

**SIMMONS UNIVERSITY
FACULTY POLICY MANUAL
2019-2026**

2021 Revision



Approved by the Simmons University Faculty, June 17, 2021

Approved by the Board of Trustees October 22, 2021

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SECTION 1. GENERAL MATTERS

1.1 DESCRIPTION AND PURPOSE OF *FACULTY POLICY MANUAL*

The Faculty of Simmons University (the “University”) consists of the Faculties of the College of Organizational, Computational, and Information Sciences (COCIS); the College of Natural, Behavioral, and Health Sciences (CNBHS); the Gwen Ifill College of Media, Arts, and Humanities (Ifill); and the College of Social Sciences, Policy, and Practice (CSSPP) (the “Colleges”). This *Faculty Policy Manual* (the “*Manual*”) represents a collaboration between the Faculty and the Administration of the University supported by the Board of Trustees of the University.

The Faculty, the Administration, and the Board believe that establishing agreed upon policies will enhance their joint efforts to advance the mission of the University. They share a belief that a university “in which all of the components are aware of their interdependence, of the usefulness of communication among themselves, and of the force of joint action will enjoy increased capacity to solve educational problems” (AAUP, *Policy Documents and Reports*, 9 ed., 2001, p. 218).

The *Manual* sets forth general policies for all faculty of the University. As noted in Section 1.4 of the *Manual*, *Implementation Guidelines* provide University-wide guidelines that operationalize specific provisions of the *Manual*. The *Implementation Guidelines* complement and work within the *Manual’s* framework of policies and principles.

The Faculty of each College and the Board of Trustees have approved and adopted this *Manual* as evidence of their joint commitment to the fundamental principles and policies enumerated below.

1.2 FUNDAMENTAL PRINCIPLES

The relationship among the Administration, the Board, and the Faculty is grounded in three core principles:

- A commitment to meaningful participation of faculty in decisions that advance the mission of the University through a framework of *shared governance*;
- A commitment to *academic freedom* and the promotion of open, civil dialogue on all matters;
- A commitment to the pursuit of *collective excellence and social justice* through teaching, research, scholarship and creative works, and service.

1.2.A Commitment to Shared Governance

Simmons University is committed to the concept and principles of shared governance, recognizing that transparency, communication, and accountability among its Board of Trustees, Administration, and Faculty enhance our ability to fulfill our mission, to achieve our strategic goals and to solve educational problems. Shared governance strengthens the quality of leadership and decision-

making. It promotes a culture of consultation and collaboration. It encourages diversity of ideas, and enables us to draw on our collective expertise in institutional planning and problem-solving.¹

Effective shared governance requires a common understanding and recognition of the respective roles and responsibilities of the Faculty, the Administration, and the Board and the specific areas of perspective, expertise, and delegated authority for each, recognizing that all decisions are subject to the ultimate authority of the Board. The ways we enact shared governance will vary from situation to situation, as the circumstances of each situation vary. Similarly, the level or degree of participation in a particular decision by the Board, the Administration, and the Faculty will depend upon the facts of that situation, the roles and responsibilities of those involved, and the particular expertise required.

We commit to working together in a collegial and transparent manner, with mutual trust, integrity, and accountability for developing and implementing consistent and common shared processes that reflect the qualities of shared governance.

1.2.B Commitment to Academic Freedom

Simmons University endorses the following principles drawn from the classic AAUP Statement of Principles on Academic Freedom, which since 1940 has provided a highly respected statement of the professional ethics and standards that guide the academy.

“Academic freedom is the indispensable quality of institutions of higher education” (2010 AAUP at <http://www.aaup.org/AAUP/issues/AF/>). Simmons University is committed to principles of academic freedom for all faculty regardless of tenure or contract, full or part-time status. The Faculty, Administration, and Board of Trustees agree that academic freedom and, more generally, freedom of expression are of paramount value in a university community. These freedoms are essential for the acquisition and transmission of knowledge, cultivation of the creative and critical faculties of the human intellect, expression of ideas and emotions, and for the promotion of responsible teaching. Tenure is one means of helping to ensure the protection of academic freedom at the University.

Freedom of speech and expression is the right both of members of the Simmons University community and of invited guests. Once the University extends an invitation, the Simmons community shares the obligation to protect the speaker’s freedom of expression even when individual members dislike or oppose the speaker or find their ideas noxious. Freedom of speech and expression is the right of opponents of a speaker as well. Opponents may make their views known in a variety of ways so long as they do not thereby interfere with a speaker’s ability to make their views known, or with the rights of others to listen.

Teachers are entitled to freedom in research and in the publication of the results, as well as freedom in the classroom in discussing their subject. While academic freedom provides latitude to express diverse perspectives, it does not justify deviation from curricular content in ways that result in courses no longer meeting accreditation standards. Regardless of whether course material is germane to the subject, faculty should not engage in classroom speech or conduct that is

¹ 2017 AGB Board of Directors’ Statement on Shared Governance

personally disrespectful, disparaging, harassing towards a student, or otherwise contrary to an appropriate learning environment.²

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

In the University, as in society as a whole, freedom of speech and expression is not absolute. For example, speech that is libelous, slanderous, incites to riot or is unlawfully harassing is not protected. Additionally, speech directed at persons with clear intent to cause substantial injury is not protected by academic freedom.

1.2.C Commitment to Collective Excellence & Social Justice

From its inception and throughout its history, Simmons University has sought to fulfill its mission in all that it undertakes with high standards and a passion for excellence and social justice. This commitment to excellence, equity, and social justice is reflected in the policies of this *Manual*.

We value diversity, equity, and inclusion within our community in all its forms: individual differences in approaches to learning and life experiences, and group and social differences. (See Simmons Non-Discrimination Statement). We support active, substantive, and ongoing engagement with diversity, equity, and inclusion inside and outside the classroom in ways that increase awareness, mutual knowledge, and empathetic understanding.

We recognize that this commitment obligates us to engage in conversations and to take steps that are sometimes difficult, but necessary to develop institutional practices that integrate diversity, equity, inclusion, and educational quality.

The Faculty, the Administration, and the Board affirm the importance of diversity, equity, inclusion, and social justice in achieving excellence in learning, teaching, student development, institutional functioning, community engagement and in our interactions.

1.3 MISSION AND VISION OF THE UNIVERSITY

The long-standing mission of Simmons University is rooted in the purpose for which Simmons College was founded in 1899: to educate women for fulfilling careers and to enable them to lead useful, independent lives. Through an education that combines intellectual leadership with professional preparation, we help students lead meaningful lives and build successful careers for the 21st century.

Today, the University continues its tradition of excellence through a focus on the liberal arts and sciences and professional education in its undergraduate programs for women and its graduate professional and liberal arts programs open to all. Faculty and staff in all areas of the University, building

² Taken from <https://www.aaup.org/file/1940%20Statement.pdf> on November 10, 2017

upon their own scholarly accomplishment and continuing professional development, provide a student-centered environment and a curriculum that is comprehensive, integrated, and constantly renewed.

In our 100-year vision, Simmons will become a beacon of leadership in the world of higher education; a resource to our nation and world; known for our expertise in fields which improve the human condition; sought out for the findings of our highly reputable research and seen as the global expert in educating women for their own empowerment and for leadership.

1.4 DEVELOPMENT AND AMENDMENT OF IMPLEMENTATION GUIDELINES AND OPERATING PROCEDURES

1.4.A Implementation Guidelines

Implementation Guidelines delineate University-wide procedures for operationalizing the policies described in this *Manual*. *Implementation Guidelines* are developed through a process of collaboration among the Faculty Senate, the Voting Faculties of the four Colleges, and the Provost or their designee. *Implementation Guidelines* may not conflict with any provision of the *Manual* or any governing document of the Corporation. Prior to a final Faculty vote to approve *Implementation Guidelines*, the Provost must review them for clarity, consistency with best practices, and alignment with this *Manual*. University *Implementation Guidelines* shall take effect when the Voting Faculty and the Provost have approved them.

The *Implementation Guidelines* may be amended through a process of collaboration among the Faculty Senate, the Voting Faculty of the four Colleges, and the Provost. As with the initial approval of *Implementation Guidelines*, amendments shall be reviewed by the Provost for clarity, consistency with best practices, and alignment with this *Manual* and shall take effect when the Voting Faculty and the Provost have approved them.

The *Implementation Guidelines* shall stipulate the manner by which the Voting Faculties of each College may amend them. Once a revised *Manual* is approved by the Faculty and the Board of Trustees, revised *Implementation Guidelines* must be developed and approved by the Voting Faculty and Provost within ten months of the date on which the *Manual* is approved.

1.4.B Operating Procedures

The Faculty and Dean of each College will develop specific *Operating Procedures* to guide the internal operations of their College. The *Operating Procedures* clarify the functioning of the College and its academic units in regards to items that fall outside the scope of the *Manual* and the *Implementation Guidelines*. Guidance on the scope of *Operating Procedures* is delineated in the *Implementation Guidelines*. *Operating Procedures* may not conflict with any provision of the *Manual*, *Implementation Guidelines*, or any governing document of the Corporation. Prior to a final Faculty vote to approve *Operating Procedures*, the Provost must review them for clarity, consistency with best practices, and alignment with this *Manual* and the *Implementation Guidelines*. College-specific *Operating Procedures* shall take effect when a College's Voting Faculty and its Dean have approved them.

A College's *Operating Procedures* may be amended through a process of collaboration between the Voting Faculty and the Dean of each College. As with the approval of *Operating Procedures*, amendments shall be reviewed by the Provost for clarity, consistency with best practices, and alignment with this *Manual* and the *Implementation Guidelines* and shall take effect when a

College's Voting Faculty and Dean have approved them. The Voting Faculty of each College may determine the manner by which amendments to *Operating Procedures* may be proposed and approved.

1.5 OTHER POLICIES

Other University policies that affect faculty that are not within the scope of this *Manual* include but are not limited to the Employee Handbook, the Gender Misconduct Policy, Family Education Rights and Privacy Act (FERPA), Health Insurance Portability and Accountability Act (HIPAA) and any Simmons non-discrimination statements. Simmons University maintains compliance with federal and state laws and regulations. The Administration shall consult with the Faculty Senate when considering policy decisions that affect areas for which faculty have primary responsibility.

When the Faculty and Administration agree to propose new University-wide policies relevant to this *Manual*, the proposals will be submitted for discussion and for subsequent approval as amendments, as provided for in Section 5 of this *Manual*.

To the extent that policies have previously been issued concerning the same subject matters addressed in this *Manual*, the *Manual* and the *Implementation Guidelines* supersede those policies. So long as new policies or amendments do not contradict or invalidate a provision of the *Manual*, nothing in this *Manual* or the *Implementation Guidelines* precludes the administration from issuing new university policies or from amending current university policies.

1.6 ROLES AND RESPONSIBILITIES OF TRUSTEES, PRESIDENT, PROVOST, DEANS AND FACULTY

The Faculty, Administration, and Board of Trustees recognize that all members of the community are collectively and individually responsible for the three fundamental principles articulated in Section 1.2. Additional responsibilities not delineated in this section are enumerated throughout the *Manual*.

1.6.A The Board of Trustees

The Board of Trustees has overall responsibility for the management of the business, property, and affairs of the University as provided in the Simmons University By-Laws. Between meetings of the Board, the Executive Committee has the full power of the Board, except as may otherwise be provided in the Simmons University By-Laws, as amended, or by law.

Regular communication between the Faculty and the Board of Trustees is essential to the effective operation of the University. Therefore, representatives of the Faculty Senate meet directly with the Board at least twice a year, upon the initiative of the Faculty Senate or the Board and through the Office of the President. Further, communication is fostered by the attendance of the Faculty Senate President and President-Elect at the tri-annual meetings of the Board, by inclusion of two faculty as members of the Academic Excellence Committee, and by attendance of faculty at Board Committee meetings to which they may be invited by the Board. The Board retains responsibility and discretion to ensure that decisions of the University with respect to the employment of Faculty are consistent with the overall financial, academic, and corporate needs of the University.

1.6.B The President

The President is appointed by the Board of Trustees and serves as the Chief Executive Officer of the University. In this role, the President is responsible for the academic and financial administration of the University in accordance with policies established by the Board of Trustees. The President's

authority may be carried out through the Provost and/or Deans of each College, who are academic leaders of their Faculties, and through Division Directors, Department Chairs, Program Directors or other faculty in leadership roles acting for their Dean. The President with the assistance of the Provost, Deans, and faculty leaders acts as a liaison between the Board and the Faculty and seeks advice from and participation of the Faculty in the administration of the University.

1.6.C The Provost

The Provost, reporting to the President, is the Chief Academic Officer and the second highest-ranking administrator of the University. In the President's absence and at the request of the President or the Board of Trustees, the Provost shall serve as the Chief Executive Officer of the University.

The Provost provides leadership and advocacy for the University's academic programs and is responsible for maintaining academic quality and protecting academic freedom at the institution. The Provost's areas of responsibility include supervision and oversight of all educational affairs and activities, including curricular, instructional, and research affairs and personnel. The Provost coordinates the promotion and tenure and sabbatical application processes, provides strategy and leadership for academic programs, research, faculty development, program evaluation, and student development, and advises the President and the Board of Trustees on academic matters including faculty hiring, appointments, promotion, and tenure; and plays a major role in developing the annual budget and in recommending allocation of resources, particularly among academic units. The Provost also receives and reviews proposals for curricular changes from the faculty through the Deans, including the introduction or elimination of degrees, programs, majors, and minors. The Provost approves proposals, rejects them, or returns them to the appropriate Faculty body for further consideration. Likewise, the Provost may initiate such proposals for faculty and Dean consideration. After the review process and approval by the Provost, proposals move to the President and the Board of Trustees for final consideration.

1.6.D The Deans

The Deans of the Colleges report to the Provost and are the academic and administrative leaders of their Colleges. Deans have responsibility for broad strategic planning, including financial management, enrollment management, curriculum development and revision, accreditation, and staffing. In fulfilling these duties, the Deans build the excellence of their programs by recruiting, evaluating, inspiring, developing and supporting faculty, attracting and retaining students, facilitating research opportunities, supervising department chairs and program directors, hiring and evaluating non-faculty staff, and managing and augmenting resources in their Colleges. The Deans collaborate with the Provost on all academic matters, advocate for resources, and work together to promote a rich intellectual environment for the University. The Deans are responsible for working with a variety of internal and external constituencies to assure the high visibility of their programs on campus, in the community, and in the professions. Deans may appoint faculty to other administrative roles in support of Deans Office responsibilities, in consultation with the Provost.

1.6.E Faculty

The Faculty dedicates itself to teaching, learning, and advancing knowledge. The Faculty is a guardian of academic freedom. The Faculty is responsible for the conduct and professionalism of its members, regardless of rank or tenure status. The Faculty assures its continued effectiveness through its hiring and promotion recommendations, ongoing evaluation and assessment, and maintenance of professional currency. Because the central purpose and reputation of an academic enterprise rests in its teaching, scholarship and creative works, and service, the excellence of the Colleges which comprise Simmons, and the competence and dedication of its Faculty are interconnected.

1.6.E.1 Policies for Faculty Participation in Institutional Governance:

Academics: The Faculty has primary, but not exclusive, responsibility for such fundamental areas as curriculum, subject matter, assessment of learning, and methods and evaluation of instruction including, but not limited to:

- Setting the degree requirements.
- Determining when the degree requirements have been met, qualifying students, and recommending them to the President and Board of Trustees to grant the degrees thus achieved.
- Ensuring all earned degrees are approved by a vote of the faculty prior to conferral by the authority of the Board of Trustees.
- Determining the standards and procedures for admission of students, and those aspects of student life that relate to the educational process.
- Determining the standards and procedures for the suspension or dismissal of students in their instructional unit for failure to satisfy academic standards.
- Reviewing proposals to close programs, develop programs, or change modality of delivery of programs, which may be generated by the Faculty, a Dean, or the Provost. All parties will follow the established review processes (See *Implementation Guidelines*). The Board of Trustees has the ultimate decision-making authority concerning these proposals upon the recommendation of the Provost and/or President. When the Provost and/or President make recommendations contrary to the Faculty's recommendations on educational matters, the rationale shall be communicated to the faculty, in writing, before a final decision is made.

Faculty Status: Considerations of faculty status and related matters are primarily a responsibility of the Faculty; this area includes, but is not limited to:

- Recommendations about academic titles, appointments, reappointments, promotions, tenure, and dismissal.
- Policies and procedures for the implementation of these Faculty responsibilities are embedded in this *Manual* and accompanying University-wide *Implementation Guidelines*.

Coordination, Collaboration, and Communication: Faculty shall participate in institutional and strategic planning that directly affects those areas for which it has primary responsibility, including, but not limited to:

- Committees and other mechanisms for Faculty participation in governance of the University shall be established at each level (i.e., within a College or College-wide) where Faculty responsibility is to be met. The structure and procedures for Faculty participation should be designed and implemented by joint action of the relevant Faculties and Deans, and approved by the Voting Faculty of each College. The Faculty shall determine not only the selection of its representation, but also the means of selection.

- Budgetary policies and decisions directly affecting those areas for which the Faculty has primary responsibility—such as but not limited to curriculum, subject matter, methods and evaluation of instruction, assessment of learning, research, faculty status, admission of students, and those aspects of student life that relate to the educational process—shall be made in consultation with the Faculty. The Faculty shall be afforded full opportunity for appropriate joint planning and effort through provision of information to them about previous budget experience, current budgets and expenditures, and short and long-range budgetary projections.
- Faculty shall participate in the determination of policies and procedures governing faculty compensation.

1.6.E.2 Voting Faculty

Many University employees, by virtue of their title or role at the institution, have faculty designations that entitle them to attend and participate in open faculty meetings. However, only those individuals whose primary, full-time or proportional role at Simmons involves teaching and/or scholarship, both broadly defined, serve as *voting* members of the faculty.

Faculty with joint appointments shall be voting members of the College of their primary appointment, as specified in their initial appointment letter or revised in a reappointment letter. Faculty appointed as administrators shall be Voting Faculty. Deans of the Colleges, Associate Dean(s) of the Colleges, and Division Directors holding faculty rank within each College shall be voting members of their faculty. The President and the Provost shall be voting members of each faculty.

