



Texas Southern University
Faculty Manual

February 2014

SECTION CONTENT

Section One - The Function of the *Faculty Manual*

- 1.0 Purpose and Function of the *Faculty Manual*
- 1.1 History of the *Faculty Manual*
- 1.2 Procedures for Amending the *Faculty Manual*
- 1.3 Violations of the *Faculty Manual* by Academic Administrators

Section Two- The University – History, Mission, Administration

- 2.0 Texas Southern University Mission and Vision Statement
- 2.1 The University History
- 2.2 The Board of Regents
- 2.3 The President of the University
- 2.4 The Provost
- 2.5 The Associate Provosts
- 2.6 The Deans of the Colleges/Schools
- 2.7 The Deans of the Graduate School and Honors College
- 2.8 Selection of Deans
- 2.9 The Department Chairperson
- 2.10 Selection/Election of Department Chairpersons
- 2.11 Filling a Vacant and/or Unexpired Term – Department Chair
- 2.12 Removal of a Department Chair
- 2.13 Evaluation of the Department chair
- 2.14 Selection of the President and other Academic Administrators

Section Three – The Nature of the Faculty

- 3.0 Principle of Academic Freedom
- 3.1 Academic Responsibility of a Faculty Member
- 3.2 Minimum Qualifications for Appointment to the Faculty
- 3.3 Faculty Ranks
 - A. Regular Instructional Faculty
 - B. Research Faculty
 - C. Non-Tenure Track/ Non-Tenured Faculty
 - D. Endowed Professorships and Named Chairs
 - E. Distinguished Professor
 - F. Other Faculty Ranks
- 3.4 Faculty Awards
- 3.5 Privileges of Retired Faculty

Section Four- University Personnel Practices

- 4.0 Procedures on Faculty Appointment
- 4.1 Terms of Appointment
- 4.2 Waiver of Provisions for Tenure and for appointment to Full Professor with Tenure
- 4.3 Credit for Prior Service at another Academic Institution
- 4.4 Procedures Utilized for Reappointment, Promotion, and Tenure
- 4.5 Annual Faculty Performance Review

- 4.6 Notification of Renewal and Non-renewal of Appointment
- 4.7 Length of Tenure Track Service
- 4.8 Notification of Termination of Tenure Track Service
- 4.9 Tenure Award
- 4.10 Post Tenure Review
- 4.11 Promotion Policies
- 4.12 Salary Determination Procedures
- 4.13 Faculty Transfers from One Discipline to Another
- 4.14 Resignation, Termination and Dismissal

Section Five – Professional Practices

- 5.0 Purpose
- 5.1 Faculty workload
- 5.2 Policies for Pursuing Academic Coursework
- 5.3 Work Schedule
- 5.4 Office Hours
- 5.5 Academic Advising
- 5.6 Syllabus
- 5.7 Faculty Class Meeting Responsibility
 - Class Attendance Regulation
- 5.8 Handbooks
- 5.9 Faculty Leaves
 - A. Faculty Developmental Leaves
 - B. Terms
 - C. Compensation
 - D. Rights Retained
 - E. Annual Vacation Leaves
 - F. Sick Leaves
 - G. Family and Medical Leave
- 5.10 Leave of Absence without Pay
- 5.11 Faculty Absence from Regular Duties
- 5.12 Salaries and Compensations
- 5.13 Outside Private Employment
- 5.14 Compensation above Contracted Salaries

Section Six – Policy and Procedure for Regular Instructional Faculty Discipline and Termination for Financial Exigency or Institutional Contingency

- 6.0 General Disciplinary Policy and Procedure for Regular Instructional Faculty
- 6.1 Termination from Employment for Financial Exigency or Institutional Contingency

Section Seven – Policy and Procedure for Regular Instructional Faculty Discipline, Dismissal

- 7.0 Termination of Regular Instructional Faculty
- 7.1 Good Causes
- 7.2 Presidential Authority
- 7.3 Immediate Dismissal

Section Eight – The Appeal Process

- 8.0 Request for Hearing by Regular Instructional Faculty
- 8.1 Faculty Hearing Committee
- 8.2 Faculty Hearing Committee Procedures
- 8.3 Representation
- 8.4 Committee Findings and Recommendations
- 8.5 Reviews and Decision by the President
- 8.6 Request for Board Review of the President’s Decision
- 8.7 Board Review
- 8.8 Extension of Deadlines

Section Nine - Grievance Procedures

- 9.0 Appeal of Denial of Rank, Tenure, Promotion and Merit Raises
 - A. Denial of Promotion
 - B. Tenure Denial
 - C. Merit Increase Appeals
 - D. General Grievances

Section Ten – Participation in University Governance

- 10.0 Principle of Shared Governance
- 10.1 Academic Committees
- 10.2 University Administrative Committees
- 10.3 Department College/School Committees
- 10.4 Faculty Participation in the Selection of University Personnel
- 10.5 Faculty Organization

Section Eleven – Appendices

- Faculty Constitution
- Faculty By-laws
- Summary of Selected University Policies
- Equal Opportunity Policies
 - Drug and Alcohol Policies
 - Nepotism Policy
 - Sexual Harassment Policy
 - Ethics Laws for State Officers and Employees
 - Ethics and Conflict of Interest Policy
 - Faculty Consulting Policy
 - Intellectual Property Policy
 - Copyright Policy
 - Patent Policy
 - Computer Software and Firmware
- Annual Faculty Review Forms
- Form for Appointment of Academic Administrators
- Form for Survey of Academic Administrators
- Best Practices for a Performance Review System for Faculty

SECTION ONE THE FUNCTION OF *THE FACULTY MANUAL*

1.0 Purpose and Function of the *Faculty Manual*

The Texas Southern University *Faculty Manual* is intended to be and is a compilation of information concerning a faculty member's participation in the governance of the university. This *Manual* does not contain all the policies, regulations, and procedures of the university. Indeed, such a manual will be too large. Rather, the items set forth in this *Manual*, are written with the understanding that other university documents and sources will provide more detailed information. To the extent that any provision of this *manual* conflicts with state or federal law, or with the policies and procedures enacted pursuant to state or federal law, the *manual* is superseded by the state or federal law and by any policies or procedures enacted pursuant to such law.

1.1 History of the *Faculty Manual*

The 1978 *Faculty Manual* contains the following account of the history of the initial *Faculty Manual*. "The initial Manual on 'Policies, Regulations, and Procedures was developed and published in 1968. President Sawyer announced in September, 1968, in his "Remarks to Faculty" that the document had been produced in six weeks, that it was placed in the hands of department chairs for study with their faculty and that recommendations for changes, additions, modifications, and deletions, etc., should be incorporated in reports from department chairs to the Faculty Manual Committee." The following committee members were elected in 1968 by the Faculty Assembly: Dr. John T. Biggers, Dr. Timothy D. Cotton, chairman 1972-73, Dr. James O. Perry, Dr. Duvvury A.A.S. Narayana Rao, Dr. Alberta J. Seaton, chairman, 1968-1970, Dr. Robert Terry, Mrs. Louise G. West, and Chavus Womack. Replacement members were Dr. Hortense Dixon, Dr. Lewis Morris, chairman 1971-72, and Mr. Ollington E. Smith."

This initial *Manual* has undergone several revisions, including those in 1974, 1978, 1987, 1993 and 1998. The 2002 *Faculty Manual* was revised by the Advisory Committee on the Faculty Manual - McKen Carrington, chair, Dr. Thorpe Butler, Dr. Betty Cox, Dr. Marie Horton, Dr. Carol Lewis, Dr. Henry North, Dr. Thurman Robbins, and Attorney Carlton Perkins.

The 2014 Faculty Manual Committee (2013) includes: Dr. Daniel Adams, chair, Dr. Lila Ghemri, College of Science and Technology; Dr. Ladelle Hyman, Jesse Jones School of Business; Dr. Carol Lewis, College of Science and Technology; Dr. Hector Miranda, College of Science and Technology; Dr. Emmanuel Nwagwu, College of Education; Dr. Jane Perkyns, College of Liberal Arts and Behavioral Sciences; Dr. Reza Poudeh, School of Communication; Dr. Nicole Willis, College of Liberal Arts and Behavioral Sciences. Ex Officio Members: Dr. Elizabeth Brown-Guillory, associate provost, Dr. Rasoul Saneifard, chair, Faculty Senate/Assembly, and Dr. McKen Carrington, Faculty Senate Counsel.

1.2 Procedures for Amending the *Faculty Manual*

A. Amendment Procedure

The rules and regulations contained in this *Manual* may be modified or amended by a vote of the Board of Regents, in accordance with the Board of Regents Bylaws.

B. Suggestions for Changes to the *Manual*

Any faculty member may make recommendations for changes to this *Manual* at any time. These recommendations should be submitted to the chairperson of the Faculty Senate, the provost, or the chairperson of the Advisory Committee to the *Faculty Manual*.

C. Advisory Committee to the Faculty Manual

The Advisory Committee is a permanent committee reconstituted every four (4) years. It is composed of five (5) faculty members selected by the Faculty Assembly and five members appointed by the president. This committee shall meet at least annually and is responsible for reviewing all recommendations and feedback relative to proposed changes in this *Faculty Manual* at each meeting. At that meeting the committee shall also review all changes that have accumulated and any other employee, administrative, or Board recommendations or legislative changes, which may affect the *Manual*. Within thirty (30) days of such meeting, the committee shall complete a comprehensive review and recommend *Manual* changes. Such recommendations shall be forwarded to the provost and the Faculty Assembly for immediate action. Recommendations by this committee for changes in the *Faculty Manual* must be approved by the Faculty Assembly, the administration, and the Board of Regents before inclusion in the *Faculty Manual*.

D. Promulgation of Changes to the *Manual*

It shall be the responsibility of the provost to promulgate and distribute all changes to this *Manual* to all appropriate persons. The provost may ensure continuing distribution of the *Manual* through the Office of the Provost during New Faculty Orientation, through the Faculty Assembly/Senate meetings as well as through the deans.

E. Site of the Manual

This Manual shall be posted on the websites of Academic Affairs and of the Faculty Senate.

1.3 Violations of the *Manual* by Academic Administrators

If any policy or procedure outlined in this *Manual* has not been followed, a faculty member should make a written report to the chairperson of the Faculty Senate. The report should

include the section of the *Manual* that was violated; the person(s), department(s) involved, and a brief description of the problem. The chairperson may handle the matter or refer it to the relevant committee or person for resolution. The chairperson of the Faculty Senate shall keep the name(s) of the person(s) filing the report confidential to the extent allowed by law.

The faculty chairperson or the designated agent shall report the alleged violation to the provost/president or any other appropriate university official; such official shall take corrective action where a violation has been found.

SECTION TWO

The University – History, Mission, Administration

2.0 Texas Southern University Mission and Vision Statements

Mission

Texas Southern University (TSU) is a comprehensive metropolitan university. Building on its legacy as a Historically Black University, the university provides academic and research programs that address critical urban issues and prepares an ethnically diverse student population to be a force for positive change in a global society.

In order to achieve this mission, Texas Southern University provides:

- a. quality instruction in a culture of innovative teaching and learning;
- b. basic and applied research and scholarship that is responsive to community issues;
- c. opportunities for public service that benefit the community and the world.

Vision

Texas Southern University will become one of the nation's preeminent comprehensive, metropolitan universities. We will be recognized by the excellence of our programs, the quality of our instruction, our innovative research, and our desire to be a contributing partner to our community, state, nation, and world.

2.1 The University History

Houston Colored Junior College (1927-1934)

On September 14, 1927, the Houston Public School Board agreed to fund the development of two junior colleges: one for whites and one for African-Americans. And so, with a loan from the Houston Public School Board of \$2,800, the Colored Junior College was born in the summer of 1927 under the supervision of the Houston School District. The main provision of the authorization was that the college meet all instructional expenses from tuition fees collected from the students enrolling in the college. The initial enrollment for the first summer was 300. For the fall semester, the enrollment dropped to 88 students because many of the 300 enrolled during the summer semester were teachers who had to return to their jobs once the school year began.

The Colored Junior College was established to provide an opportunity for African-Americans to receive college training. The academic programs at the Junior College developed rapidly such that by 1931, it became a member of the Association of Colleges and Secondary Schools and was approved by the Southern Association of Colleges.

Houston College for Negroes (1934-1947)

In the summer of 1934, the Houston School Board changed the junior college to a four-year college and the name to Houston College for Negroes. In 1936, sixty-three individuals became members of the first graduating class. The college operated this way until the summer of 1943 when it formally added a graduate program. In the spring of 1945 the Houston Independent School District severed its relationship with Houston College for Negroes, and thereafter all management of the college was vested in a separate Board of Regents.

The College continued to operate in Yates High School, but by 1946 it had grown to an enrollment of approximately 1,400 students and needed room to grow. A few years earlier, with the help of Hugh Roy Cullen, a local philanthropist, the college obtained a 53-acre piece of property in the Third Ward area of Houston. With support from two large donors, Mrs. T.M. Fairchild, in memory of her late husband, Mr. and Mrs. C.A. Dupree, and the African-American community, the college raised enough money to construct its first building on the new campus. And so, in the fall of 1946, the college moved from Jack Yates High School to its first building, the new T.M. Fairchild Building, which still operates as an active building in the university's facilities inventory.

Texas State University for Negroes (1947-1951)

In February of 1946, Heman Marion Sweatt, an African-American Houston mail carrier, applied to enroll in the law school at the University of Texas. Because Texas was one of the segregated states, Sweatt was denied admission and later filed a suit against the University of Texas and the State of Texas with the support of the NAACP. In response, believing the separate but equal doctrine would carry the day, the Texas Legislature passed Senate Bill 140 on March 3, 1947, providing for the establishment of a Negro law school in Houston and the creation of a university to surround it. This bill was complemented by House Bill 788, which approved \$2,000,000 to purchase a site near Houston to house this new college and support its operation. Texas law makers initially considered Prairie View A&M College as the location of this new law school. However, on June 14, 1947, the decision was made to use the site of Houston College for Negroes, with its new campus at the center of a large and fast growing black population. Thus, a new law school for Negroes of Texas and Texas State University for Negroes was born.

Under the separate but equal concept, the intention of Senate Bill 140 and House Bill 788 was to create a new university for Negroes in Houston that would become the equivalent of the University of Texas in Austin.

Texas Southern University (1951-Present)

On June 1, 1951, the name of this new university for Negroes was changed from Texas State University for Negroes to Texas Southern University after students petitioned the state legislature to remove the phrase "for Negroes."

When the university opened its doors in September 1947, it had 2,300 students, two schools, one division and one college - the Law School, the Pharmacy School, the Vocational Division, and the College of Arts and Sciences. Responding to the changing times, in 1973, the 63rd Legislature designated Texas Southern University as a “special purpose” institution for urban programming. As a result, four more academic units were added - the College of Education, the School of Public Affairs, the School of Communication and the Weekend College. This designation described what Texas Southern University was doing from its inception - embracing diversity.

Today, Texas Southern University offers bachelor's, master's and doctoral degree programs in the following academic colleges and schools: the Barbara Jordan-Mickey Leland School of Public Affairs; the College of Education; the College of Liberal Arts and Behavioral Sciences; the College of Pharmacy and Health Sciences; the College of Science and Technology; the Jesse H. Jones School of Business; the School of Communication, and the Thurgood Marshall School of Law. The Graduate School and the Thomas F. Freeman Honors College are academic units that support the efforts of the other colleges and schools. Other programmatic emphases are found in the Office of Continuing Education, the Center for Excellence in Urban Education, the Center for Transportation Training and Research, the Center on the Family, and a variety of special programs and projects. Currently, Texas Southern University is staffed by approximately 1,000 faculty members and support personnel. More than 8,800 students, representing ethnically and culturally diverse backgrounds, are currently enrolled at the university.

2.2 The Board of Regents

The basic governance of Texas Southern University is set forth in the laws of Texas: namely, The Texas Education Code, Chapter 106. The Board is expressly directed by state law to enact bylaws, rules and regulations for the successful management and government of the institution. Texas case law has held that Boards of Regents of Texas colleges and universities have wide discretion in exercising the power and authority granted by the legislature, including discretion in what action it takes directly and in what authority it delegates to other bodies within the university.

- A. **Duties and Responsibilities.** The duties of the Board of Regents are set forth in Article 1.2 of the Regents’ Bylaws which is patterned after the Texas Education Code Section 51.352. Such duties and responsibilities include, inter alia, the following: policy direction, appoint the president or other chief executive officer, set campus admission standards, adopt policies, rules and regulations for the control and management of the university.
- B. **Approval of Governing Documents.** The Board of Regents shall approve all constitutions, bylaws, rules, regulations and other governing documents (including proposed amendments) of all groups and organizations within the university operating under such documents. This authority may be delegated. Notwithstanding approval of such documents directly or through delegation, the Board of Regents retains the unilateral right to temporarily or permanently repeal, rescind, suspend or waive any or

all of the provisions of any such documents, at its sole discretion, whenever it deems such action necessary or advisable in view of the particular circumstances at hand.

- C. Membership of the Board. Pursuant to the Education Code sections 106.11 and 106.12, the Board of Regents (hereafter sometimes referred to as "Board") is composed of nine (9) members appointed by the Governor of the state of Texas, with the advice and consent of the Texas Senate, for staggered terms of six (6) years each, the terms of three (3) members expiring on February 1 of odd numbered years.
- D. Non-voting Student Regent. Pursuant to the Education Code section 51.356, there shall be a non-voting student regent, whose qualifications, appointment, authority, powers and duties shall be as set forth therein. The non-voting student regent, in compliance with section 51.356, shall not be a member of the Board of Regents, shall have no right to vote on any matter before the Board and shall not make or second any motion before the Board. However, the student regent shall have the right to attend and participate in all meetings of the Board of Regents and shall have the same right as any member of the Board to speak and provide input. The student regent is not counted in determining whether a quorum exists for a Board meeting or in determining the outcome of any vote before the Board.
- F. Officers. In each odd numbered year, at its first regular meeting after September 1 of that year, the Board shall elect from its membership a chair and a vice chair, a second vice chair, and a secretary. The Board may also appoint one or more assistant secretaries as needed, who shall not be required to be regents. Assistant secretaries shall not sign or attest documents or instruments related to bonds or debt of the university. Each of these officers shall hold office for two (2) years or until his successor is duly elected. In case of death, resignation, or disqualification of an officer, the Board shall, as soon as practicable thereafter, elect or appoint a successor for the unexpired term.
- G. Notice of Meetings. The chairman shall cause written notification of the date, time, and place of regular meetings of the Board to be sent to each regent at least seven (7) days before the date of the meeting, together with a copy of the meeting agenda. In case the date of a regular meeting has been changed by the consensus of a majority of the Board, evidenced by email or faxed communications from the regents consenting to the change, written notification of the new date, time and place for the meeting shall be sent not less than seventy-two (72) hours before the new time.
- H. Board Members' Right to Information Board members have the right and duty to be fully informed on all matters that influence their obligations as regents. They shall have the right to request and receive information regarding any aspect of the university and its operation.
- I. Open Presentation Time. At the beginning of each regular Board meeting convened pursuant to section 6.1 of its bylaws, the Board shall provide "open presentation" time for public comment. Each person called to speak shall be limited to 3 minutes of presentation time, and "open presentation" time at each Board meeting shall be limited

to a total of 30 minutes. The chairperson of the Faculty Senate participates with the Board of Regents in the governance of the university. This participation includes the following activities: receipt of agendas, minutes, and all appendices to these items, as well as an opportunity to be included on the agenda upon request.

