

Personnel Procedures for Non-Tenure-Track Faculty The University of the South

February 2018

I. PREAMBLE

The purpose of this document is to state the procedures governing the employment status of non-tenure-track faculty members of the College of Arts and Sciences and the School of Theology, including appointment, reappointment, review, notification of non-reappointment, disciplinary actions, and dismissal. These procedures constitute the official policy of the University, and the University commits itself to make no permanent changes in these procedures without prior consultation with the faculty. Because no set of employment procedures can address every issue that may arise in making employment decisions, these procedures may be modified or supplemented in individual cases at the discretion of the Dean of the College of Arts and Sciences or the Dean of the School of Theology, the Provost and Vice-Chancellor, and only after informing the faculty member in question of any necessary modifications in the procedure before the evaluation occurs. The University provides equal employment opportunity to all faculty members and applicants for faculty positions. No person shall be discriminated against in employment because of race, color, sex, age, national origin, sexual orientation, disability or religion (except for those positions in the School of Theology and the chaplain's office where religious affiliation is a necessary qualification).

II. STATUTORY AUTHORITY GOVERNING APPOINTMENT, REAPPOINTMENT, TENURE, AND PROMOTIONS

The Constitution of the University of the South charges the Board of Regents with the power of election, upon the nomination of the Vice-Chancellor, of all professors and other persons connected with teaching at the University. (Constitution, Article IV, Section 2.) The University Ordinances specify that all non-tenured faculty members will be deemed elected by the Board of Regents upon the Vice-Chancellor's approval of the appointment. (Part 1 Ordinances for the Government of the Corporation, Ordinance 2, Section 4.)

In addition, the University Ordinances provide that the Provost shall assist with faculty relations, appointments, and promotions. (Part 1 Ordinances for the Government of the Corporation, Ordinance 5, Section 2.)

III. DEFINITIONS

The following definitions are relevant to this document.

A. Academic Freedom:

The University adheres to the 1940 AAUP Statement on Academic Freedom:

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

Teachers are entitled to freedom in the classroom in discussing their subject, but they should be careful not to introduce into their teaching controversial matter which has no relation to their subject. Limitations of academic freedom because of religious or other aims of the institution should be clearly stated in writing at the time of the appointment. College and university teachers are citizens, members of a learned profession, and officers of an educational institution. When they speak or write as citizens, they should be free from institutional censorship or discipline, but their special position in the community imposes special obligations. As scholars and educational officers, they should remember that the public may judge their profession and their institution by their utterances. Hence they should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that they are not speaking for the institution.

The University adheres as well to the following principles: (1) “classroom” as used in this definition of academic freedom includes any venue in which faculty conduct professional instructional and research activities; (2) the protection of academic freedom and the requirements of academic responsibility apply to all who exercise teaching responsibilities; (3) academic freedom extends to the expression of opinion in the context of university governance.

B. Full-time Appointments:

Non-tenure-track faculty who are full-time in the College normally teach six courses over two semesters. Faculty who are full-time in the School of Theology normally teach six courses over two semesters unless they are released for administrative duties. The ranks that apply to non-tenure-track appointments are Instructor, Visiting Professor, Visiting Associate Professor, Visiting Assistant Professor, Research Professor, Research Associate Professor, Research Assistant Professor, Teaching Professor, Teaching Associate Professor, and Teaching Assistant Professor. The titles of Distinguished Scholar in Residence and Distinguished Visiting Professor may be awarded at the exclusive discretion of the Vice-Chancellor.

C. Part-time Appointments:

Part-time appointments in the College normally entail teaching five or fewer courses over two consecutive semesters or three or fewer courses for one semester only. In the School of Theology, part-time appointments are generally those of fewer than two

courses per term, or two courses without the full range of responsibilities of School of Theology faculty. Deans may determine that, in particular temporary circumstances, a part-time faculty member may teach more than the number of courses listed above. Part-time faculty are employees at will and may resign at any time and may have their employment terminated at any time, ordinarily at the end of an academic term.

D. The Review Committee:

Departmental Appointments: The Review Committee shall consist of at least three tenured members of the department of a faculty member undergoing a formal evaluation. One tenured faculty member from another department or program may be selected by the faculty member under review at the time of the review. In the case of persons regularly teaching courses for interdisciplinary programs, the Review Committee should include the Chairs of those interdisciplinary programs.

Program Appointments: In the case of persons hired into interdisciplinary programs, the Review Committee shall be constituted by the Program Chair and the Program Committee. Once named, individuals will remain on the Review Committee unless the faculty member ceases employment with the University, in which case the Dean will appoint replacements. Additionally, as with departmental faculty, interdisciplinary faculty at the time of the review may choose one tenured faculty member from another program or department to complete their Review Committee.

If a department or program has fewer than three tenured members, the Dean will designate additional tenured members from outside the department or program to form part of the Review Committee.

