

#### D. Evaluation of Performance Objectives/Goals:

The faculty member submits an annual report with appropriate evidence addressing prior established objectives/goals. The faculty member and department chair meet to discuss achievement of agreed upon objectives/goals. When appropriate the department chair shall counsel the faculty member on his or her potential for tenure, promotion, and professional growth demonstrated during the past year. The department chair's annual assessment is based only on the judgment of a single year's performance and not on the cumulative assessment given for promotion and tenure recommendations.

#### Timetable for Implementation of System

The suggested calendar for a faculty portfolio system is as follows:

- Element A: Spring prior to academic year
- Element B: Spring prior to academic year
- Element C: Early fall of academic year
- Element D: Spring of academic year

This is a process that does not seek to limit an individual faculty member's teaching, scholarly activity, or service goals to only those approved by a department chair. Rather, it is a process to encourage collaboration in establishing goals within the context of the department. It also allows the faculty member to understand more clearly the criteria by which the department chair will annually evaluate him or her and to agree, disagree, or negotiate. A faculty member may choose to establish goals or objectives that are in disagreement with his or her department chair's goals. Where there is a disagreement, the faculty member needs to understand how an objective will be evaluated prior to investing in the activity.

There is also the opportunity to request appropriate resources to accomplish goals or objectives. The foregoing is all similar to what occurs in a non-portfolio faculty performance review system, only adding the element of annual planning and evaluation within the context of stated goals or objectives.

Faculty members and department chairs may choose to combine evaluation of the previous year and establishing goals for the next year into one meeting. The fall revision may not always be necessary and may not require a meeting.

### VII. Appeals Process

Faculty who wish to appeal the department chair's annual evaluation shall avail themselves of the University grievance process as stated in this *Faculty Handbook*.

action and has been afforded an opportunity to present the faculty member's position and to respond to the evidence. The burden of proof that adequate cause for termination exists rests with the institution. In such cases of termination the faculty member will be given severance salary not less than as described in "Terminal Salary or Notice" above.

If the faculty member believes that he or she has been terminated unfairly for medical reasons, the faculty member should first seek informal redress of grievances in accordance with the preliminary procedures listed above, with the exception that the Academic Freedom and Tenure Grievance Committee will, instead of conducting a full hearing, ultimately review the evidence (if the faculty member so requests) before a final decision is made by the Board of Trustees on the recommendation of the administration.

**6. Procedures for Cases in Category 6: Faculty Who Believe They Have Been Victims of Discrimination in Nonreappointment**

If a faculty member on probationary or other nontenured appointment alleges that a decision against reappointment was based significantly on considerations violative of governing policies on making appointments without prejudice with respect to race, religion, color, sex, age, national origin, disability, marital status, veteran status, or sexual orientation, the burden of proof rests with the faculty member. The faculty member making the complaint will request a written statement of reasons for nonreappointment from the administration. Likewise the faculty member is responsible for stating the grounds upon which his or her allegations of discrimination are based. If the faculty member succeeds in establishing a *prima facie* case, it is incumbent upon those who made the decision against reappointment to come forward with evidence in support of their decision. Statistical evidence of improper discrimination may be used in establishing a *prima facie* case.

A faculty member who alleges that a decision against his or her reappointment was based significantly on discriminatory considerations will first seek informal redress of grievances according to the Preliminary Procedures listed above, with the exception that any faculty member who alleges that he or she was the victim of discrimination in nonreappointment will submit a statement that the faculty member agrees to the presentation, for the consideration of the faculty committees, of such reasons and evidence as the institution may allege in support of its decision. The faculty member then has the right to a formal hearing before the Academic Freedom and Tenure Grievance Committee.

**7. Procedures for Cases in Category 7: Faculty Who Have Not Been Terminated but Who Believe that Their Academic Freedom Has Been Abridged**

In cases in which a faculty member believes that his or her academic freedom has been abridged in any manner, he or she will discuss this matter with the appropriate administrative officers. At this point the matter may be adjusted by mutual consent. However, if adjustment is not achieved and the faculty member continues to believe that there is an abridgment of academic freedom, he or she may submit a statement to the Academic Freedom and Tenure Grievance Committee within a reasonable length of time.

The Committee will thereupon request a written statement of response from the appropriate administrative officials.

Once the Academic Freedom and Tenure Grievance Committee has determined that the case is within its jurisdiction, it shall immediately ask the Mediation Committee to inquire informally into the situation in order to attempt to effect a resolution of the matter. If such resolution cannot be achieved, the Mediation Committee will submit a non-binding recommendation to the Academic Freedom and Tenure Grievance Committee, and the faculty member will have the right to a formal hearing before the Academic Freedom and Tenure Grievance Committee. The hearing will be conducted in accordance with the applicable portions of the Formal Hearing Procedures, no. 2-9 and 11-12.

The burden of proof that academic freedom has been abridged will rest upon the faculty member.