2.3 The President of the University

- A. The Board of Regents shall appoint by resolution in compliance with state law a president, who shall be the chief executive of the university, and shall hold office for such term as the Board may decide.
- B. The role of the president of the university is one of creative leadership and, therefore, not to be described by a detailed list of specific duties. As chief executive officer of the institution, the president is responsible to the Board of Regents for the functioning of the administration and for the management and control of the entire university, except where such authority and responsibility is withheld by the Board.
- C. All decisions and actions of the president must be in accordance with general policies approved by the Board of Regents and are subject to the right of the Board to intervene, provided, however, that the Board will rarely exercise this right for both philosophical and practical reasons.
- D. The president, on behalf of the Board of Regents, is expressly delegated the authority to sign contracts that the Board has officially awarded by Board resolution.

2.4 The Provost

The provost is the chief academic officer of the university. Reporting directly to the president, the provost has administrative responsibility for all academic and research matters as well as all academic student services. The provost is responsible to the president for development of plans for the academic progress of the university and establishes policies to implement such plans. The provost gives direction and guidance to the deans in the development and operation of academic programs; oversees the Robert J. Terry Library and student academic support services; coordinates the activities of the deans and those directors reporting directly to them; counsels college deans concerning faculty evaluation and election/selection of department chairs and appointment of academic personnel. The provost receives recommendations from the Faculty Senate, university academic councils and committees, and the deans for further action by the president.

The provost approves or recommends to the president actions pertaining to appointments, re-appointments, tenure, promotion, termination, and dismissal of faculty. The provost receives recommendations regarding faculty grievances and student academic grievances. In addition, the provost reviews questions concerning conflict of interest.

The provost also receives recommendations on curricular matters and forwards recommendations to the president; presides at meetings of the university faculty; evaluates

the performance in office of the academic deans; recommends the appointment of academic administrators to the president, who makes recommendations to the Board of Regents when required; chairs the Deans' Council and Academic Council and delegates authority to the associate provosts and other administrators who report to the provost.

Further, the provost supervises the preparation of the budgets of the Library and the colleges; establishes guidelines in consultation with the Faculty Senate for the implementation of faculty salary increases, and recommends such increases to the president; receives recommendations from the collegiate deans concerning the colleges and schools and transmits his/her recommendation to the president and the Board of Regents, as appropriate.

2.5. The Associate Provosts

Associate Provost/Associate Vice President for Academic and Faculty Affairs:

AP/AVP for AA and FA is responsible for assisting the provost in the management of academic programs and faculty affairs on campus. The AP/AVP for AA and FA also serves as the institution's liaison to the Texas Higher Education Coordinating Board.

Associate Provost/Associate Vice President for Research:

The AP/AVP for Research is responsible for assisting the provost in the management of research programs on campus. The AP/AVP for Research manages the operations of the Office of Research.

2.6 The Deans of the Colleges/Schools

The deans are the chief administrative officers of the university's colleges/schools. The deans provide leadership in formulating educational policy and serve as the faculty members' agents in the execution of such policy. In addition, all deans foster the mission and vision of the university.

Among other duties, the deans represent the college in relations with other colleges of the university; ensure that faculty members enjoy academic freedom and exercise academic responsibility; ensure that faculty evaluation, where appropriate, is part of the policies and procedures of all academic departments; review departmental recommendations for appointment, reappointment, promotion, tenure, termination, and dismissal, and forward recommendations to the provost and send annual letters of reappointment or non-reappointment of employment to tenure-track faculty.

The deans also assess annually all personnel under immediate supervision (i.e. department chairpersons), develop proposals, programs, brochures, etc., within the college; assist departments in faculty recruitment; serve as liaison among the provost, departments, faculty, and students.

The deans also review the annual evaluation of each faculty member of the college. The deans also allocate budgets for instruction, supplies, and equipment, etc., and monitor the expenditure of all college funds and hear faculty grievances pursued beyond the departmental level and cooperate in formal grievance procedures.

The deans also monitor faculty workloads and schedules and recommend approval of requests for faculty development leaves and leaves of absence. The deans also establish ad hoc committees of the collegiate faculty; recommend appointment of department chairs within the procedures outlined in this *Manual*, and other academic administrators from within departments in accordance with policies and procedures specified; and serve on various councils, commissions, and committees as set forth in university policy.

The provost reviews the performance in office of each college dean annually with a comprehensive review every five years. Deans hold faculty rank and engage in teaching, research, and public service functions to the extent feasible. In some colleges of the university associate and/or assistant deans and/or directors assist the deans who are assigned responsibilities by their deans and who report directly to them.

2.7. Deans of the Graduate School and Honors College

The Dean of the Graduate School works closely with the deans of the academic degree granting colleges and schools at the University to facilitate the growth and development of graduate programs. The Graduate School coordinates the admission, enrollment, and graduation of students in the various graduate programs of the university.

The Dean of the Thomas F. Freeman Honors College oversees the recruitment, retention, and graduation of a select group of high-achieving undergraduate students from across all disciplines and works closely with the deans of the academic degree-granting colleges and schools to facilitate the holistic growth and development of the students. One important responsibility of the Honors College dean is to ensure that this elite group of university intellectuals benefits from a dynamic learning environment that includes study abroad and involvement in undergraduate research/creative activities, internships, service learning, etc.

2.8 Selection of Deans

When a vacancy arises and there is a need to select a dean for a school or college, a search committee shall be appointed by the provost, the majority of whose members shall be selected from a slate of the tenured faculty elected from within the affected school or college. The remainder of the committee shall be determined by the provost and shall represent students, alumni, and community practitioners from the affected discipline, and at least one tenured faculty member from outside the affected school or college. A dean must qualify to be appointed with tenure and at the rank of professor in one of the academic departments in the school to which he/she is to be appointed. Reappointment of the dean will be contingent upon a comprehensive five-year review process, which includes faculty input.

2.9. The Department Chairpersons

Department chairpersons bear responsibility for the activities of their departments, and are accountable to the dean of the college. Their primary responsibility is to ensure the quality of the teaching, research, and public service program and their delivery within their departments while continuing to engage in teaching, scholarship, and public service activities. Department chairs represent their departments in relations with other departments and schools and with the deans and other administrative officers of the university. The chairperson is expected to take initiatives to report that unit's needs and advocate its goals and plans.

A department chair's specific functions include: preparing the departmental budget in consultation with the departmental faculty and in accordance with the department's goals and needs; planning the department's summer school offerings and teaching assignments in cooperation with the departmental faculty and in accordance with the summer school policy of the school or college; recruiting, with the assistance of the departmental faculty, new faculty members and students to carry out the goals of the department and the university; evaluating annually the departmental faculty in terms of teaching effectiveness, counseling of students, participation in departmental and university meetings, research and publications, and other aspects of their university and professional responsibilities; providing an effective system for counseling and advising students; making recommendations for change in rank, tenure and salary, in accordance with university guidelines and procedures; monitoring the collections of the university Library, ordering appropriate new books, periodicals, and other materials for the library collection, and constantly evaluating library holdings on the basis of their relation to the department's needs and the university's goals; hearing informal faculty grievances and cooperating in formal grievance procedures; supervising the department's program of instruction, including curriculum, scheduling, faculty workload, and departmental research and public service; ensuring that students' rights are preserved; supervising the advising of departmental majors and graduate students; monitoring student evaluation of instruction, courses, and programs; providing leadership in student recruitment, student advising, and student placement; coordinating and supervising summer school programs; making recommendations concerning applications for professional travel and sabbatical leave; arranging meetings of the departmental faculty; meeting with the departmental Advisory Committee and appropriate constituent and advisory groups for the discipline; establishing accreditation and ad hoc departmental committees; and carrying out other such duties as shall be assigned by the dean of the college or as established in university policy, or in collegiate bylaws, school or departmental bylaws. All chairpersons of academic departments hold faculty rank.

2.10 Selection/Election of Department Chairpersons

A. Selection Process

The chair for all departments within the university is a full-time twelve (12) month position, which will become a regular 9-month faculty position when the term(s) as

chair expire(s). The appointment as department chairperson is initially for a three- year term, and there is a mandatory review by the faculty prior to a potential renewal for consecutive terms. At the conclusion of a second, three-year term the department faculty may vote to recommend re-appointment of the department chair.

The university shall conduct a nationwide search, which is inclusive of internal candidates.

A department should form a search committee. While committee size may vary depending on department and area, a group of approximately five faculty members is desirable. The search committee shall be comprised of a maximum of seven persons; the supermajority is comprised of faculty members from the appointing department. Other “at-large” committee members should be selected from faculty members of other departments within the college or school or from professionals practicing in the field.

A prerequisite for a candidate for a department chair is that he or she is qualified to be appointed with tenure at the rank of associate professor or above in the appointing department. He or she must have at least a terminal degree in one of the disciplines in the department. In addition, the chairperson must meet the criteria for appointment to the faculty.

Interim chairpersons must hold at least the rank of tenured associate professor and, if possible, the rank of tenured full professor. The interim chairperson cannot serve more than two years.

After receiving recommendations from the search committee, the dean of the school or college shall make the final selection of the department chair in consultation with the provost.

The dean of the school or college may reject the candidate(s) recommended by the search committee and repeat the selection process.

The department chair reports to and is directly accountable to the dean of the school or college in which he or she serves.

Unless vacancies occur at other times, chair appointments shall be made during the last four weeks preceding spring graduation. Unless a department chairperson vacancy occurs at a time other than at the end of an academic year, the dean of the school or college shall notify the faculty of that department of the pending vacancy no later than March first of the final semester of the incumbent’s term.

B. Department Membership

All regular instructional faculty members of the department, including those on authorized leave, and senior faculty with a reduced load shall be eligible to participate in the selection of the department chair.

2.11 Filling a Vacant and/or Unexpired Term - Department Chair

In the case of a vacancy in the position of department chairperson during the regular academic year, the dean shall notify the department of the vacancy and the selection process set forth above shall be followed within two weeks of notification. If a vacancy occurs during the summer session, the dean may appoint an interim department chairperson to serve until the selection process can be followed during the first two weeks of the fall semester.

2.12 Removal of a Department Chairperson

Upon recommendation of the dean of the unit, a department chairperson may be removed before the end of his/her term of office by the provost, on the basis of substantial non-performance of duties as well as violations of state or federal law and/or university policies or procedures. Faculty may initiate a recall of the chair upon a vote of two-thirds of the members of the department. The dean shall conduct a review of the faculty's recommendation. The dean's findings shall be communicated to the faculty in writing.

2.13 Evaluation of the Department Chair

The dean formally evaluates the performance of the department chair annually. Deans shall transmit the evaluation of the faculty to the provost. In addition to the dean's evaluation, a comprehensive three-year review shall be conducted. A faculty survey shall be conducted and made part of this review. In addition, students shall be similarly surveyed.

2.14 Selection of the President and other Academic Administrators

Selection of the university president. When the Office of the President of the university becomes vacant, the Board of Regents of the university shall appoint a search committee for a new president made up of community, faculty, alumni, students, and administration representatives. Faculty representatives on the committee shall be selected by the Board of Regents from a slate of tenured faculty members provided by the Faculty Senate.

Selection of the Provost. When the Office of the Provost of the university becomes vacant, the president of the university shall appoint a search committee that shall include community, faculty, students, alumni, and administration representatives. The faculty representatives on the committee shall be selected by the university president from a slate of tenured faculty members provided to the president by the Faculty Senate. The president of the university shall review the performance of the provost before the end of the provost's second year in office and every three years thereafter, consulting especially with the academic deans and with representative department chairs and faculty. The president's conclusion will be communicated to the university community.

Selection of Executive Director of Libraries. The committee to search and screen applicants for Head Librarian shall consist of five (5) library faculty/staff personnel, two

(2) faculty representatives from the faculty/staff at large, one (1) student, and one (1) librarian from an outside (non-TSU) library facility. The Library faculty shall elect the faculty personnel to serve on the search committee. The Office of the Provost shall appoint the student representative, the two (2) at-large faculty/staff members, and the outside library representatives.

Selection of Instructional Personnel. In the replacement or hiring of instructional personnel, each department, division, school, or college shall elect faculty members who will serve to recruit, review and screen applicants, select a candidate or candidates, and forward the name(s) of their nominee(s) to the department, division, school, or college involved for approval by the faculties thereof.

SECTION THREE

The Nature of the Faculty

3.0 Principle of Academic Freedom

Texas Southern University adheres to the 1940 Statement of Principles on Academic Freedom and Tenure of the Association of American Colleges and Universities and the American Association of University Professors. The Statement recognizes that “Institutions of higher learning are conducted for the common good and not to further the interest of an individual professor or the institution as a whole. The common good depends upon the free search for truth and its free expression.”

Academic freedom derives from the nature of the quest for knowledge and is essential to the full search for truth. Its free exposition applies to both teaching and research, and shall not be abridged or abused. Academic freedom does not relieve the employee of those duties and obligations, which are inherent in the employer-employee relationship.

Freedom in research is fundamental to the advancement of truth. Academic freedom in its teaching aspect is fundamental for the protection of the rights of the teacher in teaching and of the student to freedom in learning. It carries with it responsibilities correlative with rights.

Each faculty member is entitled to freedom in the classroom in discussing his or her academic field, but should be careful not to introduce into their teaching controversial matter, which has no relation to their subject.

Each faculty member is entitled to full freedom in research and in the publication of results, but research for pecuniary gain should be based upon a written agreement with the authorities of the institution.

Faculty members 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 might 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 opinion of others, and should make every effort to indicate that they are not speaking for the institution.

3.1 Academic Responsibility of a Faculty Member

The right of academic freedom for faculty must be accompanied by an equally demanding requirement for academic responsibility of faculty. A faculty member has responsibilities to the institution, the profession, the student and society at large. The rights and privileges of a faculty member extended by society and protected by governing boards and

administrators through written policies and procedures on academic freedom and tenure and as further protected by the courts, require reciprocally the assumption of certain responsibilities by the faculty members. Some of these are listed below.

Faculty members should maintain competence in their fields of specialization and exhibit this professional competence in the classroom, studio, or laboratory and in the public area by such activities as discussions, lectures, consulting and publication.

Each faculty member should present the subject matter of a course as announced to students and as approved by the faculty in its collective responsibility for the curriculum.

Faculty members are also bound by ethics rules governing public employees of the state of Texas. Faculty are members of a community including students, staff, and faculty colleagues. Members of the Texas Southern University faculty should deal with each other and other members of the community with respect and collegiality.

Collegiality represents an expectation of a professional relationship among colleagues with a commitment to sustaining a positive and productive environment as critical for the progress and success of the university community. It consists of collaboration and a shared decision-making process that incorporates mutual respect for similarities and for differences in background, expertise, judgments, and points of views, in addition to mutual trust. Central to collegiality is the expectation that members of the university community will be individually accountable to conduct themselves in a manner that contributes to the university's academic mission and high reputation. Collegiality among associates involves a similar professional expectation concerning constructive cooperation, civility in discourse, and engagement in academic and administrative tasks within the respective units and in relation to the institutional life of the university as a whole. Collegiality is not congeniality nor is it conformity or excessive deference to the judgments of colleagues, supervisors and administrators; these are flatly appositional to the free and open development of ideas. Evidence of collegiality is demonstrated by the protection of academic freedom, the capacity of colleagues to carry out their professional functions without obstruction, and the ability of a community of scholars to thrive in a vigorous and collaborative intellectual climate.

3.2 Minimum Qualifications for Appointment to the Faculty

Texas Southern University appoints to its faculty persons with superior abilities in teaching, research, public service, and administration. In addition, the university considers several other factors such as knowledge of a specific subject matter, professional stature, membership and contributions to professional societies, committee work, public service activities, administrative duties and effectiveness of performance. Each department establishes specific qualifications for appointment and the department's faculty is the primary judge of the qualifications.

Prior to hiring a faculty member, the dean shall verify that the faculty member has an advanced degree that is appropriate for the subject area he/she is hired to teach.

3.3 Faculty Ranks

A. Regular Instructional Faculty

1. Regular Instructor

Academic Preparation: The Master's degree from an accredited institution with a major in the field of the faculty member's appointment or the equivalent in terms of specialized abilities and experience. Preference is normally given to persons pursuing a terminal degree. Instructor is not a tenurable rank.

2. Assistant Professor

- a) Academic Preparation: An earned doctorate or other appropriate terminal degree from an accredited institution of higher education with a major in one of the disciplines of the academic department making the appointment is required. However, completion of all the requirements for a doctorate (except the dissertation) with a major in one of the department's disciplines from an accredited institution of higher education may be accepted for the initial appointment. Faculty members hired on this basis must have earned their doctorate or other appropriate terminal degree to be eligible for promotion in rank and tenure. Exception to these academic qualifications may be made by the schools/colleges in accordance with the standards set by their respective accrediting agencies.
- b) Other: All individuals appointed in this rank should have the potential of meeting the requirements for promotion.

3. Associate Professor

- a) Academic Preparation: An earned doctorate or other appropriate terminal degree from an accredited institution of higher education with a major in one of the disciplines of the academic department making the appointment is required. Exception to these academic qualifications may be made by the schools/colleges in accordance with the standards set by their respective accrediting agencies.
- b) Teaching Experience: Relevant teaching experience as defined by the department is required. At a minimum this means no less than five (5) years of teaching experience, at least three of which must have been at the college or university level, or the equivalent in terms of specialized experience.
- c) Scholarly/Creative Activities: Evidence or potential of scholarly publications or creative works deemed appropriate by the department or academic unit.

- d) Professional Activity: Membership and participation in relevant international, national, regional, and local professional organizations, in university service, and in public/community service, as outlined in criteria set forth by the department or academic unit.

4. Professor

- a) Academic Preparation: An earned doctorate or other appropriate terminal degree from an accredited institution of higher education with a major in one of the disciplines of the academic department making the appointment is required. Exception to these academic qualifications may be made by the schools/colleges in accordance with the standards set by their respective accrediting agencies.
- b) Experience: Eight years of teaching experience, six of which must have been at the college or university level or the equivalent in terms of specialized abilities and experience.
- c) Professional Activity: Membership and participation in relevant international, national, regional, and local professional organizations.
- d) Scholarly/Creative Activities: Evidence of scholarly publications or creative works deemed appropriate by the department or academic unit.

5. Emeritus Title

Faculty members who have served at least 25 years at the university are entitled to receive the title of Emeritus added to their professorial rank upon official retirement. The provost and the Deans' Council shall develop the criteria for selection and a list of faculty members eligible to receive the designation.

B. Research Faculty

Depending upon professional qualifications, the university may grant the academic rank of research professor, research associate professor, and research assistant professor to persons employed at the university whose duty is primarily research. Such faculty may be appointed on a full-time or a part-time basis. The percentage of time devoted to research must be established and documented at the time of appointment. Appointments are non tenure-track and are subject to annual reviews. The number of times such faculty can be re-appointed is unlimited.

Such appointments are to be initiated by the host department or college in accordance with departmental or college rules and approved by the dean and the provost. (Such departmental or college rules must be kept on file in the department chair's and dean's offices with a copy submitted to the provost.)

These positions are contingent upon the availability of external funds and termination

is automatic upon expiration of external funding. Persons holding these positions will be subject to annual review utilizing the annual evaluations system.

Research faculty will be expected to make contributions to their department's undergraduate, graduate, and public service programs that relate to their research or public service activities. Thus, they are expected to participate in departmental seminars, engage in research with undergraduate and graduate students, and serve on graduate advisory committees.

Distribution of indirect costs or overhead generated shall follow university policy. Like regular faculty members, research faculty members are eligible to become principal and co-principal investigators.

