

FACULTY HANDBOOK



Approved by the Board of Trustees, March 2024.

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1.0 HISTORY, MISSION, GENERAL ORGANIZATION, AND GOVERNANCE

1.1 *History (Bylaws of Marian University, Inc.)*

Marian University traces its beginning to a school for teacher training founded by the Sisters of St. Francis, Oldenburg, Indiana, in 1851. The program was formalized in 1860 as the Academy of the Sisters of St. Francis. In 1864 it was renamed the Institute of the Immaculate Conception, and the following year it became the Academy of St. Francis. On April 8, 1885, the institution was chartered by the State of Indiana and called the Academy of the Immaculate Conception. In 1910, the Academy's teacher training program was approved by the Indiana State Board of Education and became known as St. Francis Normal School. Gradually liberal studies courses were offered, and a two-year junior college emerged in 1924.

By 1936 the normal school and junior college had merged to form a four-year college at Oldenburg, Indiana. On March 25, 1937, this college was chartered by the State of Indiana as Marian College with a four-year liberal arts program for young women and a teacher training department. Marian College moved to Indianapolis for the fall semester of 1937. In 1954 Marian College became Indiana's first Catholic coeducational college, and on April 13, 1966, the charter was amended to reflect Marian College's coeducational status. On July 1, 2009, Marian College became Marian University.

Within the framework of *Ex Corde Ecclesiae*, canonically Marian University is an apostolate of a public juridic person, the Sisters of St. Francis Oldenburg.

The Congregation of the Sisters of St. Francis, Oldenburg, Indiana, remains the sponsoring religious body of Marian University. Because of the University's inherent ties with the Congregation of the Sisters of St. Francis, the philosophy and mission statement of the Sisters influence the purpose and work of the University. (See Appendix A: Link)

Presidents of the University have been:

- Mother M. Clarissa Dillhoff (1936-1950)
- Sister M. Kevin Kavanagh (1950-1954)
- Msgr. Francis Reine (1954-1968)
- Dr. Dominic Guzzetta (1968-1971)
- Dr. Louis C. Gatto (1971-1989)
- Dr. Daniel A. Felicetti (1989-1999)
- Dr. Robert M. Abene (1999-2000)
- Daniel J. Elsener (2001-)

1.2 Mission, Vision, and Franciscan Sponsorship Values of Marian University

1.2.1 Mission

The mission of Marian University is to be a great Catholic university dedicated to providing students with excellence in learning through teaching, research, and scholarship in the Franciscan and liberal arts traditions.

A foundation in the liberal arts greatly enhances the specialized and technical training that students receive in professional schools. Further, our value-laden Catholic Franciscan education provides students from all religious backgrounds with opportunities to develop a strong character and a commitment to personal and professional ethics.

The Marian University Mission Identity Statement can be found on the University Portal and the Marian website.

1.2.2 Vision

The vision of Marian University is to provide an education distinguished in its ability to prepare transformative leaders for service to the world.

We will provide every student with the tools necessary to become a leader in his or her chosen profession—business, education, healthcare, science, public service, or church ministry.

1.2.3 Franciscan Sponsorship Values

The Franciscan sponsorship values, based on prayer, are:

- Dignity of the individual
- Peace and justice
- Reconciliation
- Responsible stewardship

The Franciscan Heritage Booklet can be found on the Marian University website.

1.2.4 The Marian Promise

Marian University students will be exceptionally well-prepared for a good life and professional pursuits through:

- An education illumined by the light of faith and grounded in values and ethics;
- Challenging academic programs supported by a vibrant and caring community that guides students in achieving excellence;
- Innovative, active, and engaged approach to learning on campus and beyond; and
- Leadership education that prepares a Trustworthy, Healthy, Inquisitive, and Skilled leader.

1.2.5 Description and Goals of Marian University

Marian University is a Catholic, coeducational, comprehensive liberal arts and sciences-based university established by the Sisters of St. Francis, Oldenburg to provide higher education for a student body of traditional age and adult students, resident and non-resident, with diverse abilities and varied religious, cultural, ethnic, and socio-economic backgrounds. The University curriculum integrates a values-centered liberal arts education with associate, baccalaureate and graduate degree programs in the arts, sciences, and the professions, consistent with the mission of Catholic higher education. The University provides a mentoring environment emphasizing individual attention which fosters multi-faceted personal development. Marian University is engaged in dialogue and conversation within the Catholic Church, with the broader Christian community, and with other religious people of good will. Marian University also commits itself with integrity and creativity in the ongoing process of renewal as it pursues its institutional goals. Marian University's institutional goals are described in the strategic plan ([link](#)).

1.2.6 Accreditation

Marian University is accredited by The Higher Learning Commission of the North Central Association of Colleges and Schools. Specific academic programs are accredited by the Council for the Accreditation of Educator Preparation (CAEP), the Indiana State Department of Education, Commission on Collegiate Nursing Education (CCNE), Indiana State Board of Nursing, Council of Accreditation of Nurse Anesthesia Education (COA), International Assembly for Collegiate Business Education, (IACBE), the Council on Social Work Education (CSWE), the American Veterinary Medical Association Committee on Veterinary Technician Education and Activities (AVMA CVTEA), and the Commission on Osteopathic College Accreditation (COCA).

1.3 Board of Trustees

The Board of Trustees is the governing body of Marian University, Inc. The board, responsible for the overall affairs of the university, formulates policy for the control and management of the university. Under the general supervision of the board, the execution of university policies is the responsibility of its executive officers, as provided in the University Bylaws. The rights, responsibilities and duties of the Board of Trustees are set forth in the Amended and Restated Bylaws of Marian University ([Appendix B: link](#)).

1.4 Executive Leadership Structure

1.4.1 President

The President is the chief executive officer of the Corporation and is responsible for managing and supervising the business affairs and personnel of the Corporation, subject to the general control of the Board of Trustees. The President is a voting trustee of the Corporation and has authority to execute, with the Secretary or any proper officer of the Corporation, duly

authorized, any deeds, mortgages, bonds, contracts, or other instruments, and in general shall perform all duties incident to the office of President and such other duties as may, from time to time, be prescribed by the Board of Trustees. The President shall recommend the appointment, salary, promotion and dismissals of members of the teaching and administrative staffs to the Board of Trustees; represent the University to its constituency, to the general public, and in educational and social circles; be the official medium of communication between the faculty and staff and the Board; cooperate with the development staff in securing funds for the support of the Corporation and for endowments; present to the Board of Trustees the annual budget prepared by the Finance Committee; provide an agenda for all meetings of the Board of Trustees and circulate the same to the trustees.

1.4.2 Chancellor and Chief Operating Officer

The Chancellor and Chief Operating Officer has operational responsibility for Marian University. The Chancellor is also responsible for working closely with the Executive Vice President and Provost to achieve excellence and continuous improvement of the total student experience.

1.5 Academic Leadership

1.5.1 Executive Vice President and Provost

The Executive Vice-President and Provost is the chief academic officer of the University and is responsible to the President of the University. The Executive Vice-President and Provost is responsible for all academic-related programs and support services and functions as Dean of the Faculty, and in the absence of the Chancellor is responsible for the University's administration. This Officer recommends faculty for hiring, dismissal, promotion and tenure and is responsible for the quality of instructional and advising services. The Executive Vice-President and Provost is deeply engaged with other officers. student welfare, services, facilities and programs, admissions and financial aid activities, and the enrollment management activities. They are also responsible for working closely with the Chancellor and Chief Operating Officer to achieve excellence and continuous improvement of the total student experience, enrollment, and fundraising.

1.5.1.1 Appointment of the Provost

The Provost is appointed by the President in consultation with the faculty of the University. The Provost serves at the pleasure of the President for a term determined by the President and approved by the Board of Trustees. The Provost also serves as the Dean of the Faculty of the University and is a member of the Faculty. As such, the Provost has rank in a specific department and may be granted tenure by the President and the Board of Trustees.

1.5.1.2 Responsibilities of the Provost

In consultation with the department chairs and/or faculty in the schools, and with the approval of the President and confirmation by the Board of Trustees, the Provost appoints the

deans of academic schools. With approval of the President, the Provost appoints head of administrative units.

The Provost is responsible for the coordination and management of faculty recruitment, promotion, retention and tenure processes on campus; facilitates the coordination and assessment of accreditation activities; represents the college to appropriate external groups and individuals, especially those with whom the faculty is likely to interact; and manages the budget for the academic affairs of the university;

The Provost has leadership responsibility over the development, implementation and assessment of academic and long-range plans, including curriculum and learning outcomes and the integration of technological tools that will enhance a learning environment.

Consequently, the Provost should ensure that academic services and plans, including educational assumptions, are current and are integrated with the institutional mission statement. The Provost may create other positions to help fulfill these responsibilities.

1.5.2 Academic Deans of Schools

The academic administrative work of the university is divided into units which may be schools or colleges. Each school or college is led by a Dean. (The term school in what follows means school or college.). Deans serve as the chief academic and administrative officers for their respective schools. Academic Deans develop and articulate a vision for their school and lead their school forward in direct collaboration with the Provost, department chairpersons, program directors and faculty. Deans oversee the academic and administrative functioning of their school, including the hiring, oversight, and evaluation of faculty and staff. Deans serve on the Provost Advisory Council which collaborates with the Provost to develop integrated plans for academic improvement.

1.5.2.1 Appointment of Deans

In consultation with department chairs and/or faculty in the school, and with the approval of the president, the Provost appoints the deans of academic schools. Deans are members of the faculty with rank in a specific department and may be granted promotion and tenure by joint agreement ordinarily at the time of hiring or at any time thereafter by the Provost, President and the Board of Trustees.

1.5.2.2 Responsibilities of Academic Deans

Budget. Deans will prepare annual budget requests to support the departments and programs of their schools. Deans have the responsibility for managing the budgets of all departments, programs and the common budget for their school as approved by the Board of Trustees. These budgets will be developed in collaboration with faculty in the school and submitted to the Provost for approval pursuant to the Marian University budget process.

Personnel. Deans have the responsibility for implementing the process for selection and will be involved in the selection of all teaching personnel in their schools in collaboration with the faculty, the Office of the Provost, and the Office of Human Resources, and with the approval of the Provost. Deans will select and appoint, in consultation with faculty and the Office of Human Resources, other leaders within the school, including department chairs and program directors.

Faculty Evaluation. Deans will have the responsibility for evaluating all faculty within their schools. Such evaluations will assess teaching effectiveness, academic preparation, and professional development as well as administrative and professional responsibilities.

Supervision of Curriculum. Deans are responsible for the scheduling of courses, curriculum reviews, improvement of learning outcomes, and preparations for accreditation visits.

Enrollment and Fundraising. Deans are responsible for actively engaging with the Offices of Enrollment and Advancement to achieve the strategic enrollment and fundraising goals for his/her school.

1.5.2.3 Evaluation of Deans

The Provost will evaluate the performance of the Deans annually in consultation with the school's faculty. The Provost's evaluation will include teaching assessments from appropriate department chairs and faculty.

1.5.3 Assistant Deans

Colleges and schools may have one or more assistant or associate deans to assist with the administration of the unit. The associate dean position is a promotion from assistant dean or a recognition of years of service or years in rank at another institution. It does not necessarily entail new duties or responsibilities.

Appointments as assistant or associate dean may be fixed-term or ongoing.

1.5.3.1 Selection and Qualifications of Assistant Deans

Assistant Deans are appointed by the Dean in consultation with the faculty and the Provost.

- a) Assistant Deans should possess a terminal degree for one of the disciplines in the school or college, or the equivalent experience of a terminal degree.
- b) Assistant Deans may be internal or external hires. In all cases, these positions should be advertised through the regular Human Resources process so that all interested applicants have an equal opportunity to apply.
- c) In schools with tenured faculty, preferential consideration will be given to these tenured faculty.
- d) Before making a formal appointment, the Dean should gather faculty input on candidates either through a formal (search committee) or informal process. The Dean, in consultation with the Provost and the Office of Human Resources, will make a final decision.

1.5.3.2 Responsibilities of Assistant Deans

Assistant Deans support the development of both academic programming and the faculty within their respective unit. As determined by the Dean, specific duties may include:

- a) Actively engage the Catholic Franciscan mission and identity of Marian University by modeling the Franciscan Sponsorship Values and honoring the legacy of the founding congregation through transformative education, unity in diversity, leadership through service, integrating faith and life, and institutional policies.
- b) In collaboration with the Dean, create and implement strategic plans for their school or college.
- c) Promote and advocate for the college or school with internal and external audiences by building strong relationships and partnerships.
- d) Serve as a liaison for the college or school in its campus-wide collaborations, including Marketing Communications, Admissions, and Advancement.
- e) In collaboration with the Dean, provide support for the faculty with the goal of amplifying faculty strengths and addressing any areas of concern.
- f) Support research and scholarship activities and initiatives of the college or school.
- g) Serve on the Dean's administrative leadership team.
- h) Assist the Dean with planning, budgeting, coordinating, supervising, and evaluating personnel and programs.
- i) Manage annual school- or college-level needs assessments.
- j) Sit on faculty search committees as needed.
- k) Assist the Dean in developing and conducting all-school/college faculty meetings.
- l) Engage actively in the life of the university through participation in campus and community events and by encouraging faculty and staff to participate.
- m) Other duties as assigned.

1.5.3.3 Release Time and Compensation

Usually, Assistant Deans are faculty first with release time to perform essential leadership duties of their respective school or college. Assistant Deans report directly to the Dean and are full-time, 12-month appointments. The teaching load and research responsibilities for these positions vary from person to person and may change from year to year, depending upon the needs of the school or college.

1.5.4 Department Chairs

Deans may create units such as departments and programs to assist with the administration of the school. An academic department can consist of one program or a cluster of programs and is led by a department chair.

1.5.4.1 Selection and Qualifications of Department Chairs

Department chairs are appointed by the Dean in consultation with the faculty and the Provost.

- a) Before confirming an appointment, the Dean shall meet with department faculty to discuss the needs of the department; and the faculty shall make their preference for leadership known through a vote or recommendation to the Dean.
- b) Department chairs should ordinarily be chosen from among the tenured faculty and serve no more than two consecutive three-year terms.
- c) In the event that department faculty cannot reconcile problems with a chair informally, they may formally petition the Dean to replace a chair.
- d) The dean may also remove or replace a chair with approval from the Provost.

1.5.4.2 Responsibilities of Department Chairs

The Department Chair is the primary representative of the faculty of that department within the institution. Department Chairs operate in collaboration with their faculties and are directly accountable to their respective Dean. As determined by the Dean, specific duties may include:

- a) Recommend faculty for appointment, retention, promotion, and tenure.
- b) Direct and support curriculum development in the department or program.
- c) Prepare reports as requested, (e.g., catalog updates, accreditation self-studies, etc.).
- d) Promote and encourage student and faculty collaboration in the work of the department or program.
- e) Call meetings at least two times a semester.
- f) Submit an annual written assessment of faculty performance.
- g) Maintain departmental or program records, updated files of syllabi, and budget materials.
- h) Collaborate to maintain currency of the departmental/program web pages.
- i) Participate in school meetings and communicate relevant information.
- j) Review and evaluate the departmental or program goals and curriculum with the Dean on a regular basis.
- k) Oversee and implement program learning assessment.
- l) Report to the Dean each semester's program of courses and instructors.
- m) Prepare annual department or program budget requests for the Dean.
- n) Create a library acquisition plan, budget and request library materials.
- o) Oversee advising of majors, minors and exploratory students as appropriate.
- p) Collaborate with the faculty to prepare and assess comprehensive examinations, senior projects, or seminars for graduation requirements.
- q) Supervise or assign supervision of work study students as appropriate.
- r) Work with Admissions Staff in preparing materials.
- s) Coordinate with other offices on campus, as appropriate, to conduct the business of the department.
- t) Serve as liaison between the department and outside agencies.

1.5.4.3 Release Time and Compensation

Given the significant additional workload, department chairs need to be compensated. Depending upon the needs of the department chairs receive either release time, or a stipend during the academic year. This compensation will be calculated based on the number of

faculty, adjuncts, and staff supervised, departmental budget, scheduling load and other duties. The minimum release time will not be less than three teaching credits per semester while minimal stipend will be in the amount of 5 credits at the adjunct rate per academic year.

If additional summer duties are assigned and accepted a separate stipend will be offered. A minimum stipend will be in the amount of 3 credits at the adjunct rate.

1.5.5 Other Leadership Positions

Other leadership positions such as Program Directors may be necessary to oversee and manage the work of the school, college, or University. The work of these positions may be within a particular program or department or may span multiple programs and departments. These leaders have a locus of appointment as described in section 2.2.5 and may be responsible to Chairs or assistant deans as well as to Deans, or in some cases directly to the Provost.

1.5.5.1 Selection of Other Leadership Positions

The Dean, in consultation with the Provost and faculty, may appoint program directors and others to manage the work of the school, and will assign duties and responsibilities to these leaders as appropriate.

1.5.5.2 Responsibilities of Other Leadership Positions

Other leaders operate in collaboration with the faculty and are directly accountable to their respective Dean and, in some cases, Department Chair. As determined by the Dean, specific duties may include those listed in 1.5.4.2 or as assigned.

1.5.5.3 Release time and Compensation

No fixed policy of release time and compensation applies equally to all leadership positions. In each case a determination of workload and compensation will be made by the school Dean in consultation with the Provost.

1.6 Advisory Structures

1.6.1 Operations and Student Success Team

The Operations and Student Success Team, led by the Chief Operating Officer and Chancellor of Marian University Indianapolis, consists of the academic, administrative, faculty, and programmatic leaders of the university selected on an annual basis by the COO. The membership of this team will be published at the beginning of each academic year. The Operations and Student Success Team focuses on achieving excellence in university operations and the total student experience across all campuses and locations. The team will work closely with the Provost and Provost Academic Council to ensure integration of efforts in achieving student satisfaction, retention, leadership development, graduation, and placement in work and/or graduate school. The Operations and Student Success Team meets approximately once per month.

1.6.2 Provost's Academic Council

The Provost's Academic Council (PAC), led by the Executive Vice President and Provost, consists of key members of the faculty, administration and staff as designated by the Provost. The membership of the committee will be published annually at the beginning of the academic year. The PAC focuses on achieving excellence in academic programs across all campuses and locations. The Council ensures that all programs meet Marian's standards of high quality and rigor; reviews and resolves academic policy matters; and advances the integration of curricular and co-curricular learning. The Council is principally responsible for implementing all aspects of academic excellence in the university's strategic plan. The members of this committee advise the Provost and the Provost's designees in their work with faculty committees. The PAC will meet approximately three times per semester.

1.7. Faculty Governance

The organization and structure of the Faculty Assembly of Marian University (is set forth in the Constitution of the Faculty Assembly of Marian University (Appendix C; link)

1.7.1 Areas of Responsibility

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. On these matters, the power of review or final decision is lodged in the Board of Trustees or delegated by it to the President, but such power, in most cases, should be exercised adversely only in exceptional circumstances, and for reasons communicated to the faculty. Following such communication, the faculty shall have the opportunity for further consideration and further transmittal of its views to the president and the Board of Trustees. Subject to the duly constituted authority of the President of the University and the By-laws and policies of the Board of Trustees, the faculty have primary responsibility for all matters concerned with academic and faculty affairs. Additionally, the faculty shall be considered collaborators and key advisors on all matters that pertain to the operation and mission of the University. Limits to the realization of faculty advice may be set by, among other things, budgets, personnel limitations, the time element, and the policy of other agencies having jurisdiction over Marian University. (AAUP Policy Statement, 2006, p. 139)

1.7.2 Membership and Eligibility

The membership of the faculty shall consist of the teaching faculty (see Section 2.1), the President (see Section 2.1), the Provost (see Section 1.5.1.1), academic deans (see section 1.5.2.1) and those whom the faculty may from time to time choose to invite.

1.7.3 The Faculty Assembly

The Faculty Assembly is subject to the duly constituted authority of the President and the Bylaws and policies of the Board of Trustees and provides a forum in which issues concerning academic and faculty policies of the University may be deliberated and acted upon. These

responsibilities are to be carried out through the collective actions of the faculty through regular faculty meetings, facilitated by the deliberations and actions of such committees as the faculty sees fit to establish.

