty Senate.

c. **Reporting:** The ~~University~~ College of Lifelong and eLearning Faculty Committee reports to the dean of the ~~University~~ College of Lifelong and eLearning unit. Recommendations for the establishment or revision of academic policy are referred to the Faculty Senate for review. ***(Approved by General Faculty May 14, 2008; Approved by Board of Governors June 13,, 2008) (Editorial changes in green inserted August 27, 2012, to reflect change in unit name from "University College" to the "College of Lifelong and eLearning.)***

<u>Section 4.5—College-Level Committees</u>

Each of the University's colleges will have college-level committees consisting of at least one representative from each department within the college and to work with the dean to develop policy, discuss curricular (e.g. proposals for new courses, programs) and faculty affairs (e.g. applications for tenure and promotion) and generally assist in the running of the college. Additional college-level committees may be established by the deans as needed. In some cases, the college-level committees will further their recommendations to *university-level committees* which will in turn make recommendations to the Faculty Senate or, alternatively—in the case of tenure, promotion, and grievance) directly to the Provost. In other situations, college-level committees will be advisory to the college dean.

In colleges that have fewer than four departments/divisions, no more than two members of the college-level committees may be from the same academic disciplines. College-level committees, with the exception of the ad hoc investigative committees on potential research misconduct, will number no fewer than five faculty. In colleges with fewer than five departments/divisions, each department will elect one member and all additional members will be elected at large from all of the college's faculty with no more than two faculty members from any one academic discipline. ***(Approved by General Faculty May 14, 2008; Approved by Board of Governors June 13,, 2008)***

4.5.1 College-Level Academic and Student Affairs Committees—

a. Charge: College-level Academic & Student Affairs Committees will work in concert with the deans to develop and recommend changes to school policies, consistent with the mission of the college and the university. For issues related to university policy, the committees' recommendations should be forwarded to the Senate Academic & Student Affairs Committee. For issues related to college policy, the committee's recommendations will be forwarded to the college dean.

b. Membership: One full-time faculty member from each department or academic unit. The term of office is one year. The dean or designee will be a non-voting member of the committee.

4.5.2 College-Level Curriculum Committees—

a. Charge: College-level Curriculum Committees will work in concert with the deans to review and recommend approval (or revision) of curricula and all new or substantially revised courses and all proposed new academic programs and degrees. The committees will forward their recommendations to the appropriate college deans. If approved, the dean will forward the proposals to the appropriate university curriculum committee.

b. Membership: One full-time faculty member from each department or academic unit elected annually by the tenured and tenure-track faculty of the department or division.

4.5.3 College-Level Tenure and Promotion Committees—

a. Charge: Each department within the college shall elect one tenured full professor to the college's tenure and promotion committee. All committee members must be present for the committee to take action; however, a committee member who has voted at the department level on a candidate's promotion and/or tenure may participate in the discussion but may not vote on the decision regarding that particular candidate. The committee will review all materials considered by the department against the criteria established at the university level and in the departmental elaborations, as well as the departmental recommendation, and will advise the dean—in writing—as to whether the candidate merits promotion and/or tenure. The committee's recommendation will also be forwarded to the university tenure and promotion committee.

b. Membership: One full-time tenured full-professor from each department or academic unit elected annually by the tenured and tenure-track faculty of the department or division.

4.5.4 College-Level Professional Development Committees—

a. Charge: The college-level professional development committees will work with the deans annually (a) to identify professional-development needs for the collective faculty of the college and (b) to recommend and/or revise guidelines to be applied in determining the individual allocations of professional development funds. These guidelines must be consistent with those in the *Faculty Handbook*, but may include other activities deemed appropriate by the professional development committee and the dean. The dean will report annually to the school-level professional development committee the distribution and results of the allocation of professional development funds in the school.

b. Membership: One full-time tenured faculty member from each department or academic unit elected annually by the tenured and tenure-track faculty of the college.

4.5.5 College-Level Investigative Committees on Potential Research Misconduct and Academic Dishonesty—

a. Charge: The college-level investigative committees on potential research misconduct and academic dishonesty are ad hoc committees that will be formed by the deans to investigate accusations of research misconduct. These committees will apply the definition of "research misconduct" and fulfill the responsibilities as described in Section 2.4.11.

b. Membership: No less than three and no more than five tenured faculty appointed by the dean. Each faculty member should hold appropriate research expertise in similar disciplines. The dean may appoint one of the members of each ad hoc research misconduct committee from outside the university.

Section 4.6—General Operating Guidelines for Committees

Constitutional, university, and college-level committees and councils should adhere to the following operating guidelines:

4.6.1 Representation—Unless otherwise specified, the number of representatives from each college shall be determined by the number of full-time faculty in each college utilizing the following criteria: colleges with less than fifteen (15) but more than five (5) full time faculty members shall have one (1) representative; colleges with fifteen (15) or more members shall have two (2) representatives. University at-large members shall be elected for colleges with fewer than two-member eligibility. Members of committees are expected to seek opinions from those they represent. Unless designated in committee charge and membership descriptions, committees elect their chairs at the first meeting of each academic year.

4.6.2 Terms of Office—Terms of office for faculty committee members will be two years unless otherwise specified, and terms of office for student members will be one year. Terms of office will be staggered among members of a committee to ensure continuity of membership on each committee. In the case of mid-year vacancies of elected faculty in constitutional committees or university committees, replacements will be appointed by the chair of the Faculty Senate after consultation with the committee chair. An election will then be held to fill the vacancy for the subsequent year.

4.6.3 Committee Chairs—The university official to whom the committee reports is responsible for convening the committee for its first meeting of the academic year and presenting the committee with its charge for the year. Unless an ex-officio member is designated to serve as chair, a committee chair will be elected at the first meeting. All committee members are voting members unless otherwise noted. The chair will be responsible for leading the committee to develop goals, objectives, and strategies to accomplish the charge.

4.6.4 Committee Records—A record of agendas, minutes reflecting official decisions of the committee, and significant documents shall be maintained by the committee chair or committee secretary. Minutes reflecting the committee's discussion will be sent to the Faculty Senate office for archiving. The committee chair shall submit an end-of-year report to the university official to whom the committee reports by June 30. That report should reflect the accomplished goals/objectives with recommendations for the following year's committee. This report will be submitted in the committee notebook in addition to copies of the agendas, minutes, and attendance records of the committee meetings.

4.6.5 Additional Guidelines—

a. *Robert's Rules of Order* (latest edition) will be the standard manual of parliamentary procedure for university committee meetings.

b. Regular attendance is expected of all members. If any committee member consistently misses meetings, the committee member may be replaced. The committee determines whether a lack of attendance by one of its members creates a vacancy.

c. Committees may establish temporary subcommittees as they deem necessary.

PART FIVE
Other Documents Considered to be Appended to the Faculty Handbook

The following documents present personnel policies that apply to faculty and to other employees of the University of New Haven. The Faculty Affairs Committee shall be consulted regarding any potential revision of these existing documents.

5.1 Sexual Harassment Policy Statement

5.2 Diversity Policy Statement

5.3 Affirmative Action Policy Statement

5.4 Family and Medical Leave Policy

5.5 Tuition Assistance Policy