Generally, the designation of *Voting Faculty* refers to full-time tenured and tenure-track, full-time contract, and proportional faculty as defined in Section 2.2 of this *Manual*. Members of the Voting Faculty have the right to set agendas, vote on issues, and close their meetings to those individuals who are not members of the Voting Faculty, as they deem necessary. A list of Voting Faculty is available through the Senate Parliamentarian. (See Implementation Guidelines.)

In instances when an individual's eligibility to serve as a member of a College's Voting Faculty is in dispute, the Voting Faculty of that College shall make the ultimate determination of whether these criteria have been satisfied. Voting rights are retained by faculty during any leave of absence from the University, including sabbatical leave, with a duration of less than two years.

1.6.E.3 Faculty Collaboration in Searches and Appointments for the President, Provost and Academic Deans

Faculty shall participate in searches for the President, Provost, and Dean positions. This requirement does not apply to interim or acting appointments of a limited period of time, typically one year or less.

The Faculty Senate is the representative body that shall be consulted when searches for a President, Provost, or academic Dean are required or when a conversion of an interim or acting appointment is being considered. The Board of Trustees is responsible for selecting the University President. Prior to the posting the position for the President, the Chair of the Board shall meet with Faculty Senate to discuss the search process, including the composition of the search committee, and the development of the position description.

Prior to posting the position description for the Provost, the President shall meet with the Faculty Senate to discuss the search process, including the composition of the search committee, the development of the position description, and the involvement of the Faculty in the interview and selection process. The same process is followed by the Provost in relation to a search for an academic Dean. Specific procedures may be outlined in the University *Implementation Guidelines*.

1.6.E.4 Faculty Participation in Formal Evaluation of the Performance of the Provost and Academic Deans

A formal performance evaluation for the Provost and the academic Deans will occur at the end of the first year and once every three years thereafter. The evaluation process will be comprehensive and will include feedback from faculty and other relevant constituencies.

At the end of the first year and once every three years, the President shall meet with the Faculty Senate to solicit feedback regarding the performance of, strengths of, and areas for improvement for the Provost. During the same time period, the President shall survey the Voting Faculty from all academic units regarding performance, strengths, and areas of improvement for the Provost. The President shall consult with the Senate on the survey instrument to be used prior to the survey's distribution.

After reviewing the results of the survey, the Provost shall identify opportunities to engage faculty in dialogue to discuss what was learned.

At the end of each Dean's first year and once every three years thereafter, the Provost shall survey the Voting Faculty of each relevant academic unit regarding performance, strengths, and areas of improvement for their academic Dean. The Provost shall consult with the Senators of each relevant academic unit on the survey instrument to be used prior to the survey's distribution. After reviewing the results of the survey, the Dean shall identify opportunities to engage faculty in dialogue to discuss what was learned.

All Voting Faculty of the University shall have the opportunity to complete the Provost survey and the Voting Faculty of the appropriate College shall have the opportunity to complete the Dean survey. The surveys shall be distributed in a manner that provides opportunity for anonymous feedback.

1.7 FACULTY SENATE

1.7.A General

The Faculty Senate (hereafter the "Senate") is the primary representative governance body for the Simmons University Faculty. The Senate provides the Faculty a forum and a voice beyond the individual Colleges that allows the Faculty to express its perspectives on issues affecting the general welfare of Simmons University. It serves as the primary means of communication from the Board of Trustees or the Administration to the Faculty and vice versa. The Faculty Senate President will serve as a liaison to the Board. When there is doubt concerning the appropriate communication path, the Board of Trustees or the Administration shall first contact the Faculty Senate, which will then decide whether to delegate responsibility for the issue to others. General responsibilities and functions of the Senate include:

Oversight

- Represent faculty and faculty interests to administrators, trustees, staff, students, and those outside of Simmons University;
- Safeguard academic freedom across the University;
- Safeguard faculty governance rights across the entire University through collaboration, consultation, and communication; and
- Address alleged violations of the *Manual* as they pertain to faculty and elevate them to the Hearing Committee if they cannot be otherwise resolved.

Consultation

- Serve as a body for faculty discussion of both the University mission and Strategic Plan and any proposed modifications to either mission or plan;
- Advise, recommend, and advocate for the Faculty perspective to any constituent groups; and
- Provide input on issues that affect all faculty, such as the academic calendar, library policies, and faculty compensation.

Collaboration

- Act as a coordinating committee and deliberate on any matter within the province of the Faculty for the purpose of formulating policy for approval of the Faculty;
- Discuss and put before the Faculty any and all proposed modifications and/or amendments to the *Manual*; and
- Act as a coordinating committee for any collaboration required by this *Manual*.

Communication

- Facilitate communication with faculty among and between Colleges and hold periodic institution-wide Faculty meetings as necessary;
- Provide a report on the state of the Faculty and the work of Faculty Senate biannually to the Board of Trustees' Executive Committee; and

Coordination

- Periodically query the Faculty to gather data on the perspectives of Faculty;
- Oversee the election of representatives to University-wide committees; and
- Receive annual reports from the University-wide committees on behalf of the Faculty.

1.7.B Senate Membership & Executive Committee of the Senate

Senate membership is specified by the Senate By-Laws.

1.7.C Budget

The Senate shall receive an annual budget from the University to conduct its business.

1.7.D University Committees

All committees with faculty representation that serve the University as a whole, as opposed to those convened by and for individual academic units of the Institution, shall normally have their faculty membership's election coordinated by the Senate. When there is a vacancy on either a standing or ad hoc institution-wide committee, the committee chair shall notify Senate who shall then inform the Faculty of the academic unit from which a representative is needed. The Faculties of individual units shall choose their own representatives to all such committees. Each of the standing University committees shall report to the Senate comprehensively at least annually and more frequently, if requested. Generally, (see *Implementation Guidelines* for specific exceptions), any member of the Voting Faculty can stand for election or appointment to a University committee. Specific membership requirements for each committee are stipulated in the *Implementation Guidelines*.

In collaboration, the Faculty Senate and Provost may, from time to time, establish additional standing or ad hoc University Committees. The establishment of such Committees shall follow the format of this Manual and the Implementation Guidelines regarding purpose, jurisdiction, membership, and, in the case of ad hoc Committees, the date the Committee shall dissolve.

University Committees shall report annually on their activities and accomplishments to the Faculty Senate and Provost. Committee agendas, materials, and minutes shall be available to the Faculty, excepting materials protected by regulations and policies.

UNIVERSITY COMMITTEES

1.7.D.1 Faculty Fiscal Affairs Committee

Purpose: On behalf of the Faculty and of Faculty Senate, the Faculty Fiscal Affairs Committee provides feedback, guidance, and recommendations about the University's general fiscal conditions and projections and in particular on the University's annual budget.

Jurisdiction: The Faculty Fiscal Affairs Committee (FFAC), a standing university-wide committee that operates as a Committee of the Faculty Senate, is the primary vehicle through which the Faculty communicates with the President, Chief Financial Officer, and the Provost on matters relating to financial constraints and objectives, budget priorities and the University's fiscal affairs. In order for the FFAC to fulfill this role, the University (through the chief financial officer or other designee of the President) will provide the FFAC with regular and timely financial reports and major budget assumptions. As part of the budget process, the Committee shall provide to the President (and their designees) written recommendations regarding (a) proposed budget priorities for the next academic year, (b) other fiscal and budgetary matters, and (c) determinations of financial exigency as explained under Section 3.4 of this *Manual*. The President shall give serious consideration to the FFAC's proposals as part of the budget process, and shall also provide the Faculty's recommendations to the appropriate committee of the Board of Trustees.

1.7.D.2 Faculty Compensation Committee

Purpose: On behalf of Faculty and of Faculty Senate, the Faculty Compensation Committee shall be consulted in the development of policies and procedures governing faculty compensation.

Jurisdiction: The Faculty Compensation Committee is a standing University-wide committee, which shall operate as a committee of the Faculty Senate. The committee will work with the Human Resources office to review monetary compensation and benefits to the Faculty, along with other related compensatory activities prior to their implementation. The committee will work with the Provost's Office to review, revise, and update documentation on the faculty compensation philosophy of the University.

1.7.D.3 Graduate Curriculum Committee

Purpose: The Graduate Curriculum Committee (GCC) carries out faculty oversight of the requirements, coherence, and integrity of the graduate curriculum. GCC's role is to ensure that Simmons graduate programs reflect the mission, vision, academic standards and policies of university.

Jurisdiction: The GCC will 1) initially recommend and periodically review university-wide standards for graduate programs, 2) provide primary curricular oversight for graduate degree programs that are not overseen by an external accreditor, 3) provide curricular oversight and coordination for interdisciplinary graduate degrees, and 4) receive, review, and archive all new graduate courses.

The GCC will determine general definitions, requirements, policies, and procedures for the graduate curriculum, and apply them to ensure that graduate programs are consistent with university standards and policies.

The GCC will oversee proposals for new graduate programs, major revisions of graduate programs, and interdisciplinary graduate programs, including (but not limited to) degree programs, certificate programs, tracks or concentrations within degree programs, and modality of delivery. The GCC review process will take into account potential overlap and redundancies among graduate programs and will seek to resolve these issues with the aim of fostering coordination and collaboration across graduate programs. In addition, the GCC will be included and will provide input on all proposals to close, suspend, or change the modality of delivery of all graduate programs, tracks of study, and concentrations.

The GCC will provide oversight for new graduate courses and for substantial changes to existing graduate courses to verify that courses meet University standards, policies, and procedures. The GCC review will take into account potential overlap and redundancies among graduate courses. In general, the GCC's charge is to honor disciplinary responsibility and respect the curricular decisions of program-specific curriculum committees. In all cases, the GCC will collaborate with all departments, programs, and program-specific curriculum committees to ensure consistency with the university's mission, curricular / degree requirements, and disciplinary / accreditation standards.

1.7.D.4 Undergraduate Curriculum Committee

Purpose: The Undergraduate Curriculum Committee (UCC) is the faculty body primarily responsible for the oversight of the requirements, quality, coherence, integrity, and delivery of the undergraduate curriculum. The Committee's overall task is to review, approve, and continually improve Simmons University's undergraduate curriculum, including general education, interdisciplinary programs, and cross-College programs.

Jurisdiction: The UCC provides oversight of the curricular matters stated in section 1.6.E.1 above. The UCC works with the Dean of the Undergraduate Program to ensure the integrity and quality of the undergraduate academic program and its consistency with the University's mission and values. The UCC will collaborate closely with both Faculty Senate and the faculty of the departments and programs that teach undergraduate students.

The UCC determines general definitions, requirements, and procedures regarding implementation, oversight, and modification of the undergraduate curriculum. This includes degree requirements, the general education program, major and minor requirements, interdisciplinary and cross-College programs (including Honors), accelerated and Bachelors-Masters programs, and transfer credit for courses taken at COF and other institutions and how such courses count toward degree requirements. In evaluating the addition, deletion, or modification of a course, the UCC will determine whether the course will fulfill a degree requirement, is redundant with other existing courses, or will provide opportunities for collaboration with other programs. In addition, the UCC will be included and will provide input on all proposals to close or suspend undergraduate programs, majors, and minors.

The UCC is responsible for setting overall curricular policy for the undergraduate program and for ensuring the undergraduate program's compliance with the standards set by the university's primary accreditation agency. At the same time, the UCC recognizes and relies upon the disciplinary expertise of program faculty and particularly recognizes the role of those faculty with responsibility for ensuring compliance with professional and/or disciplinary accreditation standards. In general, the UCC's charge is to honor that disciplinary responsibility and respect the curricular decisions of program-specific curriculum committees. In all cases, the UCC will collaborate with all departments, programs, and program-specific curriculum committees to ensure consistency with the university's mission, curricular requirements, degree requirements, and disciplinary and accreditation standards.

1.7.D.5 Undergraduate Admissions Committee

Purpose: The Undergraduate Admissions Committee's (UAC) purpose is to aid and support the recruitment of undergraduate students to Simmons University.

Jurisdiction: The UAC works closely with Enrollment Management to determine and revise admissions policies. The committee serves in an advisory role to Enrollment Management and the Dean of the Undergraduate Program with regard to admissions decisions, marketing, admissions events and student orientation. Committee members serve as readers during the admission process and render opinions on student admission particularly when the strength of the application is not immediately clear. The committee also acts in an advisory capacity on faculty or academic issues relating to the undergraduate admission operations.

1.7.D.6 Undergraduate Administrative Board

Purpose: The Administrative Board administers the undergraduate academic rules, regulations, and policies determined by the Faculty. This involves maintaining and reviewing administrative procedures and recommending to the Faculty amendments to procedures and policies when appropriate.

Jurisdiction: The responsibilities of the Administrative Board are: to make decisions in the name of the Faculty regarding the disposition of cases of students who fail to meet academic standards as prescribed by the Faculty; to certify to the Faculty that seniors have met their degree requirements; to grant or refuse exceptions to prescribed undergraduate standards or requirements (with the exception of academic accommodations required by law); to select and recommend, in the name of the Faculty, student recipients for all University academic awards and to nominate students to Academy (the Simmons University Undergraduate Honor Society).

1.7.D.7 Academic Integrity Board

Purpose: The Academic Integrity Board is a judicial board at Simmons University. Its purpose is to hear and investigate charges of alleged violations of the Academic Integrity Policy (see *Implementation Guidelines*), which may include cheating, plagiarism, forgery, falsification, and/or lying.

Jurisdiction: The Academic Integrity Board is charged with upholding the Academic Integrity Policy. Cases involving undergraduate and graduate student violations of academic honesty and integrity are heard by the Academic Integrity Board. Individual faculty members determine whether an alleged violation merits the Board's review or whether the faculty member will manage alleged violations directly with student(s) (see *Implementation Guidelines*). Alleged violations of Simmons University student conduct policies not related to academics are mediated by the Behavioral Conduct Board, which is overseen by Student Affairs.

1.7.D.8 Assessment of Teaching and Learning Committee

Purpose: The purpose of the Assessment of Teaching and Learning Committee (ATLC) is to systematically assure student learning outcomes, teaching efforts, and program effectiveness.

Jurisdiction: Simmons affirms its commitment to the promotion of excellence in teaching and learning. A committee of faculty and administrators shall be formed by the Provost or their designee with the Faculty Senate to develop appropriate procedures and instruments for gathering and analyzing data concerning the above.

INSTITUTIONAL REVIEW AND INTEGRITY COMMITTEES

1.7.D.9 University Promotion and Tenure Committee

Purpose: The University Promotion and Tenure Committee (UPTC) is the faculty body that reviews tenure and promotion applications and the recommendations from Local Promotion and Tenure Committees (LPTCs) and Deans to monitor for compliance with the criteria for promotion and tenure as well as consistency in the assessment of the candidates. After such review, the UPTC makes a summary report to the Provost on the LPTC's and Deans' recommendations. In addition, the UPTC periodically reviews processes across the University to assess criteria for promotion and tenure and to ensure currency and consistency in processes across the University.

Jurisdiction: The UPTC reviews all applications for tenure and promotion from tenure-track and tenured faculty across all the Colleges. With input from the LPTCs and the College Deans, the UPTC submits its recommendations to the Provost. The UPTC will give serious consideration to the recommendations of the Colleges' LPTCs and their Deans. Further elaboration of the role and jurisdiction of the UPTC can be found in the *Faculty Policy Manual 2.5A2* and sections thereafter.

Reporting: The UPTC makes tenure and promotion recommendations to the Provost and communicates to the Faculty Senate in regards to emergent implementation issues and/or concerns.

1.7.D.10 Promotion and Tenure Appeal Committee (see Appendix A.)

Purpose: The Promotion and Tenure Appeal Committee reviews appeals regarding the process by which qualifications and performance were assessed by the appropriate committee(s), Dean, Provost, and President, for tenured, tenure-track, and contract faculty appointments, and/or whether new information is sufficiently significant in the context of the promotion or tenure case to merit reconsideration.

The appeal process can only be initiated by a candidate who has been denied tenure and/or promotion.

Jurisdiction The Promotion and Tenure Appeal Committee determines its findings by reviewing the written reports prepared by the Committees on Promotion and Tenure, by interviewing, as needed, the members of the Committees on Promotion and Tenure, the appropriate Dean, Provost, and/or the President, and, in the case of new information, by considering that information in the context of the case.

Reporting: The Promotion and Tenure Appeal Committee reports its findings to the Provost who then reports the results to the Committees on Promotion and Tenure, the Dean, the President, and the tenure and/or promotion candidate.

1.7.D.11 Hearing Committee (see Appendices B & C)

Purpose: The purpose of the Hearing Committee is to resolve problems concerning the implementation or interpretation of the University's policies contained in this *Manual* as they pertain to faculty member(s).

Jurisdiction: The Hearing Committee will undertake careful and complete reviews in order to resolve issues related to the implementation or interpretation of University policy. It will determine whether an informal inquiry or formal proceedings should be commenced. Generally, in relation to administrative terminations, an informal inquiry process will be used. If it decides to commence formal proceedings, it presides over those proceedings. The Hearing Committee process is not to serve as an alternative, second, or appellate process to work done through the Review Committee (See Appendix A).

Reporting: The Hearing Committee shall report its findings to the relevant parties as stipulated in Appendices B & C. (See also Appendix C.2.) Additionally, the Hearing Committee shall report annually to the Faculty Senate on committee activity and/or any suggestions for procedural improvements.

1.7.D.12 Intellectual Property Policy Committee

Purpose: The purpose of the Intellectual Property Policy Committee is to review and recommend revisions to the Intellectual Property Policy. The Policy is found at <https://internal.simmons.edu/faculty-staff/general-information/policy-index>

Jurisdiction: The Committee's responsibilities include identifying areas in which policy development is needed and recommending new or revised institutional standards, policies, and guidelines. The University's current Intellectual Property Policy sets forth standards concerning intellectual property rights. Those policies include a commitment to personal ownership of intellectual property by individual faculty when developed without using resources beyond those normally provided by the University. Simmons may create or commission works in its own behalf, whether as work for hire or otherwise; and Simmons may acquire such works from, or develop them in company with, individual authors on terms that follow consistent standards, with individual agreement to be reached between the University and a faculty member.

Reporting: The Intellectual Property Policy Committee reports on current issues, trends, and policy needs to the Faculty Senate, Provost, and General Counsel as needed.

1.7.D.13 Institutional Review Board

Purpose: The University's Institutional Review Board (IRB) is charged by the University President or his/her designee with the responsibility of reviewing research proposals for the purpose of protecting the rights of individuals who are subjects of any research conducted by faculty, staff, or students of Simmons University. Federal Regulations place responsibility on the University and the Principal Investigator(s) to ensure that high ethical standards are maintained for all research involving human subjects.