1.7.3.1 Faculty Senate

The Faculty Senate is a representative body of the Faculty Assembly of Marian University, whose function is to provide a forum in which academic and faculty policies of the University may be deliberated and acted upon. The Faculty Senate exercises its role by reviewing and voting on the reports and motions brought to it by the Committees of the Faculty Assembly.

Matters involving changes to the Constitution or By-laws of the Faculty Assembly, major revisions to the general education program, and Handbook actions that impact the conditions of faculty employment require a vote of the full Faculty Assembly. The Faculty Senate may also choose to refer other important or controversial matters such as the addition or deletion of degree-granting programs to the full Faculty Assembly by majority vote. In other matters, the Senate acts on behalf of the Faculty Assembly in order to further the attainment of the goals and purposes of Marian University.

1.7.4 Faculty Elections

1.7.4.1 Electoral Units

Full-time and pro-rata members of the teaching faculty are divided into several electoral units (divisions) to provide a mechanism to balance the representation of faculty disciplines for committee selection purposes. Each of the divisions includes several departments or programs (see Appendix C, By-Laws, Article I)

1.7.4.2 Elections Committee

A group of faculty are elected each year to obtain nominations, prepare ballots and publish election results for positions and committees of the Faculty Assembly (see Appendix C, By-Laws, Article II).

1.7.5 Standing Committees of the Faculty Assembly

The committees of the Faculty Assembly are described in the Constitution of the Faculty Assembly, Article III and the By-Laws, Article IV, in Appendix C. Committees are appointed or elected. Elections are administered by the Elections Committee.

1.7.5.1 Promotion and Tenure Committee

1.7.5.2 Academic Policies Committee

1.7.5.2.1 Sub-Committees of Academic Policies Committee

- a) General Education Sub-Committee
- b) Instructional Technology Sub-Committee

c) Teacher Education Sub-Committee

1.7.5.3 Teaching and Learning Committee

1.7.5.4 Personnel Policies Committee

1.7.6 President's Approval

For actions of the faculty assembly that require approval by the Board of Trustees, the presiding officer will send a summary of the action to the Provost, who shall convey it to the President for consideration. The President will accept, reject, amend, or remand the faculty-approved action in writing via a Letter of Transmittal to the Provost, who shall transmit it to the presiding officer. If the President does not accept, reject, amend, or remand the action within 30 days of receipt, the President or his/her designee will meet with the Provost and the Presiding Officer of the Faculty Assembly to understand the issue. Recommended amendments will be taken by the Presiding Officer to appropriate faculty committees. If a resolution acceptable to both the faculty and the President cannot be found, the proposal will be deemed unsuccessful. This will not preclude a new proposal on the same issue at the next available opportunity. All actions approved by the President and subject to the approval of the Marian University Board of Trustees are transmitted to the Board by the President of the University and notification of such transmittal is forwarded to the Presiding Officer of the Faculty Assembly by the Provost.

1.8. Student Government of Marian University

The organization and structure of the Student Government Association of Marian University (SGA) is set forth in the Constitution of the Student Government Association of Marian University available in the Office of Student Affairs and on the University portal. Other student issues are addressed in the Code of Student Rights and Responsibilities.

1.9 Periodic Review of Academic Governance

With the goal of continuous improvement, the operational effectiveness of the academic governance of the University is to be reviewed and evaluated in the light of the University's mission and goals periodically. This review examines improvements in the operational effectiveness of the Faculty Assembly and Faculty Senate, academic administrative staff, and their interactions to promote continuous improvement. The review committee is composed of five full-time faculty members and three full-time representatives of the academic administration (each having at least three years full-time experience at Marian University) who are jointly appointed by the Faculty Senate and Provost.

One additional faculty member from the Personnel Policies Committee will be selected by the committee as its representative on the task force. The Provost and the Presiding Officer coordinate to designate a chair of the task force. Should the task force recommend a change to the academic governance structure, the task force will submit its recommendation to the Professional Policies Committee, and the Personnel Policies Committee will submit a proposal

to the Faculty Senate with the Handbook revisions that reflect the recommendations of the Task Force. Action for amendment to or improved functioning of the governance structure may be proposed by any of the constituencies, the Provost and/or the President.

1.10 Committees of Marian University

1.10.1 Standing Committees of the Board of Trustees

In Section 5.3 of the University Bylaws, the following standing committees are designated:

- a) Audit and Risk Management Committee
- b) Academic Affairs Committee
- c) Executive Compensation Committee
- d) Executive Committee
- e) Finance Committee
- f) Governance Committee
- g) Mission and Identity Committee
- h) Institutional Advancement Committee
- i) Student Affairs Committee

1.10.1.1 Observers to the Board of Trustees

The presiding officer of the Faculty Assembly and presidents of the student governments (SGA and MUCOM-SGA; or a designee for the fiscal year from the constituency) may attend the Board of Trustees meetings in an observer role. Observers may be called on from time-to-time to make comments or give reports. On rare occasions, the observers may be excused from a discussion at the discretion of the Board chairperson.

1.10.1.2 Faculty Representation to Standing Committees of the Board of Trustees

As determined by the Board (2012), any board committee, except the Executive Committee, Executive Compensation Committee, Governance Committee and the Audit and Risk Management Committee shall have a representative from the faculty. Each representative must be elected by the faculty from its full-time membership. Those serving as representatives are full voting members of the standing committees, however, on occasion, the faculty may be excused from a discussion or vote of the committee at the discretion of the chairperson. Representatives serve a two-year term. Service on the same or different committees is limited to two consecutive terms, after which an individual is not eligible to serve as a member of any board committee for a period of two years. The membership and function of sub-committees are found in the Amended and Restated Bylaws of the Board of Trustees.

1.10.2 Institutional Committees of the University

1.10.2.1 Institutional Administrative Committees

Institutional committees may be convened by an executive officer/administrator to advise and assist in the performance of assigned responsibilities. The executive officer/administrator

(or designee) serves as chairperson, excepting Faculty Board of Appeals. Institutional administrative committees may include:

1.10.2.1.1 Admissions Committee

- a) Membership. The Admissions Committee shall consist of one member from each of the electoral units. The Provost or his/her designee coordinates the committee and will appoint other members as appropriate.
- b) Functions. This committee shall make recommendations on student aid policies and implement admissions policies formulated by the Academic Policies Committee.

1.10.2.1.2 Professional Development Committee

- a) Membership. This committee consists of an appointed chair, elected faculty members with one representative from each electoral unit, and at least one appointed staff member.
- b) Functions. This committee reviews applications for professional development funding from both faculty and staff. Policies and procedures are detailed on the Provost's website. The committee also reviews applications from faculty for sabbatical leaves. Policies regarding sabbatical leaves can be found in Faculty Handbook section 2.11.

1.10.2.1.3 Student Affairs Committee

- a) Membership. This committee shall consist of one member from each electoral unit. The Provost or his/her designee coordinates the committee and will appoint other members as appropriate
- b) Functions. This committee shall make recommendations about student affairs policies and other issues affecting student life. The committee will assist in the drafting of policies, programs, and services that affect co-curricular student development.

1.10.2.1.4 Financial Aid Committee

- a) This committee shall consist of one academic administrator and one faculty member appointed by the Provost, and one representative each from the Business Office, the Financial Aid Office and the Enrollment Management Office.
- b) Functions. This committee develops aid programs and policies, proposes guidelines, advises the FAO in administration of programs and serves as the appeals board for student financial aid appeals.

1.10.2.1.5 Institutional Assessment Committee

- a) Membership. Committee membership is appointed by the Provost and reflects the institutional scope of assessment activities and the diversity of assessment approaches across the student experience. This will include representation from academic schools and/or programs, Student Success and Engagement, Athletics, etc. The committee is chaired by the Director of Educational Assessment and the Director of the Transformational Journey Program, both appointed by the Provost.
- b) Functions. This committee fosters a university-wide culture of continuous improvement in both academic and co-curricular areas. The primary charge of the IAC is to provide

effective and accurate assessment of how our students are meeting the institutional learning outcomes across the Marian system. To that end, the IAC provides guidance for, and oversight of, system-wide assessment policies while monitoring the effectiveness of the overall assessment system and its results.

1.10.2.2 Institutional Review Committees

1.10.2.2.1 Faculty Board of Appeals

- a) **Membership.** The faculty Board of Appeals shall consist of one faculty member from each electoral unit. Board members shall be elected annually by the electoral unit (See By-Laws of the Faculty Constitution, Appendix C.)
- b) **Term of Service.** The term of service shall begin with the opening of the fall semester. Vacancies on the board shall be filled by alternates ranked according to the election results. Election to the board shall take place after the appointment of members to the faculty Personnel Policies Committee, whose members are ineligible to sit on the Board of Appeals. The board shall elect its own chairperson.
- c) **Functions.** The faculty Board of Appeals considers formal grievances according to the Grievance Procedures in Sec. 2.16.3.

1.10.2.2.2 Student Conduct Committee

- a) **Membership.** The committee is composed of two members of the staff, two faculty members, and two students of sophomore, junior or senior standing. The staff representatives and two alternates are appointed by the Dean of Students, in consultation with the Provost; the faculty representatives are selected from a pool consisting of one faculty member per electoral unit, elected by the electoral unit; the student representatives are appointed by the Dean of Students, who is responsible for coordination of the committee. The student representatives must be in good academic and social standing to be eligible for appointment and/or maintain membership on the committee. Faculty elections are held in the spring prior to the academic year of service. All members serve a one-year term and are eligible for reappointment or re-election. (See also the Code of Student Rights and Responsibilities.)
- b) **Functions.** This committee will review issues of student conduct violation of the Code of Student Rights and Responsibilities, following the procedures therein and will recommend sanctions to the Dean of Students, as outlined in the Code

1.10.2.2.3 Program Review Board

- a) **Membership.** The Program Review Board shall consist of the Provost's designee or designees (currently the Assistant Provost for Teaching and Learning and the Assistant Provost for Accreditation and Administration), an appointed faculty member from each of the colleges/schools, and the Director of Educational Assessment.
- b) **Term of service.** Appointed members shall remain on the board for a period of 2 years with no more than two consecutive terms. The period of service shall commence with the beginning of the fall semester.
- c) **Functions.** The Program Review Board carries out the formal review of academic programs as described in 3.6.

1.10.2.2.4 Institutional Review Board

The MUIRB is an appointed administrative committee established by the Office of the Provost. Its fundamental charge is to review all proposed research intending to employ human subjects as participants. The full description of this committee can be found on the Provost's Office website. (Email: IRB@marian.edu)

1.10.2.2.5 Institutional Animal Care & Use Committee

Pursuant to federal law, Marian University is responsible for monitoring the care and use of live vertebrate animals used in teaching and research through an Institutional Animal Care & Use Committee (IACUC). The IACUC, whose minimum composition is detailed by federal guidelines, shall be appointed by the Provost and charged with evaluating proposed research or teaching activities involving live vertebrate animals to ensure humane and ethical treatment by University faculty, staff, and students on the University campus or elsewhere. The full description of this committee can be found on the Provost's Office website. (Email: iacuc@marian.edu)

1.10.2.2.6 Institutional Biosafety Committee

The institutional Biosafety Committee (IBC) ensures that research conducted at or sponsored by Marian University involving biological materials complies with the safety standards set forth by the National Institute of Health (NIH) Office of Science Policy (OSP). IBC members are appointed by the Provost. The full description of this committee can be found on the Provost's Office website. (Email: IBC@marian.edu)

1.10.3 Ad Hoc Committees

Ad hoc committees or task forces are appointed by the executive officers to perform specific assignments within a defined time period. These assignments may include facets of institutional research and development, curricular or organizational evaluation, and the design or implementation of proposals. The appointing executive officer or his/her designee shall serve as the chair of the ad hoc committee or task force.

1.11 Updating and Review of the Faculty Handbook

1.11.1 Annual Updating of the Approved Faculty Handbook Changes

The Handbook is updated annually, collecting all informational items, text changes and items approved by the Board of Trustees, and is distributed to all faculty no later than August 15. The Handbook distributed on this date shall be in force until the publication of the next update. Handbook changes requiring Board of Trustees approval shall be submitted annually to the Board for approval at its June meeting.

1.11.1.1 Procedure for the Updating or Amending the Handbook

1.11.1.1.1 Proposed Updates or Amendments

- a) Sources. Updates or amendment to sections of the Handbook shall be initiated by any member of the administration or faculty, the President, or the Board of Trustees.
- b) Form. Updates or amendments shall be made in the form of texts intended to replace or supplement, in whole or part, some current elements of the Handbook. Proposed updates or amendments shall be submitted in writing to the Personnel Policies Committee.
- c) Justification. A brief explanation of the reason(s) for proposing the update or amendment, and a proposed date upon which the update or amendment shall become effective, shall accompany the proposal.

1.11.1.1.2 Approval of Updates or Amendments

The Personnel Policies Committee and the Provost shall work together to review all proposed updates and amendments submitted and to resolve any questions, concerns or conflicts regarding the proposed updates or amendments. Once a consensus revised draft of the changes to the Handbook has been developed, it will be submitted to the Faculty Assembly for review and approval.

1.11.1.1.3 Collection of Updates and Amendments

Informational items, changes not requiring Board approval, and Board approved amendments, are gathered together by the office of the provost and the Personnel Policies Committee for inclusion in the annual review.

1.11.1.1.4 Approval of Amendments by the President

Updates and amendments to the handbook approved by the Faculty assembly are gathered and presented to the President, Provost and the University's General Counsel for review by April 15 annually. The President will accept, reject, amend, or remand any revision or amendment in writing via Letter of Transmittal to the Presiding Officer with a copy to the Provost and the University's General Counsel no later than May 10. Revisions or amendments accepted by the President will be presented to the Board of Trustees at their June meeting. If the President does not accept the revision or amendment for referral to the Board of Trustees, the President or his /her designee will meet with the Provost and the Presiding Officer of the Faculty Assembly to resolve the matter for consideration by the Board of Trustees the following year. Rejection or remand of an amendment will not preclude a new proposal on the same issue. Actions approved by the President are acted upon by the Board of Trustees whose decision is final.

1.11.1.1.5 Approval by the Board of Trustees

All updates or amendments approved by the President are transmitted by the President to the Board of Trustees and its proper committees. The Board of Trustees shall include the proposed updates or amendments on the agenda at the June Board meeting. The update or amendment process is concluded in accordance with the action of the Board of Trustees.

1.11.1.1.6. Implementation of Handbook Updates or Amendments

- a) The President or his or her designee will transmit to the Personnel Policies Committee all updates or amendments to the Handbook approved by the Board of Trustees within 10

days of the board meeting. The committee will update the electronic document to incorporate all of the approved amendments and will distribute the updated Faculty Handbook to all faculty no later than August 15.

- b) All new members of the faculty shall have access to the Handbook at the time of their initial appointment.
- c) A copy of the Handbook with current updates and amendments will be available on the Provost office portal and the Faculty Assembly Canvas page.

1.11.2 Five Year Review of the Faculty Handbook

It is the responsibility of the university leadership and the faculty to collaborate on the review of the Handbook every five years. The most recent review was completed in 2013. The Provost will initiate the process. The Personnel Policies Committee shall represent the faculty in this review process. The Provost shall represent the administration. The Board may choose to participate in this review as appropriate.

2.0 FACULTY EMPLOYMENT POLICIES AND PROCEDURES

Marian University seeks to create an intellectual climate of excellence and strives to retain and attract faculty who will provide an exceptional education to our students by developing and meeting rigorous learning outcomes, exemplary service to the university and the community and outstanding scholarship. This section contains the approved policies and procedures of the University concerning the terms and conditions of employment of the faculty of the University. As employees of the University, faculty also are subject to the terms of the Employee Handbook. Where the written terms and provisions of an individual appointment of a faculty member are inconsistent with the general policies contained herein, the provisions of the individual appointment shall supersede. Otherwise, the provisions of Sec. 2.0 of the Handbook shall be in effect until revised through the process in 1.12. Should there be any disputed application or interpretation or alleged violation of the specific provisions of this section, the faculty member involved in such a situation may file a grievance under the Grievance procedures found in Sec.2.16.

2.0.1 Letters of Appointment

Letters of appointment are issued to faculty by the Office of the Provost outlining the individual's position title, rate of compensation, duration of appointment, and general overview of responsibilities. Should changes need to be made within the duration of the appointment, it will be done in conversation with the faculty member and follow the policies listed in the Faculty Handbook (See section 2.9).

2.1 Faculty

The faculty of the University has the primary responsibility for the curriculum and is primarily concerned with the intellectual climate and academic policies and programs. Faculty status is granted to:

- a) faculty who teach;
- b) the President, the Provost, and the Deans of Schools;
- c) the non-teaching faculty: those with emeritus/emera rank. See Sec. 2.1.4.1;

The faculty who teach shall consist of three distinct groups: 1) Ranked Faculty; 2) Part-Time Per Course Faculty; and 3) Other Faculty Appointments. Specific appointment types (Sec. 2.2) and other specific rights and responsibilities shall accrue to each specific group as defined in this Faculty Handbook in appropriate sections of 2.0. In particular, Part-Time Per Course Faculty and Other Faculty Appointments have limited rights and responsibilities; these are fully defined in this section and in the sections on evaluation and separation (2.5 and 2.9).

2.1.1 The Ranked Faculty

A ranked faculty member is a full time or pro rata employee of the University who has been appointed to one of the four regular academic ranks: Instructor, Assistant Professor, Associate Professor, or Professor.

2.1.1.1 Full Time Faculty

A full-time faculty member:

- a) has a full-time teaching load as described in 2.12.1 in a given academic year. In a situation where a full-time faculty member has a joint appointment (teaching in two departments or teaching in a department and additional non-teaching duties), ordinarily the individual must teach at least half of a full-time load during the academic year in the particular department in order to establish membership in that department (see 2.2.5);
- b) fulfills the duties and responsibilities of a full-time faculty member (2.10); and
- c) holds academic rank as described in 2.1.2.

2.1.1.2 Pro Rata Faculty

Pro rata faculty are faculty members who are ranked as defined in Sec. 2.1.1 and who are given an appointment equivalent to half time or more, but less than that of a full-time faculty member. They may either be employed on term or renewable appointments as required by university needs. They are full voting members of the faculty and have, on a pro rata basis, responsibilities for advising, service on committees, and all other responsibilities of full-time faculty members as detailed in the Handbook. Pro rata faculty members are eligible for pro rata promotion.

2.1.2 Criteria for Appointment to Specific Faculty Ranks

At the time of initial appointment of a tenure track full time, non-tenure track full time, or pro rata faculty member, the Provost, in consultation with the dean and department chair, makes a judgment about rank and tenure status for the initial appointment using the requirements described below. Written copies of the decision will be sent to the school, department and individual involved. Thereafter, the rank changes are subject to Sec. 2.6 and 2.7. For clarity, “exemplary” is defined as “serving as a pattern; deserving imitation; commendable because of excellence.” (Webster’s Collegiate Dictionary)

2.1.2.1 Instructor

Requirements for rank of instructor shall be as follows:

- a) possession of a master's degree from an accredited graduate institution of recognized standing, or equivalent experience and professional recognition appropriate to this level (e.g., professional recognition in the creative arts, business, or medical community);
- b) either proven or presumptive potential to obtain an appropriate earned doctoral degree or the terminal professional degree recognized by the University;
- c) either proven or presumptive potential to excel in fulfilling the duties and responsibilities of a faculty member, e.g., sustained progress toward teaching effectiveness as evidenced in course analyses (quality of syllabi, pedagogical methods, writing and assessment measures, grade distributions, student learning outcomes, and plans for teaching improvement), annual faculty evaluations (AFEs; currency of content, resources, assignments and projects), and professional development plans (PDPs), active

- development of scholarship; and commitment to the university and students as evidenced by, for example, academic services, student evaluations and advising activities; and
- d) either proven or presumptive commitment to Marian University's Franciscan Catholic mission, values and intellectual tradition.

2.1.2.1.1 Clinical Instructor

A faculty member who meets the qualifications of Instructor but is primarily focused on teaching and supervision of clinical or field performance can be assigned the rank of Clinical Instructor.