C. Non-Tenure Track/Non-Tenured Clinical Faculty

Depending upon professional qualifications, the university may grant the academic rank of clinical instructor, clinical assistant professor, clinical associate professor and clinical professor to persons employed at the university who share their knowledge and experience in the profession through teaching, practical instruction and application of practical knowledge. Clinical positions are intended for a continuing relationship over an extended period of time and may be appointed on a full-time or part-time basis. Except for law school faculty, clinical appointments are non-tenure track and subject to annual review. The number of times faculty can be re-appointed is unlimited.

Such appointments are to be initiated by the host department or college in accordance with departmental or college rules and approved by the dean and the provost (Such department or college rules must be kept on file in the department chair's and dean's offices with a copy submitted to the provost).

Clinical professors are expected to make academic and service contributions to their departments, as defined by their department or school handbook. Thus, they are expected to participate in university and college/school meetings, activities and committees as appointed, with the same rights and privileges as regular faculty, including the right to vote.

D. Endowed Professorships and Named Chairs

Endowed professorships, named chairs, and named professorships are appointments made in recognition of exceptional achievement by the faculty member so appointed. The priorities emphasized – teaching, research, service—for conferring a professorship can vary depending upon the purposes of the professorship or chair.

Ordinarily, a named chair is funded by an endowment, which constitutes the only or primary source of the holder's remuneration. For holders of titled professorships, the remuneration comes from state funds, supplemented by endowments or other grants to the university. In all cases, a search process shall be undertaken as nominations of

candidates for titled professorships and chairs must be open and publicly solicited. The selection process shall involve members of the academic community.

For information on the search process, please see Academic Affairs website.

E. Distinguished Professor

The nomination for Distinguished Professor is reserved for active tenured faculty members who hold the rank of professor and have served the equivalent of ten or more years at Texas Southern University. They are expected to demonstrate an exceptional level of research or scholarship and professional service. They should also have demonstrated quality teaching and mentoring of students and junior faculty. Their accomplishments in these areas should be of national significance. In special circumstances, distinguished professors can be named or appointed to faculty ranks based upon recommendations of academic units and with approval by the president. Candidates for Distinguished Professor should present their qualifications along with documentation of their accomplishments and letters of recommendation from other scholars in their discipline to the provost's office. Ordinarily, this should be accompanied by a letter of support from the candidate's department chair or dean. However, self-nominations are acceptable. The provost will refer all application packets to a committee comprised of other distinguished professors. This committee should include, if possible, members from the applicants' academic disciplines. The committee will review the application package and make recommendations in writing to the provost who will then send recommendations to the president for action.

F. Other Faculty Ranks

Other appointments to the faculty are: visiting faculty, adjunct faculty, and part-time faculty. These appointments are renewable, but carry no expectation of renewal. The appointments are not tenurable, and service in these ranks does not count towards the tenure probationary period. These ranks do not carry voting privileges, except as provided in particular college/school/department faculty bylaws.

1. Visiting Faculty

A visiting faculty member carries a temporary appointment for a term of one year or less subject to renewal. The rank is intended to entitle the visiting faculty member to a temporary and brief appointment. The qualification for appointment to the visiting faculty rank must be the same as for appointment to corresponding faculty rank.

2. Adjunct Faculty

An adjunct faculty member is one whose principal employment is with an employer that is not Texas Southern University and who brings expertise to the teaching, research, or public service of Texas Southern University. The appointment carries

remuneration, is renewable, and adjunct faculty members shall be subject to review by the college/school/department faculty review process.

3. Other Part-time Faculty

Part-time teachers other than adjunct teachers are persons who teach less than a full load and whose remuneration is on a per course basis. This does not include senior or other faculty with reduced loads. This rank can include: (1) retired faculty, (2) teachers who would prefer full-time employment but cannot be given a full-time position, and (3) teachers who choose part-time employment but have no full-time employment outside the home. These appointments are appropriate provided that such teachers have office space in which to meet with students, library access, laboratory access, where applicable, and secretarial support.

4. Senior Appointments with Reduced Loads

A tenured faculty member with at least twenty-five (25) years of service is eligible for up to a 33% reduction in his/her overall duties to the university. The faculty member would have proportionate loss of salary but no loss of protections of due process or any other entitlements of tenure.

Where the action to reduce a full-time tenured faculty member to part-time status is mandated by a declared financial exigency or discontinuance of a program, the benefits of tenure shall be preserved and salary shall be continued on a pro rata basis.

The related standards for reduced loads adopted by each academic unit shall include the minimum criteria stated above and must be approved by the university and the Board of Regents. The academic unit standards are incorporated by reference in this *Manual*.

3.4 Faculty Awards

Presidential Achievement Medal. Overall outstanding teaching, scholarly/creative activities, and service.

The McCleary Teaching Excellence Award. Named for a distinguished teacher, Jane Marie McCleary, this award goes to a faculty member who evidences the highest standards in teaching. There are four criteria for selection: 1) evidence of improving course and instructional practices, 2) demonstration of effectiveness as a classroom teacher, 3) development of new courses or innovative teaching methods in existing courses, and 4) participation in university-sponsored community programs, including workshops, in-service training, field site development, etc.

Scholarly Research/Creative Activities Award. This award recognizes outstanding accomplishment in scholarship/research and creative activities by faculty. It is awarded

to tenured and tenure-track faculty who have not had this award in the five prior years. The following criteria apply: 1) significant research accomplishment, honors and awards, 2) letters of recommendation/commendation regarding specific projects, 3) a statement of 250-500 words specifically describing the type of research and significant outcomes, and 4) copies of publications/presentations.

Distinguished Service Award. This award recognizes a person who has rendered distinguished and sustained service to the university in some area other than teaching and scholarship.

Provost's Core Curriculum Teaching Excellence Award. Distinguished performance in teaching one or a set of core curriculum courses during the academic year of the award.

Faculty Award for Outstanding Undergraduate Academic Advising. Outstanding performance in advising and mentoring undergraduate students

Faculty Award for Mentoring Undergraduate Research/Creative Activities. Outstanding efforts to mentor undergraduate research/creative activities leading to publication and/or to formal academic presentation locally, regionally, nationally, and internationally

School/College Scholar of the Year. Each school or college will recognize a faculty member based upon criteria established by the school or college.

3.5 Privileges of Retired Faculty

Retired faculty members are entitled to free lifetime parking, use of the university library, and recreational facilities.

SECTION FOUR

University Personnel Practices

4.0 Procedures for Faculty Appointment

Texas Southern University is committed to adhering to the concept of equal opportunity in employment. Consistent with this commitment, the university has developed a procedure for staffing positions requiring appointed search committees. Search committees are appointed/selected to assist in the search and screening of the provost, associate provosts, deans, assistant and associate deans, department chairs and the Executive Director of University Libraries. In the hiring of instructional personnel, each department, school or college shall select, according to appropriate departmental procedures, faculty members who will serve to search, screen applicants, and identify a candidate or candidates.

All potential appointees to the university's regular faculty must be recruited and evaluated by a search-and-screening committee consisting of members of the regular faculty or as required in the applicable school/department's bylaws. The qualifications of each candidate shall be made available to all regular departmental faculty, who shall participate in the selection process. Candidates who seek appointment to a rank higher than Assistant Professor and those seeking appointment with immediate tenure must be reviewed under the standards of the department's promotion and tenure process.

A search/screening committee shall make nominations in accordance with the bylaws of the school/college or department. The department chair shall make recommendations from the list of nominees to the dean. In cases where no appointments can be made from the list, additional nominations shall be requested from the committee. In making a recommendation to the dean, the department chair shall provide documentation regarding the degree of faculty input and support for the recommended candidate, the recommended rank, and tenure status. In cases of emergencies, where short notice exists and temporary needs require that department chairs exercise discretion, faculty responses should be solicited and the committee procedures should be utilized when possible.

The university does not discriminate on the basis of race, color, national origin, religion, age, sex, veteran status, sexual orientation or disability in the recruitment and employment of faculty and staff. The university complies with the equal opportunity provisions of federal laws and regulations.

An individual becomes an official candidate for a faculty position once a formal application online has been filed with the university. The appropriate faculty committees shall screen applicants.

Under the Search Procedures and Employment Process at Texas Southern University, the committee chairperson or department chair should complete the Affirmative Action Report form and the Search Activity Report form after the candidate has been hired.

4.1 Terms of Appointment

The dean of the college shall make the offer of employment to a prospective faculty member in writing which shall include the terms and conditions of the appointment, explicitly encompassing the full understanding of all parties. The letter of appointment, upon acceptance by the appointee, becomes the understanding of employment. The terms and conditions of employment issued and signed by the provost, when signed by the appointee, along with the applicable portions of the *Faculty Manual* and applicable university policies, becomes the employment contract.

Instructional Faculty appointments are made to the non-tenured ranks of Instructor or higher. Such appointments are made for a period of one year with renewals for one year at a time. Visiting faculty appointments, adjunct faculty and part-time faculty connote a temporary association with the university and with limited faculty privileges. Except for tenured faculty, individuals with appointments in teaching and research shall be informed annually in writing of their appointment status and their eligibility to receive tenure.

4.2 Waiver of Provisions for Tenure and Appointment to Full Professor with Tenure

Under extraordinary circumstances, the Board of Regents may waive the provisions for the awarding of tenure and appointment to the rank of full professor with tenure. In those instances where waiver is sought, the following process shall be followed: the credentials and other evidence of the candidate's qualifications shall be presented to the faculty wherein the appointment is to be made for review of compliance with applicable standards of rank and tenure for a full professor at the university. Upon approval, the faculty shall recommend the appointment at the specified rank to the dean of the school or college in which the candidate will hold the appointment. The dean shall forward the faculty's recommendation to the provost, who will then present the recommendation to the president. The president shall request a waiver by the Board of Regents. If the faculty disapproves the appointment with tenure, or the appointment to full professor with tenure, its negative recommendation must be accompanied with a detailed articulation of the reasons for its decision.

4.3 Credit for Prior Service at another Academic Institution

Pursuant to the hiring procedures, when the school/college Promotion and Tenure Committee (or other appropriate search committees) makes its hiring recommendation, this recommendation shall include a proposed number of years or prior equivalent experience, if any, which should be credited toward tenure; and, said number shall be made a part of the school/college appointment letter, or alternatively the committee shall consult with the appropriate dean and the provost on these prior service recommendations.

Ordinarily the decision on prior service should be made before the initial appointment and included in the initial contract. When it is impossible to include prior years of service in the initial appointment letter, it should be done within ninety days after the appointment.

4.4 Procedures Utilized for Reappointment, Promotion and Tenure

- A. **Completion Date:** The provost shall promulgate a schedule for the consideration of reappointment, promotion and tenure requests that shall provide sufficient time for completion from the unit level through presentation to the Board of Regents, including appeals, before May 31st. Guidelines for organizing the promotion and tenure dossiers can be found at the Academic Affairs website or obtained from the Office of the Provost.
- B. **Tenure Timetable:** No later than December 1st of the faculty member's fifth academic year of probationary service, the dean of each college/school and the chair of each department shall notify all such faculty members that they are to prepare a dossier to be submitted at the beginning of their sixth year of probationary service. This notification will detail their status and provide criteria and procedures for granting tenure. A tenure process is usually completed by July of the faculty member's sixth year. If the tenure application is unsuccessful, the faculty member will have one additional but final year of employment.
- C. **Extension of Probationary Period for Childbirth or Adoption:** An untenured tenure-track faculty member who becomes a parent due to the birth or adoption of a child and who is responsible for the primary care of that child will be given upon request a one-year extension of the probationary period, with or without a leave of absence. The faculty member is responsible for notifying his/her department chair in writing of a request for extension within six months of the birth or adoption of the child. The department chair will acknowledge the extension of the probationary period and will inform the faculty member of the revised year of tenure review, with a copy to the dean who will then notify the Provost's office.

Unless the faculty member expressly declines the extension in writing at the time the notice is given, the probationary period will be extended by one year. The extension of the probationary period may occur at most twice (for a total of two years extension), with each extension occasioned by the birth or adoption of a child, and by timely notice as defined above. Requests for extensions of the probationary period normally will not be considered after March 1 of the academic year prior to the tenure review period.

For purpose of this policy, a child is newborn or, in the case of adoption, under the age of six. Also, a tenure-track faculty member who is responsible for the primary care of the child is one who is responsible for significant and continuous care of his or her newborn or adopted child. If both parents are tenure-track faculty members, only one may qualify as the primary caregiver.

If a faculty member takes a leave of absence, this policy shall be applied in conjunction with relevant leave statutes and policies.

- D. **Policy on Extension of the Probationary Period for Emergencies:** An untenured tenure-track faculty member has the right to request an extension of the probationary period

because of serious illness, family emergencies or other serious personal circumstances. Circumstances that may justify an extension include, but are not limited to, serious illness and injury, or other serious disruptions or unexpected reasons beyond the faculty member's control.

Requests must be made in writing and submitted within six months after the emergency circumstances or personal circumstances occur. The request must be forwarded through the department chair and dean to the provost. The provost will inform the dean of his or her decision and the year of tenure review. These decisions should be made as soon as practicable.

Requests for extensions of the probationary period normally will not be considered after March 1 of the academic year prior to the tenure review period.

This policy does not address faculty leave, nor does it affect any existing policy or policies relating to faculty leave.

- E. Unit Rank, Tenure and Promotion Committee: All academic units of the university shall elect rank, tenure, and promotion committees. Each academic unit shall determine the size of its committee and whether it will establish departmental level committees. Each committee shall establish the specific criteria as appropriate to its unit by which it will judge requests for tenure submitted to it by eligible faculty and by which it will determine compliance with the minimum university criteria. Only tenured members of the faculty may serve on the committee for purposes of considering a request for tenure. In considering a request for promotion, no one of a rank lower than that to which promotion is being sought shall serve to consider the application. Faculty of rank as to promotion means those faculty members in the unit who are at or above the rank to which promotion is being sought. The individual faculty member, a departmental committee, the department chairperson, or any combination of the foregoing may initiate faculty promotions. All requests for retention, promotion and tenure shall be initially submitted to the faculty elected departmental or unit Rank, Tenure, and Promotion Committee. Only tenured members of the faculty may serve on the committee for purposes of considering a request for tenure. If the department committee consists of less than three members, the committee shall consist of tenured faculty members of the college. No member of a departmental Rank, Tenure, and Promotion Committee may serve on the college/school Rank, Tenure, and Promotion Committee, or the University Rank, Tenure, Promotion and Salary Committee during the same academic year. Furthermore, no member of the college/school Rank, Tenure, and Promotion Committee may serve on the University Rank, Tenure, Promotion and Salary Committee during the same academic year.
- F. Recommendation of the Committee: The unit or departmental committee shall, in writing, make a recommendation to the department chair or dean as appropriate with a copy to the faculty member setting forth in detail the basis of its determination.
- G. Right to appeal in the academic units: At the levels of the department's Rank, Tenure

and Promotion Committee, the department chair, the school/college Rank, Tenure and Promotion Committee, and the dean, a denied faculty member shall be allowed a one-time reconsideration of the decision before the recommendation moves up to the next level of review. All decisions at all levels of consideration or review shall be based solely upon the record as a whole. A faculty member has the right to review the record to ensure that it is complete for review by the provost. All decisions at all levels shall be communicated to the faculty member in writing in a timely fashion. All decisions that are adverse to the faculty member concerned shall set forth fully the basis of the decision.

- H. Annual review: Each school or college shall conduct an annual performance review for each faculty member eligible for consideration for retention, promotion, tenure, or merit compensation. This review shall include, but not be limited to, the status, progress, and evaluation of a faculty member's performance in the areas of teaching, research/creative activities, and university and community service. The results of that review shall be communicated in writing to the faculty member in a timely manner and kept on file by the appropriate official.
- I. Levels of Review: The chair shall make a separate, independent recommendation in each case. A copy of this recommendation will be provided to the unit's Rank, Tenure and Promotion Committee. This recommendation, along with a detailed explanation, shall also be promptly communicated to the affected faculty member.

The chair shall forward to the faculty of rank of the department in retention and promotion cases or the department's tenured faculty in tenure cases, the following items: (1) the evaluation and recommendation of academic unit's committee, (2) the evaluation and recommendation of the chair, and (3) the candidate's dossier. If a department has less than three faculty members of rank, the department's Rank, Tenure and Promotion Committee shall be substituted for by one of the following at the election of the candidate: (a) the college's Rank, Tenure and Promotion Committee, if one exists, or (b), faculty members holding such rank in the applicant's field from other colleges and universities in the community or nation. The faculty applicant should be consulted in the selection of an external committee.

The decision of this faculty body shall be forwarded to the dean. In some academic units, the college/school's Rank, Tenure and Promotion Committee will also receive the recommendation and deliberate according to the written rules of the college/school. This committee and/or the dean should have the following items: (1). the recommendation of the unit's faculty of rank in promotion and retention cases or tenured faculty in tenure cases, (2) the evaluation and recommendation of academic unit's committee, (3) the evaluation and recommendation of the chair, and (4) the candidate's dossier.

The above recommendations are made to the provost. The provost will receive the following record: (1) the recommendation of the unit's faculty of rank in retention and promotion cases or the recommendation of the tenured faculty in tenure cases, (2) the

evaluation and recommendation of academic department's Rank, Tenure and Promotion Committee, (3) the evaluation and recommendation of the chair, (4) the candidate's dossier, (5) the college/school's faculty Rank, Tenure, and Promotion Committee's decision and (6) the dean's recommendation.

The provost shall accept or reject the recommendation of the dean. The provost's recommendation, including the basis for the decision, shall be submitted in writing to the faculty applicant.

If the decision of the departmental or unit tenured faculty and that of the dean of the academic unit are not the same, the provost may, if he/she chooses, submit the matter to the URTP&S Committee for review and recommendation. In this event, the faculty person shall have the right to review all the documentation pertinent to the decision regarding his/her status, including proof of uniformity in the application of the standards for tenure. If the provost follows this procedure, he/she will upon receipt of the recommendation of the URTP&S Committee forward the URTP&S Committee's recommendation to the president. If the URTP&S Committee upholds the denial of a request for tenure, it shall provide the faculty member with a detailed written articulation for the basis of the denial.

If the decision of the provost is unfavorable to the faculty member, whether it supports or rejects the unit recommendation, said faculty member shall have the right to appeal such decision to the URTP&S Committee. The findings and recommendations of the URTP&S Committee shall be submitted to the president along with the recommendation of the provost.

The faculty person shall have the right to review all documentation pertinent to the decision regarding his/her status, including proof of uniformity and accuracy in the application of the standards for tenure.

Upon receipt of the recommendation from the provost, and where appropriate, the URTP&S Committee, the president shall make a final administrative decision which shall be reported to the Board.

4.5 Annual Faculty Performance Review

A. Scope:

Annual reviews of performance shall be conducted for all faculty on a calendar year basis. Performance evaluation of tenured faculty shall be consistent with the basis of procedures set out in this section and adopted pursuant to Texas Education Code.

B. Guidelines:

The department faculty of each academic unit shall prepare written criteria for categories of performance to be assessed in annual reviews. Besides faculty approval,

the respective department chair and dean shall approve such rules. The department chair shall distribute these rules to faculty by October 1 of each academic year. The different units may weigh the criteria listed differently and evaluate faculty differently depending upon the faculty member's role and responsibilities in the academic unit. A copy of the completed faculty performance reviews shall be submitted to the provost by the dean by March 30. Prior to undertaking the annual merit evaluation, the dean shall articulate the scale upon which merit raises shall be awarded.

Faculty who have administrative responsibilities will be evaluated annually as faculty in proportion to their teaching load.