At the end of these proceedings, the Academic Freedom and Tenure Grievance Committee shall make a written recommendation as to the merits of the faculty member's allegation to the administration and to the faculty member. If the President rejects the report, the President will state the reasons for doing so, in writing, to the Academic Freedom and Tenure Grievance Committee and to the faculty member and provide an opportunity for response before transmitting the case to the Board of Trustees. Within 30 days of final action by the administration a petition for appeal of the case can be made in writing to the Board of Trustees. This petition must fully state all grounds of appeal.

### **Suspension during Termination Procedures**

Until the final decision on termination of an appointment has been reached, the faculty member will be suspended only if immediate harm to himself or herself or to others is threatened by his or her continuance. Before suspending a faculty member, pending an ultimate determination of the faculty member's status through the institution's hearing procedures, the administration will consult with the Academic Freedom and Tenure Grievance Committee concerning the propriety, the length, and the other conditions of the suspension. Suspension shall be with pay. If notice of termination is given, the faculty member shall receive his or her salary for at least the period of notice to which he or she is entitled under these regulations and shall be continued in his or her duties for that period unless his or her welfare or that of the institution requires that he or she be granted a leave of absence.

## **PROCEDURES FOR FACULTY GRIEVANCE CASES NOT COVERED BY THE POLICY ON ACADEMIC FREEDOM AND TENURE**

### **Composition and Duties of the Faculty Grievance Committee**

The Faculty Grievance Committee shall consist of five faculty members elected by and from the General Faculty for three-year terms. All members of this committee must be tenured. Academic administrators including deans, chairs of departments, and the Dean of the Library may not serve. No member of the Faculty Grievance Committee shall at the same time serve on

attention of the Faculty Chair, at which point replacement of the individual will be considered.

### Section 3. Standing Committees

#### A. Academic Affairs

1. *Membership.* The committee shall consist of fourteen tenured faculty members and the Registrar, who shall serve without vote. The faculty members shall be elected as follows:
  - a. six elected from and by the faculty of the University
  - b. one from each School or College elected by the faculty of the University
  - c. one from each School or College elected by the faculty of the respective School or College

Each elected member shall be elected for a three-year term and may not serve more than two consecutive complete terms. A quorum shall consist of ten voting members.

2. *Responsibilities.* The committee shall:
  - a. advise the Faculty Senate on all undergraduate curriculum matters, including proposed courses, course changes, or new academic programs, being responsible in particular for checking all such proposed courses, changes, or new programs for accuracy, numbering courses, prerequisites, issues of redundancy or overlap with existing courses, and related matters taking in account the impact of curricular proposals on other disciplines and the university as a whole;
  - b. review guidelines and make recommendations when appropriate for the general education program requirements for the various degree programs of the University.

#### B. Academic Freedom and Tenure Grievance

1. *Membership.* The committee shall consist of six tenured members elected from the faculty for three-year terms. Academic administrators including deans, department chairs, and the dean of the Library may not serve. No member of the Academic Freedom and Tenure Grievance Committee shall serve concurrently on the Faculty Grievance Committee, the Mediation Committee, or a School/College-wide or University-wide tenure and promotion committee.
2. *Responsibilities.* The committee shall:
  - a. recommend changes in policies and procedures concerning academic freedom and tenure;

- b. hear complaints of faculty members whose tenure has been revoked, who may have been denied tenure due to an abridgement of academic freedom, or who satisfy any of the criteria for filing a grievance that are listed in the *Policies and Procedures concerning Academic Freedom and Tenure*;
- c. advise the administration and the President of the University on ways to correct whatever injustices the committee may discover or resolve conflict between the faculty member and the University.

#### C. Accreditation

1. *Membership and Chair.* The committee shall consist of four faculty members, one from each school or college, elected by the faculty; the Dean or Dean's representative from each school or college; the chair of Institutional Effectiveness; one member appointed by the President; one member appointed by the Chair of the Faculty. The SACS-COC liaison and the REAL Grant coordinator will serve as *ex-officio*. The President shall appoint the Chair of this committee from its membership.
2. *Responsibilities.* The committee shall:
  - a. make recommendations to the Provost concerning the distribution of REAL grant funds to the Faculty in a way that will provide students and Faculty with experiential learning opportunities, as well as policies governing those awards;
  - b. hear accreditation report updates from programs on campus undergoing department or school accreditation and make appropriate recommendations to those reports in order to assist in coordination of those efforts;
  - c. hear SACS-COC updates and make appropriate recommendations to the SACS-COC team;
  - d. Ensure that the University's Strategic Plan reflects relevant accreditation information and rating.

#### D. Admissions, Advising, and Retention

1. *Membership and Chair.* The committee shall consist of five faculty members elected from the faculty for three-year terms. In addition, a) the Associate Provost for Enrollment Management, (b) the Director of Admissions, (c) the Coordinator for Orientation and Provisional Programs, and d) the Registrar shall serve as members. A Representative from the Financial Assistance Office shall serve without vote.
2. *Responsibilities.* The committee shall:
  - a. review petitions filed by applicants who have failed to meet the established admissions criteria and grant waivers for good cause;