2.1.2.2 Assistant Professor

Requirements for appointment/promotion to the rank of assistant professor shall be as follows:

- a) possession of an appropriate earned doctorate or terminal professional degree from an accredited graduate institution, or an appropriate professional or academic degree, or accomplishments that are considered to be equivalent (e.g., recognized performance in the creative arts or in the business or medical community) and appropriate to this rank;
- b) either proven or presumptive potential to excel in fulfilling the duties and responsibilities of a faculty member, e.g., sustained progress toward teaching effectiveness excellence as evidenced in course analyses (quality of syllabi, pedagogical methods, writing and assessment measures, grade distributions, student learning outcomes, and plans for teaching improvement), annual faculty evaluations (AFEs; currency of content, resources, assignments and projects), and professional development plans (PDPs), active development of scholarship;
- c) commitment to Marian University's Franciscan Catholic mission, values and intellectual tradition; and
- d) commitment to the university and students as evidenced by, for example, academic services, student evaluations and advising activities.

2.1.2.2.1 Clinical Assistant Professor

The appointment or promotion to the rank of Clinical Assistant Professor is reserved for faculty focused on teaching and supervision of clinical or field performance, who meet the teaching and service requirements above, and the scholarship expectations outlined in the program's scholarship guidelines.

2.1.2.3 Associate Professor

Requirements for appointment/promotion to the rank of associate professor shall be as follows:

- a) possession of an appropriate earned doctorate or terminal professional degree from an accredited graduate institution, or an appropriate professional degree, or experience and professional recognition appropriate to this level of appointment (e.g., noteworthy performance in the creative arts or in the business or medical community);

- b) completion of a minimum of six years of full-time ranked teaching in a regionally accredited college/university (or its equivalent), or completion of a minimum of five years of full-time teaching at Marian University at the rank of assistant professor;
- c) evidence of sustained, noteworthy and exemplary teaching effectiveness as evidenced by course analyses (quality of syllabi, pedagogical methods, writing and assessment measures, grade distributions, student learning outcomes, and plans for teaching improvement), annual faculty evaluations (AFEs; currency of content, resources, assignments and projects), and professional development plans (PDPs);
- d) commitment to the university and students as evidenced by, for example, academic services, student evaluations and advising activities;
- e) evidence of noteworthy and exemplary research, scholarship, and creative or professional activities (AFEs);
- f) community service in one's field and to the University; and
- g) commitment to Marian University's Franciscan Catholic mission, values and intellectual tradition.

2.1.2.3.1 Clinical Associate Professor

The appointment or promotion to the rank of Clinical Associate Professor is reserved for faculty focused on teaching and supervision of clinical or field performance, who meet the teaching and service requirements above, and the scholarship expectations outlined in the program's scholarship guidelines.

2.1.2.4 Professor

Requirements for appointment/promotion to the rank of professor shall be as follows:

- a) possession of an appropriate earned doctorate or terminal professional degree from an accredited graduate institution, or widely acclaimed accomplishments in the field (e.g., the creative arts or in the business or medical community). In special cases, in lieu of an earned doctorate, other credentialing options may be accepted by the Committee on Promotion and Tenure. These options must be approved by the Provost and the academic department;
- b) completion of a minimum of 12 years of full-time ranked teaching in a regionally accredited college/university (or its equivalent), or completion of a minimum of six years of full-time teaching at the rank of associate professor at Marian University;
- c) evidence of sustained, noteworthy and exemplary teaching effectiveness as evidenced by course analyses (quality of syllabi, pedagogical methods, writing and assessment measures, grade distributions, student learning outcomes, and plans for teaching improvement), annual faculty evaluations (AFEs; currency of content, resources, assignments and projects), and professional development plans (PDPs);
- d) commitment to the university and students as evidenced by, for example, academic services, student evaluations and advising activities;
- e) evidence of professional growth and scholarly activity that characterize the teacher-scholar: currency in field of expertise, noteworthy and exemplary research, creative works, or scholarly contributions to the profession;

- f) evidence of outstanding professional contributions to the Marian University community (in the case of promotion), including service to the department, school, the University and the larger Marian community;
- g) evidence of personal exemplification and communication of the specific values of Marian University to students, colleagues, and the general public. This may include service to the local community, civic organizations, and humanitarian projects.
- h) proven commitment to Marian University's Franciscan Catholic mission, values and intellectual tradition.

2.1.2.4.1 Clinical Professor

The appointment or promotion to the rank of Clinical Professor is reserved for faculty focused on teaching and supervision of clinical or field performance, who meet the teaching and service requirements above, and the scholarship expectations outlined in the program's scholarship guidelines.

2.1.3 Part Time Per Course Faculty

A part time per course faculty member is usually a part time term employee of the University. Part time per course faculty:

- a) usually have less than a half time teaching load and do not exceed the maximum number of hours as dictated by Human Resources;
- b) usually have no other faculty duties and responsibilities, except those listed below and in Sec. 2.10;
- c) meet or exceed the criteria of the appropriate temporary academic titles listed below;
- d) are selected in the manner set forth in Sec. 2.3;
- e) always receive a term appointment (Sec. 2.2.1);
- f) receive no benefits, except limited tuition remission (see Employee Handbook 3.5.9);
- g) do not accrue time toward tenure, promotion, sabbatical;
- h) are expected to provide availability either in person or online to counsel students regarding their course work.

2.1.3.1 Lecturer

Lecturers are selected by the department chair in consultation with the Dean of the School and Provost. Lecturers are hired to teach specific courses or subjects on a term appointment basis. Selection of lecturers should be consistent with the academic standards of the University. A person assigned this title should meet or exceed the minimal requirements set forth for Instructor. In lieu of these requirements, considerable experience in an appropriate technical, artistic, or professional field may be substituted.

2.1.3.2 Senior Lecturer

This title may be assigned to a part time per course teaching faculty member in recognition of distinguished teaching service to the University, its students, and its faculty over a period of at least five years. Assignment of this title is made by the President, upon recommendation of the department, the Dean of the School and the Provost.

2.1.3.3 Adjunct Professor by Rank

A faculty member who teaches on a part time per course basis for the University, and who is a full-time ranked faculty member of another higher educational institution, or has or has had appropriate full-time employment in higher education, may be assigned this rank by the University. Such rank shall be equal to that of the other institution. Should the institution not use rank, an adjunct title shall be assigned by the Provost commensurate with the person's fulfillment of the requirements for rank given in Sec. 2.1.2.1 to 2.1.2.4.

2.1.3.4 Consultant Instructor

Consultants are selected by Course Directors, Chairs of Departments or other designated educational leaders in consultation with the Dean of the School. Consultants have specific expertise in a critical discipline which is not available within the department or school. They are hired to teach specific lectures, provide instruction in laboratory or simulated sessions, or provide/grade summative assessments within a course on an ad hoc basis as an independent contractor. Selection of consultants should be consistent with the academic standards of the University. A person assigned this title should meet or exceed the minimal requirements set forth for Instructor. In lieu of these requirements, considerable experience in an appropriate technical, artistic, or professional field may be substituted.

2.1.4 Other Faculty Appointments

2.1.4.1 Professor Emeritus/Emerita

The title "emeritus/emerita" is an honor conferred after retirement upon those faculty who have made outstanding contributions to the University through teaching and/or service. To be eligible, one must usually have attained the rank of professor and have served the University for five or more years before retirement. Such appointments shall be listed in the Catalog, and recipients shall be presented with appropriate certification at the time of conferral, accorded faculty privileges pertaining to athletic and academic events, and invited to attend general faculty meetings (with floor privileges but no voting privileges) as outlined in section 3.3.2.

2.1.4.1.1 Emeritus/Emerita Procedures

The name of the person retiring/retired shall be submitted by any member of the University community to a committee with the following composition:

- a) Dean of the School
- b) Provost
- c) President

The nomination must be accompanied by the signatures of at least 20 faculty members; the committee considers the nomination using Faculty Handbook criteria, and forwards its recommendation to approve or reject the nomination to the Board of Trustees for its consideration.

2.1.4.2 Visiting Appointments

All visiting appointments are on a term appointment for a limited period of time with no intent of ongoing employment. Visiting appointments are reserved for faculty members of other institutions, professors emeriti, and persons distinguished in their fields. In some circumstances, the University may deem it in its best interest to extend the visiting appointment.

2.1.4.3 Artist/Writer/Scholar in Residence

The President in consultation with the Provost may appoint to the faculty distinguished scholars and artists with the special "in residence" status. Such appointments shall be full time or part time depending on the needs of the University. The appointments are term appointments.

2.1.4.4 Replacement Faculty

The Provost may appoint a replacement faculty member on full time or pro rata term appointment to replace a faculty member. Service in such appointments does not count for tenure, promotion, or sabbatical leave unless such service is recognized by the Provost at the time a new employment action is offered.

2.1.4.5 Special Appointment Faculty

The Provost may hire a faculty member on a special term appointment when situations arise when a search cannot be defined or accomplished in a proper fashion. Such situations may especially occur during times of growth and change to facilitate functioning of the University. Hiring procedures will be followed if there is a change to renewable appointment status. (See Section 2.3.)

2.2 Types of Appointments

2.2.1 Term Appointments

Term appointments are routinely given to part time faculty at a per course rate and to special appointment faculty members, and are limited to the term of employment outlined in the letter of appointment. Term appointments are not tenure track and do not confer upon a faculty member an entitlement to continued employment after the term specified in the letter of appointment expires. The notice requirements set forth in Section 2.9 do not apply.

Term appointments may also be used with full time, pro rata, and replacement ranked faculty in special circumstances such as the following: all summer session appointments; for replacements for one semester or year for faculty on leave on a full time or pro rata basis; or for short term curricular needs at the time of appointment. With the approval of the Provost, after appropriate consultation with the Dean of the School and department chair, full time or pro rata term appointments may be counted towards tenure. No more than three consecutive academic year appointments of this type will be given. (See Sec. 2.1.2.)

2.2.2 Renewable Appointments

Renewable appointments are renewed annually and are subject to non-reappointment for any reason. Faculty members with renewable appointments will receive the same consideration as tenured and tenure-track faculty in regards to promotion.

To be eligible for a renewable appointment, the faculty member must demonstrate a high level of teaching competence and have 1) a recognized degree at least at the master's level in his or her principal teaching field, 2) equivalent experience or 3) professional recognition appropriate to this level (e.g., professional recognition in the creative arts, business, or medical community). To maintain eligibility for a renewable appointment, exemplary performance and continuing professional growth need to be evident.

The faculty member must teach a full load or its equivalent. Should the faculty member's teaching load include administrative responsibilities, and should those administrative responsibilities be relinquished, there must exist sufficient teaching need in the program area for that faculty member to retain renewable appointment status.

Renewable appointments are subject to the notice requirements set forth in Section 2.9.

The number of faculty holding renewable appointments ordinarily should not exceed forty-five percent (45%) of the full-time faculty of the University.

2.2.3 Tenure Track Appointments

Tenure track appointments renew annually and are subject to non-reappointment for any reason not constituting a violation of academic freedom or illegal discrimination.

Beginning with a full-time appointment, faculty with tenure track appointments serve a probationary period not to exceed eight years. (See Sec. 2.6-2.7 for tenure policies.) Full-time service in all institutions of higher education may be included within this period, but the length of the probationary service must then be agreed to in writing at the time of the appointment.

Tenure track appointments are subject to the notice requirements set forth in Section 2.9.

2.2.4 Tenured Appointments

Tenured appointments are granted to faculty members who have achieved tenured status. Tenured faculty will receive an annual notice of compensation unless separated pursuant to the provision of Sec. 2.9 of this Handbook. Typically, tenured faculty would range from 33% to 67% of the full-time faculty.

2.2.5 Locus of Appointments

All faculty appointments have as the locus of their appointment in a discipline of a department and/or School of Marian University which is stated in their annual letter of appointment.

In a situation where a full-time faculty member has a joint appointment (teaching in two departments or teaching in a department and additional non-teaching duties), the membership remains in the department with the largest teaching load, and additional teaching and non-teaching duties are written into the faculty member's annual appointment.

2.2.6 Change of Appointment Status

To change appointment status, the faculty member meets with the primary evaluator and dean to discuss the implications of the change. If the change has support, the dean submits a letter to the Office of the Provost justifying the change. The Office of the Provost will review the request and make a final decision.

2.3 Search, Appointment, and Orientation of the Faculty

The quality of initial appointments is vital to maintaining the high quality of teaching and scholarship to which the University is committed. The following statements of policy are intended to aid chairs of departments, deans of academic schools, the Provost, and others who are involved in making initial appointments.

2.3.1 Search Procedures

All searches are administered, coordinated and managed through Human Resources. The chair of the search will work closely with Human Resources throughout the process to make sure the search adheres to all required policies and procedures.

2.3.1.1 Search Committee

A search committee is appointed by the dean of an academic school with approval of the Provost. Ordinarily, the appointed search committee is comprised of the appropriate dean and/or chairperson, full-time program faculty members, and member(s) from another discipline. The Dean may serve on the committee and/or be the chair. Human Resources may assign a member of their department as an ex officio member of any search committee to ensure compliance with all university policies, procedures and local, state and federal laws, as well as timely and appropriate communication with candidates.

2.3.1.2 Process

The department seeking the position drafts the professional advertisement language and recommends appropriate venues for posting. HR posts notice of employment opportunities for all full-time faculty positions in appropriate publications, manages applicant communications, and assures that all portfolios have transcripts, current vitas, and at least two letters of recommendation. The search committee then reviews the application portfolios, selects a short list for interviews (by phone/videoconference and/or campus visit),

verifies degree, arranges campus visits (which usually include a teaching/research presentation, student interviews, and administrative interviews, including the Provost and sometimes the President), and sends the top two or three names to the Provost for consideration.

2.3.1.3 Part-time Positions

Part time positions may be filled without conducting a formal search and without establishing a formal search committee. The department chairperson (or designated faculty member from the academic discipline) in collaboration with the Dean of the School and Human Resources examines resumes, conducts interviews, is responsible for verifying references of the candidates, and ensures that a resume, original transcript, and at least two letters of reference are contained in each candidate's file. The recommendations are forwarded to the Provost for filling the positions.

2.3.2 Authority to Hire

Sole authority to hire and retain faculty is vested in the President. This authority is customarily exercised through the Provost.

2.3.3 Faculty Appointment

The appointment for traditional 9-month teaching faculty normally covers the period of full-time service from the week before the first day of the fall semester through the week after spring final exams. Under extraordinary circumstances, faculty on nine-month appointments may be asked to be available during the summer for meetings called by the Chair, Dean, Provost, or President, either in person or through electronic means. Payment is extended over a twelve-month period, beginning September 7th.

Faculty appointments are made by the President of Marian University upon recommendation of the Provost.

2.3.3.1 Twelve-month Faculty Appointments

With approval of the Provost, some ranked faculty positions are hired as 12-month appointments to facilitate academic operations.

2.3.3.2 Faculty Overload

Upon recommendation of the Dean of the School and department chair, and with approval of the Office of the Provost, a full-time faculty member may be scheduled for a teaching overload during a given semester. Teaching overload should be the exception, and in no way constitutes an expectation on the part of the University or the faculty member. If the faculty member accepts an overload assignment, the overload pay shall be determined by the dean of the school based on years of experience and degree according to the published schedule. The faculty member shall receive a lump sum payment for the overload assignment in the pay period following the end of the spring semester.

Pro rata faculty may be scheduled for a teaching overload and receive overload pay according to the same guidelines and restrictions as described above for full time faculty.

2.3.4 Faculty Orientation

The Office of the Provost requires all new, full-time faculty to attend the New Faculty Orientation (NFO). Normally, this includes an intensive orientation prior to the start of school the fall semester, which includes: an exploration of academic freedom, shared governance, and other basic structures of the university; an online instructional course on the university’s learning management system; continued professional development meetings weekly throughout the fall semester; and a variety of workshops in the spring semester. The NFO gives new faculty the opportunity to learn more about the mission, culture, values, organization, resources, and support structures of a Catholic Franciscan University. In addition, faculty have the opportunity to review the University’s expectations, policies, and procedures. In exchange for participation in the NFO, new faculty receive a course release or overload pay. Specific academic units/ departments may have their own additional orientation procedures to supplement the NFO.

2.4 Personnel Records

Because appointment as a ranked faculty member may lead to a continuing relationship with the University, it is essential that there be adequate and detailed documentation to support actions involving each individual, especially those actions pertaining to appointment, promotion, tenure, layoff, and dismissal.

2.4.1 Official Documents Relating to Personnel

Personnel documents are maintained in the system(s) and accessed as indicated below. Individuals’ access is allowed only to complete their assigned work.

Document	System(s)	HR Staff	Provost Office Staff	Payroll
Letters of application and references	HRIS	Yes	Yes	No
Appointment and acceptance letters	HRIS	Yes	Yes	No
Personnel data information provided by the employee	HRIS FS	Yes	Yes	Yes
Hiring transaction documents (payroll notices, etc.)	HRIS	Yes	Yes	Yes
Yearly Performance reviews and evaluations	FS	No	Yes	No

Payroll change documents (salary increases, changes in status)	HRIS PO	Yes	Yes	Yes
Current official transcripts w/ current CV	PO	No	Yes	No
Documentation of training and compliance activities	HRIS FS	Yes	Yes	No
Salary and benefit data	HRIS	Yes	Yes	No
Documentation regarding layoff and/or dismissal	HRIS PO	Yes	Yes	No
Appropriate promotion and tenure documentation	FS	No	Yes	No
Faculty qualification forms	FS	No	Yes	No

HRIS – Human Resources Info System FS – Faculty Success PO – File in Provost Office

2.4.1.1 Access to Personnel Files

The faculty member may, for the cost of duplication, obtain copies of any matters in the official personnel file. Any such copies will be made by a member of the Office of the Provost or Office of Human Resources.

These documents are also available on a need-to-know basis to the Board of Trustees, legal counsel, the President, the Provost, the chairperson of the Promotion and Tenure Committee, designated Human Resources’ staff or the individual faculty member. Others designated at the discretion of the President and/or the Provost may have access to documents with prior written notification to the faculty member and documentation placed in the file.

The personnel documents are kept in strictest confidence and are available for confidential use only to the individuals indicated above. However, for a valid reason, the faculty member may authorize in writing access to his or her file by a person not indicated above.

Further, the University may permit access to and copying such documents pursuant to lawful requests and identification of federal or state agencies relevant to investigations, hearings, or other proceedings pending before such agencies or the courts.

2.4.2 Personnel Files for Part Time Per Course and Other Appointment Faculty

The college or school hiring these faculty will maintain a separate file for each of these faculty which will contain:

- a) a copy of the faculty member's term appointment letters
- b) the faculty member's official credentials and resume
- c) two letters of reference
- d) copies of any faculty evaluations
- e) faculty qualification form

- f) information the faculty member wishes to place in this file on professional background or accomplishments
- g) other personnel information

The Office of Human Resources will maintain the:

- a) application of the faculty on the HRIS system which includes the resume, cover letter, and mission and ministry questions
- b) the approved and submitted employment recommendation.

Access to such files is defined in Sec. 2.4.1.1.

2.4.3 Updated Personal Data

Faculty members are required to maintain updated records of the following information in the faculty activity reporting system:

- a) Personal information such as office location, research interests
- b) Evidence of teaching effectiveness
- c) Syllabi for courses
- d) Course analyses
- e) Teaching observations
- f) Select course materials
- g) Evidence of scholarly work
- h) Evidence of service work
- i) Membership in professional organizations

2.5 Periodic Evaluation of Faculty Performance

All faculty members (tenured, full time, pro rata, and part time) will be evaluated annually in writing by their primary evaluator, who in general will be their chairperson or the Dean of the School/College, and will cooperate fully in the annual evaluation process. When faculty are evaluated by their chairperson, the Dean will have access to the evaluation materials (AFEs, promotion and tenure portfolios, PDPs) of their faculty and can add any comments they deem necessary and appropriate. Faculty who serve as chairpersons or assistant deans will be evaluated by their Dean (or the Dean's designee) annually, and will cooperate fully in the annual evaluation. Deans are evaluated by the Provost in consultation with faculty. (See 1.5.2.3.)

2.5.1 Goals of the Evaluation Program

- a) To enhance university wide actualization of its Mission and produce cohesive efforts within and across departments and schools to achieve the University's stated purpose of providing an excellent education to every student.
- b) To review the faculty member's annual objectives and measure progress since the last review.

- c) To encourage the faculty member's personal and professional growth.
- d) To acknowledge noteworthy performance.
- e) To assist in the determination of compensation, suitability for promotion or the determination of continued employment.