Potential or actual Review Committee members shall recuse themselves or accept recusal from committee colleagues under the following circumstances: (1) the member has, or has had, a sexual and/or romantic relationship with the person under review; (2) the member is aware of any prejudice, pro or con, that seems likely to impair his or her judgment of the person under review; or (3) the member has a familial relation to the person under review.

IV. PROCEDURES FOR APPOINTMENT, REAPPOINTMENT, AND PROMOTION

All faculty searches require prior written authorization from the Provost and Dean. A position is not authorized simply because a faculty member has left that position. Faculty appointments are assumed to begin July 1 unless otherwise explicitly indicated.

Appointments to non-tenure-track positions require that a faculty member be recommended by the department or program to the Dean. In addition, the appropriate department or departments, program or programs, faculty committees, faculty members, and

the Dean are consulted in the appointment and review, as more specifically described in Section VII.

V. UNIVERSITY CRITERIA FOR EVALUATION OF NON-TENURE-TRACK FACULTY MEMBERS

A successful review requires a positive assessment of the faculty member's demonstrated professional excellence in the area of teaching effectiveness. Assessment should include an evaluation of the member's service to the academic community, potential for future contribution to the academic community, and commitment to the welfare of the University. Reappointment may not be withheld on grounds stated to be impermissible under Section VII.G, "Impermissible Grounds for Non-reappointment."

Since there are no departments in the School of Theology, the functions ascribed to them in Section VII below are to be exercised by the Dean or the Dean's designee in consultation with tenured members of the School of Theology faculty.

The following criteria are used by the Dean and the department or program in evaluating non-tenure-track faculty members.

Teaching Effectiveness. Excellence in teaching requires, among other things, a thorough knowledge of the subject being taught, a genuine commitment to a continuing investigation of that subject, and an imaginative approach to the presentation of that subject in the classroom. A good teacher fosters a learning environment of mutual respect and is also perceptive about possible student problems in learning and is willing to deal with students' questions inside and outside of class. Professors are also expected to model for students effective methods and habits of original inquiry. Effective teaching requires that faculty members give close attention to students' written work or other work produced for grading and that they return such work promptly, that they adhere to the standards commonly observed here in evaluating students' academic performance, and that they have regular office hours during which they are available to students for consultation. Faculty members are also expected to observe any written academic regulations and procedures of the University, including punctual observance of classroom obligations. Excellence in teaching is required in all faculty positions, whether full or part time. Student evaluations and classroom observations by faculty colleagues are valid and appropriate measures of teaching effectiveness.

University Service. The effectiveness of the institution is enhanced by faculty members' cooperation with and contribution to departmental and institutional goals, including interdisciplinary programs in which the faculty member participates. Faculty members are expected to participate constructively in the discussions of goals and in the implementation of those goals and to exhibit collegiality among colleagues and respect for differing opinions.

In the School of Theology, members of the Faculty are additionally expected to be active in the life of the Church and committed to its mission, including teaching and other appropriate ecclesial service.

VII. EVALUATIONS OF NON-TENURE-TRACK FACULTY

A. Evaluations of Non-Tenure-track Faculty

Non-tenure-track faculty members who teach at least three courses per year will be evaluated in the second semester of the third year of employment, the second semester of the sixth year of employment, and every six years thereafter. These reviews will be directed by the Chair of the academic unit and the Dean (or Associate Dean for Faculty Development and Inclusion). If a department or program has fewer than three tenured members, the Dean will designate additional tenured members from outside the department or program to form part of the Review Committee. In the case of persons appointed in a department who also regularly teach specifically required courses in an interdisciplinary program, the Chair of the interdisciplinary program will be a member of the Review Committee and will participate in reviews of the faculty member. If a non-tenure-track faculty member is hired outside the usual Appointment Procedures for Non-Tenure-Track Faculty, the Chair of the department or program should observe at least one class near the mid-point of the faculty member's first semester of teaching employment and indicate to the Dean and faculty member by November 15 whether the faculty member's performance is satisfactory.

The procedures for the evaluation of non-tenure-track faculty shall include the following unless otherwise specified in the appointment letter:

1. By February 15, the Dean will meet with non-tenure-track faculty undergoing reviews and their Chairs to clarify the procedures and answer questions. Persons being evaluated may submit to their Chairs the name of a tenured member of the faculty outside their department or program who will become a member of the Review Committee. Chairs will notify the Dean of the final composition of the Review Committee.
2. By March 15, the faculty member being evaluated will submit to the Dean and the Review Committee a cover letter, current curriculum vitae, and any teaching materials that provide pertinent evidence of performance.
3. The Chair and one or more members of the Review Committee designated by the Chair will each make at least one pre-arranged in-class visit to observe the faculty member's teaching. These class visits should be made at least two weeks prior to the last day of classes. The comments of the observers will be recorded and made available to the faculty member. The faculty member may arrange another visitation by another colleague in addition to the ones arranged by the Chair.