Jurisdiction: The IRB has responsibility to review and approve research that systematically and purposefully obtains information by asking questions of and/or observing people in order to gather data for the purpose of generating knowledge – including (but not limited to) research for a classroom assignment, paper, presentation, pilot study, research project, thesis, or dissertation.

Reporting: The IRB shall follow regulatory reporting guidelines, in collaboration with the Office of Sponsored Programs.

INSTITUTIONAL SUPPORT COMMITTEES

1.7.D.14 Academic Technology Committee (ATC) Committee

Purpose: The University's Academic Technology Committee (ATC) advises on technology-related needs and issues affecting teaching, learning, and scholarly activities and advocates for thoughtful and effective pedagogical applications of technology. The ATC works to ensure (1) that teaching and learning at Simmons University reflect best practices in the use of technology—enriching both faculty responsibilities and roles as well as the ability of students to learn—and (2) that faculty have the technology, training, and support to fulfill their scholarship goals.

Jurisdiction: The University's Academic Technology Committee (ATC) advocates, advises, and communicates technology-related needs and issues affecting teaching, learning, and scholarly activities. The Committee discusses technology issues that affect faculty roles and responsibilities, maintains an ongoing dialogue with Simmons Technology regarding support issues and emerging technology needs, assesses needs and develops proposals for technology initiatives that support the Simmons University strategic plan, provides guidance and advice to Technology as new projects are considered and launched, and facilitates communication from and to academic units regarding the use of technology in teaching and scholarship.

Reporting: The Academic Technology Committee reports to the Chief Information Officer, Provost, and the Faculty Senate.

SECTION 2. APPOINTMENT, RETENTION AND LEAVES

2.1 TYPES OF FACULTY APPOINTMENTS

A full time or proportional faculty member may hold a tenured, tenure-track, or contract appointment. An adjunct faculty member is contracted on a course-by-course basis.

2.1.A Tenured Faculty Appointment

An appointment of a faculty member who has been granted tenure is a tenured appointment. A faculty member may be granted tenure only by the decision of the Board of Trustees following review by the College-based promotion and tenure committee, the appropriate Dean, the University Promotion and Tenure Committee, the Provost, and the President in accordance with the Policies Pertaining to Promotion and Tenure (see Section 2.5), following the completion or waiver of a probationary period. (See Section 2.5.D.2). A tenured appointment carries with it the University's commitment to offer a faculty member a full-time teaching load and a *bona fide* salary and benefits.

Although a tenured appointment is generally full-time, the Provost may, in certain circumstances (distinct from the pre-retirement workload option in 2.3.B) and at the request of the faculty member and upon the recommendation of the Dean, approve a transfer to proportional status with no loss of tenure for a limited, specified period of time up to one year, as agreed upon by all parties. This period of time may be extended upon agreement of all parties, however the maximum cumulative time for a proportional appointment of a tenured faculty member is ordinarily three academic years.

2.1.B Tenure-Track Faculty Appointment

A tenure-track appointment is generally a full-time appointment that is part of a probationary period of a faculty member who has not yet been granted tenure. (See Section 2.5). A tenure-track appointment may be for one year or for any other limited period of time up to six years (See sections 2.5.D.2.e, 2.5.D.2.f, 2.5.H, and 2.7.D for exceptions). A tenure-track appointment is granted by the Provost upon the recommendation of the appropriate Dean and after consultation with the appropriate College Faculty. Tenure-track appointments are renewed by the Provost upon the recommendation of the Dean, but the total period of time a faculty member may serve in a tenure-track appointment may not exceed six years, unless such period is extended in accordance with Sections 2.5.D.2.e, 2.5.D.2.f, 2.5.H, or 2.7.D of this *Manual*.

Although a tenure-track appointment is generally full-time, the Provost may, in certain circumstances and at the request of the faculty member and upon the recommendation of the Dean, approve a transfer to proportional status for a limited, specified period of time up to one year, as agreed upon by all parties. This period of time may be extended upon agreement of all parties, however the maximum cumulative time for a proportional appointment of a tenure-track faculty member shall be no more than three years. The probationary period for tenure may be adjusted accordingly upon the recommendation of the Dean and with the approval of the Provost. (See Section 2.5.D.2.d)

2.1.C Contract Faculty Appointment

A contract faculty appointment is an appointment that is not tenured or tenure-track and is not part of a probationary period. Contract appointments serve in professional practice appointments or teaching track academic appointments. A contract appointment may be full-time or proportional at half-time or greater. A contract appointment may be for any limited period of time up to five years and is renewable by the Provost upon the recommendation of the Dean. Except in unusual circumstances, contract appointments are subject to the hiring procedures outlined in section 2.1.E. The Provost approves the terms and conditions of the contract appointment upon the recommendation of the Dean after the Dean's consultation of the appropriate academic unit faculty.

As a general matter, a contract appointment is not a substitute for a tenured or tenure-track appointment. The University makes contract appointments only for specific reasons, such as to satisfy the need for special expertise; to respond to a special institutional, departmental, or program need; to fulfill a project that is contingent on funding; or to retain a professional who does not otherwise meet the terminal degree requirement criterion for a tenured or tenure-track appointment. (See 2.4.B)

If the Provost, in consultation with the appropriate Dean and appropriate Faculty, converts a contract line to a tenure-track line or creates a new tenure-track line, incumbent contract faculty are eligible to participate in the advertised competitive search process. In such circumstances, the Provost will generally invite the candidate to participate in an advertised competitive search process. The Provost, in consultation with the appropriate Dean and appropriate Faculty, may choose to waive the search requirement and offer the tenure-track position directly to the contract faculty member or visiting faculty member based on the quality of past performance and the needs of the School, College, and University. In cases where a contract appointment is converted to a tenure-track appointment, the period under which the faculty member held a contract appointment or visiting professorship normally will not count toward the probationary period for tenure. The faculty member may, however, with the approval of the Provost, elect to apply some part of that time towards the probationary period for tenure.

2.1.D Adjunct Faculty Appointments

Adjunct faculty are faculty members hired by the Dean, upon the recommendation of the Program Director, Department Chair, Division Director, to teach specific courses. An adjunct faculty member's primary responsibility is teaching, but where appropriate and stipulated in their contracts they may assume other responsibilities. Adjunct faculty are not eligible for tenure, and time spent teaching as an adjunct faculty member will not count towards the probationary period of a tenure-track faculty member.

As a general matter, an adjunct appointment is not a substitute for a full-time or proportional contract appointment. With the exception of lab sections and/or the supervision of off-site work (e.g., internships), adjunct faculty can teach no more than four courses in the 9-month academic year in on-campus programs, and no more than two courses per semester. Adjunct faculty can teach no more than six courses in the 12-month academic year in online programs. For the purposes of this limitation, multiple sections of the same course are considered multiple courses. If a campus-based program demonstrates a sustained need for faculty that results in exceeding these limits, the University should consider creating a full-time or proportional position to fulfill this need.

2.1.E Faculty Hiring

Except in rare circumstances and with the approval of the Provost, tenured, tenure-track and contract faculty are hired through an advertised competitive search process. The Provost must approve the search, the position description, candidate hires, and the terms of the offer. Deans are responsible for coordinating the recruitment and hiring process within their College.

Contract faculty members with an annual appointment are hired by the Dean with the approval of the Provost, after consultation with appropriate Faculty in the College. When a contract faculty member has received two consecutive annual contracts, renewal for a third year is subject to approval by the Provost. See the *Implementation Guidelines*.

2.1.F Joint Appointments

When a search is conducted for a joint faculty position across Colleges, the Faculty Search Committee shall include representation from the Colleges approximately proportional to the appointment. The Deans of the Colleges, after consultation with the Provost, will jointly select the finalist, taking into consideration the recommendation of the Faculty Search Committee. The primary appointment of each joint faculty position shall be specified in the initial appointment letter of the selected faculty member.

2.1.G Faculty Letters

2.1.G.1 Initial Appointment Letter

An initial appointment letter sets forth the terms and conditions of a faculty appointment at the time the faculty member is hired. All initial appointment letters must be approved by the Provost and must state standard terms and conditions as articulated in the *Implementation Guidelines*.

2.1.G.2 Renewal Letter for Tenure-Track Faculty

After the initial hire, the University shall offer continuing tenure-track faculty members annual renewal letters. An annual renewal letter specifies the faculty member's base salary, specifies additional individualized financial considerations or incentives, and extends the terms and conditions of the appointment letter, unless the renewal letter specifies otherwise. Changes in base salary (other than increases) or other terms and conditions of appointment letters, as modified by previously agreed renewal letters, cannot be made without mutual written agreement.

2.1.G.3 Tenure Notification Letter

Following the Board of Trustees vote on tenure, the University shall offer a newly tenured faculty member an initial tenure notification letter. The notification letter shall identify the change in the faculty member's appointment to "tenured," the change in rank, and any change in salary associated with the change in rank. The University shall issue initial tenure notification letters as soon as possible after the conclusion of the Board of Trustees meeting.

In the event tenure is not granted, the President or Provost shall notify the candidate in writing as soon as possible after the conclusion of the Board of Trustees meeting. Nothing in this section precludes verbal notification of an award of tenure.

2.1.G.4 Initial Tenure Appointment Letter

Following an award of tenure, the University shall offer a newly tenured faculty member an initial appointment letter. The initial tenure appointment letter shall identify the change in the faculty member's appointment type to tenured. It shall also specify the faculty member's base salary and rank. It shall also extend the terms and conditions of the most recent tenure-track renewal letter. Changes in base salary (other than increases) or other terms and conditions set forth in the tenure-track renewal letter, as modified by previously agreed renewal letters, cannot be made in an initial tenure appointment letter without mutual agreement. The only exception is that the University may change a newly tenured faculty member's workload to the standard workload (see Section 2.2.A) in an initial tenure appointment letter without the faculty member's agreement.

2.1.G.5 Annual Letter for Tenured Faculty

The University shall offer tenured faculty members an annual letter that specifies the faculty member's base salary, and extends the terms and conditions of the initial tenure appointment letter. Changes in base salary (other than increases) or other terms and conditions of appointment letters, as modified by previously agreed renewal letters, cannot be made without mutual written agreement. As a general rule, the University shall issue annual letters as soon as practicable after the conclusion of the May Board of Trustees meeting.

2.1.G.6 Contract Reappointment Letter

When the term of a contract faculty member's appointment expires, the University may, at its discretion, offer a contract faculty member a letter of reappointment. A reappointment letter specifies the contract faculty member's base salary, other individualized financial considerations or incentives, and any other changes in the terms and conditions of the contract faculty member's reappointment that will occur in the upcoming period of appointment compared to the current or previous appointment. Changes in the terms and conditions of a contract faculty member's reappointment letter cannot be made during the contract period stipulated in their reappointment letter without mutual written agreement. As a general rule, the University shall issue contract reappointment letters as early as practicable. Contract faculty whose appointments are not being renewed shall receive letters of notification (see Section 3.2).

In order to take effect, reappointment letters must be accepted (on paper or electronically) by the contract faculty member within 30 days of receipt. The University may withdraw its offer of reappointment if the letter has not been accepted beyond 30 days.

2.1.G.7 Benefits

The terms and conditions of employment identified in this section do not include employee benefits. Employee benefit plans applicable to all University employees, including Faculty, are outlined in the Employee Handbook and other booklets and plan documents. From time to time, the University may propose changes to the benefits accorded to all employees, and thus to faculty members. Prior to such changes, the appropriate faculty committees and Deans shall be consulted.

Leave and other benefits different than, or in addition to, those provided to other University employees, except to the extent inconsistent with state or federal laws such as ERISA, are and

may be provided to Faculty (“Faculty-specific Benefits”). The FPM includes Faculty-specific Benefits policies relating to parental leave for faculty and vacation leave for 12-month contract faculty, at Appendices D and E, respectively. Any Faculty-specific Benefits, including leave, that are not included in or are materially different from the currently effective *Faculty Policy Manual*, including Appendices D and E, shall be included in written policies and procedures that are adopted from time to time with the agreement of both the Faculty and the University and shall be considered and identified as part of the *Faculty Policy Manual*. Only benefit policies that are expressly designated by the University as applying only to Faculty are considered Faculty-specific Benefits.

2.1.G.8 Effect of Other Manual Provisions: Sunset Provisions

The requirement for mutual agreement concerning changes in terms and conditions of appointment, renewal and annual letters is not intended to limit the University’s right to take actions in accordance with the FPM provisions outlined in Section 3.4 Administrative Termination of Faculty Members and Section 3.5 Dismissal of Faculty Members. It is also not intended to require the continuation of special terms beyond the stipulated time period stated in the initial appointment letter or agreed renewal or annual letter.

2.2 FACULTY TIME STATUS

2.2.A Full-Time Faculty

Whether serving in tenured, tenure-track or contract appointments, full-time faculty members have responsibilities that include teaching, supervising, and advising students; reviewing and developing existing and new programs and curricula; participating in College and University events; participating and assisting in faculty governance and departmental and administrative matters; providing service to the University; and contributing to the University’s pursuit of its mission (see Section 1.2). In addition, full-time tenured and tenure-track faculty members shall be involved in scholarly and professional activities, which ordinarily include research, publications, professional presentations and/or other appropriate professional activities (See Section 2.5). The workload of contract faculty members may be apportioned differently over three areas (teaching; disciplinary or professional engagement; and service) as defined in their appointment letters.

The Provost, working with the Deans and in consultation with appropriate faculty, shall be responsible for establishing and maintaining consistent expectations across academic units for teaching; research, scholarship and creative works (tenure-track and tenured appointments) or disciplinary and professional engagement (contract appointments); and service workloads, or equivalent responsibilities necessary for a faculty member to have full-time status (See Section 2.3).

Each College may set its own requirements concerning when faculty should be available to meet with students and to participate in the academic life of that College. Once the Provost has established Simmons University’s calendar, each College shall adhere to the calendar while allowing latitude as needed for specific degree programs.

2.2.B Faculty Who Work Less Than Full Time

2.2.B.1 Proportional Faculty

The Provost, working with the Deans and in consultation with appropriate Faculty, shall be responsible for establishing and maintaining consistent workload standards across academic units for teaching, research, scholarship and creative works, and service, or equivalent responsibilities necessary for a faculty member to have proportional status. Faculty with proportional appointments are expected to work at least half-time and carry out the full scope of faculty responsibilities at a level consistent with the faculty member's proportional status. Deans, after consultation with the appropriate Faculty, may propose to the Provost equivalent workload requirements based on the particular needs of a School or disciplinary area.

2.2.B.2 Adjunct Faculty

Adjunct Faculty are expected to fulfill duties as specified in their appointment letter.

2.3 FACULTY WORKLOAD

2.3.A Faculty Annual Workload

An annual six-course teaching load is standard for tenured and tenure-track faculty. An annual seven-course teaching load is standard for contract faculty (practice track and teaching track). Teaching responsibilities constitute the primary allocation of a faculty member's workload with scholarship and service requirements making up the balance. All tenured and tenure-track faculty are expected to engage in scholarship; however, an individual faculty member's distribution of scholarship and service depends on terms of employment and professional goals. All contract faculty are expected to maintain currency in their discipline and licensure as required to carry out their duties at the University.

Faculty who assume substantial ongoing administrative responsibility, other service obligations (e.g., Department Chair, Faculty Senate Leadership), or research obligations may carry a reduced teaching load as determined by the Dean and/or Provost. (See *Implementation Guidelines*).

2.3.B Pre-Retirement Workload Reduction Option

Full-time faculty who declare to the Provost in writing their intent to retire may be eligible for a workload reduction for up to 3 years to assist them in completing scholarly projects, committee assignments, and preparing for post-university life. To be eligible, a faculty member must be at least 62 years of age as of July 1, and have at least 12 years of service to the University. Faculty members who are approved for a pre-retirement workload reduction are exempt from PDMYR. A pre-retirement workload reduction agreement is irrevocable. See *Implementation Guidelines*

2.3.C Teaching and Professional Activities Outside of Simmons University

While the primary responsibility of any full-time or proportional faculty member is their service as a faculty member of the University, faculty members may engage in external professional activities provided that they do not create a conflict of commitment or a conflict of interest with the faculty members' responsibilities and duties to Simmons University.

A *conflict of commitment* occurs when, in the course of performing external activities, a faculty member's capacity to meet their obligations to Simmons University relative to workload, quality norms of teaching and advising, research, scholarship, and creative works, and/or service is adversely affected. A *conflict of interest* occurs when a faculty member has a personal or professional external interest or obligation that compromises or interferes with their faculty duties

and responsibilities and/or directly competes with the business of Simmons University or the faculty member's respective College. See *Implementation Guidelines*.

2.3.C.1 Teaching

Full-time faculty members may accept part-time teaching appointments at other institutions during the appointment period if they obtain the prior written approval of the Dean and Provost. The Dean will assess such requests for conflicts of interest and conflicts of commitment. A faculty member should consult with their Department Chair or Program Director before seeking the Dean's and the Provost's approval. Any such approval is limited to a maximum period of one year, subject to renewal.

2.3.C.2 Other Professional Activities

When a faculty member engages in outside non-teaching activities during the appointment period (whether remunerated or voluntary) directly related to the faculty member's area of expertise at Simmons, the faculty member is responsible for informing the Dean in writing. Notification of such activities should occur prior to engaging in the outside activity. The faculty member and the Dean share responsibility to ensure that such external activities do not create conflicts of interest or conflicts of commitment as outlined above.

A full-time faculty member's outside teaching appointment and/or other professional activity may not exceed twenty percent (20%) of their University responsibilities during their appointment period (e.g., 9, 10, or 12 months).

2.4 APPOINTMENT TO ACADEMIC RANKS

A full-time or proportional member of the Faculty may be appointed to one of the:

(a) tenured or tenure-track academic ranks at the University (Distinguished Professor, Professor, Associate Professor, Assistant Professor, or Instructor);

(b) teaching track academic positions (Teaching Professor, Associate Teaching Professor, Assistant Teaching Professor, or Lecturer); or

(c) practice-track positions (Professor of Practice, Associate Professor of Practice, or Assistant Professor of Practice).

The different faculty types are distinguished by academic or professional qualifications and accomplishment in the field. Part-time faculty hired to teach individual courses are considered to be adjunct faculty.