In addition to the annual reviews, an extensive review shall be conducted during the sixth semester of a faculty member's third academic year of probationary service. It is an opportunity to provide feedback and guidance to complement the mentoring program. This review shall be kept in the faculty member's personnel file. The 3rd year review shall follow the same procedures as for the tenure process. Units of the university may elect to conduct such reviews on a more frequent basis.

C. Outcome:

The departmental rating of a faculty member may range from most meritorious to unsatisfactory. A rating of unsatisfactory performance must be supported by an articulation of the finding based upon the department's approved criteria or the criteria listed in this *Manual*. A report to the dean of unsatisfactory annual performance must be accompanied by a written plan for near-term improvement.

A faculty member's contribution as measured by his/her academic unit shall be considered in the areas of teaching, research/scholarship/creative activities, and service.

D. Criteria:

The following is a non-exhaustive list of factors that apply to several academic units.

1. Teaching:

Course content, complexity, and level; performance of students in subsequent courses; student evaluations; teaching innovations; peer evaluations; direction of dissertations and theses; awards, honors, and other teaching recognitions.

2. Research/Scholarship/Creative Activities:

Published works—books, journal articles, reviews, research and technical reports, electronic and digital materials; shows, exhibits, displays, and performances of artistic works and talents; professional evaluations of scholarly activities appropriate to discipline; research grants, contracts, and other evidence of competitive support for the research; invited papers and other presentations;

editorial contributions; awards, honors and other recognition in research, scholarship or creative works.

3. Service:

- a) Student advising and counseling: Responsibilities for student advising; contributions to student development as indicated in student evaluations, advising and participating in student organizations; accessibility to students.
- b) University committee and administrative service: Nature and importance of committee involvement; ideas and original contributions to university community; offices held and other evidence of leadership.
- c) Service to profession, community, or state: Involvement in professional societies including leadership positions; governmental committee or commission appointments; academic and professional consulting activities; speech and other presentations utilizing expertise; awards, honors and recognitions in service.

E. Procedure

Using Annual Faculty Review Form 1, “Planning Document-Professional Goals and Duties”, the department chair in consultation with the faculty member shall establish the faculty member’s assigned duties/goals and objectives for the upcoming calendar year. At the end of the calendar year, the faculty member shall complete Annual Faculty Review Form 2, “Report of Accomplishments”, and submit it to the chair. Based upon the information in the two forms, a second conference with the faculty member, and personal observations, the chair completes “Annual Faculty Evaluation Form 3: Evaluation of Academic Personnel” and forwards it to the dean.

Each annual performance review shall be completed no later than April 1 of the subsequent year for the period of the prior calendar year.

4.6 Notification of Renewal and Non-Renewal of Appointments

The dean or other appropriate university officials shall give notice of the decision not to retain a tenure-track probationary faculty member in accordance with the following standards:

- A. Written notice shall be given in a manner reasonably calculated to provide actual notice to the faculty member. This may include, but is not limited to, mailing to the member’s known address (as shown on the university records), delivering through the usual intradepartmental or interdepartmental university mail system, or delivering in person.

B. Notice shall be governed by the following time frame:

1. No later than three months before the end of the first academic year of probationary service;
2. No later than six months before the end of the second academic year of probationary service;
3. At least twelve months before the expiration of the probationary appointment after two or more years at the university.

Each contract given to a non-tenured teacher shall include notice of tenure-track or non-tenure-track status and current number of years, if any, credited toward tenure.

4.7 Length of Tenure-Track Service

For tenure-eligible faculty, the length of probationary service will be governed by the following regulations:

Unless otherwise provided for, a probationary period shall be six years of full-term service in a tenure-track position in the academic ranks of professor, associate professor, assistant professor, or any combination thereof. At the discretion of the dean and provost, prior service or experience may be considered toward the six-year probationary period and must be stated in the tenure-track appointment letter.

For the purpose of calculating the period of probationary service, an academic year shall consist of two long semesters (i.e., the fall semester and the spring semester). Summer terms shall not be counted toward fulfilling the period of probationary service.

A faculty member shall be considered to be on full-time academic service when in full compliance with the university's standards pertaining to a normal faculty workload.

Tenure-track status is not a guarantee of continued employment so long as notice of non-renewal is provided in accordance with Section 4.6 (b).

4.8 Notice of termination of Tenure-Track Status

No later than December 1 of the fifth year of probationary service, the dean of each school/college shall notify all faculty members who are entering their sixth year of probationary service of their status and of the criteria and procedures for granting tenure.

4.9 Tenure Award

Tenure denotes a status of continuing appointment as a member of the faculty, with service terminated only for good cause, as defined in Section 7 of this *Manual*, and subject to due process in the determination of such cases. Tenure is not automatic and can be conferred

only by the Board of Regents. Only faculty members with the academic rank of professor, associate professor or assistant professor shall be eligible for tenure.

In virtually every case, the award of tenure is granted in the sixth year of probationary service and becomes effective at the beginning of the next year. In cases of persons with exceptional qualifications and achievements, tenure may be granted earlier. A recommendation for tenure of an assistant professor must be accompanied by a recommendation for promotion to associate professor.

Faculty members who have been awarded tenure will not be given contracts (except for summer employment), but shall be given notice of salary in lieu of contracts.

4.10 Post-Tenure Review

Post-tenure review of all tenured faculty members is required by state law.

The policies in this section of the *Faculty Manual* regarding post-tenure review are written in accordance with this law.

- A. Purpose: “The purposes of post-tenure review are to: identify and officially acknowledge substantial or chronic deficits in performance; determine what, if any, additional elements are necessary to develop a specific professional development plan by which to remedy deficiencies over and above those which have already been identified by the department chair and the faculty member in the written plan for near-term improvement; and monitor progress towards achievement of the professional development plan.”
- B. Scope: There are two possible phases to Post-Tenure Review (PTR), one mandatory and the other conditional on the outcome of the first phase.

Phase 1: All tenured faculty members will undergo a post-tenure review every five years. Post-tenure review is linked to the annual review. All faculty members are required to participate in the annual review process.

Composition of Post-Tenure Review Committee: Each academic unit shall impanel a Post-Tenure Review Committee comprised of tenured, elected faculty in an open forum from the college or school. The size of the committee may vary from one academic unit to another; however, the committee must have a minimum of three members. In cases in which the department does not have enough tenured regular faculty members to constitute a Post-Tenure Review Committee, the department Rank, Tenure, and Promotion Committee will elect regular faculty members from other departments who are qualified to serve on the Post-Tenure Review Committee. The Post-Tenure Review Committee will elect its own chair.

- C. Exemptions and waivers: A faculty member planning to retire at the end of the same academic year in which the post-tenure review would occur is exempt, provided that a binding letter of intent to retire is signed by the faculty member.
- D. Guidelines: Each academic unit shall prepare written guidelines approved by the faculty, the dean, the provost, and the University Rank, Tenure, Promotion, and Salary Committee. "Academic unit" means department or college/school. Although each academic unit will emphasize those criteria it deems most important, the guidelines must be consistent with the following requisites to ensure rigor: The basis for post-tenure review is the faculty member's performance in the areas of teaching, research/scholarship/creative activities, and service, including advising and other assignments.
- E. Phase II: Post-tenure review consists of additional review by the Post-Tenure Review Committee and the department chair of those identified as subject to further review. All tenured faculty members receiving two or more annual performance ratings of unsatisfactory during the five-year period will be reviewed under the second phase of post-tenure review.

Procedure: To ensure the necessary institutional rigor, the following procedures must be used for Phase II:

1. Within one month of notification, the faculty member to be reviewed will prepare a review dossier.
2. The dossier will contain, at minimum, the following items: current vitae, a teaching portfolio, and statement on current research, scholarship/creative work.
3. The department chair will add to the dossier any further materials he or she deems necessary or relevant. The additional materials shall be sent directly to the faculty member to be reviewed.
4. The faculty member has the right to respond in writing to the information added by the department chair. In addition, the faculty member may add relevant materials at any time during the review process.
5. The review will be conducted by a three-member ad-hoc committee appointed by the respective dean, in consultation with the respective department chair and the faculty member to be reviewed.

F. Outcome:

Within three months of the submission of the dossier, the review shall be completed. The committee may make one of three possible findings:

1. No deficiencies identified;
2. Some deficiencies identified, but are found to be unsubstantial; or

3. Substantial deficiencies.

Upon a finding of substantial deficiency, the faculty member, review committee and department chair shall work together to develop a professional development plan.

G. Written report:

All post-tenure reviews are formal and must be reduced to writing. A finding of deficiency must be substantiated and communicated in writing to the faculty member, the department chair, and the dean.

H. Professional developmental plan

1. Nature of the plan: The professional developmental plan shall indicate the specific deficiencies of the faculty member and how such deficiencies are to be remedied. If the faculty member, the review committee and the department chair fail to agree on the developmental plan, the dean will determine the plan. Each plan shall contain the following:

- a) specific deficiencies to be addressed;
- b) specific goals or outcomes necessary to remedy the deficiencies;
- c) outline the activities necessary to be undertaken to achieve the necessary outcomes;
- d) set timelines for accomplishing the activities and achieving intermediate and ultimate outcomes;
- e) indicate the criteria for assessment of annual reviews of progress in the plan, and
- f) identify institutional resources to be committed in support of the plan.

2. Assessment:

The faculty member and department chair will meet annually to review the faculty member's progress towards remedying deficiencies. A progress report will be forwarded to the review committee and the dean. Annual reviews of this faculty member shall incorporate this developmental plan.

3. Completion of the plan:

When the objectives of the plan have been met, or no later than two years after the start of the developmental plan, the department chair shall make a final report to the faculty member and the dean. If documented progress has been made even though

all objectives of the plan have not been met, the department chair may request a one-year extension before being required to submit a final report.

4. Dismissal for unsatisfactory professional performance:

If, after consulting with the review committee, the department chair and dean agree that the faculty member has failed to meet the terms of the professional development plan as well as satisfactorily completing the deficiency plan, dismissal proceedings may be initiated under this *Manual*.

5. A faculty member subject to termination on the basis of a performance evaluation conducted pursuant to Texas Education Code, Section 51.942 shall have the opportunity for referral of the matter to a nonbinding alternative dispute resolution process as described in Chapter 154 of the Civil Practice and Remedies Code.

4.11 Promotion Policies

A. Policy:

Faculty promotion is not necessarily related to length of service to the university. It is awarded to those faculty members who make continuing contributions in three general areas: teaching, research/scholarship/creative activities, and professional service. Recommendations for promotion are based on evaluations made by faculty peers and administrators. At the request of the units' Rank, Tenure and Promotion Committee, such evaluations may include review by faculty external to the university. The faculty candidate shall have input into the selection of external reviewers. The evaluations are based upon the written criteria established by the academic unit. The academic preparation and other general standards associated with each faculty rank are listed in Part 3.3 above.

Promotion recognizes academic achievement not only in the university but also in the profession at large. For the regularly appointed full-time faculty there are four levels of academic rank: (1) instructor, (2) assistant professor, (3) associate professor and (4) professor. The rank of instructor, being non-tenure track, does not allow for promotion. An appointment must be made directly to a tenure-track rank.

The faculty of each department, college, school or academic unit shall establish and promulgate criteria and procedures for appointment, retention, rank, promotion and tenure. These criteria and procedures shall be submitted to the provost and the University Rank, Tenure, Promotion and Salary Committee for review and approval and shall be consistent with the guidelines for hiring and retention as stated in this *Manual*.

B. General Criteria for Promotion:

In addition to any criteria and procedures established and promulgated by each department, college, school or academic unit, the following factors are considered in evaluation of a faculty member's eligibility and qualification for promotion and retention:

Effectiveness of teaching as evidenced by reports from peers, students, department chairs and deans.

Research, scholarship or creative activities as evidenced by the publication of books or articles in professional journals and periodicals, the acquisition of patents or other forms of official recognition for inventions, creations or research; prizes, awards and other forms of official recognition for creative exhibitions, paintings, performances and other art forms, as appropriate to his or her academic discipline. External letters of evaluation may be included along with other measurement tools to evaluate the candidate's scholarship and creative activities

Academic advising and career counseling services to students as evidenced by official reports submitted to the department chair.

Activities in learned societies and professional organizations as evidenced by membership, official positions held, papers read at official meetings, and citations for service.

Outstanding services to the university as evidenced by citations and other forms of official recognition for extraordinary productivity, contributions and work on committees and special projects; successful development of proposals for programs that facilitate the achievement of university goals; exhibition of leadership in the initiation and development of projects that complement the university's programming efforts.

Significant community service as evidenced by citation, awards, positions of leadership, etc.

The weight to be assigned to each criterion will be established by each academic unit and approved by the University Rank, Tenure, Promotion and Salary Committee and the administration.

C. Time in Rank Requirements:

An assistant professor must ordinarily spend six years in rank in order to be eligible for promotion to rank of associate professor. This requirement may be reduced to three to five years if a faculty member demonstrates extraordinary merit.

An associate professor must spend five years in rank in order to be eligible for promotion to rank of full professor. This requirement may be waived if a faculty member demonstrates extraordinary merit.

Only faculty members with the academic rank of professor, associate professor or assistant professor shall be eligible for tenure.

4.12 Salary Determination Procedures

Although the bases for salary increases vary among the colleges, the following process outlines the typical considerations across all academic units.

Each state-allocated biennial university budget includes an allocation for salaries. If the state allocates funds for a salary increase, there are three possible types: cost of living, merit, and promotion.

Increases for cost-of-living and merit are not uniform in terms of percentage due to faculty differences in productivity, prior inequities, and for other reasons.

The dean or his/her appropriate designee shall perform an annual salary review with each faculty person in the unit over which he/she has administrative responsibility. This shall consist of a review of the academic contributions of each faculty person for the past academic year, or from the date of the last annual faculty review. The performance review shall cover the areas of teaching, research and scholarship, public and university services, and any other areas related to academic performance.

The dean shall request in a timely fashion an annual activity report from each faculty person listing or outlining that person's activities in these or other specific areas for the past academic year, or from the date of the last annual review. The activity report shall be the primary basis of the performance review. Where other material, information, and data are to be considered in the performance review, said material, information, and data shall be provided to the faculty person in a timely manner prior to the date of the annual review. The faculty person shall be given an adequate opportunity to rebut, mitigate, or challenge any negative information or data that might adversely affect his or her status, including the right to know the source of said information and data and, where appropriate, the right to confront and cross-examine such source or sources.

The dean shall provide the faculty person with a detailed written articulation after each annual performance review, and if said review is the basis for merit compensation, he or she shall articulate how said compensation was determined in light of the review.

Each academic unit and or college or school shall establish and promulgate procedures, standards and criteria for awarding and distributing merit compensation. These processes, procedures, standards and criteria shall be submitted to the provost and the University Rank, Tenure, Promotion, and Salary Committee for compliance review and approval, and shall be kept on file along with promotion and tenure criteria. Copies of the process,

procedures, standards and criteria shall be given to each faculty person by the dean and/or through the department chairperson.

The faculty person shall have the right to appeal the dean's merit increase recommendation to the provost. The provost shall provide the faculty person an opportunity to present his or her appeal directly to him/her, or in the alternative, the provost may delegate this review process to the University Rank, Tenure, Promotion and Salary Committee to hear the appeal, make a finding of facts, and render a binding decision to uphold, or overturn the decision of the dean. If the decision is overturned, the provost and the faculty person shall work together to determine an appropriate level of merit compensation, using as a guide, where applicable, compensation awarded other faculty in similar circumstances. To that extent, comparative information relating to other faculty in like circumstances shall be made available to the faculty person during the appeal process.

Documentation in the form of student evaluations (if available) and peer evaluations of teaching, research, scholarship and creative activities must accompany the merit compensation recommendations. Other evidence of research, scholarship, public, and university service such as letters of appreciation, news articles, reports, publications, video publications, awards, commendations, etc., shall also be forwarded with the recommendations and made a part of the record.

If the provost upholds an appeal from a merit compensation award, and does not submit it to the University Rank, Tenure, Promotion and Salary Committee, then the faculty person shall have the right to appeal the decision of the provost to the University Rank, Tenure, Promotion and Salary Committee. In that event, the recommendations of both the provost and the committee shall be forwarded to the president for decision. If the president makes a decision in favor of the faculty member, then an appropriate adjustment shall be made in concert with the faculty member.

All decisions related to merit compensation shall be based solely upon the record as a whole. The record in merit compensation reviews shall be the written documentation evidenced by the annual review, activity reports and other substantiated and corroborated information and data as described above, and made a part of the record by the process and procedures contained herein and followed in the actual review. All hearings shall be conducted in accordance with formal due process procedures set out in Section 8 of the manual, and a record thereof shall be maintained and retained in the faculty person's file.

4.13 Faculty Transfers from One Discipline to Another.

A faculty member may transfer from one discipline to another provided that the transferring faculty member meets the minimum standards established for entry into the faculty of the discipline to which he/she seeks to be transferred.

4.14 Resignation, Termination and Dismissal

A faculty member may resign his/her faculty appointment at the end of an academic year. Notice should be given at the earliest possible time.

SECTION FIVE

Professional Practices

5.0 Purpose

In recognizing the fact that a conscientious faculty fosters conscientious students, the policies outlined below provide guidelines for professional practice by teaching faculty. In general, workload responsibilities of a faculty member can neither be defined simply nor summarized easily. Faculty members have fundamental obligations above and beyond organized teaching and research, including academic advising and counseling, the supervision of undergraduate and graduate students, direction of individual study, special projects, theses and dissertations, and curriculum development. Additionally, they accept many institutional and public service obligations.

The variety of faculty responsibilities that must be undertaken for the university to function in an effective and efficient manner makes it impossible to equate faculty workload with the sum total of semester credit hours taught, or with any other single criterion. Indeed, it is inappropriate to adopt any measure of faculty workload that is fundamentally numerical in nature without consideration of qualitative issues. While recognizing these facts, however, the university must develop a minimum teaching load requirement and report its fulfillment to the state. This is necessary to comply with the Texas Education Code and to quantify for all university constituencies the basic commitment that faculty must make to students.

General workload expectations vary greatly by academic department, discipline, and college. Therefore, specific common workload expectation criteria are not delineated for the university. The regulation of general workload requirements is the responsibility of the appropriate department chair and college/school dean.

It shall be the responsibility of each dean to review and otherwise monitor the Faculty Workload Policy for the total faculty of his or her college/school and certify to the Provost/Vice President for Academic Affairs that the policy has been implemented as required.

Each dean shall submit individual workloads for each faculty member on forms developed by the Office of the Provost that include data on academic duties and other services performed. All exceptions to full or part-time workload requirements should be noted and fully explained and justified.

5.1 Faculty Workload

Mandate: The university has adopted this policy to fulfill the mandate of the legislature of the State of Texas as set forth in the Texas Education Code § 51:402.

Scope: As required by the law on faculty workload this policy recognizes “that classroom teaching, basic and applied research, and professional development are important elements of faculty academic workloads by giving appropriate weight to each activity when determining the standards for faculty academic workload.” In addition, this policy gives the same or different weight to each activity and to other activities recognized by the institution as important elements of faculty academic workloads depending on the academic units involved.

Reporting: The established rules and regulations shall be reported to the coordinating board and included in the operating budgets of each institution. Within 30 days of the end of each academic year, the institution shall file with its governing board a report, by department, of the academic duties and services performed by each member of the faculty during the nine-month academic year, showing evidence of compliance with requirements established by the governing board. Teaching responsibilities in each workload standard shall be in proportion to the portion of salary paid from funds appropriated for instructional purposes.