4. Because teaching excellence is the primary criterion in all faculty performance reviews, student course evaluations will be considered in combination with the other materials in the faculty member's dossier. The review file will contain at least one year's evaluations, typically from the current and immediately previous semesters. The Chair of the academic unit should share the results of the evaluations with the other tenured members of the academic unit who will write the letters of evaluation.
5. In the College, the Chair will seek a written opinion of the faculty member's performance from each member of the Review Committee, as well as, when applicable, from one to two tenured faculty in interdisciplinary programs in which the faculty member regularly teaches. If the Dean recommends, reports from other members of the department and/or from faculty members in related fields may also be sought. These written opinions are confidential.

In the School of Theology, the Dean should consult the tenured members of the faculty. These evaluations will be based on the criteria for promotion and tenure described herein and will be furnished to the Dean for inclusion in the faculty member's file.

In either case, these evaluations will be retained in the Dean's file.

6. The Chair will write a composite letter summarizing these evaluations; copies will be given both to the Dean and the faculty member being evaluated. The identities of individual faculty members raising concerns addressed in this letter will be concealed. The Chair will meet with the faculty member and discuss the results of the evaluation and the composite letter. The Chair will discuss the strengths and weaknesses of the performance to date, and wherever appropriate, suggest ways to improve. Both parties should sign the composite letter indicating that the faculty member being evaluated has seen the letter and discussed its contents with the Chair; such acknowledgement does not necessarily indicate that the faculty member being evaluated agrees with the contents of the letter. The signed letter should then be placed in the faculty member's file. The faculty member may, in addition, submit a separate letter discussing the results of the meeting and the evaluation. The Chair's report on a non-tenure-track faculty member's review is by April 15.
7. The Dean will meet with the faculty member to discuss the contents of the review file and will share with the faculty member a letter summarizing the review by May 15. By June 1, the faculty member will receive a letter from the Dean either renewing the appointment or not. A renewal will normally be for a period of three years, depending on departmental and program needs. A decision to reappoint does not imply a guarantee of future employment beyond the end of the period specified in the appointment letter.

Schedule for Evaluations of Non-Tenure-Track Faculty

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| By February 15 | Members being evaluated meet with the Dean and their department or program Chairs to discuss review process. |
| | At the time of the review, members being evaluated may provide to their Chairs the name of a tenured faculty member outside their academic unit who will become a member of the Review Committee. |
| | Chairs notify the Dean of the composition of the Review Committee. |
| March 15 | Faculty member submits file (i.e., letter, curriculum vitae and other materials). |
| By April 15 | The Chair meets with member to discuss and sign Chair's letter. The Chair's letter and individual letters are submitted to the Dean. |
| By May 15 | The Dean sends faculty member a letter summarizing the review with copy to the Provost. |

B. Non-reappointment of Non-tenure-track Faculty for Reasons of Needs and Resources

In addition to evaluating a non-tenure-track faculty member's performance as outlined in Section VII.A, academic unit Chairs, Deans, the Provost and/or the Vice-Chancellor may take into account and use as the basis of their recommendations in whole or part, any factors deemed, in the exercise of their professional judgment, relevant to the academic needs and/or resources of the institution, i.e., the total institutional interests. When the Dean makes a decision about which faculty position or positions to eliminate, the faculty member(s) affected shall be given notice of non-reappointment as soon as possible after the decision is made.

C. Notice of Non-reappointment for Reasons of Performance

Non-tenure-track faculty members will be notified of non-reappointment in writing no later than June 1. All faculty appointments are assumed to end June 30th unless otherwise explicitly indicated.

VIII. DISCIPLINARY ACTIONS AND DISMISSAL

Disciplinary actions against faculty members include, but are not limited to, a reprimand, a probationary period with specified conditions, suspension with pay, and dismissal. In reaching a decision to discipline a faculty member, the Dean shall notify the faculty member in writing of the reason discipline is being considered and offer the faculty member an opportunity to respond. A faculty member may be suspended with pay pending a disciplinary decision if, in the judgment of the Vice-Chancellor, Provost, or Dean, such action is necessary to prevent harm to the University or others. The University's concerns

only extend to a faculty member's personal life when the faculty member's effectiveness as a teacher, scholar, or member of the University community may be involved.

Dismissal

1. Any member of the Faculty may be dismissed at any time for adequate cause. Adequate cause includes, but is not limited to, neglect of duty; inadequate performance; reasonable evidence of discrimination against or harassment of students, faculty members or staff members; serious violations of the code of professional ethics (see AAUP Red Book, 1995 Edition, p. 103 ff.); or other just cause. Dismissal or the threat of dismissal will not be used to restrain faculty members in their exercise of academic freedom.
2. Any dismissal for cause shall be preceded by discussions between the faculty member and the Dean, the Provost, and/or the Vice-Chancellor looking toward a mutual settlement. The Dean may discuss the matter with the Chair of the faculty member's department or program, or the tenured faculty of the School of Theology. If no acceptable resolution is reached, a written statement of charges made with reasonable particularity by the Dean or the Vice-Chancellor should be presented to the faculty member.