Faculty at all academic ranks are expected to teach, advise, remain current and engaged in their fields, and contribute to the academic life of the University through advising and mentoring students, attendance at department and faculty meetings, and participation in all-University activities as appropriate. Scholarship requirements will typically vary by the type of appointment and workload (See Section 2.3.A).

2.4.A Tenured and Tenure-Track Academic Appointments

For a tenured or tenure-track appointment, a candidate must have earned a terminal degree in their academic discipline, as determined by the appropriate Faculty and approved by the Dean and the Provost, and have achieved distinction and demonstrated continued accomplishment and a record of excellence in the full range of their professional and academic activities. Normally, the recognized terminal degree will be a doctorate, including applied, clinical, or research degrees.

2.4.A.1 Distinguished Professor

For appointment as a Distinguished Professor, a candidate must have held the rank of Professor for a minimum of six years and successfully completed at least one Periodic Developmental Multi-Year Review (see 2.5.B.3). The candidate must have demonstrated outstanding teaching performance, made outstanding contributions in terms of scholarship within their field, or achieved literary or artistic distinction, and earned national and/or international recognition for their contributions. This is a meritorious appointment which is only awarded to exceptional faculty members.

2.4.A.2 Professor

For appointment as a Professor, a candidate must have earned an appropriate terminal degree in their academic discipline, as determined by the Dean after consultation with the appropriate Faculty, and have achieved distinction and continued accomplishment in the full range of their professional and academic activities. Promotion to a Professorship is the highest distinction normally awarded at the University. Normally, the recognized terminal degree will be a doctorate. A Professor is tenured.

2.4.A.3 Associate Professor

For appointment as an Associate Professor, a candidate must have earned an appropriate terminal degree in their academic discipline, as determined by the Dean after consultation with the appropriate Faculty, and have demonstrated a record of excellence in their professional and scholarly development and achievements. Normally, the recognized terminal degree is a doctorate.

An Associate Professor may or may not be tenured. Associate professors without tenure are typically those hired in at this rank from other institutions.

Normally, if on the tenure track, a candidate shall teach a minimum of three years as an Associate Professor at the University before consideration for promotion to Professor. However, an Associate Professor may be considered for promotion to Professor in any year in which they hold the rank of Associate Professor. Before the end of the sixth year of an Associate Professor's appointment as Associate Professor, the Dean and the faculty member shall discuss their progress toward and anticipated timeline for seeking promotion to Professor.

An Associate Professor appointed without tenure must be considered for tenure in or before the sixth year of their appointment unless, due to exceptional circumstances, a deferment of consideration is requested by the Associate Professor and granted by the Provost after consultation with the Dean. A tenure-track Associate Professor who has not been granted

tenure after consideration by the University shall be offered a one-year terminal (non-renewable) contract at their current rank, salary, and benefits.

2.4.A.4 Assistant Professor

For appointment as an Assistant Professor, a candidate must have earned an appropriate terminal degree in their academic discipline, as determined by the Dean after consultation with the appropriate Faculty, and have demonstrated the potential for professional and scholarly development and achievements. Normally, the recognized terminal degree is a doctorate. An Assistant Professor is not tenured.

Normally, a candidate shall teach at the University a minimum of five years as an Assistant Professor before consideration for promotion to Associate Professor. However, an Assistant Professor may be considered for promotion to Associate Professor in any year in which they hold that rank. An Assistant Professor must be considered for promotion to Associate Professor during the sixth year of their appointment as Assistant Professor unless, due to exceptional circumstances, a deferment of consideration is requested by the Assistant Professor and granted by the Provost after consultation with the Dean. An Assistant Professor who has not been granted tenure after consideration by the University shall be offered a one-year terminal (non-renewable) contract at their current rank, salary, and benefits.

2.4.A.5 Instructor

An Instructor is a full-time or proportional faculty member receiving an academic appointment who is not appointed to the rank of Assistant Professor, Associate Professor, Professor or Distinguished Professor. Typically, Instructors are in the process of earning the terminal degree appropriate for their academic field or discipline and are beginning a tenure-track appointment. An Instructor may be considered for reclassification to Assistant Professor in any year in which they hold the rank of Instructor and after which the terminal degree has been earned. An Instructor may not be tenured.

2.4.A.6 Emerita/us Status

A tenured faculty member who leaves Simmons in good standing to retire or to assume a non-teaching position at another institution, or a part-time teaching position at another college or university, may be recommended for Emerita/us status by the Dean of their College, who then prepares a recommendation for the Provost. The Provost recommends the candidate to the President and Board of Trustees for approval. The candidate should have an academic career spanning at least 20 years and have been employed by Simmons for no less than ten years. Emeriti faculty are eligible for continuing institutional privileges, library privileges, access to technology workshops, parking privileges, email accounts as consistent with the University's security policies, catalogue and website listings, professional use of title, and the right to march with members of the University's Faculty on ceremonial occasions such as commencement and convocation. Emeriti faculty, at the invitation of the Dean, may also participate more actively in the academic life of the School, including serving as guest lecturers, conducting research, serving on dissertation committees, and advising students.

2.4.B Contract Academic Appointments

Contract academic appointments are teaching appointments. Contract faculty are expected to teach, advise, remain current in their discipline and engaged in their fields, and contribute to the academic life of the University through advising and mentoring students, attendance at department and faculty meetings, and participation in University service and activities as appropriate. Contract faculty are not expected to perform and are not evaluated on research, scholarship, or creative activity.

Contract appointments provide Schools, Departments, and Programs with curricular stability, fulfill needs for specific areas of expertise and professional engagement, and prevent an over-dependence on adjunct faculty. Appointments may be full-time or proportional. Contracts for appointments in this stream are subject to standard hiring and promotion processes, are for a period of one to five years, and are subject to renewal as recommended by the Dean and approved by the Provost.

Contract academic appointments require relevant academic preparation, which generally means having earned a terminal degree in the discipline or having earned the appropriate professional practice degree and practice experience, as well as meeting the requirements for teaching established in the School, Department, or Program. Faculty holding this appointment are not eligible for tenure.

Contract faculty may be appointed for a period of one to five years and may be reappointed for periods of one to five years, subject to satisfactory annual performance reviews, as recommended by the Dean and approved by the Provost.

2.4.B.1 Teaching Track Faculty Appointments

Teaching track appointments fulfill current and projected teaching and curricular planning needs. Faculty members on the teaching track are hired because of their teaching experience, commitment to pedagogical excellence, and training in their discipline. Teaching faculty provide Schools, Departments, and Programs with curricular stability, fulfill needs for specific areas of expertise, and contribute current knowledge and experience in the discipline. Teaching track faculty are not tenured and are not eligible for tenure.

Teaching track faculty generally have earned a terminal degree in the discipline or have a relevant advanced degree and significant teaching experience in their discipline.

2.4.B.1.a Teaching Professor

A Teaching Professor is distinguished from an Associate Teaching Professor by their significant academic and/or professional experience and record of accomplishment in teaching. A Teaching Professor has a relevant terminal degree, depending on discipline.

2.4.B.1.b Associate Teaching Professor

An Associate Teaching Professor is distinguished from an Assistant Teaching Professor by their ongoing record of academic and/or professional experience, and record of accomplishment in teaching. An Associate Teaching Professor has a relevant terminal degree, depending on discipline.

2.4.B.1.c Assistant Teaching Professor

An Assistant Teaching Professor applies to a faculty member who has the relevant terminal degree for their discipline and at least three years of related teaching experience.

2.4.B.1.d Lecturer

A Lecturer has the academic training needed to teach successfully at the university level, a relevant graduate degree, but may not have completed a terminal degree. Contract durations are limited to 1 year. And are renewable.

2.4.B.2 Practice-Track Appointments

Simmons University recognizes that faculties are enriched by the integration of members with significant professional experience in their respective fields of practice, particularly in the professional programs.

Faculty members on the Practice Track are hired because of their substantial professional reputation and/or achievements. The Professor of Practice designation represents an effective and meaningful way for the Colleges to engage accomplished professionals with current knowledge in the field who do not fit the traditional tenured or tenure-track academic model. Professors of Practice are faculty members whose expertise, achievements, and reputation developed over a sustained period of time qualify them as accomplished professionals in an area of practice or a discipline. Professors of Practice provide Schools, Departments, and Programs with curricular stability, fulfill needs for specific areas of expertise and professional engagement, and contribute current knowledge and experience in the industry or practice area. Professors of Practice are not tenured and are not eligible for tenure.

Professors of Practice, in general, do not have to hold a terminal degree in their fields but must demonstrate evidence of significant professional accomplishments. Many Professors of Practice also have a record of applied scholarship and/or practice-related research.

2.4.B.2.a Professor of Practice

Professors of Practice generally have 15 or more years of experience in their professions and have been distinguished by their accomplishments and recognized contributions to their field. Professors of Practice do not have to hold a terminal degree in their field but must demonstrate evidence of significant professional and/or scholarly accomplishments and hold professional certification relevant to the discipline and rank.

2.4.B.2.b Associate Professor of Practice

Associate Professors of Practice generally have 10 or more years of experience, have achieved significant accomplishments in their field, and hold professional certification relevant to the discipline and rank.

2.4.B.2.c Assistant Professor of Practice

Assistant Professors of Practice generally have more than 5 years of experience, have achieved significant accomplishments in their fields, and hold professional certification relevant to the discipline and rank.

2.4.C Other Types of Appointments

2.4.C.1 Joint Appointments

Faculty may receive joint appointments in more than one academic unit, but the joint appointment must indicate the faculty member's academic unit of primary affiliation and thus, if appointed to academic units in two Colleges, in which College the faculty member shall be a Voting Faculty (See 1.6.E.2.)

2.4.C.2 Visiting Professor

If a person is an experienced professional in their field, holds academic rank at another institution of higher education but is absent from that institution while visiting the University, or retains primary responsibility in some other institution, they may be given equivalent rank at the University with the designation of Visiting Professor. An appointment as a Visiting Professor may be full-time, proportional, or part-time. An appointment as a Visiting Professor is for a limited period of time and is not a tenured or tenure-track appointment.

2.5 POLICIES PERTAINING TO PROMOTION AND/OR TENURE

The promotion and/or tenure process should be thorough, well documented, consistent with applicable policies, objective, and collegial. The committees on promotion and tenure, the Deans, and the Provost shall endeavor to ensure that the process adheres to these principles.

2.5.A Committees on Promotion and Tenure

2.5.A.1 Composition

2.5.A.1.a University Promotion and Tenure Committee

The University shall have a university-wide committee on promotion and tenure comprised only of tenured faculty members. Only faculty at the rank of Professor or Distinguished Professor may vote on candidates seeking promotion to Professor. (*See Implementation Guidelines.*)

2.5.A.1.b Local Promotion and Tenure Committees

Colleges shall develop committees for the College-based review of each candidate for promotion and/or tenure.

Local Promotion and Tenure committees (LPTCs) shall include at least 3 and no more than 5 faculty members including qualified members of the candidate's home department/division/school/College. LPTCs considering a candidate for promotion from Associate Professor to Professor shall consist only of faculty at the rank of Professor.

Local committees (at the College level) considering contract faculty for promotion shall be comprised of both tenured and contract faculty who hold contract faculty rank above the rank of the individual being considered for promotion.

The Dean of each College acts as an administrative liaison to these committees, but is not a member of these committees and does not have voting rights on these committees.

2.5.A.2 Functions

2.5.A.2.a University Promotion and Tenure Committee

The general functions of the University committee on promotion and tenure (UPTC) shall include:

- Developing and periodically assessing the criteria for promotion and/or tenure within all ranks of the Faculty;
- Making a summary report on the LPTCs' and Deans' reviews and recommendations concerning their compliance with the criteria for promotion and tenure as well as their consistency in the evaluation process.
- Ensuring adherence to the processes of this *Manual* and the *Implementation Guidelines* regarding promotion and tenure.
- Ensuring consistency across Colleges, Schools, Divisions, and Departments in the use and application of University wide criteria and standards.
- Performing other functions consistent with the policies set forth in this *Manual*.

2.5.A.2.b Local (Academic Unit-Level) Promotion and Tenure Committees

The general functions of the local committees on promotion and/or tenure (LPTCs) shall include:

- Assessing the qualifications and performance of the candidates in accordance with the criteria for promotion and/or tenure;
- Assisting the Dean in obtaining external letters to aid in the assessment of the candidate's research, scholarship, or creative work for tenured and tenure-track candidates
- Making recommendations and preparing comprehensive and timely written reports based on its assessments of the candidates in accordance with the criteria for promotion and/or tenure;
- Adhering to the appropriate use and application of University-wide criteria and standards.
- Performing other functions consistent with the policies set forth in this *Manual*.

2.5.A.3 Confidentiality

The President, the Provost, the Deans, and the members of the UPTC and of LPTCs, and other faculty or staff with access to promotion and tenure materials shall keep the deliberations, proceedings, and written reports of the University and College-based PTCs and any letters obtained from external reviewers concerning tenure and promotion candidates, confidential, except as otherwise provided in this *Manual* or as stipulated by statute and common law.

2.5.B The Dean, Provost, and President

Each Dean, the Provost, and the President assess candidates in accordance with the Criteria for Promotion and/or Tenure, giving substantial weight to the reports and recommendations of the both the College-based and University committees for promotion and/or tenure. The Dean of each College makes recommendations regarding candidates for promotion and/or tenure to the Provost who in turn makes recommendations to the President. The President or their designee conveys all recommendations for tenure and/or promotion to the Board of Trustees. The President and Provost may present their recommendations for each candidate in a jointly prepared document.

In carrying out these responsibilities, the Dean and the Provost review the written reports on, and dossiers of all individuals who have been evaluated by committees, prior to the recommendations of such committees being communicated to the Board, the candidate, or other parties.

Unless the candidate declines to be informed, the Dean will inform the candidate of the recommendation at each level of review. The candidate may elect to withdraw at any stage prior to the dossier being sent to the Board of Trustees. If the candidate elects to withdraw they are entitled to a terminal one-year appointment.

In the case of contract faculty, the Dean and the Provost assess candidates in accordance with the criteria for promotion, giving substantial weight to the reports and recommendations of the College-based committees for promotion. The Provost makes final decisions regarding promotion of contract faculty; neither the President nor the Board of Trustees reviews applications for promotion submitted by contract faculty.

2.5.C Promotion and/or Tenure Criteria for Tenure-Track and Tenured Faculty

The following general Criteria for Promotion and/or Tenure provide a guide for the evaluation process used by committees on promotion and tenure (PTCs), the Deans, the Provost, the President, and the Board of Trustees. The evaluation of candidates for promotion and/or tenure at each level of review will focus on Teaching; Scholarship (research, scholarship, and creative activities); and Service to identify three levels of performance: excellent, strong, and not strong. A fourth criterion for tenure – but *not* promotion - evaluates the needs of the College, School, Department, and/or Program.

Excellence is desirable in all three categories. Of the three criteria (teaching, scholarship, and service) the University's mission requires each tenure-track candidate to be excellent in teaching and to demonstrate excellence in a second criterion and at least strength in the third. All tenure recommendations must reflect an evaluation of the needs of the College, School, Department, or Program. .

These criteria ensure the continued high quality of the Faculty, consistency in tenure and promotion decisions, the continued vitality of the University and the effective support of its academic mission. These criteria are necessarily general in nature, and their application, including how the terms in the three-point rating scale are defined and applied for each criterion, shall be stipulated in the University's *Implementation Guidelines* and adapted to each discipline or field.

Contract candidates for promotion should refer to 2.5.E.2.

2.5.C.1 Excellence as a Teacher

Excellence as a teacher is a necessary prerequisite for both promotion and tenure. The evaluation of teaching performance shall include multiple measures. The basis of the evaluation shall be the quality and effectiveness of the teaching. The specific criteria and methods for assessing teaching performance are found in the *Implementation Guidelines*.

2.5.C.2 Achievement in Research, Scholarship, and/or Creative Works

Achievement can be demonstrated by a record of professional, scholarly, and/or creative work and involvement in the broader academic and professional community in accordance with disciplinary/professional standards. The *Implementation Guidelines* describe criteria for assessing achievement in research, scholarship, and/or creative works.

2.5.C.3 Contributions of Service to the University and/or Profession

Service related to the University, College, School, Division, Department, and or Program consists of contributions of time and effort by faculty members which help advance the institution's mission (See Section 1.3) and contribute to its successful operation. Service related to the Profession includes a variety of activities within and beyond the University's campus. The *Implementation Guidelines* describe criteria for assessing service to the University and/or Profession.

2.5.C.4 Needs of the University, College, School, and Department and/or Program

Those making tenure recommendations shall consider the current and future needs and constraints affecting the University, the applicable College, School, Division, and Department and/or Program. The LPTCs and the Deans shall focus primarily on the needs and constraints affecting the applicable College, School, Division, and Department and/or Program while the Board of Trustees, the President, and the Provost shall additionally consider the needs and constraints of the University, as well as those affecting the applicable College, School, Department and/or Program.

For many years, there has been approximate equilibrium between the University's tenured full-time Faculty and its full-time Faculty without tenure, as measured across the University as a whole. Maintaining such equilibrium has helped the University to achieve the continuity, stability, and experience provided by an excellent tenured Faculty, while regularly adding vitality and promoting renewal through the addition of new faculty members. Accordingly, the University has a long-term goal of seeking to maintain a balance between the total tenured full-time Faculty and the total full-time Faculty without tenure. Therefore, one of the factors to be considered by the Administration in assessing the needs of the University is the effect of each tenure decision on the University's long-term goal of maintaining a balance between tenured full-time Faculty and the full-time Faculty without tenure. The University strives to maintain such a balance but rejects the imposition of a maximum tenure quota. Our long-term goal should not be construed as precluding the granting of tenure.

2.5.D Tenure Policies

2.5.D.1 Eligible Faculty

Normally, to be eligible to be considered for tenure, a full-time faculty member will have been appointed to the rank of Assistant Professor on the tenure track, and will be in the final year of a probationary period.

2.5.D.2 Probationary Period

2.5.D.2.a General

An appointment of a faculty member who has not been granted tenure is a tenure-track appointment or a contract appointment. The time during which a faculty member serves the University during a tenure-track appointment is part of a probationary period. Any change in the duration of the probationary period must be approved in writing by the Dean and Provost.

Normally, the time during which a faculty member serves the University during a contract appointment is not part of a probationary period. A faculty member with a contract appointment is not eligible to be considered for tenure during the period of the faculty member's contract appointment. However, after an advertised search for a faculty position, the University with the approval of the Provost may consider a contract faculty member for a tenure-track appointment and, after the probationary period, may consider such a faculty member for tenure.