Workload monitoring: The institutional head of each higher education institution shall designate the officer of his staff who will monitor workloads, prepare and review appropriate workload reports, and submit the reports to the institutional head for his certification or approval and comments as may be appropriate. The provost of the institution shall be responsible for implementing the institution’s workload policy, and for reviewing college and department assignment patterns and monitoring compliance with institutional regulations.

Workload assignment: Workload assignment must be primarily the responsibility of an academic unit and its department chairperson or college/school dean. These administrators must be held accountable for individual compliance with institutional rules and for distributing the duties in their academic unit so that each faculty member contributes maximally to the department program according to his or her capabilities and experience. Chairs are responsible for assuring that individual faculty members' workloads comply with the university workload policy. Chairs are also responsible for assuring that faculty obligations are fairly distributed among faculty members within the academic unit. In meeting this responsibility, chairs should attempt to match the needs of the academic unit and the university as outlined in the academic unit's goals for teaching, research/scholarship/creative activities, and service with the individual professional goals of each faculty member. These goals are likely to change over the course of a faculty member's career.

Workload priority: Regular faculty shall have priority for teaching and service assignments. No temporary or part-time person or adjunct faculty member shall be employed in any capacity if there is a qualified regular faculty member available to teach the scheduled course or perform the required service function. Where factors of capabilities are reasonably equal, faculty persons of greater experience or seniority shall be given preference in the making of all workload assignments, including summer appointments. Under special circumstances and conditions established and adopted by the faculty of the unit for the purpose of assuring that workload assignments are equitably distributed, or to

accomplish legitimate educational objectives, assignments may be made without consideration of experience and seniority.

Teaching assignment qualification: All teaching assignments must adhere to the accreditation guidelines of the applicable accreditation organization.

Definitions: One workload credit is defined as one semester credit hour of organized undergraduate instruction or the equivalent. A weighting factor for faculty teaching graduate courses will be 1.5 times the credit hour value of undergraduate courses.

The normal faculty workload encompasses teaching, scholarly activity, service to the department, college/school, university, and other professional activities. A full-time faculty member's workload will consist of 24-semester credit hour equivalency in teaching, research/scholarship/creative activities, and service contributions. In general, the assignment of the semester credit hour equivalency is flexible and will depend upon the nature of the faculty member's contribution to the academy. The following is a general formula for assignment of faculty workload:

- 24 semester credit hours per academic year or equivalency is considered a normal workload and can be assigned to teaching, research/scholarship/creative activities, and service, respectively. It may be distributed as follows:
 - o 18 semester credit hours per academic year for teaching
 - o 3 semester credit hours per academic year for research/scholarship/creative activities
 - o 3 semester credit hours per academic year for service
- A faculty member with teaching and research/scholarship/creative activities emphasis can be assigned the following workload or equivalency:
 - o 18 semester credit hours per academic year for teaching
 - o 6 semester credit hours per academic year for research/scholarship/creative activities
- A faculty member with teaching and service emphasis can be assigned the following workload or equivalency:
 - o 21 semester credit hours per academic year for teaching
 - o 3 credit hours per academic year for service
- A faculty member with a teaching only emphasis can be assigned the following workload or equivalency:
 - o 24 semester credit hours per academic year for teaching

Determination of workload: For assignment of workloads, department chairs shall meet with their faculty on an annual basis preferably at the regularly scheduled performance

evaluation sessions. This meeting shall involve collaborative goal setting including choosing the course of actions and making decisions on the elements of the faculty member's workload. Upon completion of this dialogue with the faculty member, the department chair must articulate the specifics of the workload in a letter to the faculty member. Department chairs and deans shall ensure that the process of assignment of workload involve faculty input and are transparent and fair to all members of faculty in their units. Furthermore, faculty should be given an opportunity to seek redress using the university grievance procedures if they are unable to resolve issues of concern at the department chair or dean level with their assigned workload.

5.2 Policies for Pursuing Academic Coursework

Texas Southern University encourages the professional development of its faculty and staff. There are, however, institutional, professional, and academic dangers involved when faculty members teach other members of the university faculty or staff. These dangers include inbreeding, conflict of interest, and restriction of freedom of academic and administrative decisions. In view of these possible hazards, the following policies have been developed:

Faculty and staff members wishing to take a course, when such a course is not part of a specific degree program, are encouraged to secure the prior permission of the instructor.

Members of the university faculty may pursue university course work toward the attainment of a degree with prior approval from the provost.

Individuals seeking exception to these policies shall secure supervisory concurrence through normal channels for approval of personnel recommendations.

Exceptions and interpretations shall be made by the provost.

5.3 Work Schedule

In practice, faculty and administrators of Texas Southern University devote a substantial portion of their waking hours to furthering the purposes of the institution and their own professional pursuits. In general, the employment contract for nine-month faculty covers the period from August 15th to May 16th.

Of necessity, the work schedules of full-time teaching faculty are flexible, except for formally scheduled classes and other scheduled activities. Work schedules may include various academic tasks including, but not limited to, teaching, research, service, office hours, required meetings, supervision of theses and dissertations, and other approved academic-related duties.

Indeed, beyond the requirement that faculty members meet their scheduled classes and fulfill their other faculty commitments, faculty are evaluated primarily on the quality of

their work as teachers and scholars rather than on such quantitative measures as the regularity of their schedules or the number of their preparations.

5.4 Office Hours

Each faculty member is expected to set aside appropriate periods during which he/she will be available in his/her office for conferences with students without an appointment. In order to meet this requirement, faculty members shall set aside a minimum of 2 office hours per week for every three credit hours or equivalent and scheduled at a time convenient to the students. Faculty teaching on-line courses should schedule on-line office hours in proportion to their on-line workload. On-line office hours may be scheduled on weekdays or weekends, as appropriate to the needs of the students.

The designated office hours should be filed with the department chairperson and information about them should be given directly to students. The hours should also be posted in a location easily accessible to students so that they may present themselves for conference at the proper times. Faculty members who have Saturday classes or late evening classes should remember that their students probably cannot arrange for conference times during the regular weekdays, and they should give consideration to this fact in deciding upon conference hours. Each department chairperson shall insure that office hours are kept and are appropriate for meeting the needs of students.

5.5 Academic Advising

All faculty members must also be committed to the wellbeing of students, both inside and outside the classroom. Effective advising helps create an environment which fosters student learning and student retention. The formal and informal advising and mentoring of undergraduate and graduate students is an indispensable component of the broader educational experience at the university.

5.6 Syllabus

The faculty member must create a course syllabus (that includes course objectives and goals, assignments, grading scale, expectations, etc.) for each course taught. The syllabus must be reviewed by the department curriculum committee and filed with the department chairperson prior to the beginning of the given course.

5.7 Faculty Class-Meeting Responsibility

Texas Southern University uses a semester calendar, each semester lasting for approximately 16 class weeks. Faculty members are required to meet all classes and laboratories at the time they are scheduled. Changes in class schedules may not be made without prior official approval. When there are valid reasons for being absent from class (e.g. illness, emergencies, travel on university business), the faculty member should notify the class in advance, whenever possible. Alternative arrangements, such as substitute teachers, library assignments, or other appropriate arrangements shall be used. If no advance arrangements are made, students are authorized to leave after waiting for the

period of time specified by the teacher in the course syllabus. If none, the student may leave after 20 minutes of a 1-hour class. Faculty members are required to take attendance at each class meeting.

5.8 Handbooks

The departments and sub-divisions of the university have policies and procedures available to faculty in a departmental or sub-divisional handbook. Periodic meetings of the faculty of the separate departments, or colleges/schools or other sub-divisions of the university are held on a regular basis and are announced or determined at the beginning of a term. Faculty members are expected to be present at all regular and called meetings of their department or college/school. Such meetings are usually devoted to discussions and presentations, which are important in providing faculty members with late information on university programs. The handbooks of the several departments or colleges/schools and sub-divisions give detailed information about faculty and staff meetings.

At various times during the year, general meetings of the entire university faculty are scheduled. The university faculty usually meets just prior to the beginning of a regular academic semester. Other general faculty meetings, however, may be scheduled as occasions for them arise. Notice of such meetings is circulated to faculty members early enough to give ample time for teachers to be properly notified.

5.9 Faculty Leaves

All leaves from designated duties at the university require official approval. The following are the types of leaves:

A. Faculty Development Leaves (FDL).

1. Development leaves for faculty members may be granted as set out in Texas Education Code, Chapter 51, Subchapter C.
2. Purpose of Faculty Development Leaves in Texas: Faculty development leaves of absence are designed to enable the faculty member to engage in study, research, writing, and similar projects for the purpose of adding to the knowledge available to himself/herself, his/her students, his/her institution, and society generally (Sec. 51.102).
3. Policy: The Board of Regents may grant a faculty development leave of absence for study, research, writing, field observations, or other suitable purpose, to a faculty member if it finds that he/she is eligible by reason of service, that the purpose for which he/she seeks a faculty development leave is one for which a faculty development leave may be granted, and that granting leave to him will not place on faculty development leave a greater number of faculty members than that authorized.

4. Procedure:

- a) All faculty members must, (by June 30), prior to the year for which the leave is requested, have completed a period of two (2) or more consecutive years of service at the university before they are eligible to apply for a faculty development leave. Additionally, such faculty will not have been granted faculty development leave in the 5 year period (10 full semesters) immediately preceding the requested start date for the leave.
- b) Application for faculty development leaves of absence are received by a committee elected by the faculty for evaluation. This faculty committee then makes recommendations to the department chair, then the dean, then the provost to the president who shall then make recommendations to the Board of Regents as to which applications should be granted.
- c) Application shall be submitted to the president of the university no later than February 1st of each year.
- d) Returning faculty must submit a report on leave activities to the chair, dean and provost by the conclusion of the first long semester after returning,

5. Terms:

- a) Half-year leaves shall be at full salary.
- b) Year leaves shall be at the rate of half salary.
- c) The period of the leave shall be credited for increment purposes, where such credit is relevant.
- d) A faculty member on FDL shall be entitled to the continuation of pension and insurance program benefits as provided by the state.
- e) Not more than six percent of the university faculty may be on faculty development leave at any one time.

6. Compensation

A faculty member on faculty development leave may accept a grant for study, research, or travel from any institution of higher education, from a charitable, religious, or educational corporation or foundation, from any business enterprise, or from any federal, state, or local governmental agency. An accounting of all external grants shall be made to the governing board of the institution by the faculty member. A faculty member on faculty development leave may not accept employment from any other person, corporation, or government, unless the Board of Regents determines that it would be in the public interest to do so and expressly approves the employment.

7. Rights Retained

- a) A faculty member on faculty development leave shall continue to be a member of the Teacher Retirement System of Texas or of the Optional Retirement Program of the institution of higher education, or of both, just as any other member of the faculty on full-time duty
- b) The institution of higher education shall cause to be deducted from the compensation paid to a member of the faculty on faculty development leave the deposit and membership dues required to be paid by him/her to the Teacher Retirement System of Texas or to the Optional Retirement Program, or both, the contribution for Old Age and Survivors Insurance, and any other amounts required or authorized to be deducted from the compensation paid any faculty member.
- c) A member of the faculty on faculty development leave is a faculty member for purposes of participating in the programs and of receiving the benefits made available by or through the institution of higher education or the state to faculty members.

B. Annual Vacation Leaves

Faculty members who have a nine-month (academic year) appointment do not accrue annual (vacation) leave. In the case of faculty who hold twelve-month administrative appointments, leaves are accumulated at a rate that depends upon the length of service. The rates of accumulation and the maximum carry forward number of hours are set forth in the university policy insofar as it applies to faculty.

C. Sick Leave

In cases where illness incapacitates a faculty member, arrangements for carrying on his/her usual duties must be made through appropriate administrative channels. Sick leave is accrued at a rate of eight hours (8) per month for a full-time faculty member and at a pro-rated amount for less than full-time. Sick leave is available for illness to the faculty member or for the faculty member who is a caregiver to an immediate family member. The university operates a sick leave pool through which accumulated sick leave time can be contributed and withdrawn in case of catastrophic illness.

D. Family and Medical Leave

Under the *Family and Medical Leave Act (FMLA)*, an eligible faculty member is entitled to up to twelve (12) weeks of leave upon completion of twelve months of service to the university. FMLA is available for reasons including: (1) birth and care of a new-born child, (2) adoption or foster care of a child, (3) care of a spouse, child, or parent with a serious condition, or (4) the occurrence of a serious health condition that renders the employee unable to perform the functions of his or her job. For the full

description of the university's Family and Medical Leave Policy – (See Manual of Administrative Policies and Procedures (MAPP) 02.03.02).

5.10 Leave of Absence without Pay

A faculty member may be granted a leave of absence without pay if the best interest of the university would be served. Such a leave may be granted provided it: (1) does not extend beyond the fiscal year, and (2) is approved by the president.

A regular, full-time faculty member may be allowed a leave of absence without pay for a period not to exceed one year upon approval by the president, provost and academic dean. In granting such leaves, the interests of the employing department and the University shall be given priority consideration.

During a leave without pay, service is not considered to be interrupted; however, benefits associated with pay status are affected as follows:

- A. Vacation, sick leave, and state service accruals are suspended.
- B. Group insurance premium sharing contributions continue and group insurance coverage may be continued provided the balance of premium payments is made to the Payroll Department.
- C. Tax-sheltered annuities become inactive.
- D. Membership in the Teacher Retirement System or Optional Retirement Program becomes inactive and contributions cannot be withdrawn.
- E. A faculty member is not entitled to pay for holidays if on leave without pay status on both the day before and the day after the holiday.

A leave of absence without pay implies intent from the faculty member to return to work and implies intent for the university to return the faculty member to work. The employing department is required to reinstate a faculty member to the former position or to one of similar requirements and compensation upon expiration of a leave of absence without pay.

The president may extend the time of the said leave period upon the recommendation of the faculty member's department chair, dean, provost and upon the approval of a leave of absence.

Failure to return to work upon expiration of a leave of absence shall result in the faculty member's termination.

Leaves without pay, which extend beyond thirty days must be in the best interest of the university, such as research, advanced training, etc., leading to increased job ability. Applicants for such leaves must have been in the continuous employment of the university

for at least two years. However, the university may grant leave without pay when the absence is due to illness, which extends beyond available sick leave with pay.

There may be circumstances under which a leave of absence for purely personal reasons may be justified. Such a request for leave should be made to the department chair and dean. If such a leave is granted, the employee must arrange with the Human Resources Department for a continuation of premiums in connection with group insurance and hospitalization.

All leaves of absence must be properly reported. Failure to report leaves of absence is a violation of university policy and state law. A faculty member who fails to properly report leaves of absence may be subject to disciplinary or adverse action.

5.11 Faculty Absence from Regular Duties

A. Conditions for Absence from Usual Duties

1. **Authorized Travel.** The university may authorize a faculty member to travel in order to maintain his standing in the community of his professional peers (i.e. regional and national meetings). Depending upon the availability of funds, the faculty member will be reimbursed.
 2. When appropriate, provisions are made to carry on the duties for the absent person without additional expense to the university.
 3. A faculty member who is called to state active duty as a member of the state military forces by the governor because of an emergency is entitled to a paid leave of absence without a deduction in salary in accordance with Section 431.0825 of the Texas Government Code.
 4. A faculty member who is called to federal active duty as a member of the state military forces may not receive the employee's state salary. The university shall grant sufficient emergency leave as differential pay to a faculty member on unpaid military leave if the faculty member's military pay is less than the faculty member's state gross pay. The combination of emergency leave and military pay may not exceed the faculty member's actual state gross pay. This is in accordance to Sections 661.903, 661.904, and 661.9041 of the Texas Government Code.
- B. If a faculty member is absent without meeting the requirements of university approved leave (see above), the absence may be recorded as an unapproved leave without pay, and the faculty member's salary may be deducted as appropriate and /or other discipline action may be taken.

5.12 Salaries and Compensations

A. Salary for Regular Long-term Faculty Members

Salaries and compensation for university faculty members are paid in equal installments at a fixed rate for the portion of the year for which services are contracted. For regular long-term faculty members, this means nine equal payments totaling full compensation, less required deductions for withholding taxes, social security, group insurance, teacher retirement, and other deductions which the employee may authorize. Faculty members may authorize payment of the nine-month salary over a twelve-month period. The salaries of academic administrators returning to the classroom shall be set in accordance with Texas Education Code 51.948 c.

B. Salary for Summer School and Summer Employment Provision

Payment of summer session salaries is on a monthly basis for the period of the contract. When the services of a faculty member terminate before the end of a given month, as for example, in the case of a faculty member working only the first term of the summer session, the salary check covering the period for which he is entitled to compensation will be issued on the first day of the following month.

Appointments to serve in the summer session are made annually. The needs of the institution are the paramount factor in determining the appointments to be made. In the summer session there are no promotions or salary increases.

Regular appointments to teach in the university, except for appointments made to those persons who also serve in administrative capacities, are made on a nine-month basis for the regular academic year. Appointments to teach in the summer session are not guaranteed.

The rate of salary paid for services during the summer session may not exceed the salary rate paid the faculty member for the same or similar services during the preceding regular academic year.

5.13 Outside Private Employment

Full-time members of the faculty may engage in external consultation or other paid professional services, provided such activities benefit the university and contribute to the professional development of the individual. This privilege is subject in all instances to the conditions set forth below. Failure to comply with this policy may subject an employee to disciplinary action in accordance with the relevant portions of the university *Faculty Manual*, including reprimand, suspension, or termination.

The first responsibility of the individual is to the university, and outside professional commitments should not interfere with the person's fulltime responsibility to the university.

No outside obligation should result in any conflict of interest involving the individual's responsibilities to the university or to its programs, policies, and objectives. Consulting and other professional agreements that represent actual or potential conflicts of interest must be avoided.

Use of university facilities, space, equipment, or support staff for consulting or other paid professional activities is permitted only if a financial arrangement has been concluded between the individual and the administration prior to the employee's beginning the outside consulting or other paid professional service.

Individuals may not represent themselves as acting in the capacity of university employees when conducting consulting or other paid professional activities. The university bears no responsibility for any actual or implied obligations or liabilities incurred by the individual resulting from a consulting or other paid professional agreement or activity.

Faculty who wish to arrange consulting or other paid professional activities must provide prior written notification to their dean. Review by their dean of such activities will include consideration of any real or apparent conflict of interest and the benefit of the proposed service to the university. Each faculty member who engages in consulting or other paid professional service, including teaching on a temporary basis at other institutions, must ensure that such activities do not require commitments of time averaging more than one day per calendar week, and must arrange such activities so as not to interfere with regular scheduled classes.

When any of an individual's salary is paid from a fund for externally-sponsored activities, the time allowable for consultation or other paid professional activities must comply with sponsor requirements.

5.14 Compensation above Contracted Salaries

Faculty members who participate in special programs and projects that are independently funded may find that additional compensation is available for those special services. Participation in these special programs should be cleared with the provost before a commitment is made. Should additional compensation be available for such special programs and projects, it is to be handled through the regular procedures of the university's Office of Administration and Finance; it is subject to the processes applied to regular compensation, and it is subject to review by appropriate university officials, including the compensation unit of the Office of Human Resources.

SECTION SIX
**Policy and Procedure for Regular Instructional Faculty Discipline and Termination for
Financial Exigency or Institutional Contingency**

6.0 General Disciplinary Policy and Procedure for Regular Instructional Faculty

A regular instructional faculty member found in violation of the applicable rules and regulations of the university or state may be subject to the following disciplinary actions, including a formal warning, a letter of reprimand, suspension with or without pay, or mandatory counseling, all of which shall be in writing and made part of the faculty member's personnel file. Faculty members shall retain the right to appeal any adverse review to a higher administrative level and/or to the duly constituted Faculty Hearing Committee.