2.5.2 Procedure for Evaluation

The annual evaluation is conducted using the procedure available on the Provost's website. The faculty will be informed via email from the Provost's office. Faculty may work with their primary evaluators and deans if they need accommodations to the timeline.

The evaluation process requires discussions between the faculty member and their primary evaluator. Evaluations are to be constructive in nature in order to encourage the further professional development of the faculty member, while yet addressing and documenting any areas of concern.

A Professional Development Plan (PDP), based on the professional goals of the faculty member and the discussions with the primary evaluator, will be created and submitted as part of the annual evaluation. The PDPs will be reviewed by the Office of the Provost to guide institutional professional development opportunities.

When performance does not meet expectations, the process outlined in the employee handbook will be followed. Faculty have the right to appeal results according to section 2.16.

2.5.2.1 Changes to the Procedure for Evaluation

The procedure used for the annual evaluation is under the purview of the Provost and is overseen by the Personnel Policies Committee (PPC). Changes to these procedures can be proposed by the Provost or the faculty. Once agreement is reached between the Provost and PPC the changes will be brought to the Faculty Assembly for approval via the PPC report. Changes will be implemented in the next academic year.

2.6 Eligibility for Promotion and Tenure

2.6.1 Eligibility for Promotion

2.6.1.1 Demonstrated Performance

Promotion in academic rank is a means by which Marian University encourages, recognizes, and rewards faculty members for excellence in the performance of their duties. Faculty promotion in rank is awarded on the basis of demonstrated excellence in teaching performance, scholarship, and service at Marian University based on the evaluations described in 2.5.2 and appropriate to expected standards for the level of promotion sought. (See Sec. 2.1.2 Criteria for Appointment to Rank.)

2.6.1.2 Years Completed in Rank

Ordinarily, faculty members may apply for promotion after they have completed the minimum length of time in their current rank (See 2.1.2). For purposes of promotion, years of sabbatical leave will count in the total number of years in current rank. Years of leave with pay may or may not count toward promotion, depending upon negotiation or understanding reached with the Provost and verified in writing with the Provost's signature. Only one such year of sabbatical or leave with pay may be counted towards each promotion. Ordinarily, leaves without pay will not count toward promotion. Early promotion is considered only in rare instances in which applicants can demonstrate a record of extraordinary performance.

2.6.2 Eligibility for Tenure

2.6.2.1 Demonstrated Performance

Faculty members with a tenure-track appointment who have served a probationary period as defined in Sec. 2.2.3 and whose overall record of performance in teaching, scholarship, and service has been examined and found to be exemplary and deserving of continuous employment are eligible for academic tenure.

2.6.2.2 Years Completed on the Tenure Track

An academic tenure review is scheduled for faculty members in a tenure-track position who have served a probationary period. Tenure, a continuous appointment, may be awarded to a faculty member who has completed five to seven years of full-time teaching. Two of the seven years must be with the rank of assistant professor or higher rank. As negotiated with the Provost at the time of hire, a maximum of three years credit is given toward the probationary period for experience in other institutions of higher education.

2.6.2.3 Criteria for the Award of Tenure

The decision to recommend or deny tenure is based primarily on two considerations: 1) the evaluation of the strengths and weaknesses of the faculty member; 2) the needs and condition of the department, the school, and the university.

Prior to the award of tenure, faculty members' appointments will renew annually. Those awarded tenure will be terminated only for cause, because a program has been reduced or discontinued, or because of enrollment emergency or financial exigency. Actions related to enrollment emergency or financial exigency require an official, formal, and public declaration by both the president and the provost.

The awarding of tenure normally entails no less than two steps: the preliminary review and the review which awards tenure.

2.6.3 Third Year Preliminary Tenure Review of Probationary Faculty Members

The Promotion and Tenure Committee is responsible for conducting a formal review of all probationary faculty members in their third year of full-time teaching at Marian University.

(Portfolios are submitted in the fall semester of the third year.) Extensions or modification to this timeline are allowed only through written approval of the Provost.

The possible outcomes of this review are: (1) pass – the candidate proceeds towards tenure; in cases where a deficiency/weakness is noted in one area of the portfolio (teaching, scholarship, or service), the faculty member is expected to work with the Chair and/or Dean to remedy/strengthen this area prior to final tenure review; (2) fail (deficiency in multiple areas) – the candidate is normally subject to non-reappointment pursuant to 2.9.3.

2.6.4 Award of Tenure Review

When a faculty member has completed maximum of eight (8) years of full-time teaching in a tenure-track appointment or is undergoing their tenure review, the University must either (a) award tenure, (b) extend the probationary period or (c) dismiss said faculty member. Portfolios are submitted no later than the fall semester of the eighth year.

2.6.5 Tenure Qualifications

Tenure may be awarded on fulfillment of the following conditions:

- a) The faculty member has maintained professional competence and demonstrated exemplary teaching, scholarship and service to the university and the community as demonstrated by annual evaluations conducted pursuant to 2.5.2 and the evidence in the portfolio submitted pursuant to 2.7.2.
- b) The faculty member has attended regularly and diligently to the duties of faculty at Marian University as described in this Handbook.
- c) The faculty member's conduct is compatible with the mission, vision and values of Marian University and its identity as a Catholic Franciscan university.
- d) The faculty member has not used the classroom as a forum for attacks on the doctrine, leadership, or traditions of the Roman Catholic Church. This does not preclude open discussion of contrary or variant ideas in the search for truth.

2.7 Periodic Formal Evaluations

The standard process for the periodic formal review of faculty is outlined below. However, certain programs may require additional steps.

Except where noted, the review process for promotion, pre-tenure review, and award of tenure is the same.

2.7.1 Promotion and Tenure Process

2.7.1.1 *Expression of Intent*

2.7.1.1.1 *Expression of Intent for Promotion*

The formal process for promotion is initiated by the faculty member via submission of the completed, signed form entitled “Expression of Intent: Promotion” obtainable with promotion packet upon request from the Provost’s Office. Honest dialog between a prospective applicant and the applicant's chairperson and dean is recommended prior to submission of the “Expression of Intent” form in order to assess qualifications essential to effective eligibility for promotion. Applicants must submit completed “Expression of Intent” forms to the Provost’s Office on or before April 15 of the academic year preceding the one during which they wish to be considered.

2.7.1.1.2 Expression of Intent Pre-Tenure and Tenure:

By April 1 of the previous academic year, the Provost’s Office will prepare a list of probationary (tenure-track) faculty members who are scheduled for their pre-tenure or tenure review the next academic year. Tenure-track faculty will be included on the list in their third year for pre-tenure review. Tenure-track faculty can select whether to be included for tenure review in years six, seven, or eight of full-time teaching. The list is to be sent to all current faculty no later than April 1.

Faculty members who believe they have been inadvertently omitted from the list of faculty scheduled for review are to make the omission known to the Provost by April 15. If the Provost and a faculty member disagree about the faculty member's eligibility for review, the Provost, in consultation with the Promotion and Tenure Committee, will decide whether or not the faculty member in question is eligible.

2.7.1.2 Informational Meeting

Outgoing and incoming members of the Promotion and Tenure Committee will meet with applicants before the end of the spring semester to review the promotion and tenure process and provide advice regarding the preparation of portfolios.

2.7.1.3 Portfolio

The applicant constructs a portfolio containing evidence of their professional performance and productivity to support advancement. Materials for the portfolio should include evidence of only those accomplishments achieved while a faculty member of Marian University; unless work at a previous institution has been approved in writing at the time of the faculty member’s initial appointment.

The portfolio will be available only to persons directly related to the review process: the candidate, the primary evaluator, dean, members of the Promotion and Tenure Committee, the Provost, the President, and the administrators of the system, if necessary.

2.7.1.3.1 The pre-tenure portfolio includes evidence from the first two years in a tenure-track position. If applicable, it may include evidence of substantive achievements at Marian University prior to the tenure-track position.

2.7.1.3.2 The tenure portfolio includes evidence from all years in the tenure-track position. The tenure portfolio should include the evaluation from the pre-tenure review and a focus on growth and achievements since the pre-tenure review.

2.7.1.3.3 The promotion portfolio should include evidence to support advancement to the next rank. Normally, this evidence is from the years of service since the original appointment or from a previous promotion. In cases where an extended period has passed, the candidate should consult with the Promotion and Tenure Committee.

2.7.1.4 Submission of Materials

Faculty members have the right and responsibility for making sure that their portfolios are complete for these formal evaluations. They also have the sole responsibility for observing designated deadlines relating to the completion and submission of their portfolio

Completed portfolios are due from applicants to their primary evaluator according to the timeline approved by PPC on the Provost's website in the year of review and following submission of "Expression of Intent" form to the Provost's Office.

Submission of all promotion and tenure portfolios is through the university's designed system. The documents uploaded by the faculty for their portfolio should include:

- a) Narrative summary of the evidence presented
- b) The portfolio report of activities generated through the system for the dates of the evaluation period
- c) The program's scholarship guidelines
- d) A current CV

If applicable, the following additional documents may be included

- a) Pre-tenure letter from the Promotion and Tenure Committee
- b) Open letters of support
- c) Documents necessary to explain an atypical submission

Specific programs may require additional documentations.

2.7.1.5 Expected Evidence

At the minimum the portfolio should include the following evidence in the areas of general information, teaching, scholarship and service.

General Information

- a) Current rank and title
- b) AFEs and PDPs from the years of evaluation
- c) Job description and outcomes for assigned administrative work

Teaching

- a) A list of courses taught by semester with the associated:
- b) Syllabus
- c) Enrollment
- d) Student responses to instruction survey (course evaluations)
- e) Course analysis/Reflection
- f) Teaching Observations as outlined in Section 2.10.5.4
- g) Examples of instructional materials including:
- h) Prepared assessments and exams
- i) Presentation of content
- j) Learning activities
- k) Examples of curriculum work, if applicable
- l) A list of faculty development efforts

Scholarship

- a) A list and evidence of scholarly activity during the time under review.

Service

- a) A list and evidence of service activity during the time under review

2.7.1.6 Evaluation by the Chair or Primary Evaluator

Chairpersons (or primary evaluators) who have applicants from their department/school will review portfolios of their faculty applicants according to the schedule on the Provost's website. They shall prepare a comprehensive evaluation statement that (1) summarizes the evidence of excellence under the categories of teaching, scholarship, and service; and, (2) addresses the degree to which the candidate has successfully met the criteria outlined in the handbook and discipline-specific rubrics. The evaluation statement is added to the portfolio and is available to the candidate. The reviewed portfolio is submitted by the primary evaluator to the Dean.

2.7.1.7 Evaluation by the Dean

Deans who have applicants from their department/school will review the portfolios of their faculty applicants according to the schedule on the Provost's website. They shall prepare a comprehensive evaluation statement that (1) summarizes the evidence of excellence under the categories of teaching, scholarship, and service; and, (2) addresses the degree to which the candidate has successfully met the criteria outlined in the handbook and discipline-specific rubrics. The evaluation statement is added to the portfolio and is available to the candidate. The reviewed portfolio is submitted by the Dean to the Promotion and Tenure Committee.

2.7.1.8 Needs and Conditions Report

When evaluating pre-tenure or tenure portfolios, the Dean's evaluative statement shall also examine the expertise of the candidate in relation to the educational needs and conditions of

the department, program, school and university curricular and academic needs in both the near- and long-term future. The assessment of the needs of the university should include:

- a) number of members in the faculty member's department and/or the school, both full time and part time;
- b) number of tenured members;
- c) ranks held by members;
- d) projection (with supportive evidence) of department needs over the next three, five, and ten years.

The Dean may consult with the department chair in the preparation of this material. If a department chairperson is being reviewed, the Dean carries the responsibility for providing the assessment of the needs of the university after consulting with other members of the department or by appointing a member of that department to prepare a report.

Evidence concerning the needs of the university must be considered by the Promotion and Tenure Committee when evaluating pre-tenure and tenure cases.

2.7.1.9 Evaluation by Promotion and Tenure Committee

Members of the Promotion and Tenure Committee review portfolios according to the schedule on the Provost's website and determine the degree to which each candidate has successfully met the various criteria.

The committee chair submits the committee's agreed upon recommendations for respective applicants, together with supporting rationales for the recommendations which is added to the portfolio. The committee's recommendations are available to the dean and the chair or primary evaluator.

2.7.1.9.1 Consultation

The Promotion and Tenure Committee may interview the Dean and the primary evaluator. The Committee also has the right to consult additional experts either from inside or outside the University for information which might aid them in their evaluation.

2.7.1.9.2 Evaluation by Department Faculty

The Promotion and Tenure Committee may choose to poll all faculty members of those departments having members scheduled for review in order to obtain department members' evaluation of candidates. Department chairpersons should not participate because they have a role in the administrative process. Any non-tenured member who wishes not to participate in the poll may abstain. However, every tenured member of the faculty is encouraged to complete conscientiously, sign, and return the questionnaire to the Promotion and Tenure Committee through the Provost's Office. No incomplete or unsigned questionnaires will be considered in the process. The results of the faculty poll are confidential and are not included in the candidate's portfolio.

2.7.1.10 Evaluation by the Provost

The Provost reviews portfolios according to the schedule on the Provost's website, conferring with the Promotion and Tenure Committee as needed or appropriate.

The provost holds a series of meetings for the purpose of receiving formal recommendations of the candidates under review. Present at each meeting are the respective applicant's chair or primary evaluator, dean, and the Promotion and Tenure Committee. Beginning with the chair or primary evaluator and followed by the dean, each participant recaps the rationale for their recommendation at the corresponding level, answers questions, and may be dismissed at the discretion of the Provost.

2.7.1.11 Provost's Recommendation to the President

The Provost submits to the President a recommendation with accompanying rationale for each of the pre-tenure, tenure, and promotion applicants based on the composite summary of the actions recommended by the primary evaluator or chair, dean, and the Promotion and Tenure Committee. The Provost and the President work toward consensus on the President's final recommendation for the Board of Trustees.

2.7.1.12 Action by the Board of Trustees

A summary of the President's recommendations is prepared for members of the Academic Affairs Committee of the Board of Trustees along with copies of the Promotion and Tenure Committee's recommendation and rationale

After review of the promotion, pre-tenure, and tenure materials by members of the Academic Affairs Committee, the chair of the Committee prepares a resolution reflecting the committee's recommended actions and submits it to the chair of the Board of Trustees for inclusion on the agenda for the next Board of Trustees meeting. The Board of Trustees shall act on that resolution at its next regularly scheduled meeting.

2.7.1.13 Informing the Candidates

The Provost shall inform each candidate in writing of the board's decision within two weeks after the first board meeting of the calendar year. The Provost will also communicate the rationale for decisions to the candidate, chair of the Promotion and Tenure Committee, Dean and chair or primary evaluator. The promotion and tenure decisions of the board at this meeting are reflected in the candidate's letter of appointment.

Announcement of those promoted and tenured will be made by the Provost to the faculty meeting following the notification of candidates.

2.7.2 Post-Tenure Expectations and Review

Tenure is an achievement indicating excellence in teaching, service, and scholarship and evidence of a strong commitment to the long-term success of the university. Tenured faculty have a unique responsibility to the university and their peers to assume a substantial share of

the intensive curricular, governance, and leadership work, to provide stability to their academic programs, and to help mentor other faculty. For this to be accomplished, tenured faculty are expected to sustain active involvement in the university, stay attuned to their professional development, and maintain excellence in their work. In return, the university provides specific employment protections outlined in Section 2.9

The performance expectations for each individual faculty member should be determined in collaboration with their primary evaluator and dean and reflected in the tenured faculty member's workload assignments, annual professional development plans, and annual faculty evaluations. This information will serve as the basis for a periodic, summary review of tenured faculty's work over a six-year period of time. The individuals involved in the summary review process are the primary evaluator, dean, and the Provost.

The Annual Faculty Evaluation serves as a snapshot of faculty performance and contributions during the course of one academic year. The Post-Tenure Review serves to provide holistic feedback on faculty performance and contributions across a six-year period and, if necessary, serves as a support to develop resources to maintain the faculty member's professional efficacy in their role as an educator of our students. The post-tenure review does not eliminate or reduce the rights of the tenured faculty, who maintain the protections outlined in Section 2.9.

2.7.2.1 Post-Tenure Review Process

2.7.2.1.1 All faculty, regardless of rank, participate in the Annual Faculty Evaluation process, which includes a reflection and a faculty activities report. Post-tenure review does not involve a separate or additional process of evaluation. For tenured faculty, every sixth annual review will include a summative reflection and report of faculty activities and highlights for the duration of the six-year span. The summative (post-tenure) review may be waived or extended by the Office of the Provost due to a documented retirement date within the review period or a significant medical or personal reason.

2.7.2.1.2 The process will use the standard Annual Faculty Evaluation form with the exception that the attached Faculty Activity report will cover a six-year period instead of a single academic year. Review of the tenured-faculty's form will proceed through the following steps:

1. The tenured faculty member will complete the review form sent to them through the activities system (e.g. Faculty Success). The form will automatically include a report of their work entered into the faculty activities system over the previous six years. The faculty member will submit their completed six-year, summative reflection with faculty activity report to their primary evaluator by the date published on the provost's website and notified to faculty via email through the faculty activities system (e.g. Faculty Success).
2. The primary evaluator will review and submit their evaluation to the dean.
3. The dean will review and submit their evaluation to the provost.
4. The provost will review and post their evaluation in the faculty activities system.

- a) If the faculty's work is found to meet expectations, the faculty member will be notified and the process ends.
- b) If the faculty's work is found to not meet expectations:
 - i. The faculty member, in consultation with the provost's office will select a colleague/mentor or group of colleagues/mentors faculty, staff or community members. The faculty member and colleague(s)/mentor(s) will Review relevant information and develop an improvement plan outlining necessary support resources, time-bound action items, and measurable outcomes. The plan may include requirements to work with the CTL or peer mentors; to receive coaching; or to participate in other relevant development activities.
 - ii. Submit the improvement plan to the Provost for approval.
 - iii. The Provost or a member of their office will submit the approved improvement plan in the faculty activity system and send it to the faculty member, their primary evaluator, and dean.

2.7.2.1.3 The outcome of each post-tenure review is either meets expectations or does not meet expectations, as described below:

- 1) If the performance is evaluated to meet expectations, the faculty member will continue their work taking into consideration any recommendations made by the reviewers. A revised PDP may be initiated at this time.
- 2) If performance is found to not meet expectations, the faculty member will complete the actions outlined in the approved improvement plan. Should the faculty member fail or refuse to meet the expectations of the approved improvement plan, actions up to and including the process outlined in section 2.9.6 of the Faculty Handbook, Dismissal for Cause, may be followed.

2.7.3 Review of Non-Tenure Track Faculty for Multiyear appointments

2.7.3.1 Faculty members on renewable appointments may request a formal review for the awarding of a multiyear appointment in the following year by submitting a letter of intent to their dean and provost by March 15. The dean and provost will discuss the request and inform the faculty member of their decision. Should the request be accepted, the following procedure will be followed.

2.7.3.2 The faculty member will submit their portfolio through the university system by according to the timeline on the Provost's website. The portfolio includes evidence from the initial appointment as a full-time faculty member at Marian University or from the last formal review.

2.7.3.3 The review of the -faculty's portfolio will then follow the steps 2.7.1.3 through 2.7.1.10 outlined above under Periodic Formal Review. This review process begins with the

submission of the faculty member's portfolio and continues through the evaluation of the Provost. At this point, the review ends and the faculty member is notified of the outcome.

2.7.3.4 The outcome of each review is either approved or denied, as described below:

- a) If the review is approved, the faculty member will receive a multi-year appointment of length determined by the Provost, in consultation with the dean, and continue their work taking into consideration any recommendations made by the reviewers.
- b) If the review is denied, the Office of the Provost will inform the faculty member and they will continue their work under annual appointments.

2.7.3.5 If a faculty member feels the evaluation process has not been properly followed, they can appeal through the standard appeal process explained in section 2.16, Review and Grievance Procedures, in the Faculty Handbook.

2.8 Tenure-Clock Window

Given faculty balance a variety of responsibilities both at Marian and outside the university and not all scholarship progresses at the same rate, faculty have the option to submit their Expression of Intent letter in April of their fifth, sixth, or seventh year of their probationary period and submit their tenure portfolio the following year. Extensions beyond the eighth year are granted only in truly exceptional situations by the Provost in writing.