2.5.D.2.b Tenure

The normal probationary period of a faculty member is six years of full-time faculty service. The length of time, however, may be shortened appropriately in the case of a candidate who has had prior years of service in other institution(s) of higher education (See Section 2.5.D.2.c), waived in exceptional circumstances (See Section 2.5.D.2.d), suspended (See Section 2.5.D.2.e), or extended (see Section 2.5.D.2.f) after consultation with the appropriate PTC, Dean and the Provost.

2.5.D.2.c Prior Service

Normally, faculty members who have had full-time teaching experience at other accredited institutions of higher education may have up to a maximum of three years of such service credited toward their probationary period at the University. Similarly, contract faculty members who are subsequently hired into tenure-track appointments may have up to three years of their service at Simmons credited toward their probationary period. The Provost, after consultation with the appropriate Dean and appropriate Faculty (such as the Department Chair) determines the amount of such service credited toward the faculty member's probationary period at the University. In making such a determination, the Provost shall consider the necessity of allowing sufficient time for the faculty member to prepare a complete dossier. The faculty member's appointment letter will state the amount of prior service so credited, and identify the year in which the faculty member will be a candidate for tenure.

2.5.D.2.d Waiver of Probationary Period

Under exceptional circumstances, the Provost, President, or Board of Trustees may waive the probationary period, and an individual may be hired with tenure. If the University considers such a course of action, the appropriate PTC, the Dean, and the Provost will prepare separate written reports and recommendations based on their assessments of the candidate. Upon consideration of those recommendations, the President may approve waiver of the probationary period. As with all tenure decisions, a faculty member may not receive tenure without a favorable vote of the Board of Trustees.

If the University considers such a course of action when hiring a Dean or Provost, the tenure review process will be expedited to accommodate the search process by the appropriate faculty, Provost, President, and/or Board committee. (See *Implementation Guidelines*). An individual may be hired with tenure only if they have a substantial record of accomplishment and have earned tenure at a previous institution.

Nothing in this section is intended to restrict the Board of Trustees from using their discretion to grant a tenured faculty appointment to an incoming President of Simmons.

2.5.D.2.e Suspension of Probationary Period

A probationary period is suspended during a special leave of absence (Section 2.7.D), a family or medical leave of absence or a period during which the faculty member serves the University as a full-time administrator (Section 2.5.D.3). A probationary period may also be suspended under exceptional circumstances at the request of the faculty member and in consultation with the relevant PTC and with the approval of the Dean and Provost.

Normally, a probationary period may not be suspended for an aggregate of more than two years. (See also Section 2.5.D.3)

2.5.D.2.f One Year Extension of the Probationary Period

In unusual cases a faculty member may petition the Dean and Provost for a one-year extension of the probationary period. Such petition may only be submitted the year before the end of the probationary period. The petition shall provide evidence that the additional year will substantially enhance the candidate's tenure case. Extension of a probationary period is prospective not retrospective, and it is never appropriate in the year of a tenure application. After consultation with the Dean and relevant PTC, the Provost may grant an additional year to the probationary period. During the extension year, the faculty member will continue to exercise the responsibilities of a faculty member, as described in Section 2.3 above and as specified in the faculty member's annual letter (see Sections 2.1.G.1 and 2.1.G.2). (See *Implementation Guidelines* for applicable calendar dates.)

2.5.D.2.g Career Flexibility in the Tenure and Promotion Process

At Simmons, tenure-track faculty members typically apply for tenure in the sixth year of their probationary period. However, in some instances, other professional opportunities from within or external to Simmons may affect a faculty member's productivity in one or more areas of criteria for tenure and/or promotion within the stipulated probationary period.

In these situations, tenure-track faculty may request another form of career accommodations for professional circumstances that interfere with progress in one or more of the three tenure criteria areas: (a) teaching, (b) research, scholarship, and/or creative works, and (c) service.

Circumstances requiring a leave for family and/or medical illness are not fully addressed in this *Manual*. For information on FMLA leaves for one's own medical conditions or those of a family member, faculty should consult Human Resources regarding University policy.

2.5.D.2.g.1 External Appointments

Tenure-track faculty, during their six-year probationary period, may receive the offer of an assignment/position/fellowship external to Simmons that benefits their professional reputation, development, and growth. Under these circumstances, the faculty member may follow the process of application for a special leave of absence (Section 2.7.D) that, upon approval, will be granted for the period of one year, with an option to extend to two years with approval from the appropriate Dean and Provost.

2.5.D.2.g.2 Internal Appointments

A tenure-track faculty member may be asked to take on an administrative role at Simmons, such as chairing a department, leading a special administrative project or fulfilling another role at Simmons that requires a significant time commitment. When that occurs, the faculty member's time for research, scholarship, and creative work may be compromised in light of newly assigned duties. The faculty shall be considered for course release time and/or suspension of the tenure clock (see below).

2.5.D.3 Suspension of the Tenure Clock for Professional Reasons

A tenure-track faculty member may determine, in consultation with the Dean, that progress in one or more of the tenure criteria areas is or may be compromised because of external or internal appointment, or other significant part-time or proportional circumstances. The faculty member may choose to request approval to suspend the tenure clock for up to two years, allowing for additional time to meet the requirements for tenure.

When a tenure-track faculty member is appointed as a full-time administrator, suspension of the tenure clock is automatically offered. However, a faculty member who fulfills a part-time (at least half-time) obligation should consider the impact of this obligation on their ability to fulfill tenure criteria. Under these circumstances, the faculty member may make a written request for a tenure clock suspension.

A request for a limited (up to two years or the length of the administrative service, whichever is longer) suspension of the tenure clock shall be made within three months after the new duties

are assumed or assigned. Suspension of the tenure clock is prospective not retrospective, and a request for suspension of the tenure clock for professional reasons is never appropriate in the year of a tenure application.

A request to suspend the tenure clock must be made in writing to the Dean. The Dean makes a written recommendation to the Provost. Suspension of the tenure clock typically results from opportunities that take the faculty member away from the University or administrative roles that compete with time for research, scholarship, and creative work. However, faculty may also request suspension of the tenure clock for other reasons, including part-time or proportional circumstances that interfere with progress in one or more areas of the tenure criteria. Tenure-track faculty may suspend the tenure (probationary period) clock for a maximum of two years. (See *Implementation Guidelines*.)

2.5.E Promotion Policies

The College recognizes that the activities of contract tenure-track and tenured faculty members may differ and thus so should the criteria by which they are evaluated for promotion.

2.5.E.1 Promotion for Tenure-track and Tenured Appointments

Tenure-track and tenured promotion policies require excellence in two out of the three criteria: teaching, research, and service and a strong evaluation in the third. Contract promotion policies require excellence in teaching and strength in disciplinary/professional engagement and service.

2.5.E.1.a Reclassification from Instructor to Assistant Professor

Instructors are in the process of earning the terminal degree appropriate for their academic field or discipline and are beginning a tenure-track appointment. An Instructor will be reclassified to the rank of Assistant Professor after they have earned their terminal degree.

2.5.E.1.b Promotion to Associate Professor

Typically, the candidate applies for promotion to Associate Professor simultaneously with the application for tenure. Evidence of excellence in teaching, achievement in research, scholarship and creative works, and service are the same for promotion to Associate Professor as they are for tenure.

2.5.E.1.c Promotion to Professor

Candidates for promotion to Professor must demonstrate significant accomplishment in teaching; research, scholarship and creative work; and service since promotion to associate professorship. The candidate shall demonstrate a record of sustained excellence in at least two of the three categories (one of which must be teaching) and strength in the third category (research, scholarship, and creative work; and service).

2.5.E.2 Promotion for Contract Faculty Appointments (Teaching Faculty and Faculty of Practice)

The following general Criteria for Promotion for contract faculty provide a guide for the evaluation process used by committees on promotion (PTCs), the Deans, and the Provost. The evaluation of candidates for promotion at each level of review will focus on teaching; engagement with and

currency in the discipline or profession; and service to identify three levels of performance: excellent, strong, and not strong.

Excellence is desirable in all three categories. Of the three criteria (teaching, engagement in the discipline or profession, and service) the University's mission requires each promotion candidate to be excellent in teaching and to demonstrate at least strength in in the other two criteria.

Excellence as a teacher is a necessary prerequisite for promotion. The evaluation of teaching performance shall include multiple measures. The basis of the evaluation shall be the quality and effectiveness of the teaching. The specific criteria and methods for assessing teaching performance are found in the *Implementation Guidelines*.

Engagement with and currency in the discipline can be demonstrated by ongoing involvement in the appropriate disciplinary or professional community in accordance with disciplinary or professional standards of excellence. The *Implementation Guidelines* describe criteria for assessing achievement engagement with and currency in the discipline.

Service related to the University, College, School, Division, Department, and or Program consists of contributions of time and effort by faculty members which help advance the institution's mission (See Section 1.3) and contribute to its successful operation. Service related to the Profession includes a variety of activities within and beyond the University's campus. The *Implementation Guidelines* describe criteria for assessing service to the University and Profession.

2.5.E.2.a Reclassification from Lecturer to Assistant Teaching Professor

Lecturers are in the process of earning the terminal degree appropriate for their academic field or discipline. A Lecturer will be reclassified to the rank of Assistant Teaching Professor after they have earned their terminal degree.

2.5.E.2.b Promotion from Assistant to Associate Teaching Professor or Associate Professor of Practice

Typically, a contract faculty candidate may apply for promotion to Associate Teaching Professor or Associate Professor of Practice after six years as an Assistant Teaching Professor or Assistant Professor of Practice). Evidence of excellence in teaching and at least strength in engagement and currency in the field and service are required for promotion to Associate Teaching Professor or Associate Professor of Practice.

2.5.E.2.c Promotion from Associate Teaching Professor or Associate Professor of Practice to Teaching Professor or Professor of Practice

Typically, a candidate may apply for promotion to full Teaching Professor or full Professor of Practice after six years as an Associate Teaching Professor or Associate Professor of Practice). The candidate shall present evidence of sustained excellence in teaching and at least strength in the other two categories

2.5.F Tenure and Promotion Procedures

2.5.F.1 Tenure and Promotion Procedures for Tenure-track and Tenured Faculty

Specific procedures for review of tenure-track and tenured faculty including a schedule, information about dossier organization and material preparation, options to withdraw from the process, and communication of results are included in the *Implementation Guidelines*.

2.5.F.2 Promotion Procedures for Contract Faculty

Specific procedures review of contract faculty for promotion including a schedule, information about dossier organization and material preparation, options to withdraw from the process, and communication of results are included in the *Implementation Guidelines*.

2.6 REVIEWS OF FACULTY

Reviews of faculty members are a means of fostering professional growth and development by encouraging self-reflection and by providing an opportunity for advice and assistance from Deans, Department Chairs, and peers. Such reviews shall contribute to decisions about compensation, tenure and promotion, or renewal and reappointment as appropriate.

The University has established a policy for review of faculty members and the *Implementation Guidelines* define the mechanisms and schedules for implementing that policy. No review is required for an individual after they have resigned or received notice that their association with the University will terminate. In addition, this policy does not apply to faculty who serve as full-time administrators. Any period of service as a full-time administrator should not count in determining when a faculty member should receive a review under this policy.

2.6.A Review of Faculty with Tenure-Track Appointments

2.6.A.1 Annual Review

Each faculty member with a tenure-track appointment shall have an annual review according to criteria and procedures as described in the *Implementation Guidelines*. Copies of the annual reviews shall be given to the faculty member and retained in the faculty member's personnel record. Annual reviews shall contribute to determining compensation of faculty members.

2.6.A.2 Mid-Point Review

Each faculty member with a tenure-track appointment shall undergo a comprehensive written mid-point review (typically after three academic years of probationary status). The appropriate faculty committee of each College oversees this review process. See the *Implementation Guidelines for Mid-Point Review Committee designation and mid-point review timelines*. A faculty member may submit a written request to the Dean for a limited extension of time to delay the review. This mid-point review shall serve as an evaluative tool for retention decisions and shall identify areas needing further development by the faculty member in anticipation of future possible tenure consideration.

While the University intends for mid-point reviews of faculty members with tenure-track appointments to assess the potential of tenure for future candidates, they do not constitute representations of the likelihood of future reappointment or tenure. The University will make every effort to determine the relevance of institutional need at a candidate's midpoint review, which will be communicated to the candidate in writing by their Dean.

2.6.A.3 Review for Promotion and Tenure

The Office of the Dean will notify in writing all tenure-track faculty who are eligible for tenure and promotion consideration in the next academic year (e.g., faculty member is notified in the fall of 2018 for their consideration in the fall of 2019). A tenure-track faculty member normally shall notify the dean during the fifth year that they intend to apply for review for promotion and tenure in the sixth year. (See Section 2.5.E)

2.6.B Review of Tenured Faculty

2.6.B.1 Annual Review

Each faculty member with a tenured appointment shall have an annual review according to criteria and procedures described in the *Implementation Guidelines*. Copies of the annual reviews shall be given to the faculty member and retained in the faculty member's personnel record. Annual reviews shall contribute to determining compensation of faculty members.

2.6.B.2 Periodic Developmental Multi-Year Review (PDMYR)

2.6.B.2.a Purpose

The purpose of the periodic developmental multi-year review (PDMYR) is to encourage, recognize, and support the continuous development of tenured faculty at Simmons through a process of peer review. As a developmental review, PDMYR will neither intrude on an individual faculty member's professional self-direction, impose a reevaluation or revalidation of tenured status, nor imply an obligation that the faculty member demonstrate why they should be retained. The purpose of the PDMYR process is not to assess readiness for promotion although a candidate may use the process to evaluate their readiness. The University makes a commitment to provide appropriate resources for the faculty development and recognition of tenured faculty members to continue demonstrating excellence in teaching, research, scholarship and creative work, and service.

2.6.B.2.b PDMYR Procedures and Schedule

A time line for the PDMYR is stipulated in the *Implementation Guidelines*

2.6.B.2.c PDMYR and the Promotion Process

PDMYR will be held six years following promotion to Professor, or every six years in the absence of an application for promotion, regardless of full time or proportional time status (See Section 2.2).

2.6.B.2.d PDMYR and Notices of Retirement/Resignation

Faculty who submit an irrevocable letter of resignation, sign a retirement agreement, or enroll in a phased retirement program that results in retirement within 2 years of their scheduled review are exempt from PDMYR.

2.6.B.2.e PDMYR and Full -Time Administrative Appointment

Tenured faculty who hold full-time administrative appointments have the option of delaying a PDMYR for up to six academic semesters following their return to faculty responsibilities.

2.6.B.2.f Materials Required for the Review

All relevant aspects of a faculty member's professional performance over the previous six years should be considered in a PDMYR. With that in mind, a faculty member being reviewed shall provide the following to the PDMYR Peer Review Committee:

- A personal statement not to exceed 5 pages that includes a reflection about past performance in teaching, research, scholarship and creative work, and service, and a written statement of plans for the future as related to teaching, research, scholarship and creative work and service, looking out over the next 3-5 years.
- A current CV
- Annual Performance Reviews for the previous 6 years
- A written report of the outcomes of any sabbatical awarded during the previous six years
- Copies of research, scholarship, and creative works for previous 6 years
- A request for resources and support tied to the developmental goals specified in the 3-5 year plan.
- Any additional materials the faculty member would like the PDMYR Committee to review.

2.6.B.2.g Criteria

The College recognizes that the balance of faculty members' professional activities may shift over time and consequently, expectations for, and the goals of, individual faculty members may also change. If, for example, it is in the mutual best interest of the faculty member and the Department, Division, School, or College to have a tenured faculty member focus more on teaching and service than on research, the faculty member should emphasize those areas and the review should acknowledge and reward excellence in teaching and service.

While a PDMYR is not a revalidation of the award of tenure, many characteristics of Simmons's tenure policies remain relevant in this peer review process:

- Excellence and, where appropriate, innovation in teaching

- Continuing professional growth, scholarly activities, creative and artistic achievement
- Exercise of leadership in academic and administrative service
- Service and activities within Simmons and on behalf of the larger community

2.6.B.2.h Records

As with annual reviews of employees including faculty, all PDMYR final reports must, by state law, be maintained as part of the faculty member's personnel record.

2.6.B.2.i Confidentiality

All matters relating to PDMYR shall be treated as confidential. All those who participate in the PDMYR process or who otherwise advise on individual cases are obligated to honor this commitment to confidentiality.

2.6.B.2.j. The PDMYR Peer Review Committee

The role of the PDMYR Peer Review Committee is to provide developmental feedback to the candidate.

2.6.C Review of Faculty with Contract Appointments

Each faculty member with a contract appointment shall have an annual review according to criteria and procedures described in the *Implementation Guidelines*. Copies of the annual reviews shall be given to the faculty member and retained in the faculty member's personnel record. This annual review shall contribute to determining compensation and retention of contract faculty members. Reviews of contract faculty members do not confer any representations regarding the likelihood of future offers of successive contracts.

2.6.D Review of Faculty with Adjunct Appointments

Each faculty member with an adjunct appointment shall be reviewed periodically according to criteria and procedures described in the *Implementation Guidelines*. Copies of the periodic reviews shall be given to the faculty member and retained in the faculty member's personnel record. This periodic review shall contribute to determining the retention of adjunct faculty members. Reviews of adjunct faculty members do not confer any representations regarding the likelihood of future offers of successive contracts.

2.6.E Faculty Access to Their Personnel Records

Massachusetts state law grants employees access to their personnel records, but that law does not apply to those employed (or formerly employed) by a private university in positions that may lead to tenure, are tenured, or which involve responsibilities similar to those in tenure-track or tenured positions.

Although private university faculty do not fall under the Commonwealth of Massachusetts laws regarding access to personnel records, current and former Simmons faculty shall enjoy the same right of access under state law afforded to non-faculty employees at Simmons University, with the following exception: Documents created or acquired by the Trustees, the President, the Provost, the

Deans and the members of the committees on promotion and tenure in conjunction with a review for promotion and tenure qualify as confidential both by nature, and by the terms of this *Faculty Policy Manual*, and shall remain confidential. Except for this category of documents, Simmons faculty may have the same access to their personnel records under state law, as do other non-faculty Simmons employees.