Some of the actions a faculty member may be disciplined for include but are not limited to the following:

- academic cause, including neglect of workload duties and responsibilities;
- knowing and intentional destruction of university property;
- sexual harassment;
- violation of university policy;
- intentional or knowing violation of university or Board of Regents' order, rule or regulation.

Except in the case of alleged sexual harassment, discrimination or retaliation, upon the occurrence of such aforementioned violations, the department chair or dean of such faculty member shall complete an investigation into the allegations. If the department chair or dean determines that the allegations are true, the department chair or dean may administer a mandatory counseling, formal warning or letter of reprimand, and record such in the faculty member's personnel file. All allegations of sexual harassment, discrimination, or retaliation shall be referred to the Office of Human Resources for review and investigation. Faculty members retain the right to appeal any formal warning, written reprimand or mandatory counseling to the provost. Such appeal shall be filed within 15 days of receipt by the faculty member of the proposed disciplinary action; otherwise, the appeal is waived. The provost shall rule on the appeal within a reasonable period of time and his/her decision shall be final.

Prior to any recommendation that the faculty member's conduct deserves a suspension, the dean will confer with the provost, general counsel and Office of Human Resources. After such consultation, the provost will inform the faculty member in writing of the proposed suspension. A suspension may be appealed to the Faculty Hearing Committee. The appeal shall be filed within 30 days of the receipt by the faculty member of the proposed disciplinary action.

6.1 Termination from Employment for Financial Exigency or Institutional Contingency

Dismissal or removal of a faculty member with tenure or of a non-tenured faculty member before the end of a specified term of appointment may be for one of the following causes: 1) financial exigencies which are demonstrably bona fide, or 2) institutional contingencies such as curtailment or discontinuation of programs, departments, or schools. Cases of bona fide financial exigency or phasing out of institutional programs requiring a reduction of faculty may give rise to exceptions to tenure regulations and/or other provisions on rank, tenure, promotion and salary in the *Faculty Manual*. All financial exigency and faculty reduction contingency plans shall be developed through a process of shared governance.

SECTION SEVEN
Policy and Procedures for Regular Instructional Faculty Dismissal

7.0 Termination of Regular Instructional Faculty

Termination of the employment of a regular instructional faculty member who is on the tenure track or who has been granted tenure before the expiration of the stated period of his/her appointment, except by resignation, retirement, or, pursuant to the promotion and tenure process, shall be for good cause.

7.1 Good Causes

Serious professional or personal misconduct, as determined by university due process as set forth in this *Faculty Manual*, constitutes good cause for termination. Serious professional or personal misconduct includes, but is not limited to, the following:

- A. Commission of a misdemeanor involving moral turpitude, or a felony as defined by state or federal law;
- B. Willful destruction of university property or violent disruption of the orderly operation of the campus;
- C. Accepting or soliciting gifts that influence the discharge of one's professional responsibilities;
- D. Misappropriating and publishing as one's own the ideas or words of another;
- E. Misappropriation or illegal or serious misuse of state property, state funds, or funds held by a faculty member as part of official duties;
- F. Violations of the Sexual Harassment Policy (see MAPP 02.05.11);
- G. Violations of Consensual Relationship Policy (see MAPP 02.05.10);
- H. Violations of the EEO Policy (see MAPP 02.05.13);
- I. Academic cause, including, neglect of workload responsibilities;
- J. Mental or physical disablement of a continuing nature adversely affecting to a material and substantial degree the performance of duties or the meeting of responsibilities to the institution, students and associates.
- K. Illegal use, possession and distribution of drugs, narcotics, or controlled substances as determined by university processes;

- L. Repeated intentional or knowing violation of a university or Board of Regents administrative order, rule, or regulation; and
- M. Refusing to participate in the post-tenure review process or failure to successfully complete a post-tenure review professional development plan.

Prior to any recommendation that the faculty member's conduct deserves a termination, the dean must confer with the provost, general counsel, and Office of Human Resources. The provost will determine if such action should be administered and will inform the faculty member in writing of the proposed disciplinary action.

7.2 Presidential Authority

The president may suspend an accused faculty member pending immediate investigation or speedy hearing as hereinafter provided when the continuing presence of the faculty member poses a danger to persons or property or an ongoing threat of disrupting the academic process.

7.3 Immediate Dismissal

In cases of good cause where the facts are admitted in writing by the faculty member to the president, or the individual has been convicted for an offense which constitutes good cause for termination under this section, the president may immediately dismiss the faculty member.

SECTION EIGHT

The Appeal Process

8.0 Request for Hearing by Regular Instructional Faculty

In all cases of proposed suspension or termination, where the facts are in dispute, the accused faculty member shall be notified in writing of the proposed disciplinary action or termination by the provost. Upon receipt of the notice, the accused faculty member may request a hearing before the Faculty Hearing Committee (FHC). The request for hearing shall be submitted by the accused faculty member to the provost within thirty (30) calendar days of receiving the charges in writing. A hearing shall be scheduled and commence within thirty (30) calendar days.

8.1 Faculty Hearing Committee

The Faculty Hearing Committee (FHC) shall be selected pursuant to Section 10.1 of the *Faculty Manual*. The FHC shall elect a chairperson from among its members. Each member of the Faculty Hearing Committee shall be subject to challenge for cause by the administration or by the faculty member. The Faculty Hearing Committee shall determine by majority vote, excluding the challenged member, whether the challenged member can serve with fairness and objectivity in the matter. If the FHC sustains the challenges, such faculty member shall be disqualified to sit as a member of the FHC, and shall be replaced by a different member in the pool.

8.2 Faculty Hearing Committee Procedures

- A. The committee chair shall provide at least thirty (30) calendar days written notice of the scheduled hearing date to the accused faculty member and to the university. Notice of the hearing date shall be sent by certified mail and regular mail to his/her address of record. An email will also be sent to the faculty member's university email address notifying him or her of the fact that a notice has been sent.
- B. In every hearing, the accused shall have the right to appear in person and to confront and cross-examine witnesses who may appear. The accused may be assisted or represented by an attorney.
- C. The accused faculty member shall have the right to testify, but the faculty member may not be required to do so. The accused faculty member may introduce evidence, written or oral, which may be relevant or material to the defense.
- D. A stenographic or electronic record of the proceedings shall be taken and made accessible to the accused.
- E. The burden of proof shall be upon the administration to prove good cause by a preponderance of the evidence.

F. Service on the Faculty Hearing Committee shall be a high priority university responsibility for the duration of the hearing. Accordingly, administrators of FHC members shall take reasonable steps to allow the FHC members time to attend the hearing and deliberations for the duration of their service on the committee.

8.3 Representation

A representative of the university shall have the right to attend proceedings before the FHC and to present witnesses and evidence against the accused faculty member and in support of the charge brought against such faculty member, and such university representative shall have the right to cross-examine the accused faculty member (if the faculty member testifies) and the witnesses offered on behalf of the faculty member. The university representative may be assisted by or consist of university counsel.

8.4 Committee Findings and Recommendation

The Faculty Hearing Committee members, by a majority vote of the committee membership, who were present for all sessions in which evidence was presented on arguments heard shall have the right to vote. This attendance requirement may be waived by consent of the parties.

The FHC will reach one of the following recommendations by majority vote:

Confirmation of the action taken or decision made by the university;
Modification of the action taken or decision made by the university; or,
Dismissal of the action taken or decision made by the university.

The FHC shall make written findings on the material facts of the matter on appeal within thirty (30) calendar days after the hearing is concluded. A copy of the original written findings and recommendation shall be delivered to the president, provost and the faculty member. If minority findings or recommendations are made, they shall be distributed in the same manner to the president, provost and the faculty member within seven (7) calendar days after submission of the majority report. A copy of the transcript and all material of the proceedings shall also be included in the materials delivered to the president.

8.5 Reviews and Decision by the President

The president shall review all materials and any written arguments the parties wish to submit and shall make a decision for approval, rejection, remand or amendment of the findings. The decision shall be stated in writing and communicated to the accused and made within a reasonable period of time after receipt of the materials from the Faculty Hearing Committee.

8.6 Request for Board Review of President's Decision

Upon written request by the faculty member, the Board of Regents may review the president's decision. The request for review must be received in the Board of Regents' Office within thirty (30) calendar days of the faculty member's receipt of the president's decision. Such a request should specifically identify and discuss any defects in procedure or substance, which require review and reversal of the president's decision. The president may submit a written response to the request for review to assist the Board of Regents in its deliberations. The provost shall provide the accused faculty member with fourteen (14) calendar days' notice of the Board's scheduled consideration of the matter.

8.7 Board of Regents' Review

The Board of Regents shall decide by a majority whether to review the president's decision. If the Board of Regents decides not to review the president's decision, the president's decision shall be final. If the BOR decides to review the decision, the university Faculty Hearing Committee findings and recommendation, any briefs submitted, and the president's decision and reasons for approval, rejection, or amendment of the committee's findings and recommendation shall be delivered to the BOR. The BOR shall decide by a majority whether to approve, reject, or amend the president's decision or recommit the matter to the university Faculty Hearing Committee for additional evidence and reconsideration of its findings and recommendation. The BOR's decision and its rationale for the decision shall be stated in writing and communicated to the accused. The BOR's approval, rejection or amendment of the president's decision shall be final.

8.8 Extension of Deadlines

Any deadline in this section may be extended upon mutual agreement of the parties.

Assuming the above procedures are followed as specified, there shall be no waiver of any provision herein if the deadlines are not met for any reason aside from neglect.

SECTION NINE Grievance Procedures

9.0 Appeal of Denial of Rank, Tenure, Promotion, and Merit Raises

The appropriate committee of the lowest academic unit for initial resolution shall hear all disputes over denial of rank, tenure, promotion and merit raises.

A. Denial of Promotion:

If a departmental or school committee, the dean, or the provost denies application for promotion, the faculty member may appeal to the University Rank, Tenure, Promotion and Salary Committee (URTP&S) for reconsideration within thirty days of the date of the provost's notification that promotion was denied. The URTP&S Committee shall have thirty days to complete the hearing. The URTP&S Committee shall confine its review to the record. The burden of proof in the appeal shall be borne by the faculty member. Within ten days of the conclusion of the hearing, the URTP&S Committee shall in writing advise the provost of the findings and the recommendations. Within ten days of receipt of the committee's findings, the provost shall forward the committee recommendation along with his/her own recommendation in writing to the president and to the faculty member.

B. Tenure Denial

If a departmental or school committee, the dean or the provost denies application for tenure, the faculty member may appeal to the University Rank, Tenure, Promotion and Salary Committee (URTP&S) for reconsideration within thirty days of the date of first notification that tenure was denied. The URTP&S Committee shall have thirty days to complete the hearing. The URTP&S Committee shall confine its review to the record. The burden of proof for this appeal shall be borne by the faculty member. Within ten days of the conclusion of the hearing, the URTP&S Committee shall in writing advise the provost of the findings and recommendations. Within ten days of receipt of the committee's findings, the provost shall forward the recommendation in writing to the president and to the faculty member. If recommendation for tenure is denied, the Office of the President shall notify the faculty member no later than May 31st of the sixth year of probationary service that the subsequent academic year will be his or her last year of employment.

C. Merit Increase Appeals

Merit increase procedures are set out in Section 4.12 of this *Manual*. The faculty person shall have the right to appeal the dean's merit increase recommendation to the provost within thirty days of notification of the merit raise. Within ten days of receipt of the merit raise appeal, the provost shall provide the faculty person an opportunity to present his or her appeal directly to him/her or, in the alternative, the provost may

delegate this review process to the University Rank, Tenure, Promotion and Salary Committee to hear the appeal, make a finding of facts, and render a binding decision to uphold, or overturn the decision of the dean. If the decision is overturned, the provost and the faculty person shall work together to determine an appropriate level of merit compensation, using as a guide, where applicable, compensation awarded other faculty in similar circumstances. To that extent, comparative information relating to other faculty in like circumstances shall be made available to the faculty person during the appeal process.

Documentation in the form of student evaluations (if available) and peer evaluations of teaching, research, scholarship, and creative activities must accompany the merit compensation recommendations. Other evidence of research, scholarship, public, and university service, such as letters of appreciation, news articles, reports, publications, video publications, awards, commendations, etc., shall also be forwarded with the recommendations and made a part of the record.

If the provost denies an appeal for a merit compensation award and does not submit it to the University Rank, Tenure, Promotion and Salary Committee, then the faculty person shall have the right to appeal the decision of the provost to the University Rank, Tenure, Promotion and Salary Committee within thirty days of such denial. The University Rank, Tenure, Promotion and Salary Committee shall have thirty days to complete the appeal and forward a report to the provost. If the committee recommends reversal of the appeal and the provost does not concur with the recommendation of the committee, the recommendations of both the provost and the committee shall be forwarded to the president, who shall make a final decision within ten (10) days.

All decisions related to merit compensation shall be based solely upon the record as a whole. The record in merit compensation reviews shall be the written documentation evidenced by the annual review, activity reports and other substantiated and corroborated information and data as described and made a part of the record by the process and procedures contained herein and followed in the actual review. All hearings shall be conducted in accordance with formal due process procedure, and a written record or audio recording thereof shall be maintained and retained in the faculty person's file.

D. General Grievances

1. Policy

Texas Southern University encourages fair, efficient, and equitable solutions for problems or disputes arising out of the employment relationship.

This policy applies to grievances of faculty members concerning actions of supervisors, department chairs, and deans as to workload, working conditions, and infringement of academic rights. It does not apply to issues covered by separate

laws, rules or policies, such as illegal discrimination, sexual harassment, and disputes over tenure and promotion.

No faculty member will be retaliated against for filing a grievance or for aiding another faculty member in the presentation of a grievance.

To the extent permitted by law, the confidentiality of the grievance process and the records and documents related to it will be protected.

2. Procedure

Pursuant to this policy, grievances may be brought against immediate supervisors, department chairs, and deans. Depending on the level at which the grievance is commenced, a sequence of steps is followed that can result in the resolution of the grievance or an appeal to the president, whose decision is final in all cases. Grievances that reach the provost (step four) may be submitted to the university Faculty Grievance Committee for an inquiry at the request of the grievant or at the election of the provost.

Step One

Prior to filing a written grievance, a faculty member will informally present his or her grievance to the person who is its subject and the parties shall make a good faith effort to resolve the issue or issues that are the subject matter of the grievance.

Step Two

If informal efforts to resolve the grievance are not successful, the faculty member may present the grievance in writing to the next higher administrative level for consideration and action within five days of the completion of step one. Grievances against immediate supervisors shall be directed to the department chair; grievances against a chair shall be directed to the dean; and those against a dean shall be directed to the provost.

The party against whom the grievance is brought shall be provided a copy of the written grievance by the step two administrator and shall have the opportunity to respond to it in writing and submit documents or materials in support of his or her position.

The step two administrator shall respond to the grievance within 10 working days of notifying the party against whom the grievance is brought of the written grievance. The time for responding can be extended for good reason by the provost or his or her designee, who shall do so in writing. The substance of the grievance shall not be disclosed to the provost or designee at the time a request for an extension of time is made. Ordinarily, the extension period shall not exceed five working days.

Step Three

If the grievance remains unresolved after the designated time period, or the faculty member is not satisfied with the decision of the step two administrator, the faculty member may file a written appeal to the next higher administrative level.

The step three administrator shall respond within 10 working days of receipt of the appeal unless the provost has extended the time period in writing. The substance of the grievance will not be disclosed to the provost at the time the request for an extension of time is made. Ordinarily, the extension period shall not exceed five working days.

Step Four

If the grievance remains unresolved after the designated time period, or if the faculty member is not satisfied with the decision of the step three administrator, a further written appeal may be made to the provost within five working days after the completion of step three.

The provost may consider the appeal or may forward the appeal to the university Faculty Grievance Committee within five working days of receipt of the appeal. The appeal may also be forwarded to the university Faculty Grievance Committee if the grievant so requests when he or she submits an appeal to the provost.

If the provost considers the appeal, he or she shall respond to the grievant within a reasonable time, not to exceed 15 working days following receipt of the appeal. If the university Faculty Grievance Panel conducts an inquiry and makes a recommendation to the provost, the provost will respond to the grievant within 10 working days of receipt of the recommendation.

Step Five

If the faculty member is not satisfied with the decision of the provost, or a response has not been made within the designated time, a written appeal may be made to the president within five working days after the conclusion of step four.

The president shall respond by certified mail addressed to the home of the grievant within 15 working days of receipt of the appeal. The decision of the president is final.

E. Records

Upon completion of the grievance process, all recordings, documents, and materials related to the processing of a formal grievance shall be forwarded to the provost for protected storage. The confidentiality of such records will be protected to the extent possible under the law.

F. University Faculty Grievance Committee

1. Role

The university Faculty Grievance Committee shall be advisory to the provost and, at the request of the grievant or the provost, shall make an inquiry into an unresolved grievance and provide a written recommendation to the provost concerning its resolution.

2. Formation

The university Faculty Grievance Committee shall consist of one elected faculty representative and one alternate from each of the schools of the university. The election of representatives shall be coordinated by the faculty governance organization of each school. Members will serve a three-year renewable term; alternates shall serve and vote only in the absence of the elected representative.

3. Inquiry Procedures

Each grievance forwarded to the university Faculty Grievance Committee for a fact-finding inquiry shall be assigned to a three-member panel randomly selected from among the committee's members by the provost or his or her designee. The representative or alternate from the grievant's school shall not be eligible for selection.

The panel shall choose a chair from among its members who will be responsible for scheduling a time and place for the grievance inquiry. The chair shall also request that the parties to the grievance submit written statements of their positions with regard to the grievance, and provide the names of persons with relevant information and copies of relevant documents concerning the grievance to the chair at least 10 working days before the inquiry. The chair shall ensure that relevant documents are identified and distributed to panel members and notify other persons with information relevant to the inquiry of the need to appear at the inquiry.

During the inquiry, members of the university Faculty Grievance Panel may ask questions of the parties and of other persons with information relevant to the inquiry. The parties or their representatives shall not be allowed to question witnesses except at the discretion of the chair.

All interactions between the panels, parties to the grievance, and other persons questioned at the inquiry will be tape-recorded.

After the inquiry, the panel shall deliberate and provide a written recommendation concerning the grievance to the provost within a reasonable time not to exceed 30 days. All materials and records concerning the grievance inquiry shall be forwarded to the provost with the recommendation.

SECTION TEN Participation in University Governance

10.0 Principle of Shared Governance

Texas Southern University subscribes to the *Statement on Government of Colleges and Universities* formulated by the American Association of University Professors, the American Council on Education, and the Association of Governing Boards of Universities and Colleges. The statement recognizes that the interests of the Board of Regents, the university's administration, and the faculty are coordinated and related, and unilateral effort can lead to confusion or conflict. Thus, Texas Southern University recognizes the "inescapable interdependence" among the Board of Regents, the administration, the faculty, the students, and others. This joint venture involves several areas, including the determination of general educational policy, academic planning, physical resources, budgeting, and the selection of the president, provost, academic deans, and department chairs. The right of a board member, administrative officer, or a faculty member to speak on general educational questions or about the administration and operations of the individual's own institution is part of the person's right as a citizen and should not be abridged by the institution. There exist, of course, legal bounds relating to defamation of character, and there are questions of propriety.

10.1 Academic Committees

University Council on Teacher Education. The University Council on Teacher Education recommends to the provost policies for the supervision of all university programs in teacher education, which may conclude in the granting of a provisional or professional certificate.