Faculty should consult carefully with their primary evaluator and dean for advice as to when to submit their Expression of Intent letter, as the outcome of the process is final as outlined in Section 2.6.4.

2.9 Separation

At times Marian University or individual faculty members may find it necessary to sever their relationship. To protect the interests of both parties, categories of separation are herein defined, and the policies and procedures related to each are set forth.

Types of separation:

- a) resignation (2.9.1)
- b) retirement (2.9.2)
- c) non-reappointment (2.9.3)
- d) prolonged absence (2.9.4)
- e) layoff (2.9.5)
- f) dismissal for cause (2.9.6)
- g) suspension and other actions short of dismissal (2.9.7)
- h) death (2.9.8)

2.9.1 Resignation

Faculty who wish to resign from their position will need to submit the letter of resignation to their Dean with a copy to the Provost.

2.9.2 Retirement

The University will follow federal and state law in respect to retirement. Benefits stop at the end of the month in which the employee retires, and, with sufficient advance notice, compensation is made on a 10-month pay-out for the last year of employment.

2.9.3 Non-Reappointment

2.9.3.1.2 Notification of Nonrenewal of Tenure-Track Appointments

If the University does not wish to reappoint a faculty member with a tenure-track appointment pursuant to Section 2.2.3, the Provost will notify him/her of the nonrenewal of the appointment in writing. Faculty who have not successfully completed their pre-tenure review will receive notice of the nonrenewal no later than December 31st of the academic year the appointment expires and salary and benefits will continue until all salary owed has been paid.

If the faculty member has successfully completed their pre-tenure review, they will receive notice of their nonrenewal no later than March 15th of the academic year the appointment expires and be issued a terminal appointment for the following academic year.

2.9.3.1.3 Notification of Nonrenewal of Non-Tenure Track Appointments

If the University does not wish to reappoint a non-tenure track faculty member, the Provost Office will notify him/her before December 31st of the academic year the appointment expires. Salary and benefits will continue until all salary owed has been paid.

If the faculty member is currently in a multiyear appointment with more than one year remaining in the appointment, they will receive notice of their nonrenewal no later than March 15 of the academic year prior to the appointment's expiration and be notified the appointment will not be renewed.

2.9.3.2 Appeals Procedure (See Sec. 2.16)

2.9.3.3 Compensation on a Terminal Appointment

A faculty member's compensation under a terminal appointment shall be the same as that received in the preceding academic year for a comparable teaching load and other responsibilities. The University reserves the right to buy out a terminal appointment with a maximum payment of one year's current salary.

2.9.4 Prolonged Absence

2.9.4.1 Extended Leave

If the faculty member is unable to perform duties due to illness or disability, he/she may request an indefinite leave of absence without pay following the regular procedures in Sec. 2.14.1.3 until such time as he/she shall be able to resume teaching duties, or until a permanent disability status is attained. During this period of indefinite leave of absence without pay, a faculty member does not lose his/her status on tenure track or the right to seek tenure; however, he/she will not accrue time towards tenure during the leave of absence. A faculty member shall present medical evidence of his/her state of health to the Provost and/or the Director of Human Resources as requested during such leave.

2.9.4.2 Termination

Should a faculty member be unable to fulfill all or a substantial part of assigned duties for a period of 24 months, the University shall have the right to terminate the faculty member's employment.

Prior to termination for medical reasons, the President or his/her designee will give the faculty member or a representative a written statement of the intended action and reasons, framed with reasonable particularity. Such termination is subject to grievance appeal according to the provisions of Sec. 2.16.3.1 and 2.16.3.2. Both the University and the faculty member will have the right to submit qualified medical opinions to justify their positions in the appeal process.

2.9.5 Layoff Before Expiration of Current Appointment

Layoff is a severance action by which the University terminates the services of a ranked faculty member before the expiration of his/her current appointment, without regard to his/her performance.

Faculty so laid off will have preference in rehiring according to procedures in 2.9.5.4. Reasons for layoff are:

- a) major changes in curricular requirements, academic program, or department;
- b) enrollment emergency; or
- c) financial exigency.

All discussions and documentation regarding faculty layoffs shall be treated as privileged and confidential by all parties involved.

2.9.5.1 Faculty Layoff: Major Program Changes

Termination of a faculty member may occur as a result of a major change, including discontinuation of a curricular requirement, an academic program, or a department in whole or in part.

Decisions about such major changes shall be made by the President after consultation with the Provost and the Academic Policies Committee who will have consulted with the department/program faculty and the Faculty Assembly. Decisions regarding the discontinuation of a program shall be made following the process described in section 3.4.1.2.

Individual layoff decisions resulting from curricular changes will follow the general procedures and order of layoff described in 2.9.5.4 and 2.9.5.5.

Faculty laid off under a curricular change will receive notice according to 2.9.3.1 or at least one year's notice if on a continuous appointment. To protect the academic careers of the students, the University will normally end such programs and the faculty member's relationship with the University at the end of an academic term.

Faculty terminated under this section have the same rights as those under enrollment emergency or financial exigency as delineated in Sec. 2.9.5.6.

2.9.5.2 Faculty Layoff: Enrollment Emergency

Enrollment emergency shall be defined as a decline in student enrollment in a program, department or school, or in the University as a whole, the detrimental financial effects of which are too great or occur too rapidly to be reasonably offset by emergency budget cuts and recourse to other available financial resources.

The number of FTE students is calculated by the Institutional Research and is used in determining an enrollment emergency.

The President, after consultation with the Provost and senior leadership, will make an internal declaration to the University community of a state of enrollment emergency.

2.9.5.3 Faculty Layoff: Financial Exigency

Financial exigency is a rare and serious institutional crisis which is defined as the critical, urgent need of the University to reorder its current fund monetary expenditures in such a way as to remedy and relieve its inability to meet projected annual monetary expenditures with sufficient revenue.

The Board of Trustees, upon recommendation of the President, who will have consulted with the Personnel Policies Committee, decides (a) if a financial crisis meets the criteria, and (b) whether a financial exigency should be declared. The President shall communicate to the University community the Board's decision as soon as possible after it has been made. The faculty participates in the decision that financial exigency exists through its representatives on the faculty Personnel Policies Committee who will have consulted with the faculty and then advises the President.

2.9.5.4 General Procedures Regarding Layoff

The faculty shall be represented in administrative processes relating to program reorganization, or the curtailment or termination of instructional programs because of enrollment emergency or financial exigency through the Academic Policies Committee and the Personnel Policies Committee. Faculty shall not, however, necessarily be represented in individual personnel decisions; the President and the Board of Trustees shall have final authority in all matters related to enrollment emergency or financial exigency.

Once a state of enrollment emergency or financial exigency has been declared, the Provost, in consultation with the Academic Policies Committee, shall recommend action to the President. The President shall then recommend action to the Board of Trustees for their approval. Such action may be to eliminate some departments or programs in whole or in part, or to distribute layoffs throughout the faculty so as to prevent the elimination of any program or department.

If a tenured faculty member is to be laid off for reasons described in Sec. 2.9.5, no replacement for his/her position will be hired within a period of three years unless the terminated faculty member has been offered reappointment under conditions, rank, and tenure comparable to those held at the time of layoff, and has been given thirty days after written notice of the offer of reappointment within which to accept, in writing, the reappointment.

It shall be the duty of a laid off faculty member to keep the University informed of his/her current address for the purpose of this section, and notice sent to the address by the University shall be presumed received if sent by certified mail, postage prepaid.

2.9.5.5 Specific Procedures Regarding Layoff

Once the department or academic program to be affected has been determined, the decision to lay off a particular faculty member shall be according to the following guidelines:

- a) After careful review and evaluation, the dean, in consultation with the appropriate department chair will recommend a plan for specific faculty layoff or reduction in salary and workload to the Provost. After reviewing the dean's recommendation, the Provost shall submit a proposed plan of action to the President for final decision.
- b) In the case of financial exigency where short notices and effective action are necessary, the following procedures may be followed:
 1. The appropriate deans, department chair(s) and the Provost may advise the President to hold letters of appointment until May 31 and serve notice to non-tenured faculty on non-renewal of appointments, pending a final decision on the seriousness of the financial exigency.
 2. All tenured faculty in the affected department(s) will receive one year's notice from the date of officially receiving notification of the decision of the Board of Trustees from the President. Non-tenured or term faculty will complete the current academic term in progress on the date of the decision by the Board of Trustees.
 3. 3) Tenured faculty who have been laid off shall be offered non-teaching positions in the University if there are openings for which they are qualified.

4. The University will assist displaced tenured faculty to find employment.

2.9.5.6 Order of Layoff Within a Department or Program

The decision of a layoff of a faculty member in a particular department shall be according to the procedures outlined below.

Prior to involuntary dismissals, the following voluntary measures should be considered:

- a) If a department or program must get by with one less person, it should. Such a program shall not be implemented without the consent of all affected department members.
- b) The possibility of voluntary early or phased retirements should be investigated.

Involuntary Layoffs:

- a) Faculty on term appointments should be terminated within the program or department involved, except as necessary to avoid serious distortion of program integrity.
- b) In making a recommendation about the termination of the appointment of a tenure-track faculty member, faculty performance, program integrity and seniority will be considered.
- c) In making a recommendation about the termination of the appointment of a tenured faculty member, faculty performance, program integrity, rank, and seniority will be considered.
- d) The appointment of a faculty member with tenure will not be terminated in favor of retaining a faculty member without tenure, except in extraordinary circumstances where a serious distortion of the academic program would otherwise result. The recommendation of extraordinary circumstances to the President will be made by the Provost in consultation with the dean, department chair and the Promotion and Tenure committee.
- e) The Provost shall provide the committee with appropriate documentation concerning program integrity, rank, degrees and seniority.

2.9.5.7 Appeals on Layoff

Layoff determinations are subject to the review and grievance procedures set forth in 2.16. The layoff will not be delayed in the case that the grievance is not settled by the effective date, nor will the grievance procedure be interrupted or denied because of the layoff.

2.9.6 Dismissal for Cause

Dismissal for cause is a severance action by which Marian University terminates its relationship with the faculty member for just cause. Any faculty appointment is subject to action under this section. Dismissal for cause must be directly and substantially related to the fitness of a faculty member to continue in his/her professional capacity. Threat of dismissal will not be used to restrain a faculty member's academic freedom.

2.9.6.1 Grounds for Dismissal

As faculty are first employees of Marian University, dismissal proceedings may be instituted based on the grounds outlined in the employee handbook or for the following academic reasons:

- a) professional incompetence;
- b) continued neglect of academic duties in spite of oral and written warnings;
- c) serious personal misconduct;
- d) deliberate and serious violation of the rights and freedom of fellow faculty members, administrators, staff, or students;
- e) conviction of a felony no longer subject to appeal;
- f) serious breach of professional ethics of one's discipline;
- g) falsification of credentials and experience; or
- h) failure to follow standards of the institution in respect to guidelines in Sec. 2.0 of this Handbook after written warnings.

2.9.6.2 Procedures for Dismissal for Cause

- a) **Written Notice of Alleged Cause:** Upon the accumulation of evidence of grounds for dismissal for cause, the Provost, in consultation with the President shall initiate action. Grounds for dismissal include items described in Sec. 2.9.6.1. Written notice of the grounds for dismissal will be provided the faculty member by the Provost. The faculty member shall be afforded reasonable opportunity to meet with the Provost to discuss the notice of alleged cause. After this discussion, the Provost will forward a recommendation to the President for action.
- b) **Burden of Proof:** In any case involving dismissal for cause the burden of proof that just cause exists shall be on the University, in the record considered as a whole, and the standard shall be by a preponderance of the evidence.
- c) **Notification of Dismissal Intent:** Prior to the dismissal of any faculty member, the President of the University will give the faculty member involved a written statement of her/his intent to take this action with reasons, framed with reasonable particularity. The faculty member should be afforded a reasonable opportunity to meet with the President or his/her designee to present his/her defense against the dismissal intent. If the matter is not settled by informal methods (2.9.6.2.a), the faculty member has the right to have a formal grievance hearing (2.16).

2.9.7 Suspension and Other Actions Short of Dismissal

Depending on the circumstances, the President may elect to impose a disciplinary action short of dismissal for causes listed in 2.9.6.1, such as suspension for a period of time with or without pay and/or withdrawal of faculty privilege when it is determined by the President that there is a strong likelihood that the faculty member's continued presence at the University poses an immediate threat of harm to the University, or to individual members of the University community. In unusual circumstances, the President, in consultation with the Provost, may take disciplinary action without previous citation or warning.

In view of the past merits of the faculty member, final action by the President may take a milder form of temporary suspension rather than outright dismissal. Such suspension may not last beyond a full year, but may entail the total or partial discontinuance of all salaries and benefits, the suspension of all promotion and salary increments, and the temporary suspension or withdrawal of all faculty privileges.

Actions in Sec. 2.9.7 are grievable through procedures in Sec. 2.16.

2.9.8 Death of a Faculty Member

If a faculty member dies during the term of his/her appointment, the University may appoint faculty to fulfill that faculty member's duties for the remainder of the academic year or term. The University shall pay to the deceased faculty member's personal representative or estate any compensation due to him or her as of the date of death; however, no additional compensation for any other purpose shall be paid.

2.10 Faculty Rights and Responsibilities

2.10.1 Code of Professional Ethics

Although no set of rules or professional code can either guarantee or take the place of the faculty's personal integrity, Marian University believes that the "Statement of Professional Ethics" promulgated by the American Association of University Professors in April 1966, and revised in 2009, may serve as a reminder of the variety of obligations assumed by all members of the academic profession. The full text of this statement is available from the AAUP web site and on the University Portal.

2.10.2 Academic Freedom

Full and part-time faculty members are entitled to freedom in the classroom in discussing the subject matter but should be careful not to introduce controversial material which has no relation to the subject. It is an instructor's mastery of the subject and personal scholarship which entitles the faculty member to a classroom and to freedom in the presentation of the subject. Thus, it is improper for an instructor regularly to include material which has no relation to the subject, or to fail to present the subject matter of the course as announced to the students and as approved by the faculty in their collective responsibility for the curriculum.

Membership in the Marian University community obliges the instructor to respect the dignity of others, to acknowledge their right to express differing opinions, and to foster and defend intellectual honesty and freedom in inquiry and instruction. Although the classroom may not be used as a forum for attacks on the doctrine of the Catholic Church, this does not preclude open discussion of contrary or variant ideas in the search for truth. The expression of dissent and the attempt to produce change, however, may not be carried out in ways which injure

individuals, disrupt the classes of one's colleagues, damage institutional facilities, or impede the other functions of the University.

A faculty member is entitled to full freedom in research and in the publication of the results, subject to the adequate performance of other academic duties; but research for pecuniary return shall be subject to the requirements of Section 2.12.4.

The faculty member is a citizen, a member of a learned profession, and a representative of Marian University. When speaking or writing as a citizen, the individual shall be free from institutional censorship or discipline, but the special position of a faculty member in the community imposes special obligations. As a person of learning and an educator, the faculty member should remember that the public may judge the teaching profession and Marian University by utterances of individuals associated with the University. Hence, a responsible person should at all times be accurate, exercise appropriate restraint, show respect for the opinion of others, and indicate, if such is the case, that the individual is not speaking for or representing the view of the University.

2.10.3 Teaching at a Catholic University

Within the context of academic freedom and using the guidance of the code of professional ethics, faculty are expected to understand thoroughly the unique responsibilities of teaching at a Catholic university and to conduct themselves accordingly.

2.10.3.1 Protection Against Injurious Actions

The University assures the continuance of the educational process, the safety of students, faculty, and staff, and the protection of property. The following actions are generally regarded as injurious and are prohibited:

- a) Actions which disrupt, by physical or auditory means, the operations of the University or interfere with the rights of other individuals in the exercise of their freedom of expression. In the university context, the sites of protected activities include classes, libraries, public meetings, and offices of normal administrative functions and service-related activities, such as health services, recreational activities, and on-campus recruitment.
- b) Actions which endanger the safety and well-being of individuals. The possession on campus property of weapons or firearms, incendiary or explosive devices by any faculty member is prohibited.
- c) Actions which damage or destroy property.

2.10.3.2 Procedures to Restore or Maintain Order

See the Marian University Emergency Procedures Manual.

2.10.4 Teaching Effectiveness

Teaching takes place in many different environments including the physical or online classroom, the laboratory or studio, in internships or clinical environments, through

community-engaged learning, and through individual mentoring in undergraduate or graduate research.

The relationship between the student and their faculty members has a tremendous influence on the academic success of the student. For that reason, course delivery at Marian University is intended to be designed for campus-based instruction, especially for our traditional undergraduate programs. However, providing online and hybrid courses to students allows for flexibility in scheduling and improved graduation rates. Therefore, online and hybrid courses may only be scheduled when it is for the benefit of the student and can be taught with the same or better effectiveness as a campus-based course. Deans will need to approve online and hybrid course offerings before they are scheduled. In the rare occasion where a faculty member will teach their entire course load online, written approval is required from the Provost.

Effective teaching is reflected in the quality of student learning outcomes and involves aspects that are general to all faculty and aspects that may vary by discipline or specialization. Faculty teaching effectiveness is reviewed annually and forms an important part of promotion and tenure evaluations. The following is a non-exhaustive list of considerations relevant to the evaluation of teaching effectiveness.

2.10.4.1 Professional Expectations

2.10.4.1.1 Syllabus Preparation and Submission

The syllabus, regularly updated, is the means for communicating contact information, office hours, text(s), educational techniques and procedures, learning objectives, learning assessment modes and rubrics, grading guidelines, and course policies in effect. Syllabi should follow the guidelines in Sec. 3.4.3. The faculty member is required to provide all of the students in each of his/her classes with an appropriate syllabus during the first week of that class. (See 3.4.3 for further details.)

2.10.4.1.2 Availability Outside the Classroom

Besides meeting classes regularly and promptly, the faculty member is expected to be available to students outside the classroom. Faculty availability for student conferences will be posted outside faculty offices and on syllabi.

2.10.4.1.3 Deadlines and Academic Policies

Each faculty member is responsible for meeting the appropriate academic deadlines and adhering to academic policies and procedures established by the Office of the Provost and the Academic Policies Committee.

2.10.4.1.4 Content Currency

Faculty will maintain teaching content currency through readings, annual professional conferences, workshops, and other professional criteria specific to the discipline.

2.10.4.1.5 Course Management

Faculty members are expected to conduct all scheduled classes, and to begin and end classes on time. In the rare instance that a class must be cancelled due to illness or a personal emergency, the faculty member must notify the Dean and the Provost before cancelling the class, and he/she must use all appropriate means to notify the students of the cancellation. Students are to be provided with information on their academic progress, receiving assessment feedback on their assignments, papers and exams punctually. Students are to be notified of their mid-term grades in each course. Faculty members are expected to ensure that course rosters and records are accurate. Final exams/assessments must be retained for a minimum of one year.

2.10.4.2 Teaching Performance

Teaching performance is divided into three general areas: course design, teaching implementation, and the assessment of student learning. Faculty members are expected to demonstrate excellence in all three of these areas.

Performance Categories:

2.10.4.2.1 Course Design

- a) Selection, currency and sequencing of content
- b) Selection of appropriate, imaginative and varied pedagogical procedures and materials (assignments, work sheets, handouts, electronic visuals, etc.)
- c) Selection and development of testing tools
- d) Inclusion of development of higher order learning skills analysis, creativity, application, evaluation and synthesis of interdisciplinary perspectives

2.10.4.2.2 Classroom Presentation Skills

- a) Classroom environment – student centered pedagogy,
- b) Integration of scholarship
- c) Discourse skills
- d) Leadership skills – seminar, internship, etc.
- e) Technology skills

2.10.4.2.3 Student Learning Outcomes Assessment

- a) Design of learning assessment tools – tests, projects and end-of- term/program assessments
- b) Use of assessment findings

2.10.4.2.4 Instructional Performance Criteria/Standards and Evaluation Rubrics

Teaching performance criteria include components that are universal (of which some examples are outlined above) and components that are discipline-specific. Each discipline uses an appropriate set of "national best practices in teaching" for the purpose of developing teaching performance standards and evaluation rubrics. All Marian faculty members are expected to excel as teachers and to meet both disciplinary and institution-wide performance standards. Guidelines regarding disciplinary standards are held within programs,

departments, or schools, and will be made available to faculty by their respective chair or Dean.