2.7 PROFESSIONAL DEVELOPMENT (FOR TENURED, TENURE-TRACK, AND CONTRACT FACULTY)

2.7.A Professional Development Funds

Professional development refers to the acquisition and dissemination of knowledge or the acquisition of information and skill that enable a faculty member to become more proficient in their professional endeavors and thus better contribute to the mission of the University and the priorities of the Department, Program, and/or School. Faculty are encouraged to participate in and avail themselves of professional development opportunities, including those that are programmatically sponsored and provided by the University as well as those of outside agencies and organizations.

It is generally expected that the University shall provide faculty with resources to support developmental activity. Developmental activities include, but are not limited to, travel to meetings, conferences, and field research sites, participation in workshops and short courses, development and incorporation of new teaching styles and methodologies, advanced certification, professional membership dues, disciplinary and interdisciplinary retooling efforts, preparation of manuscripts, access to major scholarly publications and databases, and purchase of research materials or support for other research activities that are otherwise unavailable. Guidelines for the criteria and process by which faculty professional development funds shall be awarded can be found in the *Implementation Guidelines*.

2.7.B Sabbaticals for Tenured Faculty

2.7.B.1 Purpose

The purpose of the sabbatical program is to aid in the revitalization and intellectual growth of the faculty member and promote the faculty member's academic contribution to the University and to their profession. The awarding of sabbatical acknowledges tenured faculty who have demonstrated a consistently high level of performance in teaching and in research, scholarship, and creative work. Sabbatical proposals and activities shall align with the mission of the University as an institution of higher learning and result in demonstrable outcomes that contribute to teaching, research, scholarship, and creative work.

2.7.B.2 Eligibility

A faculty member is eligible to request a sabbatical only if they have served at least six years on a full-time basis at the University since beginning their work at the University or since their last sabbatical. The six years of service need not be consecutive. Sabbaticals are reserved for tenured faculty at Simmons and are granted only after or in conjunction with the applicant's being awarded tenure.

If an approved sabbatical is deferred at the request of the Dean or Provost, the period of deferral should not exceed one year and the period of deferral shall be credited towards the years of service required for a subsequent sabbatical. A sabbatical application may be delayed at

the request of the faculty member, Dean, or Provost. Such delay, if requested, shall not normally exceed one year, and the period of delay shall be credited towards the years of service required for a subsequent sabbatical.

Documentation of agreements regarding deferrals and delays and their justification shall be maintained in the faculty member's personnel record.

2.7.B.3 Types of Sabbaticals

A sabbatical typically constitutes either release from 100% of one academic year's usual teaching and service workload at 50% of base salary or release from 50% of one academic year's usual teaching and service workload at 100% of base salary. For purposes of sabbatical policy, an academic year is defined as the start of the fall semester to the end of the spring semester, or any 9 or 10-month equivalent period. Alternatives to these models of professional development activities must be approved by the Dean and the Provost.

Faculty on sabbatical will be covered by the University's group plan policies (health, long-term disability, and life, subject to applicable law and the terms of any benefit plans) on the same terms and conditions as if the faculty member had a full workload and were not on sabbatical.

Faculty members may not engage in full-time gainful employment during a sabbatical without prior written permission from the Provost. However, faculty members may continue to receive compensation for activities in which they regularly engage during their active full-time service, e.g., consulting, provided that the level of those activities is not substantially increased during the sabbatical period.

When a faculty member receives compensation from other organizations or institutions to support the sabbatical, the faculty member's total salary from all sources shall not exceed the faculty member's normal University-based salary for the period of the sabbatical.

2.7.B.4 Sabbatical Procedures, Contents of Proposal, Written Report, and Timelines

Procedures including the contents of the proposal and the timeline for applying for Sabbatical along with the contents of the terminal written report and its due date are described in the *Implementation Guidelines*.

2.7.B.5 Obligations to the University

In recognition of the compensation paid to a faculty member during sabbatical, a faculty member who takes sabbatical is required to return to the faculty for at least one academic year immediately following the completion of their sabbatical unless other arrangements have been previously negotiated.

Faculty taking sabbaticals are expected to accomplish the objectives set forth in the sabbatical proposal within the proposed timeframe. If a faculty member determines that unexpected developments or other factors may require changes in an approved proposal, the faculty member shall inform their Dean and reach agreement on suitable modifications, in consultation with the Provost. Should the Dean or Provost obtain evidence that the sabbatical was not used appropriately, the Hearing Committee shall be convened in accordance with Appendix C to review the facts and to make a recommendation to the Provost about the faculty member's eligibility for further paid sabbaticals.

2.7.B.6 Return Provision

Unless the faculty member has received a promotion during sabbatical, they shall return with the rank and appointment status that they had at the commencement of the sabbatical. For the purpose of determining salary adjustments, sabbaticals will be treated as regular faculty employment.

2.7.C Professional Development Leave for Contract Faculty

2.7.C.1 Purpose

The purpose of the Professional Development Leave is to aid in the professional growth of contract faculty members and to promote contract faculty members' academic contributions to the University and to their profession. The awarding of a Professional Development Leave recognizes full-time contract faculty who have demonstrated a record of, engagement or pedagogy and a consistently high level of performance in fulfilling their duties to the University. Professional Development Leave proposals and activities should enhance the University through contributions to teaching, professional or disciplinary engagement, and/ or service.

2.7.C.2 Eligibility

Upon recommendation of the Dean and approval of the Provost, full-time, contract faculty shall be eligible for a Professional Development Leave for curriculum development, professional service, or research, scholarship and creative work, after six consecutive contractual years of service. A contract faculty member may request a Professional Development Leave to be completed during what would be the seventh year of full-time service at the University or in the seventh year since their last Professional Development Leave.

2.7.C.3 Types of Professional Development Leaves

A Professional Development Leave is generally release from no more than 50% of one academic year's usual teaching and service workload at 100% of base salary. Faculty on Professional Development Leave will be covered by the University's group plan policies (health, long-term disability, and life, subject to applicable law and the terms of any benefit plans) on the same terms and conditions as if the faculty member had a usual workload and were not on Professional Development Leave.

Faculty members may not engage in full-time gainful employment during a Professional Development Leave without prior written permission from the Provost. However, faculty members may continue to receive compensation for activities in which they regularly engage during their active full-time service, e.g., consulting, provided that the level of those activities is not substantially increased during the Professional Development Leave period.

When a faculty member receives compensation from other organizations or institutions to support the Professional Development Leave, the faculty member's total salary from all sources shall not exceed the faculty member's regular university-based salary for the period of the Professional Development Leave.

2.7.C.4 Professional Development Leave Procedures, Contents of Proposal, Written Report, and Timelines

Procedures including the contents of the proposal and the timeline for applying for Professional Development Leave are described in the *Implementation Guidelines*.

2.7.C.5 Obligations to the University

In recognition of the compensation paid to a faculty member during Professional Development Leave, a faculty member who takes Professional Development Leave is expected to return to the faculty for at least one academic year immediately following the completion of their Professional Development Leave unless previous arrangements have been previously negotiated.

If a faculty member determines that unexpected developments or other factors may require changes in an approved proposal, the faculty member shall inform their Dean and reach agreement on suitable modifications in consultation with the Provost. Should the Dean or Provost obtain evidence that the Professional Development Leave was not used appropriately, the Hearing Committee shall be convened in accordance with Appendix C to review the facts and to make a recommendation to the Provost about the faculty member's eligibility for further paid Professional Development Leaves.

2.7.C.6 Return Provision

Unless the faculty member has received a promotion during Professional Development Leave, the faculty member shall return with the rank and appointment status that they had at the commencement of the leave. For the purpose of determining salary adjustments, professional development leave will be treated as regular faculty employment.

2.7.D Special Leave

2.7.D.1 Purpose

The purpose of the special leave is to provide faculty members with the opportunity for professional development. The special leave is intended to support research activities and scholarly activity or to promote innovation and excellence in teaching. Special leaves supported by external grants, other institutions, or scholarly groups are highly encouraged.

2.7.D.2 Eligibility

A full-time faculty member is eligible for a special leave after three or more years of continuous service.

2.7.D.3 Length of Leave

Granted for one or two semesters, the time spent on special leave does not count toward the probationary period for tenure-track faculty nor is it considered years of credit toward promotion, tenure, or sabbatical.

2.7.D.4 Pay and Benefits

A special leave is not a paid leave. However, during an unpaid special leave, the University shall continue its contribution to the faculty member's medical insurance coverage, providing the faculty member pays their share of such coverage on time, as if they are actively employed. Subject to applicable law and the terms of the University's benefit plans, faculty members on an unpaid leave shall continue to be covered under the University's group life and long-term disability plans on the same terms and conditions as if the faculty member remained actively employed. A faculty member on a special leave will also continue to be eligible for tuition benefits as if they had remained actively employed. If a special leave exceeds the length of two semesters, tuition benefits will not exceed two years.

2.7.D.5 Special Leave Procedures, Contents of Proposal, Written Report, and Timelines

Procedures including the contents of the proposal and the timeline for applying for Special Leave along with the contents of the terminal written report and its due date are described in the *Implementation Guidelines*.

2.7.D.6 Return Provision

The faculty member is expected to return with the rank and appointment status that they had at the commencement of the special leave.

2.7.E Course Reduction Vouchers for Research, Scholarship, and Creative Work for Tenure-Track Faculty

The goals of the course release vouchers for tenure-track faculty include providing career flexibility for research, scholarship, and creative work; supporting the professional growth and career advancement of tenure-track faculty members; and promoting faculty members' academic contributions to the University and their profession. When a tenure-track faculty member is hired into a full-time position with the full probationary period, they are provided a total of six course release vouchers for use during their probationary period as desired, according to the following guidelines. Faculty members with shortened probationary periods will be given a pro-rated number of course releases. For the purposes of this policy, an academic year is defined as the beginning of the fall semester to the end of the spring semester, or any other nine- or ten-month equivalent.

- In the first year of the tenure-track appointment, the faculty member will be granted two course reductions from the typical six (6) course teaching load. The first course reduction is generally taken in the fall semester and the second is generally taken in the spring semester. The purposes of these initial course reductions are (a) to provide sufficient opportunity for the faculty member to adjust to their teaching and advising duties at Simmons generally and to their Department specifically; and (b) to provide additional opportunity for the faculty member to pursue their research, scholarship, and creative work agenda. No more than two course release vouchers may be used during the first year of a tenure-track appointment.
- The remaining four (4) course release vouchers shall be used at the faculty member's discretion with the prior written approval of the Department Chair and Dean during the remainder of their tenure-track probationary period. No more than 3 course releases can be used in any academic year. These vouchers must be used to further research, scholarship, and creative work. Course vouchers may not be used for summer courses.

- To use a voucher, the tenure-track faculty member must be in good standing as evidenced by the faculty member's annual review and their appointment must be renewed for the next academic year.
- Faculty members are expected to plan their use of vouchers, in consultation with their Department Chair and Dean so that Department Chairs can arrange for course coverage and Deans can anticipate budget impact.
- Course release vouchers are only available for purposes of research, scholarship, and creative work, and may not be used in conjunction with the Family Medical Leave Act (FMLA).
- After each voucher is used, the tenure-track faculty member will complete the institution's report form and submit it to the Dean and Department Chair with a copy to the Provost. The report shall describe the accomplishments in research, scholarship, and creative work that resulted from the course release.
- Vouchers are to be used only during the probationary period.
- Vouchers not used during the probationary period will be forfeited.

2.7.F Change from Full-time to Proportional Status for Tenure-track and Tenured Faculty

In exceptional circumstances, not covered or governed by federal or state medical leave laws, a tenure-track or tenured faculty member may apply for a transfer to proportional status. A transfer to proportional status may be appropriate when the faculty member needs a reduced teaching load for a predetermined period of time not to exceed six semesters or three (3) years. Proportional status will result in reduced salary and benefits. Proportional status may be requested by the faculty member to meet the stated criteria for tenure and/or promotion.

Requests for a change to proportional status must be made in writing to the Dean at least three months in advance. The Dean will consider the request and make a recommendation to the Provost in writing. When a faculty member changes from full-time to proportional status, the faculty member is not eligible to use course vouchers (see Section 2.7.E) until the faculty member resumes full-time probationary status.

SECTION 3. PROCEDURES FOR RESIGNATION OF FACULTY, NON-RENEWAL OR NON-REAPPOINTMENT OF FACULTY, REVIEW OF PROMOTION AND TENURE RECOMMENDATIONS, ADMINISTRATIVE TERMINATIONS, AND DISMISSALS

3.1 RESIGNATION OF FACULTY MEMBERS

A faculty member may resign from her or his appointment effective at the end of a semester, term, or academic year. For purposes of this policy, a resignation includes a decision to retire. A faculty member who resigns should give notice in writing at the earliest possible opportunity.

3.2 NON-RENEWAL OR NON-REAPPOINTMENT OF FACULTY MEMBERS

3.2.A Non-Renewal or Non-Reappointment

Subject to the procedures in this *Manual*, after consultation with the appropriate faculty body and the Provost, the Dean of a College may determine not to renew or extend a tenure-track appointment, or may determine not to reappoint a contract faculty member. Any such determination by a Dean is a non-renewal or non-reappointment. A non-renewal or non-reappointment is not a dismissal. (Section 3.5.)

3.2.B Notice and Reasons for Non-Renewal or Non-Reappointment

3.2.B.1 Notice by the Dean

Before deciding not to renew or extend a tenure-track appointment or not to offer a full-time or proportional faculty member a successive contract appointment, the Dean shall consult with the Provost and the appropriate faculty body. When the Dean in consultation with the Provost has determined not to renew or extend a tenure-track appointment or has determined not to offer a full-time or proportional faculty member a successive contract appointment, the Dean will so inform the faculty member in writing.

3.2.B.2 Timely Notice of Non-Renewal or Non-Reappointment

Written notice that a full-time or proportional tenure-track or contract appointment is not to be renewed will be provided in writing by the appropriate Dean to the faculty member in advance of the expiration of the appointment, as follows:

- a. If the appointment expires at the end of the academic year (June 30) and if the faculty member is in the first year of employment, the faculty member shall receive written notice of non-renewal no later than March 1.
- b. If the appointment expires on a date other than June 30 and if the faculty member is in the first year of employment, the faculty member shall receive no less than three months' written notice of non-renewal.
- c. If a faculty member's initial employment contract is for a period of two years or more, the faculty member shall receive no less than six months' notice of non-renewal.
- d. If the appointment expires at the end of the academic year (June 30) and if the faculty member is in the second or subsequent year of employment, the faculty member shall receive written notice of non-renewal no later than December 15.

- e. If the appointment expires on a date other than June 30 and if the faculty member is in the second or subsequent year of employment, the faculty member shall receive no less than six months' written notice of non-renewal.

The Dean and Provost will make good faith efforts to comply with deadlines for notice. (See Section 4.) However, the failure to give notice in accordance with this provision shall not be construed as a new appointment or extension of an appointment.

3.2.B.3 Severance in Lieu of Timely Notice

Occasionally, a Dean or Provost may be unable to adhere to the applicable notice period set forth above. When that occurs, the faculty member shall receive severance pay for any period notice was absent. Delays in notice may occur for the following reasons: identification of poor teaching, performance issues, failure to fulfill contractual duties, or budget cuts. For example, if the faculty member was entitled to notice of non-renewal no later than December 15, but instead receives notice of non-renewal on February 15, the faculty member shall receive eight weeks of severance pay to be paid on the last day of their appointment.

3.2.B.4 Reasons for Non-Renewal or Non-Reappointment

After receipt of notice in writing of non-renewal or non-reappointment, the faculty member may request that the Dean provide a written statement of the reason(s) for the non-renewal or non-appointment.

3.3 REVIEW OF PROMOTION AND TENURE RECOMMENDATIONS

Any candidate for promotion and/or tenure who has received written notice of the decision of the Board of Trustees not to award promotion and/or tenure may deliver a written petition to the Provost requesting review of the decision by the Review Committee. If an inquiry is requested, the Review Committee shall undertake a review limited to reviewing the process of assessment of the candidate's qualifications and performance by the committee(s) on promotion and tenure, the Dean, the Provost, and/or the President, and/or will review the significance of any new information, in accordance with the procedures described in Appendix A.

The only functions of the Review Committee are to determine whether adequate consideration was given to the procedural aspects for promotion and tenure and/or to determine whether the decision was based on something other than the prescribed criteria: teaching, achievement in research, scholarship and creative work, service, and need; and/or whether the new information is sufficiently significant in the context of the promotion and/or tenure case to merit reconsideration of the case. The Review Committee makes its determination by reviewing the written reports prepared by the committee(s) on promotion and tenure; by interviewing the members of the committee(s) on promotion and tenure, the appropriate Dean, the Provost, and/or the President; and, in the case of new information, by considering that information in the context of the case. The Review Committee does not substitute its own judgment for that of the committee(s) on promotion and tenure, the Dean, the Provost, the President, or the Board of Trustees regarding whether any candidate should be promoted or granted tenure.

3.4 ADMINISTRATIVE TERMINATION OF FACULTY MEMBERS

3.4.A Administrative Termination

An administrative termination means the termination of a tenured faculty member or termination of a non-tenured faculty member prior to the expiration of a tenure-track appointment or a contract appointment because of either (1) closure of a College, School, Division, Department, or Program; or (2) financial exigency. A non-renewal or non-reappointment (Section 3.2) or a dismissal (Section 3.5) does not constitute an administrative termination.

The decision to close a School, Department, or Program may be based upon educational or financial considerations or both. Restructuring, relocation, or realignment of a College, School, Division, Department, or Program within Simmons is not a closure. Changing the modality of delivery of an academic program within Simmons does not constitute a closure.

Because Faculty responsibilities include participating in the process of developing, organizing, delivering, and assessing the University's academic programs (Section 1.7.E), the President, Provost, and appropriate Dean shall therefore consult with the affected Faculty and Faculty Senate concerning any proposal to close a College, School, Division, Department, or Program. The President and their designee shall give substantial weight to the views of the affected Faculty as well as the Faculty Senate regarding educational considerations and faculty appointments when a College, School, Division, Department, or Program is closed.

3.4.B Definitions

For purposes of an administrative termination, financial exigency is a *bona fide* financial extremity that threatens the financial viability of the University as a whole and that cannot adequately be alleviated by means other than a reduction in faculty employment without causing a deleterious effect on the mission of the University.