Graduate Council. The chief function of the Graduate Council is to formulate policies and regulations, which will assure maintenance of a high level of scholarship in graduate programs and courses. Specifically, the council is concerned with the development and approval of new programs and courses, the admission of graduate students, the evaluation of graduate programs and the approval of candidates for graduation. The Graduate Council reports to the Dean of the Graduate School.

Faculty Research Committee. The Faculty Research Committee is composed of faculty members from all schools and colleges, which comprise the academic organizational structure of the university. The committee is responsible for facilitating the accomplishment of the university's research objectives consistent with its added designation as a special purpose institution of higher education for urban programming.

Faculty Excellence Awards Committee: A committee of eight (8) tenured faculty, one each from the colleges/schools, and one from the library, will be selected by the faculty assembly to make selections of faculty excellence awards.

University Library Committee. The University Library Committee serves as an advisory group to the university librarians.

University Rank, Tenure, Promotion and Salary Committee. A review committee composed of elected representatives from each academic unit of the university and the Faculty Assembly.

Faculty Hearing Committee. A committee of seven members appointed on a case-by-case basis by the president of the university from a panel of fifteen tenured faculty members elected by the Faculty Assembly.

Faculty Grievance Committee. The Faculty Grievance Committee will be advisory to the provost and, at the request of the grievant or the provost, will make an inquiry into an unresolved grievance and provide a written recommendation to the provost concerning its resolution.

Faculty Advisory Committee. A standing committee of five members appointed by the president of the university from a panel of ten to fifteen names of tenured faculty members elected by the Faculty Assembly.

10.2 University Administrative Committees

The following standing committees of the university are appointed and approved by the president of the university, and the president as deemed may make additions to the membership appropriate.

Deans' Council. The Deans' Council, chaired by the provost, serves as the chief advisory and consultative body to the provost. The faculty representatives to this committee are the Faculty Senate/Assembly Chairperson and the Faculty Senate/Assembly Vice-Chairperson.

The Academic Council. The Academic Council, chaired by the provost, serves as the chief advisory and consultative body to the provost. This council includes an array of faculty and staff who deliberate on academic matters that extend beyond issues addressed by the Deans' Council. The faculty representatives to this council are the Faculty Senate/Assembly Chairperson and the Faculty Senate/Assembly Vice-Chairperson.

Advisory Committee on Admissions, Registration and Financial Aid. The committee reviews and makes recommendations regarding policies involving: (1) the qualifications of applicants for admission, (2) registration planning and implementation, and (3) student financial aid. The chairperson of the Faculty Senate/Assembly shall appoint two faculty members to this committee.

Applicants that clearly satisfy admission requirements are admitted without referral to this committee.

Budget Committee. The university Budget Committee, chaired by the president, meets to review budgets submitted by the deans and department chairpersons of individual departments and participates in hearings of various budgets. The chairperson of the

Faculty Senate/Assembly shall appoint two faculty members to this committee. One appointee can be the Faculty Senate/Assembly Chairperson.

University Committee on Employee Relations. (Employee Relations, Policy Committee). The University Committee on Employee Relations reviews and monitors the working conditions and employment relations of university employees. It also develops and recommends programs of employee benefits. The committee reports to the president. The chairperson of the Faculty Senate/Assembly shall appoint two faculty members to this committee.

The President's Academic Advisory Council. The President's Academic Advisory Council serves as an advisory and consultative body to the president of the university. It is a deliberative body for policy formulation related to major academic matters. The presiding officer of the council is the president of the university. The President's Academic Advisory Council meets at the call of the president. The Faculty Senate/Assembly Chairperson shall represent the faculty on the President's Academic Advisory Council. The council will also include the provost, deans of each school/college, and other members of the Faculty Senate as deemed necessary, as well as such other persons as the president may from time to time select.

The President's Cabinet. The President's Cabinet includes the president and his/her direct reports and meets at the discretion of the president.

10.3 Department/ College/ School Committees

Membership of academic unit committees shall be based upon an election/ selection process at a duly convened faculty meeting for such purpose.

10.4 Faculty Participation in the Selection of University Personnel

See Section 2.14 above.

10.5 Faculty Organization

The Faculty Constitution outlines the role of the faculty in university governance.

The Faculty Assembly and the Faculty Senate are the officially recognized faculty representative bodies of the university. All members of the faculty are members of the Faculty Assembly. The Faculty Senate is the administrative arm of the Faculty Assembly.

The faculty at Texas Southern University, as officers of the university, takes an active role in the governance of the university through their involvement in the Faculty Assembly and Faculty Senate, through their participation in faculty meetings called by the departments, schools, or colleges of the university, and through their service on department, school, college, and university committees.

As indicated above, there are two official bodies through which the faculty exercises its prerogative in formulating policies and regulating the procedures, which affect the general welfare of the academic programs at the university. The faculty has the major responsibility in making recommendations in such matters, and this responsibility is carried out through the Faculty Assembly and the Faculty Senate.

A description of the duties and responsibilities of each of these bodies follows:

The Faculty Assembly. The Faculty Assembly is the official legislative body of the faculty affecting the educational programs of the university and the general welfare of the TSU faculty. The recommendations of the Faculty Assembly are made to the provost or directly to the president for appropriate action. All of the Faculty Senate's decisions, however, are subject to review by the Faculty Assembly.

Faculty Assembly Committees:

- University Committee on Rank, Tenure, Promotion and Salary
- Faculty Advisory Committee
- Faculty Hearing Committee
- Faculty Grievance Committee
- Budget Committee
- Faculty Excellence Awards Committee

The Faculty Assembly may establish other committees for specific tasks and for specified durations, as it deems necessary. These committees may be joint committees with representatives from the student body or from other groups.

The Faculty Senate. The Faculty Senate serves as the executive body of the Faculty Assembly, deriving its authority from the Faculty Assembly. It shall discuss and adopt resolutions upon matters relating to university life. It shall make preliminary formulations of educational policies or plan programs and make recommendations to the Faculty Assembly. Its recommendations are subject to review by the Faculty Assembly.

SECTION ELEVEN

Appendices

Faculty Constitution

Faculty By-laws

Summary of Selected University Policies

Equal Opportunity Policies

- Drug and Alcohol Policies
- Nepotism Policy
- Sexual Harassment Policy
- Ethics Laws for State Officers and Employees
- Ethics and Conflict of Interest Policy
- Faculty Consulting Policy
- Intellectual Property Policy
- Copyright Policy
- Patent Policy
- Computer Software and Firmware

Annual Faculty Review Forms

Form for Appointment of Academic Administrators

Form for Survey of Academic Administrators

Best Practices for a Performance Review System for Faculty

FACULTY CONSTITUTION*

TEXAS SOUTHERN UNIVERSITY

3100 Cleburne

Houston, Texas 77004

CONSTITUTION AND BYLAWS

OF

THE FACULTY ASSEMBLY

AND

FACULTY SENATE

Approved by the Board of Regents of Texas Southern University_____

**SECTION I
THE CONSTITUTION OF THE FACULTY ASSEMBLY
AND THE FACULTY SENATE**

**PART I
THE FACULTY ASSEMBLY**

**ARTICLE I
FUNCTIONS OF THE FACULTY**

The faculty of the university shall perform the following functions in regard to the academic operation of the university: approval of degrees; curriculum planning; determination of requirements for earned degrees; establishment of academic regulations, recommendation of candidates for appointment, tenure, retention, and promotion; participation in the selection and evaluation of academic administrators; and consider matters that affect the welfare of the members of the faculty.

The Faculty Assembly is the official policy making body of the Texas Southern University (TSU) faculty. It is the faculty's vehicle for participation in the shared governance of the university.

The recommendations of the Faculty Assembly are made to either the provost or directly to the president of the university for appropriate action or for endorsement to the Texas Southern University Board of Regents. The Assembly may delegate such powers as it chooses to the Faculty Senate. All decisions and/or actions of the Faculty Senate, however, are subject to review, endorsement or repeal by the Faculty Assembly.

ARTICLE II MEMBERSHIP

The Faculty Assembly (Assembly) shall consist of all instructional personnel of TSU with the rank of instructor or above, including professional librarians of faculty rank. The president, provost, deans and other administrators with faculty rank, including assistant and associate deans are members, but they may not hold office or vote during the election of officers of the Assembly, or on any matter before the Assembly. All persons identified above are automatically members of the Faculty Assembly.

**ARTICLE III
ORGANIZATION**

Faculty Chairperson: The chairperson of the Assembly shall be a tenured member of the faculty and shall be elected by the Assembly for a term of two (2) years and shall be the presiding officer of the Assembly. The chairperson shall have only such other duties and responsibilities as specifically designated in the constitution and bylaws or as may be granted by vote of the

Assembly membership or the Faculty Senate. It shall be the responsibility of the chairperson to transmit all decisions and recommendations of the Assembly to the president of TSU, either directly or via the provost or to the provost through the appropriate TSU vice president, with a copy being submitted simultaneously to the Assembly vice chairperson. The chairperson shall inform the Assembly within fifteen (15) university working days of the status of the recommendations made by the Assembly. The chairperson and the secretary of the Assembly shall maintain (in duplicate) a certified file of all proceedings of the Assembly. Such file(s) shall be accessible for review by faculty members upon request.

To serve as assembly chairperson, a faculty member must be a full-time faculty person in a school or college of Texas Southern University, and have had 5 or more years of full-time employment at TSU as a member of the instructional staff.

A member of the Assembly may not hold the position of Faculty Assembly chairperson for more than two (2) consecutive terms unless continued service is requested by the Assembly and is subsequently confirmed by a two-thirds (2/3) vote of the Assembly members present at the election.

Faculty Vice Chairperson: The Assembly shall elect a vice chairperson, who must be a tenured faculty member, to serve for a term of two (2) years. This person shall be chairperson pro-tem and shall preside over the Assembly in the absence of the chairperson or at the pleasure of the chairperson. It shall be the responsibility of the vice chairperson to communicate all decisions of the Assembly to the appropriate persons when acting as presiding officer of the Assembly, and to follow the same rules and guidelines that apply to the chairperson.

A member of the Assembly may not hold the position of vice chairperson for more than two (2) consecutive terms unless continued service is requested by the Assembly and subsequently confirmed by a two-thirds (2/3) vote of the Assembly members present at the election. To serve as Assembly vice chairperson a member must have had five (5) or more years of full-time employment as a member of the TSU instructional staff.

Faculty Secretary: The Assembly shall elect a secretary to serve for a term of two (2) years. The secretary shall oversee the keeping of a correct record of the proceedings of the Assembly and of the Faculty Senate, shall supervise the transcription and processing of minutes of the meetings of the Assembly, and have these edited and distributed to members of the Assembly and/or Faculty Senate within twenty (20) working days following each Assembly meeting.

A member of the Assembly may not hold the position of secretary of the Assembly for more than two (2) consecutive terms unless continued service is requested by the Assembly and is subsequently confirmed by a two-thirds (2/3) vote of the Assembly members present at the election.

Editor: The Assembly shall elect an editor of The Faculty Speaks to serve for a term of two (2) years. The editor shall bear primary responsibility for communicating information from the Faculty Assembly and Faculty Senate to the university's faculty. This includes the publication of the newsletter "The Faculty Speaks."

A member of the Assembly may not hold the position of editor for more than two (2) consecutive terms unless continued service is requested by the Assembly and is subsequently confirmed by a two-thirds (2/3) vote of the Assembly members present at the election.

Faculty Treasurer. The Assembly shall elect a treasurer to serve in that position for a term of two (2) years. This person shall keep accurate accounts and records of all funds budgeted by the Assembly. The treasurer shall also collect and disburse any and all funds which the Assembly and the Faculty Senate may collect or assess. The faculty treasurer shall have such other duties and activities as determined by the Assembly and the Senate. The treasurer shall make a written, official, fiscal report semi-annually to the Assembly and shall make additional reports upon request from the Assembly or from the chairperson.

A member of the Assembly may not hold the position of treasurer for more than two (2) consecutive terms unless continued service is requested by the Assembly and is subsequently confirmed by a two-thirds (2/3) vote of the Assembly members present at the election.

Faculty Parliamentarian. The Assembly shall elect a parliamentarian to serve in that position for a term of two (2) years. This person shall have the duty to serve as the authority on procedures regarding the conduct of Assembly and/or Senate meetings, and shall answer all questions incidental thereto. Robert's Rules of Order, latest edition, shall be recognized by the Assembly as the procedural authority of the Assembly.

A member of the Assembly may not hold the position of parliamentarian for more than two (2) consecutive terms unless continued service is requested by the Assembly and is subsequently confirmed by a two-thirds (2/3) vote of the Assembly members present at the election. To serve as parliamentarian, a member shall have had two (2) or more years of full-time employment as a member of the TSU instructional staff.

Faculty Assembly/Faculty Senate Counsel. The Faculty Assembly/Faculty Senate counsel (counsel) shall be a tenured faculty member of the Assembly who is licensed to practice law in Texas. To serve as counsel, a member shall have had five (5) or more years of full-time employment as a member of the TSU instructional staff.

The counsel shall advise the Assembly and Faculty Senate on legal matters and shall represent the Assembly and Faculty Senate in all legal affairs and proceedings. The faculty chairperson shall appoint the counsel for a term of two (2) years with confirmation being made by the Faculty Senate.

The member may not hold the position of counsel for more than two (2) consecutive terms unless continued service is requested by the faculty chairperson and is subsequently confirmed by a two-thirds (2/3) vote of the Faculty Senate members present at the confirmation.

ARTICLE IV MEETINGS

- A. General and Special Meetings: The chairperson, or in his/her absence, the vice chairperson, shall convene the Faculty Assembly meetings through written notices which are circulated at least ten (10) days in advance of the meeting date, except under emergency circumstances. At least two (2) meetings shall be convened during each academic year. Special meetings may be called at the written request of ten (10) percent of the membership at large or by seventy-five (75) percent of the faculty of any college or school when such a request is presented to the chairperson or vice chairperson. The chairperson or vice chairperson must respond to such requests for special meetings by circulating a written notice of the special meeting call within three (3) university working days subsequent to receiving the petition or request.
- B. Agenda: The chairperson, vice chairperson and the secretary shall determine the agenda for all meetings except emergency or special meetings. Emergency and special meetings shall be called for a specific purpose and that purpose shall determine the agenda and shall be so stated in any meeting notices. All meeting notices shall contain an agenda. Except in the case of special or emergency meetings, members of the Faculty Assembly may submit or communicate in writing to the chairperson or vice chairperson any items for consideration on the agenda under the general headings of either old or new business. Such submissions for inclusion on the agenda may be made up to and including five (5) university working days before the scheduled meeting. Any items not completed on a meeting agenda must be included on the next available meeting agenda unless these items have been indefinitely suspended by a vote of the assembly, are tabled until a specific date, or are handled by the assembly in some other manner consistent with *Robert's Rules of Order*, latest edition.
- C. Quorum: A quorum shall consist of ten (10) percent of the Assembly's membership, or thirty- five members, whichever is smaller.
- D. Succession: In the absence of the chairperson and vice chairperson, the succession for presiding officer shall go from the vice chairperson to the secretary to the treasurer to the parliamentarian to the assistant secretary, and then to any member of the Assembly so elected by the Assembly.

ARTICLE V AMENDMENTS

This Faculty Constitution may be amended by a three-fourths (3/4) vote of the members present and voting at a meeting called for that purpose. The amendments (additions and/or changes) shall be distributed to the membership at least thirty (30) calendar days prior to any meeting at which a vote is required; such a meeting must be called and the agenda distributed at least ten (10) working days in advance of such a meeting.

ARTICLE VI COMMITTEES

- A. University Committee on Rank, Tenure, Promotion and Salary: The Faculty Assembly shall elect annually tenured faculty members to serve on the University Committee on Rank, Tenure, Promotion and Salary. The composition of the committee shall be as follows: one (1) member from the College of Liberal Arts and Behavioral Sciences, one member from the College of Science and Technology; one (1) member from the library faculty; one (1) member from each of the remaining schools and colleges within TSU. No “current department chair or other faculty member who currently holds an appointment that reviews matters within the jurisdiction of the committee may serve as a member of the committee. Members of this committee shall serve two-year terms, but terms shall be staggered so that approximately one-half of the committee members’ terms shall expire in alternate years. The functions of the committee are to (1) review the recommendations and the denials thereof which originate at the library, department, school, and college levels with regard to rank, tenure, promotion and salary; (2) monitor the processes and criteria by which faculty members are promoted or advanced from one rank to another; (3) monitor compensation with regard to merit pay, salary disparity, and salary inequity; and (4) make such reports to the administration as might be appropriate based upon its reviews and findings.
- B. Faculty Advisory Committee: This committee shall be constituted according to the provisions called for in the *TSU Faculty Manual*.
- C. Faculty Hearing Committee. This committee shall be constituted according to the provisions called for in the *TSU Faculty Manual*.
- D. Budget Committee: This committee shall be constituted as provided for in the *TSU Faculty Manual*.
- E. Committee on Inquiry: The Committee on Inquiry shall be a standing committee of the Assembly whose members have *ad hoc* status and who are appointed by the Assembly chairperson. The purpose of this committee shall be to provide a mechanism for faculty members, individually or collectively, to initiate inquiry into matters pertaining to administrative impropriety. The charge of this committee shall be to determine if there exists a substantial basis for any complaint lodged by the faculty or a faculty member. Should the committee determine that there is sufficient evidence to warrant an inquiry, it is further vested with plenary power to investigate charges identified in the faculty’s complaint and to report formally its findings and/or recommendations to the Faculty Assembly, Faculty Senate, the president of the university, and/or the TSU Board of Regents, as well as to any other involved parties. Access to the committee’s services can be achieved through: (1) written petition by the aggrieved party to the office of the Faculty Assembly, (2) through the Office of the Provost, or (3) to the Office of the President.
- F. Advisory Committee to the Faculty Manual: This committee shall be constituted as provided for in the *TSU Faculty Manual*.

- G. Faculty Research Committee: This committee shall be constituted as provided for in the *TSU Faculty Manual*.
- H. University Library Committee: This committee shall be constituted as provided for in the *TSU Faculty Manual*.
- I. Faculty Grievance Committee: This committee shall be constituted as provided for in the *TSU Faculty Manual*.
- J. Other Committees: The Faculty Assembly and Faculty Senate may establish other committees for any specific task and for any specified duration of time. Such committees may be joint committees, with representatives also being drawn from the student body or from other bona fide campus groups.
- K. University Administrative Committees: Faculty representatives are appointed to all university administrative committees as provided in the *TSU Faculty Manual*.

ARTICLE VII OTHER REPRESENTATIVES

The faculty chairperson shall be a member of the Academic Council, the Deans' Council, and the President's Academic Advisory Council. The faculty vice chairperson shall be a member of the Academic Council. The faculty chairperson, vice chairperson, or their designee may represent the Faculty Assembly and Faculty Senate on or before all committees and in all meetings to ensure the ongoing liaison with the TSU administration and thus shall represent the TSU faculty in all matters affecting the university faculty's welfare.

ARTICLE VIII REMOVAL AND RECALL

- A. Officers: All representatives and officers elected by the Assembly are subject to recall or dismissal from their duties by a three-fourths (3/4) vote of the Assembly's membership. Grounds for dismissal shall include, but are not limited to (1) failure to fulfill the duties and responsibilities of the office; (2) moral impropriety; (3) misuse of the power or information associated with the office; (4) misuse of Assembly funds; (5) misrepresentation of any material facts that affect the Assembly and its relations with other organizations or entities within or outside the university. In all cases, the Assembly is the final arbiter of misconduct, impropriety or malfeasance; and the Assembly may establish whatever rules or definitions of these terms, which it chooses.