2.10.4.3 Course Analyses

Faculty are expected to review the quality and effectiveness of the courses they teach. At the end of each term, faculty reflect on each of their courses highlighting any new initiatives, describing any changes that are planned, and addressing any student concerns. These reflections must be submitted according to the Course Analysis procedure available on the Provost's portal page.

The purpose of the Course Analysis is twofold: to assist the faculty member in improving in the art of teaching and serve as a framework for self-reflection in the Annual Faculty Evaluation process, and to assist the program in curricular alignment and ongoing improvement. The individual Course Analysis resides within the program or department, although parts of it can be summarized in departmental and other reports.

2.10.4.4 Peer Evaluation

Faculty portfolios for pre-tenure and promotion and/or tenure review should contain peer evaluations as specified in the peer evaluation policy document found on the Provost's office portal page. The document includes instruments for evaluation of teaching performance and of course materials.

Peer evaluation policies are updated from time to time and approved by the Faculty Assembly through the Personnel Policies Committee report.

2.10.5 Department Expectations

2.10.5.1 Meetings

Members of the department are expected to regularly participate in academic unit meetings. Minutes of department meetings must be recorded and made available to all department members through the meeting organizer or dean. Minutes are to be retained by the department for a minimum of 2 academic years.

2.10.5.2 Program Support

The faculty member supports and promotes the programs of the school/department by development and implementation of student outcomes assessment, publicizing information, analyzing strengths, weaknesses, and future direction, assisting in recruitment, seeking grants or special funding, and assisting in budget planning, library development, and curriculum development. At the request of the department chair, dean, Provost, or President, the faculty member will assist in efforts to recruit and retain students, obtain financial gifts and grants and garner community support for programs of the department/school.

2.10.5.3 Program Assessment

Faculty members of a given department or program are expected to engage collaboratively in the assessment of student learning in order to provide assurance of program quality. This work will be documented through the submission of a plan for assessment, annual assessment reports, and periodic formal program reviews. Assessment findings from course analyses and program assessments will be used to guide program changes, review the program's effectiveness and sustainability, and to evaluate faculty performance. The procedure for the Program Review Process (see 3.6) is available on the Provost's portal page.

Annual summary reports of program assessment findings and course analyses for general education courses will be reviewed as appropriate by the Director of General Education, the Teaching and Learning Committee, and the Office of the Provost at the end of each academic year.

2.10.5.4 Student Advising

Academic advising is a responsibility of all faculty. The advising process for all students enrolled at Marian University is managed by the department of major interest and overseen by the Provost's Office. An advisor's handbook is distributed to all designated advisors by the Provost's Office.

2.10.5.5 Student Recruitment

Faculty members will actively engage with the staff of the Office of Enrollment Management in the recruitment of students in such ways as welcoming visiting students into the classroom or laboratory, writing recruitment letters, and calling prospective students.

2.10.6 Scholarship

The faculty member exhibits professional growth through one's scholarship, broadly defined, e.g. advanced study, consulting, research, professional service, professional reading, educational travel, and writing for publication. Each teaching faculty is encouraged to belong to at least one professional association and attend its meetings whenever possible. The Professional Development funding process should be used to request necessary expenses.

These memberships are encouraged for faculty to maintain currency, to have contact with counterparts at other institutions, to share scholarship with department colleagues, and to publicize Marian University. All professional publications are held in common in the department/school and then sent on to the library when appropriate.

2.10.6.1 Individual Initiatives for Faculty Scholarship

Scholarship is considered to be the broad category of performance that concerns the discovery and exchange of new information and interpretations as communicated to students, other scholars, and the general public. Marian University expects all faculty to be actively engaged in scholarship as an essential element of their faculty obligations. Each

discipline will develop a set of criteria and rubrics for the assessment and evaluation of faculty research/scholarship, using the following general definitions:

- a) The advancement of knowledge, original research based on original source materials, published in form of monograph or refereed journal article or presented at professional conference, may include contract research or other commissioned work.
- b) The integration of knowledge, synthesis of scholarship published in a variety of forums or presented at professional conferences, may include contract research or other commissioned work.
- c) The application of knowledge, public impact indicated by direct participation in public programming, exhibitions, media projects, professional service (editing journals and newsletters, organizing scholarly meetings, etc.), community service drawing directly upon scholarship such as state and local educational activities, grant writing, grant funding, and field practice/performance in the discipline.
- d) The transformation of knowledge through teaching, student mentoring/advising, research, writing and consulting in other fields, development of courses, curricula, visual materials, and teaching materials (including original and edited material and software), participation in content-based programs with the schools, participation in developing assessment materials, participation in any public forum as a teaching event.

Some of the above may be more appropriate as scholarship in a particular discipline. Each discipline identifies desired/appropriate modes of scholarly contributions in the field.

Documented guidelines for scholarship appropriate to tenure and promotion within each discipline are created by agreement between the chair and faculty members of that discipline with approval of the Provost and the Dean of the School or College, revised periodically as appropriate, and made available to the Promotion and Tenure Committee for use in candidate review. The guidelines are to be housed in the appropriate Dean's office in hardcopy and electronic forms for distribution to new faculty, and an electronic version is to be available on the Portal.

2.10.6.2 Institutional Initiatives for Faculty Scholarship

An important element of excellent teaching is disciplinary investigations, original research, and creative contributions to one's field. Such professional accomplishments raise the academic profile of the university and ensure disciplinary currency and up-to-date practices in the classroom, laboratory, and studio. The University supports faculty scholarship through the Professional Development budget. (See section 2.11.) Additionally, internal support may be available within some schools/colleges.

2.10.7 University Service

Marian University expects all faculty to be actively engaged in service as an essential element of their faculty obligations. Faculty members may be appointed or elected to serve on university governance or on committees. The faculty as a whole and each faculty member

individually has an unalienable primary responsibility for the whole academic institution in regard to the overall curriculum, faculty personnel (who deliver the curriculum), and the effective delivery of that curriculum in regard to teaching and learning. Other forms of service include: attending open meetings called by an administrator or committee, serving as an advisor to student organizations, and supporting the intellectual, athletic, cultural, religious and social activities which are part of university life. On-campus service includes registration of freshmen students, involvement in testing programs, and emergency teaching or proctoring duties.

Full-time and pro-rata faculty are required to take part in strategic planning and professional development meetings and major academic events, including the academic year opening and graduation ceremonies appropriate to their School or College (in academic regalia). For these major academic events, persons who cannot be present for rare and truly exceptional reasons must state their reasons in writing to the Provost and request to be excused.

2.10.7.1 Academic Community Cooperation

While members of the faculty have a primary responsibility to their own departments and programs, they are also members of the larger collegial community and are therefore expected to take initiative and make a demonstrated effort to work cooperatively with members of other departments/schools for the improvement of the University.

Central to meeting this obligation is active and responsible participation in the Faculty Assembly. Faculty have the primary responsibility for development and oversight of the University's curricula and are expected to contribute to and participate in faculty governance through active participation in the Faculty Assembly and appropriate committee service as defined in Section 1.7 and Section 1.11.

2.10.7.2 Recommendations to the Administration

Faculty are encouraged to offer recommendations on the operation of the University. Suggestions are welcomed and may be incorporated into the University's list of objectives whenever feasible. A recommendation should be addressed to the administrator concerned, and a copy should be sent to the executive officer supervising that area of administration.

2.10.7.3 Advisors for Student Classes and Organizations

Faculty members may advise student classes, clubs, and activity groups. See Sec. 3.1 for specific policy and procedures.

2.10.7.4 Community Engagement and Activities

As possible and appropriate the faculty are encouraged to actively participate in the community, academically and personally, by including community engaged learning in their classes and participating in community service and the athletic, cultural, intellectual and recreational activities on and off campus.

2.11 Professional Development

2.11.1 Sabbatical Leave

A faculty member may be granted sabbatical leave after six or more consecutive years of full-time employment at Marian University. Sabbatical leave is intended for the academic and intellectual growth of the faculty member. Approval for such leave shall be contingent upon the faculty member presenting plans for formal study, research, or other experiences which are designed to improve the quality of service of the faculty member to the University. Sabbatical requests require permission from the dean and the Provost, and approval by the Board of Trustees.

The number of all faculty member sabbatical leaves granted by the University during any fiscal year shall not exceed three percent of the full-time and pro-rata faculty members in any one year.

Sabbatical leave for faculty members shall be for not more than two semesters at one-half the salary which would have been paid had the faculty member been on full-time employment, or not more than one semester at the full salary which would have been paid had the faculty member been on full-time employment.

All faculty members receiving sabbatical leave are required to return to the University for at least one academic year of full-time service following the sabbatical leave, or to refund the full salary and institutional costs of benefits received while on leave. The University may at its sole discretion release the faculty member from this post-sabbatical obligation. If a faculty member returns but fails to perform this full one-year return-to-service obligation, then this repayment obligation shall be due in full, one calendar year after the end of the leave period or any subsequent, successive leave periods. A faculty member who cannot perform his or her return-to-service obligations due to death or permanent or total disability, shall be released of all repayment obligations. Determination of a faculty member's permanent and total disability to perform shall be made by the Office of Human Relations pursuant to the University's policies and procedures.

Faculty members, upon return from sabbatical leave shall be returned to their former positions or be assigned to positions of like nature and status and shall be granted incremental salary increases that were given during their leave. They shall be considered for merit increases as if they had served at the institution during such period. They shall maintain tenure, medical insurance benefits, accumulated sick leave, and all other accrued benefits.

The following criteria shall be considered by the Professional Development Committee and Provost in selecting the candidates for faculty member sabbatical leave:

- a) the merit of the objectives as they relate to improving the instructional program and enhancing the professional growth of the applicant, and where other institutions are

involved, evidence of acceptance of the faculty member's program or project by the institution offering the advanced study or research;

- b) years of experience at Marian University;
- c) previous leaves;
- d) distribution of applicants by academic area;
- e) needs of the university.

The annual appointments for all grantees of faculty member sabbatical leave shall include specific terms consistent with the terms of this Article.

2.11.1.1 Procedures:

The faculty member will prepare an application for a full year or semester sabbatical which states the applicant's proposed plan of action during the sabbatical. The proposal should include:

- a) a statement of purpose which identifies the benefits desired both for the applicant and for Marian University;
- b) a list of objectives or expected outcomes which defines specific tasks or expectations set by the applicant;
- c) the types of activity to be engaged in along with a timeline which projects how much time is needed for the proposed project; and
- d) a plan which demonstrates how the applicant will share the benefits of this experience with colleagues at Marian University

The applicant confers with the department chair and his/her Dean or, if the applicant is a department chair, with the Dean and the Provost to determine how the individual's campus responsibilities are to be reassigned during the sabbatical leave. A letter of recommendation by the department chair and the Dean must accompany the application. The letter must include the plan for responsibilities reassignment.

The application and letter of recommendation from the department chair are submitted to the chair of the Professional Development Committee by October 1 of the academic year which precedes the requested sabbatical leave.

The Professional Development Committee reviews all applications and may interview the applicants if more information is needed in order to understand the purpose and expected benefits of each proposal. The chair of the Professional Development Committee shall forward applications and recommendations of the committee to the Provost on or before December 1. If the proposal is not endorsed by the Professional Development Committee, the applicant may submit the proposal to the Provost with the committee's recommendation for further consideration. In all cases, the Provost shall review the applications and make a recommendation to the President and Board of Trustees.

The President reviews all applications and recommendations presented. The President may consult with the Professional Development Committee, department chairs, Deans and the Provost before submitting his recommended action on each application to the Board of Trustees. The President will submit his recommendations to the Board of Trustees for consideration at the first meeting of the calendar year (usually in March).

After reviewing the recommendation, the Board of Trustees may approve, deny, or postpone the sabbatical leave. The decision of the Board of Trustees must be communicated in writing by the Provost to the applicant no later than April 1.

Within ninety (90) days of resumption of his/her campus duties, the faculty member will submit a written report on the sabbatical year to the chair of the Professional Development Committee who will distribute the report to the members of the committee, the President, the Provost, Dean and the department chairperson. In addition, and in accordance with the objectives of the approved proposal, the sabbatical returnee will report to the faculty his or her sabbatical accomplishments.

2.11.2 Educational Leave

Consistent with the University's mission of excellence in teaching and learning, Marian University encourages ongoing faculty development and supports the following educational leave policy.

Unpaid educational leave may be granted to full-time and pro-rata faculty members after three years of continuous employment at Marian University. Educational leave is intended for faculty development directly related to the discipline. Approval for such leave shall be contingent upon the faculty member presenting clear educational goals and having completed a substantial portion of the work toward reaching these goals.

A written proposal, endorsed by the department chair and the Dean, is presented to the Provost before November 1 of the academic year preceding the leave and if approved by the Provost, is forwarded to the President by December 1. The decision to grant the leave is based on the merit of the proposal, the needs of the University and the availability of funds. Faculty continue to receive medical benefits during the absence, retain their position and rank, retain tenure rights, and will receive ordinary pay increases upon return. They will submit a written report to the Provost at the conclusion of the leave. Faculty seeking educational leave may qualify for professional development funds. Recipients of educational leave are required to return to the University for at least one academic year of service following the educational leave or refund the institutional costs (including benefits received while on leave and any professional development grants received).

2.11.3 Conferences and Travel

The University encourages faculty members to attend educational or professional meetings related to their discipline or work that will benefit both themselves and the University. To

assist members financially in attending these meetings, the University will pay the registration fees and costs associated with travel in accordance with the current guidelines.

The Provost approves attendance at conferences and meetings for faculty based on the available professional development budget as approved by the Board of Trustees. Faculty apply for support through the Professional Development Committee. Additionally, some Schools/Colleges may have internal funds available for this purpose.

2.11.4 Marian University Classes

Marian University faculty are entitled to undergraduate and graduate tuition remission in accordance with current University policies. See Employee Handbook 3.5.9.

Enrollment in MAP (Marian's Adult Program) classes at a discounted tuition rate is extended to all full-time faculty members. See Employee Handbook 3.5.9.

2.11.5 Teaching Professional Development

Marian University encourages, assists, and recognizes its faculty as they develop in the art and science of teaching.

The Center for Teaching and Learning, working in partnership with the Teaching and Learning Committee, supports and recognizes faculty in their development as teachers, and facilitates a variety of professional development opportunities. Details can be found on the CTL web site.

2.11.5.1 Faculty Development Workshops

These include large-scale professional development events hosted by the Center for Teaching and Learning, as well as professional development programming provided by the Provost's Office to support the strategic direction of the University.

2.11.5.2 Faculty Awards and Internal Grants

The awards and internal grants available to recognize and support faculty excellence in the areas of teaching, service, and scholarship are outlined on the Office of the Provost's website.

2.11.5.3 New Faculty Orientation

The Office of the Provost requires all new, full-time faculty to attend New Faculty Orientation as described in 2.3.4. Usually this includes an intensive orientation prior to the start of fall semester with continuing professional development meetings throughout spring semester.

2.11.5.4 Academic Continuity

All faculty in conjunction with academic unit leaders should have a contingency plan should they not be able to continue instruction in the manner planned given illness, emergencies, pandemics, loss of facilities, etc. To that end, all full-time faculty must complete training in the course management system prior to the end of their first year of instruction at Marian.

Online, self-paced options are available to all faculty and are part of new faculty orientation (see 2.3.4). Individual academic units may require both full-time and adjunct faculty to complete or demonstrate proficiency with using the course management system and necessary instructional tools prior to issuing an appointment.

All faculty are expected, at the minimum, to publish (activate) and provide the following information for their course(s) in the university's learning management system:

- a) syllabus
- b) calendar of assignments
- c) up to date accounting of students' grades
- d) explanation of or directions for major assignments / assessments, including the final assessment

2.12 Faculty Workload

2.12.1 Teaching Load and Overall Workload

The normal full-time teaching load is 24 credit hours, or the equivalent, in a given academic year. An equivalent full-time teaching load may be defined based on the needs of a department, school, or college, or based on the academic level of the courses and the associated responsibilities, by agreement of the department chair and/or dean of the school or college, and the Provost. Such persisting teaching load equivalency agreements will be available in written form from the office of the relevant dean. The teaching load for a typical faculty member teaching 24 credit hours in two traditional semesters would be approximately 80% of a faculty member's workload, with the remaining 20% divided between scholarship and service.

Teaching load may include courses delivered in the undergraduate or graduate programs, the College of Osteopathic Medicine (COM), other professional programs, or elsewhere within the University. It may include on or off campus courses and/or online courses as well as supervision of independent projects and graduate theses.

In addition to teaching, the normal faculty workload also incorporates professional development and scholarship, together with service which may include departmental duties including academic advising, committee assignments, and other administrative duties as assigned by the Chair and/or Dean.

The teaching workload of a faculty member may be increased or decreased by agreement between the faculty member and the department chairperson with approval of the Dean and Provost. A faculty member who accepts more than the normal teaching workload will receive additional compensation according to the overload pay schedule. Overload teaching hours should be arranged with faculty members as far in advance as possible. Faculty members may decline overload hours. (See also Sec. 2.10.5 Teaching Effectiveness.)

2.12.2 Non-Teaching Duties

For non-teaching duties see Department Expectations, Sec. 2.10.6, Scholarship, Sec. 2.10.7 and University Service, Sec. 2.10.8

2.12.3 Academic Year

The academic year can vary in length based on the instructional needs of a particular program. Payment is extended for all appointments over a twelve-month period. Under extraordinary circumstances, faculty on nine-month appointments may be asked to be available during the summer for meetings called by the Chair, Dean, Provost, or President, either in person or through electronic means. Faculty should inform their Chair or Dean regarding their expected availability during the summer and should attend to email and voicemail in a reasonable manner during summer breaks.

2.12.4 Marian University as Primary Place of Employment

The primary responsibility of the faculty member is to render to the University the most effective service possible and to devote full working time to the University. At the same time, consulting and other outside activities of a professional nature are encouraged by the University where such activities give the faculty member experience and knowledge valuable to professional growth and development. These activities may help the member of the faculty to make worthy contributions to knowledge, to contribute to instructional programs, or to otherwise make a positive contribution to the University or broader community.

2.12.4.1 Conflicts with Primary University Responsibility and Outside Activities

No full-time faculty member may hold a full-time or pro-rata faculty appointment at another institution of higher education while employed at Marian University.

No outside service or enterprise, professional or other, should be undertaken that might interfere with the full-time faculty member's primary responsibility to the University, as defined in Sections 2.9 and 2.11. While the faculty are encouraged to engage in outside professional activities and field-related community services, these must be clearly subordinate to their teaching activities, research, and University service responsibilities.

2.12.4.2 "Outside Activities" and "Outside Professional Activities"

For purposes of this section, "outside activities" and "outside professional activities" are distinguished as:

- a) "Outside activities" are those activities, compensated or uncompensated, which are not included, directly or indirectly, in a faculty member's appointment with the University and which are not related to the faculty member's academic specialty.
- b) "Outside professional activities" are those activities, compensated or uncompensated, which are related to the faculty member's academic specialty, which involve persons, entities or governmental agencies other than the University (an "outside" entity), or programs administered through or sponsored by an outside entity.

Examples of outside professional activities include:

- a) practicing a profession on a part-time basis;
- b) providing professional, managerial, or technical consulting services to an outside entity;
- c) serving on a panel, committee, or commission established by an outside entity;
- d) testifying as an expert in administrative, legislative, or judicial hearing;
- e) participating in or accepting a commission for a musical, dramatic, dance, or other artistic performance or event sponsored by an outside entity; and
- f) teaching at an institution other than the University.

Faculty are encouraged to participate in and to engage in professional organizations, seminars, and colloquia that are relevant to the educational process at the University and/or to the academic interests of the faculty member. Other professional activities may include the writing of scholarly books, monographs, and articles; acting as a reviewer or editor for professional journals or book manuscripts; or presenting occasional lectures or papers at meetings of an outside entity.