3.4.C Determination of Financial Exigency

If a Dean, the Provost, or the President considers initiating an administrative termination based on financial exigency, the Board of Trustees must first declare that it has determined that a financial exigency exists. Before the Board makes such a determination and declaration, the Dean, Provost and/or President shall first consult with and solicit views from the Faculty Senate and the Faculty Fiscal Affairs Committee. After such consultation, the Faculty Senate and the Faculty Fiscal Affairs Committee shall have the opportunity to report their views directly to the Board before the Board determines whether to declare the existence of a financial exigency. For purposes of this provision, the Executive Committee may exercise all powers of the Board.

3.4.D Preliminary Actions to Attempt to Avoid Administrative Termination

Administrative termination should occur only in unusual circumstances. Although the need to maintain a sound financial foundation to the University may on rare occasions lead the University to consider an administrative termination, the University will not initiate an administrative termination until it has first undertaken efforts to attempt to avoid such a termination. In the event that a proposed administrative termination would be based on financial exigency, the following steps would be undertaken only after a declaration of financial exigency. (See Section 3.4.C.)

If a Dean, the Provost, or the President considers initiating an administrative termination, the Dean of the affected School and the Provost must first consult with the Faculty Senate concerning the possible termination, the reasons for considering administrative termination, and the adequacy of alternatives. After consultation, the Faculty Senate may make a report and/or a recommendation to the Dean, the Provost, and the President. The Dean, the Provost, and the President shall give substantial weight to the views of the Faculty Senate. If after consultation with the Faculty Senate the Dean believes that an administrative termination should proceed, the Dean shall make a report and recommendation to the Provost and the President, and present to the Provost and the President any report and/or recommendation of the Faculty Senate. If the Faculty Senate disagrees with the recommendation of the Dean, the Provost shall meet with the Faculty Senate and shall give the Faculty Senate's views substantial weight in determining whether to initiate an administrative termination.

Prior to the termination of a faculty member with a tenured appointment because of closure of a College, School, Division, Department, or Program or financial exigency, Simmons will make every reasonable effort to offer to them, if qualified, an available suitable position. The Dean, the Provost, and the President shall also give serious consideration to proposals to assist a faculty member in becoming qualified to serve the University in an area in which the University has a need. If a tenured appointment is terminated before the end of the period of appointment because of financial exigency or because of the closure of a program of instruction, the University will not hire a full-time equivalent replacement for the released faculty member within a period of two years, unless the released faculty member has been offered an opportunity to accept reappointment and a reasonable time within which to act on the offer.

Ordinarily, the positions of non-tenured faculty will be eliminated before the positions of tenured faculty.

3.4.E Notice and Review of Administrative Termination Decision

When the President, after the preliminary actions described above, has determined to terminate a faculty member with a tenured appointment or to terminate a tenure-track or contract faculty member, prior to the expiration date of their appointment because of closure of a College, School, Division, Department, or Program or financial exigency, the President shall so inform the faculty member in writing. The President shall give as much advance notice to the affected faculty member as the President reasonably determines to be practicable under the circumstances. If the faculty member seeks more information and/or a review of that decision, the faculty member shall utilize the procedures set forth in Appendix B.

3.4.F Severance Benefits for Faculty Members Subject to Administrative Termination

Except in cases of severe financial exigency concerning the University as a whole, if the University does not offer a terminated tenured faculty member a new appointment, the University shall propose a severance benefit, in exchange for a release of claims, after giving substantial weight in its consideration to the length and nature of the faculty member's service and the scope and extent of the financial constraints, as part of a complete resolution of matter related to the faculty member's service to the University. Such consideration shall also take into account AAUP's recommendations that severance benefits in such cases shall be a minimum of one year's base salary.

3.5 DISMISSAL OF FACULTY MEMBERS

3.5.A Dismissal

The term "dismissal" refers to a dismissal for cause of a faculty member with a tenured appointment or prior to the expiration of a tenure-track appointment or a contract appointment. The termination of a faculty member because of closure of a College, School, Division, Department or Program or financial exigency, or non-renewal of a contract or non-reappointment does not constitute a dismissal.

3.5.B Definitions

For purposes of a dismissal, "cause" means the substantial failure to discharge the responsibilities and duties of a faculty member (see Section 2) or egregious misconduct, as described generally below. Termination for cause or any other termination of a faculty member must not arise in an attempt to restrict an exercise of academic freedom or any other legitimate conduct of a faculty member.

When a faculty member is suspected of exhibiting behavior warranting dismissal for cause, the Dean shall be responsible for investigating the circumstances and documenting the findings in a written report to the Provost and to the faculty member. Depending upon the circumstances for dismissal, and at the discretion of the Dean, Provost, or President, appropriate faculty may be consulted. The President, in consultation with the Provost and Dean, shall determine whether dismissal or a lesser sanction is in order. The President should give serious consideration to possible lesser sanctions before initiating the dismissal of a faculty member.

The University cannot anticipate all possible conduct or conditions that may lead to dismissal for cause in precise terms. However, the University anticipates that they will occur only in rare circumstances. The following circumstances may constitute cause:

1. Physical or mental incapacity that is causing a substantial interruption of discharge of duties to the University when such interruption has not been approved by the appropriate Dean, the President or Board of Trustees, unless dismissal would be a violation of the American with Disabilities Act or analogous state law; or failure to discharge duties in accordance with Section 2 of this *Manual* after at least one prior written warning; or
2. Violation of the University's Gender-Based Misconduct Policy, which incorporates the University's Consensual Relationship Policy;

3. Criminal conduct that relates to the fitness of the faculty to carry out their professional responsibilities;
4. Intentional or reckless gross misconduct that seriously and detrimentally affects the University. Such conduct must, at a minimum, either qualify as clearly unacceptable in the context of higher education or seriously deviate from standards or practices commonly accepted in the faculty member's discipline; or
5. Substantial academic dishonesty in research, scholarship, and/ or creative works; or
6. Abandonment or habitual neglect of assigned faculty responsibilities, including but not limited to failure to hold class; failure to submit grades in a timely manner; failure to maintain levels of skill, information, professional licensure, and qualifications sufficient to provide instruction meeting the academic standards of the individual's discipline or the accreditation standards of the degree program.

A physical or mental incapacity, as described in 3.5.B.1, which by its nature may make the faculty member unfit to perform in the classroom, may not preclude the faculty member from performing in some other position within the institution. If those circumstances arise, the University shall make a reasonable effort to find an available and appropriate position for which the faculty member is qualified before terminating a faculty member for cause.

Termination for cause is subject to review as described in Appendix C, including the right to a hearing before the Hearing Committee and the right to review by the Executive Committee of the Board.

3.5.C Notice of Dismissal

When the President, after consultation with the Provost and the appropriate Dean, has decided to terminate a faculty member for cause, the President shall so inform the faculty member in writing and shall set forth the reasons in writing.

If the faculty member believes no cause for dismissal exists, the faculty member may make a request in writing to the President that the President present the matter to the Hearing Committee (Appendix C.2.C, Section 1.8.C.2). The burden of proof that cause for dismissal exists rests with the University.

3.6 MATTERS IN OTHER FORUMS

A faculty member may believe that actions by the University implicate legal rights that could provide a basis for pursuing an action in an administrative or judicial forum. The faculty member and the University may also believe it is in their mutual best interest to avoid simultaneous proceedings under this *Manual* and in another forum. Therefore, the faculty member and the University may (but are not obligated to) consider entering into an agreement to pause or delay applicable limitations periods pending the completion of all or a portion of the procedures for resolution set forth in this *Manual*.

SECTION 4. PROBLEM RESOLUTION

From time to time, a problem may arise regarding the implementation or interpretation of the policies contained in this *Manual* as they pertain to a faculty member or members. The Appendices and other portions of this *Manual* set forth time frames and deadlines for processes. Except as specifically noted, time frames refer to calendar days. The University, its representatives, the affected faculty members, and other parties will attempt to comply with such deadlines and time frames as are applicable to them. Provided that a party makes good faith efforts to comply with those deadlines and time frames and that no unreasonable delays occur, the failure to satisfy the terms of applicable deadlines and timeframes will not constitute policy violations. In addition, the involved parties may in any circumstance agree to alternative time frames and deadlines.

The above reference to deadlines notwithstanding, the only exception is that the Board shall hold a final vote on individual tenure and promotion cases at the first board meeting of each calendar year.

For purposes of this *Manual*, a “problem” includes any dispute or other issue (that pertains to a faculty member or members) regarding the implementation or interpretation of policies contained in this *Manual*. The University commits first and foremost to seeking informal resolution of differences. Parties should confer informally to attempt to resolve any differences. For circumstances when an informal resolution of the problem does not occur, this *Manual* sets forth more formal procedures for problem resolution.

Any problem involving:

- the non-renewal of a faculty member will follow the procedures contained in Section 3.2;
- a promotion or tenure recommendation will follow the procedures contained in Appendix A;
- an administrative termination of a faculty member will follow the procedures contained in Appendix B;
- the dismissal of a faculty member, regardless of the specific cause, will follow the procedures contained in Section 3.5 and Appendix C;
- all other problems regarding implementation or interpretation of the policies contained in this *Manual* are set forth in Appendix C;
- the resolution of issues concerning alleged gender misconduct or other unlawful discrimination, harassment, or retaliation will follow applicable University procedures.

These problem resolution procedures constitute the sole and exclusive means of addressing claims that violations of any substantive provisions of this *Faculty Policy Manual* have occurred. They do not preclude a faculty member from pursuing common law claims (other than substantive breach of contract claims) or claims of violations of statutory rights. They also do not preclude an individual from bringing a legal action of breach of contract based on a claim that the University has not complied with procedural requirements set forth in this *Faculty Policy Manual*, such as a claim that the University failed to participate in a hearing that the Hearing Committee determined to hold under the Problem Resolution Procedures set forth in Appendix C.

For example, a faculty member could not pursue a legal action based on a claim that a decision to deny tenure violated a purported contract under this *Manual* to grant tenure when a candidate satisfies the

Criteria for Promotion and Tenure. However, this Section 4 would not prevent a faculty member from claiming that a decision to deny tenure constituted a form of unlawful discrimination under federal or state laws concerning employment discrimination.

SECTION 5. AMENDMENTS TO FACULTY POLICY MANUAL

The policies compiled in this *Manual* may be modified or amended by agreement of the Faculties and the Board of Trustees of the University. When the Board proposes such changes, it will notify the Faculty Senate by delivering a copy of its request to the President. Faculty may propose such changes through the Faculty Senate. Faculty shall request all proposed changes through the President, who will communicate with the Board. This *Manual* may be modified or amended by a simple majority vote of at least half of the Voting Faculty from each College and by the Board of Trustees.

This *Manual* shall remain in effect for seven years to and including June 30, 2026. A new *Manual* may be adopted only by a simple majority vote of at least half of the Voting Faculty from each College and by the Board of Trustees.

The Faculty Senate and the Administration agree to engage in a limited review of the 2019 *Manual* to identify and resolve minor issues involving missing, ambiguous, erroneous or problematic language that has come to the attention of either the Faculty Senate or the Administration in the first 12-24 months the 2019 *Manual* is in effect. This limited review shall be a one-time event carried out on mutually agreeable terms and any changes that emerge from this limited review shall follow the amendment process. If neither the Faculty Senate nor the Administration desire such a limited review, none shall be conducted. At all other times, the *Manual's* amendment process shall be used to modify the *Manual*.

If a new *Manual* has not been ratified by June 30, 2026, the *Manual* may be renewed for one or more periods of up to six months each by the vote of the majority of the Faculty Senate and the Executive Committee of the Board of Trustees.

APPENDIX A: PROCEDURES FOR REVIEW OF PROMOTION AND TENURE RECOMMENDATIONS

Appendix A sets forth the procedures to implement Section 3.3 of the *Manual*.

A.1 COMPOSITION OF PROMOTION AND TENURE APPEAL COMMITTEE

The Promotion and Tenure Appeal Committee consists of five voting members. The voting members shall consist of one person chosen by the Voting Faculty of each College and one additional representative at large. Committee members must be tenured Faculty and have previously served on a committee on promotion and tenure.

Each College shall elect its representative to the Promotion and Tenure Appeal Committee for the coming year. Each College and the Faculty Senate (in the case of the at-large member) shall elect its representative to the Promotion and Tenure Appeal Committee prior to May 15 to begin service on July 1. Each of these voting members shall serve for a term of five years on a staggered basis (subject to reduced terms when necessary to establish staggered terms). The Committee shall select its Chair from among its members at any time when the composition of the Review Committee changes.

A.2 PETITION

Any candidate for promotion and/or tenure who has received written notice of the decision of the Board of Trustees to not award promotion and/or tenure may deliver a written petition to the Provost requesting review of the decision by the Review Committee. The faculty member may request that the Review Committee review any or all of the following:

- the process by which their qualifications and performance were assessed by the appropriate committee(s) on promotion and tenure, the appropriate Dean, the Provost, and/or the President;
- whether the decision was based on something other than the prescribed criteria;
- whether new information is sufficiently significant in the context of the promotion and/or tenure case to merit reconsideration of the case.

A.2.A Candidate Request for Clarification

The faculty member may decide to ask for a meeting to clarify the reasons for the non-award of tenure and/or promotion. The meeting request must be made in writing by the faculty member to the Provost within five (5) business days after they receive written notice of the Board's decision. The faculty member may request to meet with any or all of the following individuals, individually or jointly: the President, the Provost, the Dean, and/or the Chair(s) of the committee(s) responsible for tenure and promotion decisions. (See Section 2.5.E) The date that the Provost receives the petition is the "petition date."

If the faculty member chooses **not** to request a meeting, they shall deliver their written petition to the Provost within fifteen (15) business days from the date they receive written notice of the decision of the Board. If, however, the faculty member requests a meeting, then the written petition to the Provost must be delivered within ten (10) business days from the date the meeting is held.

A.2.B Contents of the Petition

The written petition shall specify which of the Criteria for Promotion and Tenure are requested to be reviewed and state, in detail, which matters are requested to be reviewed by the Committee. If the petition is based in whole or in part on new information, the new information must be appended to the petition.

A.2.C Timeline for the Review

No later than three (3) business days from the receipt of the petition (petition date) the Provost shall deliver to the Promotion and Tenure Appeal Committee and the appropriate Dean(s) a copy of the written petition and a copy of the written report and accompanying documents prepared by the committee on promotion and tenure concerning the candidate. The Provost shall convene the first meeting of the Committee. From the date of the first meeting, the Committee has no more than fifteen (15) business days to complete and deliver the final report to the Provost.

A.3 PROMOTION AND TENURE APPEAL COMMITTEE REPORT

The Committee shall review relevant written materials (See Section A.2.C) and consult, as needed, with the committee(s) on promotion and tenure, the appropriate Dean(s), and the Provost and the President concerning the reasons for their respective recommendations. Within fifteen (15) business days from the first meeting (excluding the period of spring break), the Committee shall report to the Provost in writing.

If the petition requested a review of the process, the Committee shall report either: (i) that it has determined that the recommendation of the committee(s) on promotion and tenure, the Dean(s), and/or the Provost was the result of adequate consideration of the criteria for promotion and tenure; or (ii) that it believes that the committee(s) on promotion and tenure, the appropriate Dean(s), the Provost, and/or the President should be requested to consider further their recommendation based on one or more of the Criteria for Promotion and Tenure.

If the petition requested review based on new information, the Committee will report either: (i) that the new information is sufficiently significant in the context of the promotion or tenure case to merit reconsideration of the case in light of the new information; or (ii) that it is not sufficiently significant in the context of the case to merit such reconsideration.

If the Promotion and Tenure Appeal Committee believes that further consideration should be requested, the Committee shall state in detail in its written report to the Provost why it believes further consideration should be requested and at what level (committee(s) on promotion and tenure, Dean(s), Provost, and/or President) further consideration should begin. The Provost shall provide copies of the Committee's report to the committee(s) on promotion and tenure, the Dean, and the President. The Provost shall inform the candidate of the Committee's findings in writing no later than three (3) business days after the Provost receives the report.

A.4 FURTHER CONSIDERATION

The information that follows describes the process after the Promotion and Tenure Appeal Committee recommends further consideration at one of the following four (4) levels. When the reconsideration begins at one of the following levels, the recommendations, at each step, are submitted to the Provost who forwards the recommendation on to the next level of review.

If the reconsideration begins at the level of the Provost, then the President receives the Provost's recommendation and notifies the candidate. If the reconsideration begins at the level of the promotion and tenure committee(s) or the Dean, the Provost receives the recommendations and notifies the candidate of the findings of the review. If reconsideration is at the level of the President, the President shall notify the candidate and other parties of their recommendation.

A.4.A Reconsideration by the Committee(s) on Promotion and Tenure

If the Promotion and Tenure Appeal Committee reports to the Provost that it believes further consideration of a recommendation by the committee(s) on promotion and tenure should be requested, the Provost shall within five (5) business days request further consideration of a candidate by the committee(s) on promotion and tenure concerning the matters stated in the written report of the Promotion and Tenure Appeal Committee.

The committee(s) on promotion and tenure shall meet and report to the appropriate Dean(s), and the Provost in writing no later than 10 business days after referral and inform them either: (i) that it affirms its original recommendation; or (ii) that it has determined that its original recommendation should be modified. The report shall also explain the rationale for the committee's determination.

If the committee(s) on promotion and tenure determines that its original recommendation should be modified, it shall state in detail in its written report how it believes its original recommendation should be modified. The Dean(s) shall thereafter make a written recommendation no later than five (5) business days to the Provost and President concerning the written report of the committee(s) on promotion and tenure, and the President shall notify the candidate in writing of their decision no later than five (5) additional business days.

A.4.B Reconsideration by the Dean

If the Promotion and Tenure Appeal Committee reports to the Provost that it believes further consideration of a recommendation by the appropriate Dean should be requested, the Provost shall within five (5) business days request such further consideration by the appropriate Dean based on the findings stated in the written report of the Review Committee.

The appropriate Dean shall undertake such reconsideration and shall, after consultation with the committee on promotion and tenure, make a written report to the Provost no later than five (5) business days after receipt of the request for reconsideration.

A.4.C Reconsideration by the Provost

If the Promotion and Tenure Appeal Committee reports that further consideration of a recommendation by the Provost should be requested, the Committee should inform the President who will notify the Provost within five (5) business days, of the request for consideration by the Provost based on the findings stated in the written report. The Provost shall undertake such reconsideration and shall, after consultation with the committee(s) on promotion and tenure and the Dean(s), submit a written report within five (5) business days to the President. The President shall notify the candidate in writing of their decision within five (5) additional business days.