2.12.4.2.1 Applicable Procedures

All outside activities and outside professional activities are subject to University policy, such that conflicts or the appearance of conflict between such activities and the faculty member's primary responsibility can be avoided. However, in recognition that outside professional activities may make a valuable contribution to the University and/or to an individual's professional growth (as long as the activities are undertaken in a manner consistent with the full performance of the faculty member's primary obligations to the University), the following procedures are adopted:

- a) **Prior Authorization Required:** A member of the faculty must receive prior authorization from the department chair, Dean and the Provost prior to engaging in an activity which creates a conflict between one's primary responsibility and the outside. Approval to participate in an outside activity will not be unreasonably withheld if the conflict can be resolved;
- b) **Time Restriction:** Unless otherwise approved in writing by the Provost, time spent by full-time faculty members on outside activities and outside professional activities must be in addition to, rather than a part of, the normal full-time effort expected of faculty members for university work. The general guideline for time spent on such activities will be the equivalent of one work day (eight hours) per five-day week;
- c) **Use of University Facilities and Services:** University facilities, if available, may be used by faculty members in connection with the academic or scholarly activities described above. Reservations and confirmations of scheduling are processed through the Office of Conferences and Events. After 4:30 PM on weekdays and on weekends and holidays there may be a security charge. Faculty members may utilize the services of the administrative staff in his/her department or school to assist in the preparation of professional articles, papers, reviews, etc. Such assistance should not interfere with official work. Subject to University policies and procedures, facilities (including, with limitation, computers and

other equipment) may be used by faculty members in connection with outside activities and outside professional activities if available. In all cases, the faculty member or respective outside employer or sponsor will pay the rate established by the University for the use of the facility, equipment, materials, or services. Reservations and confirmations of scheduling are processed through the Office of Conferences and Events;

- d) Use of University Name, Trademarks, and Seal: The University's name, trademarks and seal are the exclusive property of the University, and, consequently, may not be used in connection with goods or services offered by any outside organization without the prior permission of the Vice President for Marketing Communications. Faculty members publish a considerable number of reports in the form of bulletins, circulars, scientific articles, monographs, and books, some of which are copyrighted and some of which are not. Material from such recognized publications is, of course, quotable, and proper recognition should be given to both the individual author and to the University in connection with such quotations. Official stationery may not be used in connection with outside activities except with respect to those academic and scholarly activities described above. No report or statement relating to outside activities may use the name of Marian University. The use of official college titles for personal gain or publicity is prohibited without the written approval of the Provost;
- e) Political Activity: Faculty members, as citizens, are free to engage in political activities, as long as university resources are not used. Any faculty member who wishes to engage in direct political activity which will involve a substantial amount of time away from the performance of University responsibilities (e.g., holding or running for political office, managing a campaign, directing group action on behalf of a political candidate or issue) is expected to work out a mutual agreement for a leave of absence with the department chair and the Provost before undertaking such activity. (See Sec. 2.13.2.) The term for such a leave of absence will be set forth in writing, and the leave will not unfavorably affect the tenure status of a faculty member, except that time spent on such leave will not count as probationary service unless otherwise agreed to.

2.12.4.2.2 University Responsibility for Outside Activities

The University assumes no responsibility for the competence or performance of outside activities engaged in by a faculty member, nor may any responsibility be implied in any advertising with respect to such activities. Faculty members may not represent themselves as acting on behalf of the University while engaged in such outside activities.

2.13 Intellectual Property and Sponsored Research

2.13.1 Intellectual Property Policies

“Purpose and Definition”

It is the policy of the University not to interfere with the long-standing and traditional rights of the faculty and staff to write, create, produce, or otherwise generate works or products which are copyrightable, patentable, or of commercial value, on their own initiative. Any such

materials written, created, produced, or otherwise generated by a member of the faculty shall remain the exclusive property of the faculty member, and that person shall have the sole right of ownership and disposition, except as noted below in “intellectual property” and “substantial use”.

Copyrightable materials include but are not limited to books, pamphlets, brochures, or other printed materials; films, video, or audiovisual; computer programs or computer-based instructional materials; musical compositions; and any and all copyrightable materials covered by the copyright laws of the United States or any foreign government, as amended.

Patentable works include but are not limited to inventions, creations, and any and all things patentable under the patent laws of the United States or any foreign government, as amended. Materials of commercial value are any materials which the University, in its sole discretion, determines to have commercial value.

Materials written, created, produced, or otherwise generated pursuant to or under the sponsorship of an outside agency or governmental grant shall be subject to the copyright, patent, and exploitation terms and conditions of said grant, contract, or agreement. If no such terms and conditions are stated, then the materials produced by the faculty member shall be subject to the terms of this policy.

Intellectual Property

Faculty-created curricular material from in person or online courses including but not limited to lectures, original audiovisual materials, classroom activities, and assessment material constitute the faculty member's intellectual property, unless specifically and voluntarily created as works made for hire. As components of faculty-designed courses, these curricular materials cannot be revised, edited, supplemented, or incorporated into courses taught by others without the written consent of the original creator, except as provided below. As a general principle, faculty members retain rights to all their instructional materials and scholarly works in perpetuity. If a faculty member leaves the University, the University also retains the right to use any instructional materials necessary for academic continuity and consistency with these limitations, unless other usage rights are established: 1) Images and recordings of individual faculty members who have left the University will be removed from all active courses within one year of the faculty members' departure. 2) Instructional materials may be used for up to one year after the faculty members' departure.

“Substantial Use”

The following resources may be used by faculty for their creative and/or intellectual pursuits at institutionally authorized levels without accounting for "substantial use" under this policy:

- a) personal office space;
- b) local telephone calls, e-mail;
- c) personal desktop or laptop computers and printers; Marian University computer systems, networks, servers, computer software, and data storage systems;
- d) library facilities & services;

- e) other faculty or staff as consultants in their personal time.

The following resources, when used by faculty for the writing, creation, production, or generation of copyrightable, patentable, or other commercially valuable materials constitute a substantial use of university resources and the faculty member shall keep accurate and detailed records reflecting his/her use of the resources. Records of utilization must include actual hours or quantity of use and estimated or actual cost or value of each resource used:

- a) university administrative services;
- b) plant and animal specimens;
- c) chemical supplies;
- d) long distance telephone calls; postage;
- e) Marian University owned or operated laboratories;
- f) specialty software that is not used in instruction;
- g) university paid access to external computing servers/services;
- h) any other university resource not included above, or any resource used at greater than an institutionally authorized level.

Prior to initiation of any activity that may use the above resources, faculty are encouraged to meet with the Provost and define exactly what will constitute normal or substantial use of these resources. A waiver of substantial use or an agreement can be provided by the Provost office for a specific activity.

All patent rights on Inventions resulting from “substantial use” of University resources shall be owned by the University. Any faculty Creator who conceives an Invention resulting from substantial use of University resources shall report the matter to their appropriate dean, who will, in turn, recommend whether or not to forward the matter to the Provost for consideration of protection and/or commercialization of the same. If the University decides according to the University's procedures that an Invention does not warrant patenting, the inventor is free to patent it. In the event the University decides to take no action with regard to an Invention, the University does not relinquish its right to publish any of the data obtained in the applicable research project. Unless otherwise agreed between the Creator(s) and the University, or unless otherwise specified in a contract with an external funding source relative to the patent rights in an Invention, profits shall be divided between the employee Creator(s) and the University (“profits” are defined as revenue after direct costs (e.g., cash expenditures, legal costs, etc.), excluding overhead), will be distributed according the percentages shown in Table 1 below. The faculty Creator(s) may, at their discretion, decide whether to share a portion of their respective revenues with student Creator(s).

Table 1
Marian University

	First \$250K	All profits over \$250K
Inventor(s)	60%	40%
Lab	15%	20%
University	25%	40%

For Copyrightable Works created by faculty and/or students involving "substantial use" as applicable to copyrightable works: 1) The Creator(s) shall retain ownership of the Copyrightable Work. 2) According to the University's procedures, the Senior Vice President for Personnel, Finance, Facilities, and Technology and the Creator(s) will use good faith efforts to negotiate royalties from the Copyrightable Work to the University, and the Senior Vice President for Personnel, Finance, Facilities, and Technology will have a written agreement prepared for signature by the Creator(s) for such royalties.

"Scholarly and Artistic Works"

Notwithstanding the "work-for-hire" principle, the ownership of textbooks, scholarly monographs, academic journal manuscripts, trade publications, maps, charts, articles in popular magazines and newspapers, novels, nonfiction works, supporting materials, artistic works, and like works created by faculty shall reside with the Creator(s) and any revenue derived from their work shall belong to the Creator(s) unless such work was created with "substantial use" as applicable to copyrightable works.

2.13.2 Sponsored Research

The Office of Sponsored Programs & Research (OSPR):

- a) partners with the growing and changing research community at Marian University to provide oversight, administrative structure, and consultation to enhance researchers' abilities to obtain and manage sponsored programs.
- b) prepares, reviews, and submits proposals to external sponsors and negotiates and accepts funding on behalf of the University for research, instruction, and other sponsored activity.
- c) supports the research community by establishing policies related to sponsored program funding, providing guidance and consultation, and serving as a formal liaison with the sponsor on administrative changes throughout the life of the award.

Information about the office and research policies and requirements are located on the Provost's website.

2.14 Leaves

Marian University policy on paid time off for faculty and staff can be found in the Employee Handbook.

2.14.1 With Pay

2.14.1.1 Holidays

Full-time and pro-rata faculty annual appointment compensation includes payment for all holidays designated by the President. Part-time faculty semester appointment compensation also includes payment for all holidays designated by the President which fall within the academic semester.

2.14.1.2 Vacation: Faculty

Members of the faculty employed for an academic year (nine months, week before classes begin to week after finals) follow the academic calendar and receive vacation days at designated non-class times (such as mid-term breaks, spring break, Christmas recess. It is understood, however, that during the first two weeks of this period the primary concern of the faculty is preparation of class and advising students. The week prior to the beginning of second semester, and the period between the end of classes and the final date for submitting grade reports are not considered vacation.

Faculty on twelve-month appointments receive paid vacation in addition to the statutory holidays in accordance with University policy as described in the Employee Handbook.

2.14.1.3 Sick Days/Short-Term Disability Leave

Sick days and short-term disability leave for faculty on twelve-month appointments follow the policies described in the Employee Handbook. The only difference for faculty with appointments less than twelve months is that sick days are earned on a pro-rated basis.

Sick or disabled faculty are not required to find suitable substitute teachers to fill their position nor to pay a substitute's salary during the period of sickness or disability.

2.14.1.4 Workload Reassignment for Faculty on Maternity Leave and

FMLA leave for full time faculty follows the guidelines laid out in the Employee Handbook. However, that policy does not address the issue of workload replacement for faculty. The following guidelines should be used to address workload replacement during an FMLA leave.

- a) Faculty and their supervisors are expected to work together to develop a plan based on expected date(s) of the leave.
- b) This plan cannot include pre-preparation of the faculty members workload, workload coverage during the leave or increased normal workload upon return that is not appropriately compensated and agreed upon by both the faculty member and the supervisor in writing.
- c) A contingency plan should be discussed as part of this plan.
- d) In the case of the birth of a child, the placement by a foster/adoption agency, and to care for that child:
 - a) For the benefit of the faculty member and the university, leave should not absolutely be tied to the delivery date of the infant or date of placement by foster/adoption agency.
 - b) With supervisor approval, leave may be initiated within 16 weeks of the expected date of delivery or placement by foster/adoption agency.

2.14.1.5 Absence

Absence may be unavoidable, as in the case of illness. In certain contingencies, absence may be permitted with notice to and approval from the department chairperson and/or dean and the Provost. Such contingencies include:

- a) attendance at professional meetings;
- b) performance of a duty required of one in an administrative capacity;
- c) demands (for short periods) because of illness, death, or a special occasion in one's family;
- d) unforeseen individual emergencies.

Emergency cases should be reported promptly to the Provost. There is no fixed number of excused absences. It is expected that excused absences will be kept to a minimum. (See also Sec. 3.4.6.)

2.14.1.6 Closure/Class Cancellation

Closure of the University and cancellation of classes is governed by the Marian University Emergency Procedures Handbook. Impact on faculty and staff is covered in the Employee Handbook.

2.14.1.7 Civil Duty Leave

See Employee Handbook.

2.14.2 Unpaid Leaves of Absence

Other leaves of absence, in general, are encouraged for the same reason as that given for sabbatical leaves; however, there may be other good and sufficient reasons for which a faculty member may require a leave of absence. While on such leave of absence, the member will not normally receive a salary. Any remuneration will be at the discretion of the President upon recommendation of the appropriate supervisor. The terms of such leaves of absence will be memorialized in a written agreement between the faculty and the University and are limited to a maximum period of two calendar years. (See Employee Handbook 3.4.2.)

2.14.2.1 Military Leave

See Employee Handbook.

2.14.2.2 Family and Medical Leave

See Employee Handbook.

2.14.2.3 Political Activity

See Employee Handbook.

2.15 Compensation

2.15.1 Full-Time Faculty

At the time of the initial appointment full-time teaching faculty receive compensation in accord with their academic rank and professional expertise. Other considerations include salary equity within the institution, with the local campus area, and among national peer institutions as determined by the Cabinet and the Office of Human Resources and approved by the Board of Trustees. A complete record of all faculty by rank, years of service to the University and current level of compensation is kept in the Offices of the Provost and Human Resources. Consideration will be given to maintain equity within each academic rank and to ensure that long-term faculty do not gradually slip behind newer appointees in compensation for comparable service.

Promotion in rank from assistant professor to associate professor and from associate professor to full professor are accompanied by structural salary increases. Such salary increases commence at the beginning of the appointment year in which the faculty member receives the promotion. Current figures for such structural salary increases are available from the Provost's Office.

2.15.2 Pro-Rata Faculty

Compensation for pro-rata faculty shall be determined based upon the appointee's credentials, academic rank, expertise, and specific assignment of responsibilities. (See Sec. 2.1.1.2.) The actual compensation is in direct proportion (half or three-quarters) to the appointee's appropriate rank and seniority.

2.15.3 Part-Time Per Course Faculty

Compensation for part-time per course faculty is determined on a per credit-hour basis for lecture/lab courses, and in accord with the appointee's academic preparation (degrees), professional expertise, and experience. Specialized areas with a greater ratio of contact hours to credit hours (such as clinical supervision, studio art) factor in the number of contact hours and student-teacher ratio.

2.16 Review and Grievance Procedures

2.16.1 Intent

The University recognizes and endorses the importance of academic due process and of adjusting grievances properly without fear of prejudice or reprisal. Accordingly, the University agrees that it will use its best efforts to encourage the informal and prompt settlement of grievances, and the orderly processes hereinafter set forth are designed to protect academic due process, academic freedom, and tenure. It is the intent of the University that these processes be the sole method for the resolution of all grievances. Although grievants are permitted to seek legal counsel outside the University community, legal counsel is not permitted to be present during any committee hearings, except the formal grievance hearing.

2.16.2 Definition

A grievance is defined as an allegation by a faculty member, or group of faculty members, that there has been a claimed breach, misinterpretation, or misapplication of university policy or procedure, or infringement of the rights of a faculty member as set forth in Sec. 2.0 of the Faculty Handbook. A grievance may not be filed in cases of termination of programs or of financial exigency as approved by the Board of Trustees. All other terms and conditions of employment that are policies or procedures of the university are subject to the grievance process; however, only grievances involving the following may be processed beyond the Informal Procedures set forth in Sec. 2.16.3.1:

- a) dismissal, for alleged just cause, of a tenured faculty member or an untenured faculty member within the term of the individual appointment; or
- b) suspension, for alleged just cause, of a tenured faculty member or an untenured faculty member within the term of the individual appointment or pursuant to Section 2.9.4.2; or
- c) termination (except for financial exigency, enrollment emergency, or change in the education program) of a tenured faculty member or an untenured faculty member within the term of the individual appointment; or
- d) claimed infringement of the procedural rights of an untenured faculty member, as set forth in Sec. 2.0 of the Faculty Handbook, or claimed violation of academic freedom or illegal discrimination in connection with non-reappointment of the faculty member. However, substantive grievances regarding the non-reappointment decision or the grounds for such decision may not be processed beyond the informal procedures; or
- e) claimed infringement of the procedural rights of a faculty member, as set forth in Sec. 2.0 of the Faculty Handbook, or claimed violation of academic freedom or illegal discrimination in connection with denial of promotion or tenure. However, substantive grievances regarding the non-reappointment decision or the grounds for such decision may not be processed beyond the informal procedures.

2.16.3 General Grievance Process

Before a grievance can be initiated, the faculty member(s) will meet with the Faculty Ombudsman to review the concern to see if a resolution can be obtained through informal mediation and to ensure the concern is an action that can be grieved. The goal is to quickly resolve concerns as close to the source as possible.

If the concern moves forward to a grievance, the process begins as an informal grievance and may progress to a formal one. The process begins at the departmental level and progresses, if necessary, to the Dean of the School, the Provost and finally to the faculty Personnel Policies Committee.

If not resolved, the formal process of the grievance procedure begins with the grievance being submitted by the faculty member to the faculty Board of Appeals.

2.16.3.1 Informal Procedures

Resolution of all faculty grievances will begin with the chairperson of the department or Dean if no chairperson exists or if the chairperson is the grievant. If the grievance cannot be resolved with the chairperson, and the grievant wishes to continue the grievance, written documentation must be submitted by the grievant to the Dean of the School within seven (7) calendar days from the last meeting with the chairperson regarding the grievance. If the grievance cannot be resolved with the Dean, and the grievant wishes to continue the grievance, written documentation must be submitted by the grievant to the Provost within seven (7) calendar days from the date of the last meeting with the Dean regarding the grievance.

If the grievance cannot be resolved with the Provost and the grievant wishes to continue the grievance, the grievant may petition the faculty Personnel Policies Committee for redress. The petitioner must set forth in detail (a) the nature of the grievance, (b) against whom the grievance is directed, and (c) the remedy being sought. It shall contain any information which the petitioner deems pertinent to the case.

The committee will hear grievances in an informal manner, attempting resolution. When the presented grievance involves multiple points, those points, which are also formally grievable, shall be treated first.

The procedure is:

- a) gather information, interpret the relevant Handbook section(s), and clarify the two positions;
- b) suggest solutions, in writing, to the two parties;
- c) arrange a meeting, to find common ground;
- d) summarize terms of the remedy or the parties' refusal.

The chair of Personnel Policies Committee submits a written record of points (a-d) to the parties and the Provost within 30 business days of the notice of the grievance which includes the following:

- a) summary of preliminary findings and applicable facts;
- b) identification of the relevant sections of the Handbook;
- c) a recommendation to the parties and to the Provost and President of the University about options for formal grievance or possible resolutions for consideration.

In the event that no resolution can be found to a formally grievable point, the formally grievable point shall be submitted to the faculty Board of Appeals through a formal grievance procedure as set forth in section 2.16.3.2.

If formal legal action is initiated, grievance procedures are discontinued.

2.16.3.2 Formal Procedure

If the grievance cannot be resolved by informal methods, the faculty member may elect to submit the grievance to the faculty Board of Appeals. The written grievance shall set forth in detail the following:

- a) the alleged wrong and how it is related to the Handbook Section 2.16.2;
- b) against whom it is directed;
- c) the relief and/or remedy sought by the grievant; and d.) any other data deemed pertinent by the grievant.

The written grievance shall be submitted to the faculty Board of Appeals by the grievant within seven (7) business days of the completion of the informal grievance procedure. The faculty Board of Appeals can grant an extension of seven days upon receipt of a written request. No more than two extensions, for a total of fourteen business days, will be granted.

2.16.3.3 Grievance Procedure: Formal Grievance Hearing

When a formal grievance hearing is to be conducted, the faculty Board of Appeals will notify the parties involved and the President in writing.

The faculty Board of Appeals will set a date, time, and place for the grievance hearing that is agreeable to all parties concerned. The hearing should begin within fourteen (14) calendar days after receipt of the grievance by the Board of Appeals.

2.16.3.4 Due Process in Grievance Proceedings

- a) A grievance hearing is a confidential process, and the parties will treat all information exchanged during the hearing process as confidential information and shall make no statements about the case during the course of the hearing.
- b) During the proceedings, the parties will be permitted, at their expense, to have counsel of their own choice present. Such counsel will be limited to advising his/her respective client and may speak to the faculty Board of Appeals panel only if requested by the chair.
- c) All parties to the grievance will have the right to call witnesses and present evidence. Both the grievant and the University will cooperate with the faculty Board of Appeals in securing witnesses and making available documentary and other evidence requested by the parties to the extent not limited by appointment or law. All parties will have the right to question all witnesses, either by face-to-face examination or, if the witness cannot appear in person, through other means.
- d) If either the University or the faculty Board of Appeals feels that an independent medical and/or psychological opinion would be helpful in its deliberations because the grievance is directly based on medical or psychological factors, it may require the faculty member filing a grievance to undergo a medical and/or psychological examination by an appropriate professional of the requesting party's choice and at the requesting party's expense. If the grievant fails to comply with such a requirement by the University or the faculty Board of Appeals, the faculty Board of Appeals will dismiss the grievance.