A.4.D Reconsideration by the President

If the Promotion and Tenure Appeal Committee reports to the President that it believes further consideration of a recommendation by the President should occur, the President shall undertake

such reconsideration. The President shall consult with the Dean, the Provost, and the committee(s) on promotion and tenure as part of that reconsideration; and the President shall notify the candidate of their decision in writing within five (5) business days.

A.5 REVIEW BY THE BOARD OF TRUSTEES

If the Promotion and Tenure Appeal Committee recommends reconsideration and the committee(s) on promotion and tenure, the Dean(s), the Provost, and/or the President modifies their original recommendation based upon such reconsideration, the President shall submit the Promotion and Tenure Appeal Committee report and all subsequent reports and recommendations to the Executive Committee of the Board of Trustees within ten (10) business days of such modification. The President shall request the Executive Committee to consider the Board's previous determination in light of the further reports and recommendations, including full consideration of any reports and recommendations supporting the award of promotion or tenure, and make a final determination.

As soon as practicable, the President shall inform in writing the Promotion and Tenure Appeal Committee and the relevant committees on promotion and tenure, the Dean, the Provost, and the faculty member of the Executive Committee's determination.

APPENDIX B: PROCEDURES FOR REVIEW OF ADMINISTRATIVE TERMINATION DECISIONS

Appendix B sets forth the procedures to implement Section 3.4 of the *Manual*. No administrative termination may occur unless the procedures described in Section 3.4 have first been fully followed.

B.1 COMPOSITION OF HEARING COMMITTEE

The Hearing Committee consists of five persons, one elected by the Voting Faculty of each College from among the tenured Faculty of that College and one at-large member from the faculty as a whole. Each College and the Faculty Senate (in the case of the at-large member) shall elect its representative to the Hearing Committee prior to May 15 to begin service on July 1. Election results shall, within five business days, be forwarded to the Faculty Senate, the Provost, and the President. The Hearing Committee shall select its Chair from among its members and may reconsider its Chair if the composition of the Hearing Committee changes. If one of the Hearing Committee members is unwilling or unable to serve (whether due to a conflict of interest, unavailability, or otherwise), that faculty member's College shall promptly elect a replacement according to procedures specified in each College's Operating Procedures

B.2 STATEMENT OF REASONS FOR ADMINISTRATIVE TERMINATION DECISION

After receipt of notice in writing of administrative termination, the faculty member may request the President, the Provost, or the Dean to inform them orally concerning the reason(s) for the determination. Upon such request, the President, the Provost, or the Dean shall inform the faculty member orally concerning the reason(s) for the determination. The faculty member may make a request in writing to the President, the Provost, or the Dean to confirm such reasons in writing. If so requested, the President, the Provost, or the Dean shall confirm such reasons in writing.

B.3 PROCEDURES

If the faculty member believes that the determination of the President was not because of closure of a School, Department, or Program or financial exigency or that the procedures of Section 3.4 were not followed, the faculty member may submit a written request for review of the matter by the Hearing Committee (Appendix C.2.C). The Hearing Committee shall inform the president that it has received a request for a review. When such a written request has been filed, the Hearing Committee shall inquire informally into the matter.

The Hearing Committee first explores issues arising in administrative terminations through an informal inquiry process (see Section C.2) rather than a formal hearing (see Section C.3). Specifically, administrative termination cases are more likely than other disputes to place two or more faculty members in conflicting positions. Such cases are also more likely to lead to examination of a range of alternatives, which can typically be explored more effectively through a more flexible inquiry format. However, establishing an informal inquiry framework is not intended to preclude the hearing Committee from undertaking a careful and complete review, including interviewing fully persons with relevant knowledge. The Hearing Committee also has the authority to conduct a formal inquiry in administrative termination cases that are presented to it.

After such inquiry, the Hearing Committee shall report to the President in writing either: (i) that it believes that the determination was because of closure of a College, School, Division, Department, or Program or financial exigency and that the procedures of Section 3.4 were followed; or (ii) that it recommends that the President should consider the determination further. If the Hearing Committee recommends that the President should consider the determination further, the Hearing Committee will

state in detail in its written report to the President why, in its opinion, the determination should be considered further and supply a copy of the record that it compiles to the President. The President shall supply a copy of the Hearing Committee's report to the faculty member, the Dean, and the Provost.

B.4 FURTHER CONSIDERATION BY THE PRESIDENT

If recommended to do so by the Hearing Committee, the President shall consider the determination further. The President shall give substantial weight to the report and recommendation of the Hearing Committee. After such further consideration, the President shall inform the faculty member, the appropriate Dean, the Provost, and the Hearing Committee in writing of the results of the further consideration. If the President disagrees with the recommendation of the Hearing Committee, the President shall explain their reasons in writing. If the President agrees with the Hearing Committee, the matter is closed and the President shall inform, in writing, the faculty member, the Dean, and the Provost of their decision as soon as is practicable.

B.5 FURTHER CONSIDERATION BY THE EXECUTIVE COMMITTEE OF THE BOARD OF TRUSTEES

If the President disagrees with the recommendation of the Hearing Committee, the faculty member may ask the Executive Committee to review the President's determination within five (5) business days of making a request for such a review. In the event of such a request, the President shall deliver to the Executive Committee copies of the Hearing Committee's record and report and the President's determination. Before making any decision, the Executive Committee shall meet with the President and representatives of the Hearing Committee. In its deliberations, the Executive Committee shall consider the entirety of all reports.

The Executive Committee shall make the final determination. In doing so, it shall give substantial weight to the report and recommendation of the Hearing Committee.

As soon as practicable after receiving the Executive Committee's determination, the President shall notify, in writing, the faculty member, the Faculty Senate, the Hearing Committee, the Provost, and the appropriate Dean of the Executive Committee's determination.

APPENDIX C: PROBLEM RESOLUTION PROCEDURES

Appendix C sets forth definitions and a sequence of procedures to implement Section 4 of the *Manual*. As described in Section 4, these Problem Resolution Procedures are the mechanisms for resolving problems concerning implementation or interpretation of policies contained in the *Manual* or any other Simmons policies or implementation guidelines that are not designated for resolution under another mechanism. These Problem Resolution Procedures also govern the process for dismissal of a faculty member pursuant to Section 3.5.

C.1 DEFINITIONS

C.1.A Person Involved

These Problem Resolution Procedures refer to the resolution of differences between one or more faculty member(s) and any other “person involved.” For purposes of these Problem Resolution Procedures, the “person involved” could be any individual who administers a policy or policies contained in this *Manual* in a manner that the faculty member believes detrimentally affects them. Thus, the “person involved” could be one or more Deans, the Provost, the President, or other person. In any circumstance involving a dismissal, the “person involved” is the President or their designee as noted below.

C.1.B Parties

The “parties” to these Problem Resolution Procedures are the faculty member(s), the person involved, the Dean, the Provost, and the President.

C.1.C President

References to the “President” refer to the President or any person (such as the Provost) whom the President designates in a particular case to perform some or all of the President’s functions under the Problem Resolution Procedures. When the “person involved” is the Provost, the President shall perform those functions.

C.2 INFORMAL PROCEEDINGS

C.2.A Informal Action

When a problem arises regarding the implementation or interpretation of the University’s policies contained in this *Manual* as they pertain to faculty member(s), unless personal contact with the party involved would be objectionable to the faculty member(s), the faculty member(s) should discuss the problem with the person involved in personal conference and attempt to resolve the matter by mutual consent. Any such personal conference between the faculty member(s) and the person involved shall be treated confidentially.

If the personal conference does not resolve the matter, the faculty member(s) may seek resolution, to the extent practicable, [in this order:] by the Department Chair or Program Director and, if not so resolved, then by the Dean. If the matter remains unresolved, the faculty member(s) may request in writing to the Provost (“advisory request”) that the Provost attempt to resolve the matter. The faculty member(s) shall deliver the advisory request to the Provost within five (5) business days after it becomes apparent that all other means of resolution have been unsuccessful.

C.2.B Informal Inquiry by the Provost

After the Provost receives an advisory request, the Provost shall informally inquire into the matter and invite the appropriate Dean and such other persons as the Provost deems appropriate to participate in the inquiry. The Provost shall issue their written recommendation for the resolution of the matter to the faculty member and to the person involved within fourteen (14) days of the date of the filing of the advisory request. If the recommendation of the Provost is accepted by both the faculty member and the person involved, the matter shall be treated as resolved by mutual consent. Any such inquiry and resolution shall be treated as confidential by all those involved.

If the matter is not resolved as a result of the Provost's informal inquiry and recommendation for resolution, the faculty member(s) or administrator may request a Hearing Committee Inquiry by sending written notice of the request. This notice shall be sent to the Chairperson of the Hearing Committee ("Chair") and other parties within fourteen (14) days of the Provost's issuance of recommendation for resolution of the matter. The party initiating a Hearing Committee Inquiry should also send a copy of the Provost's recommendation for resolution to the Chair.

C.2.C Hearing Committee Inquiry

C.2.C.1 Purpose of the Hearing Committee (See 1.7.D.11)

C.2.C.2 Statement of Cause

Within five (5) business days after the initiation of a Hearing Committee Inquiry, the Provost shall submit a "statement of cause" to the Chair, with copies to all parties. A "statement of cause" is a brief statement of the facts in the matter to be resolved. If any party disagrees with the Provost's "statement of cause," they may submit an alternative "statement of cause" within seven (7) days of the Provost's submission.

C.2.C.3 Determination Regarding Holding a Hearing

After the time has passed for submitting all "statements of cause," the Hearing Committee shall within five (5) business days determine, based on the significance and gravity of the matter, whether a hearing should be held. In all cases involving dismissal of a faculty member (Section 3.5), the faculty member is entitled to a hearing under these Problem Resolution Procedures.

The Hearing Committee shall notify the parties in writing of its determination within fourteen (14) days of receiving the "statement(s) of cause." If a hearing will be held, the Hearing Committee will inform all parties of the hearing date. The date of the hearing will be at least fourteen (14) days but not more than thirty (30) days from the date of determination that a hearing will be held.

C.3 FORMAL PROCEEDINGS

C.3.A Establishment of Procedures

The Hearing Committee shall establish procedures for hearings consistent with this Appendix C.3, which it may change from time to time and adapt for different types of proceedings. The Chair shall provide the Hearing Committee's written procedures to all parties.

C.3.B Prehearing Conference

At least one week in advance of the hearing, the parties and Chair of the Hearing Committee shall meet informally to discuss whether there are facts in dispute and such other matters as the Chair deems necessary or appropriate to prepare for the efficient conduct of the hearing. Further, questions concerning the procedures established by the committee shall be addressed by the committee chair at this time. If the parties agree that no facts are in dispute, each will identify and within five (5) business days exchange any documents that they intend to present to the Committee at the hearing. If any of the parties believes that there are facts in dispute, that party shall, at least seventy-two (72) hours before the hearing, provide a written statement to the Chair and all other parties identifying the witnesses, if any, that such party intends to request to appear at the hearing and attaching copies of any documents that such party intends to present at the hearing. The Committee reserves the right to call its own witnesses and introduce its own information, and shall provide timely notice of such witnesses and/or additional information to the parties when it exercises this right.

C.3.C Privacy of Hearing

The hearing shall be private: open only to the parties and any other persons whom the Chair of Hearing Committee deems necessary or appropriate to the fair and efficient conduct of the hearing. The Chair shall notify all parties in advance of any such persons. Unauthorized audio and/or video are prohibited.

C.3.D Record of Hearing

In any case involving a dismissal, the Hearing Committee shall ensure that a stenographic or similar record is made of the hearing. In all other proceedings, the Hearing Committee may determine that a stenographic or similar record should be made. The University shall bear the costs of any stenographic or similar record.

C.3.E Representation of Parties

Because the Faculty and the Administration recognize that legal counsel can disrupt efforts to address differences in a collegial and constructive manner, legal counsel will not be permitted to attend or participate in the hearing on behalf of the person involved, the faculty member, or any other party, including the President. Each party may select a member of the University community to participate in the hearing as an advisor and/or to represent the party. A member of the community is eligible to serve as advisor even if they have legal training, so long as they are not a practicing lawyer. This does not limit the rights of any party to seek the advice of legal counsel outside the hearing.

C.3.F Conduct of the Hearing Proceedings

The Hearing Committee shall determine the order of presentation of the proceedings and shall have the discretion to limit the proceedings based on the interests of fairness, completeness, efficiency, and relevance. The parties, directly or through their representatives, may make opening presentations to the Hearing Committee, examine and cross-examine witnesses, introduce information at the hearing, and make an oral statement prior to the commencement of deliberations by the Hearing Committee.

Aside from limitations on presentation of information at the hearing that may be established by the Hearing Committee in its discretion, the Hearing Committee may consider any review of a tenured faculty member that was prepared in accordance with the policy on Review of Tenured Faculty (Section 2.5.B) in any hearing concerning dismissal of a faculty member.

The Hearing Committee members shall participate in the questioning of parties and witnesses and may, in their discretion, conduct the initial questioning of parties and witnesses. Each party is responsible for arranging the attendance of witnesses whom they may seek to call. If any witness cannot or will not appear, the Hearing Committee may receive their written statement, which will be accorded such weight as the Hearing Committee may determine to be appropriate, taking into account the lack of an opportunity for questioning.

C.3.G Deliberations and Recommendations

The Hearing Committee shall deliberate in conference and shall consider only the information introduced at the hearing. The Hearing Committee shall make explicit findings with respect to the statement(s) of cause based on the record considered as a whole. In any case involving a dismissal, the burden is on the University to prove the existence of cause by a preponderance of the evidence. The Hearing Committee shall submit its findings, recommendations, and reasons for said findings and recommendations in writing to the parties within fourteen (14) days of the conclusion of the hearing.

In the event that the matter concerns the dismissal of a faculty member, the Hearing Committee may recommend that the faculty member be dismissed immediately, at the end of the current term, semester, or academic year. The Hearing Committee may recommend the imposition of a less severe sanction including, but not limited to: loss of tenure; suspension, with or without pay, for a stated period of time; or reprimand. The Hearing Committee may recommend that no sanction be imposed on the faculty member. The Hearing Committee may also make such other recommendations as it deems just and proper.

C.3.H New Information

Upon the petition of a party, the Hearing Committee, in its sole discretion, may re-open the hearing if new information that by due diligence could not have been discovered in time to be introduced at the hearing is newly discovered. The petition shall be made within five (5) business days after discovery of the new information and, in any event, within four (4) months of the conclusion of the hearing.

C.3.I Suspension in the Case of Dismissal

In the event that the Provost, after consultation with the Dean, has recommended dismissal of the faculty member, the President may suspend the faculty member from their teaching and/or other duties, with or without pay, through the formal proceedings. Suspension without pay shall not exceed fourteen (14) days. Before taking any such action, the President shall consult with the Hearing Committee members and notify them of such planned suspension. The President shall solicit the views of the Hearing Committee members concerning such action and shall not undertake such action unless the President has determined that it is in the best interests of the University, after considering the views of the Provost and Dean and after giving substantial weight to the views of the members of the Hearing Committee. If the faculty member is suspended without pay, and the decision of the Executive Committee (see Appendix C.4) is favorable to the faculty member, the faculty member shall receive retroactive pay for the period of the suspension.

C.4 THE EXECUTIVE COMMITTEE OF THE BOARD OF TRUSTEES

C.4.A Executive Committee Role in Non-Dismissal Cases

If the matter concerns a subject other than the dismissal, loss of tenure, or suspension of a faculty member, the Provost, after consulting with the Dean, may at their discretion issue a determination after giving substantial weight to the recommendation, findings, and reasons of the Hearing Committee. If the Provost's conclusion concerning any action to be taken differs from the recommendation of the Hearing Committee, the Provost shall meet with the Hearing Committee, explain their reasons for disagreement, and explore possible means of accommodation. If the Provost and the Hearing Committee continue to disagree after that meeting, the Provost may make a final determination, which shall include a statement of their reasons for reaching a different conclusion despite giving substantial weight to the recommendation, findings, and reasons of the Hearing Committee. Alternatively, the Provost may submit any such matter to the Executive Committee for further consideration, accompanied by the recommendation, findings, and reasons of the Hearing Committee, as well as any recommendation, findings, and reasons of the Provost.

C.4.B Executive Committee Role in Dismissal Cases

If the matter concerns dismissal, loss of tenure, or suspension of a faculty member and the Provost disagrees with the recommendation of the Hearing Committee, the Provost shall meet with the Hearing Committee, explain their reasons for disagreement, and explore possible means of accommodation. If the Provost and the Hearing Committee continue to disagree after that meeting, the President shall transmit to the Executive Committee the recommendation, findings, and reasons. If the matter concerns dismissal, loss of tenure, or suspension of a faculty member and the Provost agrees with recommendation of the Hearing Committee, such recommendation, findings, and reasons shall be final, unless the President in their discretion decides to submit such matter to the Executive Committee for further consideration.

C.4.C Trustee Role in Matters Concerning Adherence to Policies Articulated in the Manual

The parties to this *Manual* recognize that, rarely, matters concerning interpretation of and adherence to the policies in this *Manual* may not be resolved through the informal and formal problem resolution processes described in Appendix C. The President, Provost, or President of the Faculty Senate may bring that matter to the Chair of the Board for discussion, consultation, referral and resolution.

C.4.D Executive Committee Determination

The Executive Committee shall make the final determination concerning any matter submitted to it. Before making any decision, the Executive Committee shall meet with the President, the Provost, and a representative of the Hearing Committee. In making its decision, the Executive Committee will give substantial weight to the recommendations of the Hearing Committee.

If the Executive Committee's determination concerning any action to be taken differs from the recommendation of the Hearing Committee, the Executive Committee's determination shall include a statement of its reasons for reaching a different conclusion despite giving substantial weight to the recommendation, findings, and reasons of the Hearing Committee. The President shall deliver the final decision (whether by the President or the Executive Committee) to the Hearing Committee, and all other parties in writing.

APPENDIX D: PARENTAL LEAVE OPTIONS OPEN TO FACULTY

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APPENDIX E: VACATION LEAVE POLICY FOR FACULTY WITH 12-MONTH CONTRACTS

Twelve-month faculty members are entitled to 22 days of vacation leave per calendar year. The amount of vacation leave for part-time employees in covered positions who work at least half-time (50% FTE) is adjusted proportionately, as stipulated in the faculty member's contract.