- e) The faculty Board of Appeals will grant appropriate continuances of not more than seven (7) days each to enable either party to investigate evidence, or for any other appropriate reason; however, no more than 2 continuances may be granted to either party.
- f) In all cases except dismissal or suspension, the burden of the proof shall be on the grievant.
- g) The faculty Board of Appeals will not be bound by strict rules of legal evidence. Every possible effort will be made to obtain the most reliable evidence.
- h) The hearing proceedings shall be recorded by the University and made available to the faculty Board of Appeals. Each party may obtain a copy of the record at its own expense.
- i) The decision of the faculty Board of Appeals will take the form of findings of fact, conclusions, and recommended disposition of the grievance. The finding of fact, conclusions, and the recommended disposition must be based solely on the hearings record, pertinent university procedures as set forth in the Handbook, and state and federal laws
- j) The faculty Board of Appeals will present its advisory decision in writing within seven (7) calendar days of the conclusion of the hearing to both parties and the President of the University. This decision, insofar as it consists of a recommended disposition of the grievance, may be either accepted or rejected by either party in writing within seven (7) calendar days after issuance of the decision by the faculty Board of Appeals.

2.16.3.5 Appeal to the President

Either party may, within seven (7) calendar days of issuance of the advisory decision of the faculty Board of Appeals, file a written appeal to the President who shall review the record and issue a written decision within seven (7) calendar days of receipt of the appeal.

2.16.3.6 Appeal to the Board of Trustees

If the President is a direct first party to the grievance, either party of the grievance may file an appeal to the Board of Trustees within seven (7) calendar days of the issuance of the advisory decision of the faculty Board of Appeals. An appeal to the Board of Trustees must be filed with the President who will forward the appeal to the chairperson of the Board of Trustees. The Executive Committee shall be the sole judge of any involvement of the President in their deliberations. The Executive Committee of the Board of Trustees will then review the record of the case at its next meeting and will render the University's final decision on the grievance within seven (7) calendar days of that meeting to all parties.

2.16.3.7 General Provisions

The filing or pendency of any grievance under the provisions of Sec. 2.16 shall not prevent the University from taking the action complained of, subject, however, to the final decision on the grievance.

Failure at any step of this procedure to communicate the decision on the grievance within the specified time limits, or such additional period of time as shall be mutually agreed upon in writing, shall permit the grievant to proceed to the next step.

Failure at any step of this procedure to appeal a grievance to the next step within the specified time limits, or such additional period of time as may be mutually agreed upon in writing, shall be deemed to be acceptance by the grievant of decision rendered at that step.

Extensions of time will normally be granted for good and sufficient reasons (e.g., illness) by mutual agreement.

3.0 UNIVERSITY POLICIES AND SERVICES

University policies and services applying to all Marian University employees can be found in the Employee Handbook. The following policies are those with particular relevance to faculty and are provided only for convenience. Faculty are expected to use the current form of these policies as found in the Employee Handbook posted on the University portal.

3.1 Advisors for Classes and Organizations

Advisors for classes and organizations are appointed by the program, department, or school.

An advisor serves primarily as a liaison officer between the University and the student organization. Advisors should use their knowledge, training, and expertise to help their organization develop realistic goals and attain specific organizational objectives. The advisor's role is to inform, advise, counsel, recommend, and caution; an advisor is expected to contribute mature judgment and knowledge of the University's expectations. The Student Activities Handbook, available from the Dean of Students or the Director of Student Activities, includes further information and specific responsibilities.

To assure coordination and direction of the various student organizations on campus, advisors need to communicate on a regular basis with club officers and members. Specific guidelines for accomplishing these objectives are:

- a) Advisors should have a close working relationship with organization/class officers and attend meetings on a regular basis. Advisors should encourage their organizations to prepare an agenda and to give advance notice of their meetings to organization members.
- b) The advisor should keep the Director of Student Activities informed of organizational meetings, projects, and activities. A copy of the minutes of organization meetings should be distributed to the Director of Student Activities.
- c) The advisor should be familiar with the purposes and stated aims of the organization and ensure that the organization operates within these guidelines. This requires knowledge of and access to the organization's constitution, minutes, and records of past activities.
- d) If, in the opinion of the advisor, the organization has failed to abide by its constitution and stated aims, and if resolution of these issues within the framework of the organization proves impossible, the Director of Student Activities should be consulted.
- e) The advisor should be well informed about procedures required by the University for scheduling organizational activities and events as enumerated in the Handbook for Student Organizations and other student publications available from the Director of Student Activities.

Organization advisors are required to be present at functions held by their organizations.

3.2 Family Education Rights and Privacy Act (FERPA)

3.2.1 General Policy on FERPA

The Family Educational Rights and Privacy Act of 1974 is a federal law which states that students attending a post-secondary institution, former students, and the parents of dependent students have the right to request an examination of official student records maintained by the institution on that particular student. (Some restrictions are spelled out below in Sec. 3.2.2.) The law also provides the opportunity for a hearing to challenge the records on the grounds that they are inaccurate, misleading, or inappropriate. In addition, the provisions of FERPA require that, unless exempted by special sections of the Act, the institution will obtain the written consent of the student before releasing personally identifiable data about the student.

Official records include both academic and non-academic data. Academic records are located in the Office of the Registrar. They include information regarding courses, grades, standardized test scores, grade point, degree and award(s) received, dates of attendance, etc. Academic records dealing with violations against academic integrity are kept in the Office of the Vice President for Academic Affairs. Nonacademic records can be located through the Office of Student Affairs.

Faculty and staff are expected to comply with the requirements of FERPA. The full text of FERPA (also known as the Buckley Amendment, 34 CFR part 99) is available in the Office of the Registrar. The description herein is by no means exhaustive and is not a substitute for details contained in the full text.

3.2.2 Restrictions on Student Access to Records

The official set of records that are available to the student upon request do not include the following:

- a) personal records kept privately by faculty or staff;
- b) letters of recommendation that are intended to be confidential and are only used for that intent;
- c) "Parent's Confidential Statement" and "Financial Need Analysis Report;"
- d) employment records for University employees who are not also current students.

3.2.3 Disclosure without Student Consent

No person outside of Marian University shall have access to nor shall personnel at Marian University disclose any personally identifiable information from a student's educational records without written consent of the student. The consent specifies the records to be released, the purpose of the disclosure, the people to whom disclosure may be made, and must be signed and dated by the student. However, under FERPA, Marian University can release designated "Directory Information" as well as disclose to faculty and administrators and others with "legitimate educational interest." (Details on what constitutes "legitimate educational interest" is more fully articulated in the text of FERPA.)

a.) Directory Information

Directory information includes: student's name; campus and off campus addresses; telephone number(s); e-mail address; voice mail number; date of birth; major field of study; full-time/part-time status; participation in University activities and sports; physical and performance statistics of members of athletic teams; dates of attendance; degrees, awards, and honors, including the Dean's list; most recent previous institution attended by the student.

b.) Access by those with "legitimate educational interest"

Faculty and administrators with "legitimate educational interest" have access to the student's University records. Generally, the Registrar or Dean of Student Affairs will determine the validity of this legitimate interest.

3.3 Library Policies

A full set of library policies, including a description of library privileges for faculty and staff and procedures for scheduling of the use of the Mother Theresa Hackelmeier Memorial Library space, appears in the Employee Handbook.

3.3.1 Collection Development

Faculty are encouraged to play an active role in collection development, as they are the subject specialists in their area. Material requests are considered on a rolling basis as resources permit, and should be submitted via the library's website or emailed to librarystaff@marian.edu.

3.3.2 Emeritus Faculty Privileges

Study carrels are available for retired and Emeritus faculty as space allows, with the permission of the Provost's Office.

3.3.3 Collection and Faculty Services

The library provides 24/7 access to many electronic databases and eBooks through the library website. Consult any of the Librarians for particulars about the resources and services that are available. Librarians are also available to consult with faculty in building assignments that incorporate library resources and instructing students on using library resources for research.

3.4 Curriculum and Classroom Policies

3.4.1 New Academic Program Proposal Submissions/Deletions

This section contains policies and procedures for the establishment, discontinuation, and modification of academic programs, including majors, minors, and certification areas.

Proposals may originate within the University community or in collaboration with an outside constituency. If the proposal is initiated by an external group or by someone in the University in collaboration with an external group, discussion with the appropriate departments will be initiated by the dean after consultation with the Provost. The new program will be submitted to the Academic Policies Committee by the appropriate department or school.

3.4.1.1 Proposals for New Programs

Proposals for any new programs must include the following:

a) Narrative description of the program:

- 1) Description for the catalog.
- 2) Type of degree to be earned.
- 3) Objectives of the program in terms of student learning outcomes.
- 4) A list of existing and new department courses by catalog number, title, and units of credit required.
- 5) A list of required/support courses required in other departments.
- 6) Unusual or unique characteristics of the proposed degree program. Availability at other surrounding institutions.
- 7) Accreditation available in the field.

b) Justification of the program:

- 1) How the program helps to achieve the mission of the University and academic department and the goals of the University's strategic plan.
- 2) How it meets the needs of contemporary society.
- 3) Who is the target market?
- 4) What is the competition from other schools with similar programs? What is the projected interest from prospective students over the next 5 years?
- 5) What is the employment potential if employment is one of the objectives?
- 6) The value of the program to current and future students, the University, and society.
- 7) Community partnerships and other justification.

c) Impact Statement:

- 1) A pro forma indicating the impact on resources must be completed using the template provided by the Finance Office. This includes information on the potential for enrollment, department staffing, staffing in other departments, and impact on university resources.
- 2) The pro forma will be reviewed and approved by the Senior Vice President for Finance and Business Operations or his/her designee for fee structure and analysis of financial cost to the University before submission to the Academic Policies Committee.

d) Implementation:

- 1) The Academic Policies Committee receives the pro forma and forwards their recommendation on the proposal to the Faculty Senate within 20 business days of receipt by the APC Chair.

- 2) The Faculty Senate has 15 business days to consider the committee's recommendation and submit their response.
- 3) The action is forwarded to the President and the Board of Trustees. The Board of Trustees' decision is final.

3.4.1.2 Proposals to Discontinue Programs

Proposals to discontinue a program may be submitted to the Academic Policies Committee by the Provost or the supervising department/school/college prior to March 1 and must include the following:

- a) rationale; reason the program is no longer sustainable;
- b) impact statement; effects on enrollment, staffing, current majors;
- c) implementation.

The Academic Policies Committee must consider the proposal at their next meeting or within 30 days of receipt by the APC Chair, whichever is sooner; after which:

- a) The Committee will forward the proposal to the Faculty Senate with the committee's recommendation.
- b) The Faculty Senate has 30 business days to consider the committee's recommendation and act. It will be placed on the agenda for the next Faculty Assembly meeting. If necessary, the Presiding Officer or the Provost may call for a special session to process the recommendation.
- c) The faculty's action is forwarded to the President and the Board of Trustees. The Board of Trustees' decision is final.

3.4.2 Introduction and Deletion of Courses

3.4.2.1 New/Revised Course Submissions

Before a new course or a revision in the content of a course is submitted to the Academic Policies Committee, the following is required:

- a) rationale for addition/revision of the course;
- b) description of how the course fits into the department/general education curriculum;
- c) syllabus following guidelines in the Handbook, Sec. 3.4.3.
 - 1) Objectives written in student learning outcomes format;
 - 2) If a general education offering, linkage of the course objectives to the general education goals and objectives.
- d) course number following the previously approved numbering system guidelines. New numbers cannot duplicate previously used numbers for at least three catalogs. The Registrar assigns course numbers.
- e) date of introduction into the curriculum; frequency of offering;
- f) impact; enrollment projections, faculty, resources including lab space and equipment.
- g) Review and approval by the Senior Vice President for Finance and Business Operations or his/her designee for fee structure and analysis of financial cost to the University

3.4.2.2 Course Deletion Proposals

- a) rationale for the deletion of the course;
- b) impact on majors, minors, or other programs, majors requiring the course as a requirement of the major;
- c) effective date.

3.4.3 Syllabus Format

The faculty member will upload their current course syllabi by the third week of class to the faculty activity reporting system each time a course is offered. An asterisk (*) indicates items required for new course submission to the Academic Policies Committee. Such syllabi should include:

LOCATOR INFORMATION:

- Date submitted
- Department
- Course number, title, room, time, days of meeting, semester, year, Instructor
- Credit: includes semester hours of credit, number of lecture and lab periods per week.
- Text: including lab manuals or suggested references when applicable; a lengthy bibliography is not needed here.
- Course description: must correspond to that given in the catalog.

*LEARNING OUTCOMES AND INSTRUCTOR EXPECTATIONS:

Learning outcomes of the course:

The student learning outcomes should include some assessable outcomes and the method of assessment used in the course. Where applicable (such as in a required course for a major), course level student learning outcomes should be linked to program level and/ or general education level learning outcomes.

Methods, Procedures, and Performance Criteria Expected:

State the specific topics to be covered in the course and the methods that the course will take towards those topics (e.g., experiments, primary source readings, secondary source readings, experiential learning, etc.). State the course assignments or deliverables (reading journals, quizzes, tests, papers, presentations, group discussions, performances, etc.). Outlines of assignments may be included on the syllabus itself or elsewhere as indicated in the syllabus (such as on the Learning Management System (LMS, currently Canvas)). Where some specialized background knowledge or skills are prerequisite for success in the course (such as a level of reading or speaking ability in a non-English language or a level of performance ability with an instrument), this should be indicated as well.

Course requirements:

Identify the type and number of activities or deliverables required of students in the course, for example: book reviews, quizzes, class presentations, unit or term paper(s), performance,

skill acquisition, class or seminar participation, and other appropriate activities. Indicate how grades for each kind of assignment contribute to the overall final grade in the course.

Attendance policy for the course: a clear statement of whether/how attendance will be considered for determining adequate learning; this policy may vary across course formats. For example, classes using group work (English composition, acting, etc.) are ineffective without regular attendance by all members. It is generally accepted practice that absences in excess of 20% of total semester class hours would result in failure/unofficial withdrawal. The policy that best facilitates the learning objectives is set by the instructor and must be clearly stated on the syllabus.

***ASSESSMENT PROCEDURES AND EVALUATION CRITERIA:**

The criteria for judgment and the means proposed to assess student learning and performance, such as assignment rubrics, may be included in the syllabus itself or elsewhere as indicated in the syllabus, such as on the LMS.

Testing Program and Criteria for Grading: the criteria for grading should follow from the objectives of the course; that is, indicate the specific learning, laboratory, performance, or research outcomes that are essential for a student's work to be judged adequate or superior.

COURSE OUTLINE:

The syllabus should include a day/week listing of topics, assignments, tests, evaluations for the semester. This may be a general overview of expected progress. However, "due dates" for specific projects, term paper(s), and major tests serve as helpful guides to students. The syllabus may also refer the student to the course outline provided via the LMS.

3.4.4 Use of Copyrighted Material

Individual faculty members are responsible for knowing and observing the laws concerning the use of copyrighted material as stated in Section 107 of the Federal Copyright Law Revision of 1978. Limited reproduction or online posting of copyrighted material for educational purposes may be permissible under the provisions of Fair Use.

Copyright law does not indicate a specific size, number of pages, or percentage of a total work to meet the conditions of Fair Use. Determinations must be made by the faculty member for each individual circumstance, considering the following four factors:

- a) "the purpose and character of the use, including whether such use is of a commercial nature or is for non-profit educational uses;
- b) the nature of the copyrighted work;
- c) the amount and substantiality of the portion used in relation to the copyrighted work as a whole; and
- d) the effect of the use upon the potential market for or value of the copyrighted work."

A Fair Use Checklist is a tool that guides a user through the four factors when making a Fair Use determination. The checklist can also be kept as a record of the decision process should the Fair Use decision be challenged by a copyright holder.

If a faculty member evaluates all four factors and determines that Fair Use applies, they may provide access to digital content by posting it online. When sharing copyrighted material online, access must be:

- Password protected. The LMS serves this purpose.
- Limited to students enrolled in the course.
- Limited to the term of the course.

Films accessible through personal streaming subscriptions are not licensed for classroom use, and there is not a copyright exemption in this situation.

Marian University librarians can provide resources to assist faculty with copyright determinations and with linking licensed resources directly to the LMS. Additionally, the library may own, or be able to purchase, licensed books, articles, or streaming films for educational use. Faculty should contact the library for additional information or assistance in this area.

3.4.5 Course Examinations and Testing

Any type of examination may be used by members of the faculty as appropriate to assess the students' progress in meeting the objectives of a course and to demonstrate their proficiency, understanding, critical thinking, and/or creativity. The University encourages regular assessment as an aid to both instructor and student, but the frequency of testing is left to the individual instructor. However, at least one formal assessment should be given in each class before the midterm date and the student's standing at midterm reported to the student and to the Registrar.

The date, time, place, and duration of the semester examinations are scheduled in the Office of the Registrar and posted well in advance. Courses may end with a final exam, or with a final project or oral assessment or report or other assessment of student learning. These final assessments are to be due during (but not before) the specified finals week in the format the class is offered, unless deviation from this policy is cleared by the Dean.

3.4.6 Reporting Faculty Absence from Class

3.4.6.1 *Unexpected Absence*

Faculty members are to notify their department chair (if applicable) and the Dean of their School or College if they are unable to hold their classes. Faculty should indicate the arrangements they have made for their students, such as a guest lecturer, video lecture, discussion, etc. Faculty are to use every reasonable means to notify students of a cancellation. Students are not required to wait longer than fifteen minutes in the event of the absence or delayed arrival of an instructor unless the group has been informed that the instructor will arrive later.

3.4.6.2 *Planned Absence*

Faculty members are to seek approval from their department chair (if applicable) and from the Dean of their College or School to cancel classes. Initial requests are to be made no less

than two weeks in advance of the planned absence. The Provost must be notified of the absence.

The faculty member is to provide a mechanism for the members of the missed class(es) to receive advance notice that the class will not meet and information about how the missed classes will be handled. This information is included in the initial request for approval made to the department chair (if applicable) and to the Dean of their College or School.

3.5 Registrar's Policies

The following applies to most academic programs that follow a traditional semester-based calendar.

3.5.1 Course Offering

The Course offering is available in the Enrollment Management System (EMS, currently MUHUB) by March 1 for the subsequent fall semester, by October 1 for the spring semester, and by February 15 for the summer semester. Offering information is gathered from colleges, schools, and departments 4-6 months leading up to the availability date in MUHUB.

3.5.2 Census Attendance Reporting

During the second week of the fall and spring semesters, the Registrar's Office will collect census attendance data from instructors. The instructor will access their census roster in MUHUB and mark students accordingly following instructions provided by the Registrar's Office.

3.5.3 Registration Changes

The periods for registration and for adding or dropping classes are published in the university calendar which is available on the Marian University website. Registration changes can be made directly within MUHUB.

3.5.4 Reporting Grades

Instructors report all grading information (midterm and final) within MUHUB. Midterm grades are required for full semester undergraduate courses. Final grades are required for all courses at all academic levels. Faculty will report grades following instructions provided by the Registrar's Office.

3.6 Program Evaluation Policies

The purpose of the program review process is to formally review the effectiveness and sustainability of all academic programs offered at the University. The review provides an essential opportunity for self-examination and reflection on the academic programs as a means

to improve the quality of the educational experience for our students. The review also provides a chance for each program to reflect on its role in the overall mission, priorities, and strategic direction of the University. A multi-year calendar for the dates of the program reviews is published on the Provost's portal page. The Teaching and Learning Committee assists programs in preparing for this process. The Program Review Board reviews the final report, in a meeting open to any of the program's faculty. After the meeting, the Program Review Board submits a report to the Provost with its recommendations. The Provost reviews the recommendations of the Program Review Board together with the program's report, and notifies the program's leadership of the final decision regarding the program's status and any future expectations or actions.