The procedure for recall or dismissal shall be by submission of these issues as agenda items or as privileged motions from the floor, in accordance with *Roberts Rules of Order*, latest edition. Under no circumstances may the person who is the subject of a recall or dismissal

preside over the meeting that is to decide the issue. When submitted as an agenda item, this item must appear on the agenda of the next available meeting.

When this agenda item is reached, charges and debates of charges are initiated via a motion to recall or dismiss. This motion is not subject to amendment, subsidiary motion, postponement, or reconsideration. Recall or dismissal is accomplished only when the motion to recall is passed by a three-fourths (3/4) vote of the Assembly membership.

This action vacates the office and the Assembly may elect a replacement for the person dismissed or recalled to fill the remainder of the term of office, and may do so immediately if the Assembly so chooses.

- B. Committee Members: A member of any committee formed by the Assembly may be removed from that committee by the chairperson of that committee if he/she is absent without cause from three (3) consecutive sessions, including called meetings. A substitute member may be appointed by the committee chairperson with the approval of the faculty chairperson.

ARTICLE IX VACANCIES

A member may resign from his elective office for personal reasons or will be considered to have resigned if he/she is away from the university for one (1) or more academic semesters. All vacancies arising from such resignations shall be filled by election within thirty days of the chairperson's having been apprised of the resignation. However, if a member receives a paid leave of absence or a sabbatical leave, and then a replacement shall be elected within thirty days of the leave having been made known to the faculty chairperson. The replacement member shall serve temporarily in the position until either the faculty member returns from leave or until the originally elected faculty member's term of office expires. The resulting part-term service in the elective office shall not be counted towards the maximum number of consecutive terms, which a member can serve.

Vacancies in the Office of the Chairperson of the Assembly shall be filled by elevation of the vice chairperson to chairperson and by the election of a new vice chairperson by the Assembly.

PART II
FACULTY SENATE
ARTICLE I
SCOPE

The Faculty Senate shall serve as the executive body of the Faculty Assembly. It derives its power from the Faculty Assembly and is responsible to the Assembly. It shall have power to discuss and to adopt resolutions upon matters relating to university life. It shall make preliminary formulations of educational policies or plan programs and make recommendations to the Assembly. Its recommendations and/or decisions and actions are subject to review, approval, or rejection by the Faculty Assembly.

ARTICLE II
MEMBERSHIP

The membership of the Faculty Senate shall consist of the elected officers of the Assembly, the parliamentarian, the deans (as associate, non-voting members), the Faculty Assembly/Senate counsel, and twenty-one (21) elected representatives chosen, such that there shall be not less than one (1) representative from each of the university's schools and colleges and from the university library. Representatives shall be full-time faculty and staff. Further, in compliance with the rule that there must be at least one (1) representative from each unit, election of the remaining representatives shall be carried out by the university's schools and colleges in a manner proportionate to the number of students enrolled in each school or college. The apportionment shall be based on the university's 20th day full-time equivalent enrollment figures for the preceding year's fall term. Each Senate member shall serve a term of two (2) years.

ARTICLE III
ORGANIZATION

The faculty chairperson shall be the presiding officer of the Faculty Senate. The faculty chairperson and the vice chairperson shall each maintain a file of all the proceedings of the Faculty Senate. It shall be the responsibility of the faculty chairperson to transmit all of the Senate's decisions, actions and/or recommendations to the Faculty Assembly for its review, approval, disapproval, information, or action.

The vice chairperson shall serve as chairperson pro-tem and shall preside in the absence of or at the pleasure of, the chairperson. In the absence of the chairperson and vice chairperson, the succession for presiding officer of the Senate shall go from vice chairperson to the secretary to the treasurer to the parliamentarian to The Faculty Speaks editor, and then to any member of the Senate so elected by members of the Senate.

The Secretary of the Assembly shall keep records of the proceedings of the Senate's meetings via audio or videotaped recordings and shall transcribe, process, and distribute these proceedings to the Senate members not less than five (5) days prior to the next Senate meeting.

ARTICLE IV MEETINGS

The Faculty Senate shall meet regularly at a time specified by the chairperson on the first Thursday of each month, September through May. However, if the regular meeting day is a university holiday, the meeting shall convene on the following Thursday.

Special meetings shall be called by the chairperson, or in his/her absence, by the vice chairperson. Special meetings can also be called pursuant to the written request of eight (8) or more members of the Faculty Senate.

- A. Agenda: The chairperson, the vice chairperson, and the secretary of the Senate shall decide the agenda for each meeting. Members who wish to have any particular matter included on the agenda shall communicate this wish in writing to the faculty chairperson or the vice chairperson at least five (5) days in advance of the desired meeting date. Every effort shall be made to include such items on the agenda of the next available meeting.
- B. Quorum: Forty (40) percent of the Faculty Senate membership shall constitute a quorum for any meeting of the Senate.
- C. Absences. If a member is absent from two (2) successive regular meetings, the chairperson shall report this neglect of duty to the Senate. The chairperson shall then notify the offending member and request that the member attend the next meeting. If absences persist, the chairperson shall give notice to the member that an action for removal will be initiated. The chairperson shall subsequently present the information about the offending member to the Senate for appropriate action. The Senate shall vote either to remove or retain the offending member. If the Senate votes to remove the member, the chairperson shall notify the affected academic unit in writing that its offending member has been removed, shall give the reason for the removal, and shall indicate the unit's need to elect a replacement within thirty days.

ARTICLE V ELECTION OF THE FACULTY SENATE

Election to the Senate shall be conducted in a meeting called specifically for that purpose by the deans of the respective colleges or schools. The representative of the Graduate School shall be elected by the Graduate School faculty. The head librarian shall assemble the professional librarians having faculty rank to elect their representative.

The election of Faculty Senate members shall occur no later than the 30th day of April of each odd numbered year. The election shall be by balloting, in conformity with the bylaws of the Faculty Assembly and of the Faculty Senate, and the results shall be communicated in writing to the chairperson on or before May 1st of an election year.

ARTICLE VI COMMITTEES

- A. Committee Responsibilities of Chairperson and Vice Chairperson: The chairperson and vice chairperson shall serve on the Academic Council. One or both shall report to the Faculty Senate and the Faculty Assembly when necessary. The chairperson shall be a voting member of the Academic Council. The vice chairperson shall be a non-voting member, except when serving in the absence of the chairperson. The chairperson, vice chairperson or their designated representative shall attend all meetings of the Board of Regents. Faculty representation on other university committees may be necessary and may even be requested by the president of the university or one of the university vice presidents. Names of persons to serve on these committees shall be given to the president or provost by the chairperson as per request.
- B. Benefits and Insurance Committee. The Faculty Senate shall elect biennially a Benefits and Insurance Committee consisting of five members who shall review and advocate the faculty's interest and protection with regard to the benefits offered to the university's employees. Joining the appointed committee shall be a representative or representatives from the administration and from the non-instructional personnel. Thus, the committee shall consist of seven (7) members unless a larger number is authorized by the Faculty Senate or by the university president. However, the number of committee members shall not exceed a total of nine (9).
- C. Review of Administrative Personnel. The evaluation of the administrative personnel, including the president, vice presidents, the deans, and the department chairpersons is conducted on an annual basis using instruments that have been approved by the Board of Regents as part of the normal operations of the university. The Faculty Senate shall monitor the annual evaluation of administrators and access to these evaluations shall be made available to the Faculty Senate.

ARTICLE VII RECALL AND REMOVAL

SENATORS: Members of the Faculty Senate are subject to recall and dismissal by the unit (division, department, school, etc.), which elected them as its representative. The procedure for this process shall be determined by the affected unit.

**SECTION II
BYLAWS OF THE FACULTY ASSEMBLY
AND FACULTY SENATE**

**ARTICLE I
DATE OF ELECTION**

The election for all offices, committees, and representatives of the Assembly and of the Faculty Senate shall be held no later than the thirtieth 30th day of the month of April in an election year. The election year shall be each odd numbered calendar year and shall be considered as the time when all terms of office shall have expired unless these terms are elsewhere in this document stated to be different. All election results are to be reported immediately to the Faculty Assembly chairperson.

Newly elected officers shall take office at the beginning of the fall semester following their election.

**ARTICLE II
NOMINATIONS AND ELECTIONS OF OFFICERS**

A member shall not be nominated for any elected office unless he/she is present at the meeting and accepts the nomination. In the event of an unavoidable absence, he/she shall file written acceptance with the presiding officer, or the written acceptance shall be furnished the presiding officer by the person making the nomination at the time of the meeting to elect officers.

Voting shall be by ballot. An *ad hoc* committee appointed by the incumbent chairperson shall be designated to count ballots after the close of the voting. Results of an election shall be before adjournment of the meeting during which balloting has been conducted. Ballots shall be announced subject to review by any challenger. In each area where such is applicable, the nominee receiving the highest number of votes shall be declared elected, unless a specific percentage of the vote is required. Also, in the event of a tie in an election the final decision to determine the winner shall be made by the drawing or casting of lots in the presence of the Assembly and under the supervision of the presiding officer.

**ARTICLE III
TERMS OF OFFICE**

For purposes of the determination of terms of office, remuneration, and benefits, a year shall be construed to mean twelve (12) months and shall consist of two (2) full academic terms and the inclusive summer.

**ARTICLE IV
REMUNERATION AND RELEASE TIME**

The faculty chairperson, vice chairperson, and faculty secretary shall be remunerated by the university for their duties to the Assembly, Senate and university during the summer months at one-sixth (1/6) of their academic year (9 month) salaries. During the regular semester, they shall receive release time in the amount of one-half course load.

**ARTICLE V
NOMINATIONS AND ELECTIONS OF UNIVERSITY COMMITTEE
ON RANK, TENURE, PROMOTION AND SALARY**

Election of the University Committee on Rank, Tenure, Promotion and Salary shall be made from a slate of nominees submitted to the Assembly by each of the academic units eligible to have a representative on the committee. The Assembly-at-large may vote for any nominee from any of those submitted on slates as well as for any Assembly members who may be nominated from the floor of the Assembly. The committee, however, shall elect its own chairperson. A member of this committee may not serve more than two (2) consecutive terms unless requested by the Assembly and subsequently confirmed by a two-thirds (2/3) vote of the membership who are present and who are voting.

**ARTICLE VII
AMENDMENTS**

These by-laws may be amended by a two-thirds (2/3) vote of the Faculty Assembly members who are present and who cast votes at a meeting called for that purpose. The amendments (additions and/or changes) shall have been distributed to the entire membership at least thirty (30) calendar days prior to any meeting where a vote is required.

THIS IS THE END OF THIS DOCUMENT

* Note: The faculty constitution and bylaws are included as information items. They are not subject to the same amendment process, as does the *Faculty Manual*.

SUMMARY OF SELECTED UNIVERSITY POLICIES

Texas Southern University has many policies and procedures to which faculty in their capacity as employees must adhere. These policies are compiled in the Texas Southern University Operating Manual. Many of these policies affect faculty members. For example, there are policies concerning Teachers Retirement System, Optional Retirement Program, group insurance benefits, dental insurance, life insurance, disability insurance, smoking policy, freedom of information policy, travel to Washington policy, and many others.

The policies listed summarized below are rated of highest interest to the faculty.

Equal Opportunity Policies

Texas Southern University complies with the following laws, which grant equal opportunities to protected individuals:

Titles VI and VII of the Civil Rights Act of 1964, as amended as well as Title IX of the Education Amendments of 1972.

Sections 503 and 504 of the Rehabilitation Act of 1973.

The Americans with Disabilities Act of 1990.

Texas Southern University does not discriminate on the basis of race, color, religion, national origin, gender, age, disability, citizenship, veteran status, sexual orientation, gender identity, and gender expression. To ensure adherence to these policies, the university has published its policies in a document titled *Search Committee Policies and Procedures*. The Human Resources Department enforces the procedures.

Drug and Alcohol Policies

In compliance with the *Drug-Free Work Place Act of 1988 and the Drug-Free School and Communities Act Amendments of 1990*, Texas Southern University is committed to maintaining a campus free of illegal or abusive use of drugs and alcohol by faculty, staff, and students. Further information can be obtained from the Human Resources Department.

Nepotism Policy Texas Government Code §§ 573.023, 573.025.

All employees of the university are prohibited from appointing or voting for the appointment of persons related to them within the third degree of consanguinity (blood) or the second degree of affinity (marriage) when the salary or compensation of such person comes from public funds. Exceptions apply to situations where one relative does not supervise the other or have other authority over salary or other terms and conditions of employment of the relative. These rules are waivable by the university president.

Sexual Harassment Policy

Title VII of the Civil Rights Act of 1964, as amended, provides that it shall be an unlawful discriminatory practice for an employer, because of the sex of any person, to discharge without just cause, to refuse to hire, or otherwise discriminate against any person with respect to any matter directly or indirectly related to employment. The Equal Employment Opportunity Commission (EEOC) has issued guidelines as to what constitutes sexual harassment of an employee under Title VII.

Title IX of the *Education Amendments of 1972*, as amended, prohibits sexual discrimination in any educational program or activity receiving federal financial assistance. This applies to Texas Southern University.

The Board of Regents has extended the policy to students at the university. Furthermore, under the EEOC guidelines, adopted by Texas Southern University, as well as case law the following conduct and activities are prohibited:

- (1) Unwelcome sexual advances;
- (2) Requests for sexual favors, whether or not accompanied by promises or threats made relating to the employment relationship (and in the case of students – their academic standing);
- (3) Any verbal or physical conduct of a sexual nature that threatens or implies, either explicitly or implicitly, that an employee's submission to or rejection of sexual advances will in any way influence any personnel decision regarding his or her employment (and in the case of students – their academic standing, employment, or career development).

Sexual harassment of university faculty, staff, or students is strictly prohibited and subjects the offender to oral or written warnings, suspensions, transfer, demotion, or dismissal. A claimant may utilize the university's compliance officer in the Human Resources Department to pursue a claim of sexual harassment.

Ethics Laws for State Officers and Employees

The state of Texas has promulgated *A Guide to Ethics Laws for State Officers and Employees*, covering such areas as standards of conduct and conflict of interest, acceptance of benefits, abuse of office, other employment, lobbying, etc. The full version of this document can be found at <http://www.ethics.state.tx.us> on the Internet.

Ethics and Conflict of Interest Policy

The Board of Regents has adopted an ethics policy consisting of the following topics: principles of ethical conduct; transportation, meals and lodging; benefits, gifts and honoraria; public officials and political activities; dual office holding; university property and services; outside employment; nepotism, and sexual harassment.

Faculty Consulting Policy

See Outside Private Employment in this *Manual* (5.15).

Intellectual Property Policy

In general, Texas Southern University claims an exclusive property right “to all Intellectual Property (inventions, designs, improvements and discoveries) related to the individual’s employment responsibility or resulting from the activities performed on university’s time, with support of state funds or through the use of university facilities...” To the contrary, “intellectual Property unrelated to the individual’s employment responsibility that is developed on the individual’s own time and without the university’s support or use of the university’s facilities is the exclusive property of the creator.”

Copyright Policy

Texas Southern University follows federal copyright law, United States Code, *Title XVII* that places the ownership of copyrighted work with the creator of the work. However, the university claims a “copyright to materials developed with significant funds, facilities, space and equipment from Texas Southern University...”

Patent Policy

All employees who create intellectual property are required to enter into a “Research Agreement” contract with the university for a determination of the university’s interest. Faculty, students, and staff who create a patentable invention must report the invention to the Standing Committee on Intellectual Property, which is appointed by the president.

Upon receipt of the information, the university may undertake one of the following actions: seek to acquire the patent, transfer the rights to the research sponsor, or waive ownership rights in favor of the inventor. However, the creator has the right to be paid *Creator’s Residual Economic Interest* if the university licenses the product and receives income from the product. Under the policy, the schedule of payments to the creator range from 50% of the first \$100,000 to 25% of the payments over \$300,000.

Inventions created with *nominal* use of the university’s materials, supplies, facilities, or services of staff or students belong to the inventor. Where the use of these items is “more than nominal,” the invention belongs to the university.

Computer Software and Firmware

The university claims ownership to “all software and firmware that is conceived or developed by any person engaged in research at the university.”

ANNUAL FACULTY REVIEW FORMS

Packet Contents

- I. Procedure**
- II. Criteria**
- III. Planning Document**
- IV. Report of Accomplishments**
- V. Department Chair's Evaluation**
- VI. Dean's Evaluation**
- V. Post-Tenure Review Criteria**

I. Procedure

This document covers the calendar year (January 1 – December 31)

1. The faculty member should read the Annual Faculty Review **Procedure (Section I)** and **Criteria (Section II)** thoroughly.
2. The faculty member should prepare the Annual Faculty Review **Planning Document (Section III)** and submit it to the department chair for review in *October*.
3. The faculty member should prepare the Annual Faculty Review **Report of Accomplishments (Section IV)** and submit it to the department chair for evaluation in *March*, along with the **Department Chair's Evaluation (Section V)** and the **Dean's Evaluation (Section IV)** forms for completion by administrators, respectively.
 - (a) Supporting documentation must be provided and organized to conform to Annual Faculty Review Criteria.
 - (b) A 5-year vita (organized in the style required by AACSB) must also accompany this document.
4. The department chair should evaluate the entire Annual Faculty Review, completing the **Department Chair's Evaluation (Section V)**, discuss it with the faculty member, and transmit results to the Dean's Office in a timely manner. (*Please refer to School of Business Calendar for exact date.*)
5. The dean should review all Annual Faculty Reviews and Department Chair Evaluations, and complete the **Dean's Evaluation (Section VI)**, noting related comments and/or concerns. These comments will then become a part of the evaluation packet and are, therefore, available to the faculty member and department chair. (*Please refer to School of Business Calendar for exact date.*)

Scoring:
The Annual Faculty
Review will be evaluated
on a point system which
correlates with Annual
Faculty Review Criteria
(see page 3)



II. Criteria*

I. TEACHING EXCELLENCE

A. QUALITY INSTRUCTION

1. Relevant Course Outlines
2. Regular Class Attendance**
3. Organized Class Presentations**
4. Regularly Maintained Office Hours**
5. Acceptable Student Evaluation**
6. Integration of Technology (Audio/Visual/Computer)
7. Other Teaching Enhancing Activities

B. PROFESSIONAL DEVELOPMENT RELATED TO TEACHING

Relevant professional development related to teaching which may include teaching-related conferences, workshops, seminars, continuing education, post-doctoral studies, etc.

II. RESEARCH/INTELLECTUAL CONTRIBUTIONS

A. INTELLECTUAL CONTRIBUTIONS

B. REFEREED JOURNAL ARTICLE

1. In Area of Discipline
2. Other

III. SERVICE

A. STUDENT INVOLVEMENT EVIDENCE

- Student Advising
- Counseling
- Sponsoring Student Organizations

B. DEPARTMENT, SCHOOL, OR UNIVERSITY COMMITTEE SERVICE

C. PROFESSIONAL/COMMUNITY SERVICE

D. REGULAR ATTENDANCE AND/OR PARTICIPATION IN SCHOOL OF BUSINESS FUNCTIONS

- Awards Banquet
- Brown Bag Seminars
- Commencement Exercises
- School Retreats
- Meetings

****STUDENT EVALUATIONS WILL BE USED IN EVALUATING THESE ITEMS.**

V. RESOURCES NEEDED

Teaching Activities	\$
Research Activities	
Service Actives	
Faculty Development Activities	
Total Resources Needed	\$

V. Department Chair's Evaluation*

Name _____

Department _____

Semester _____ Year _____

Reviewed Annual Faculty Yes No Date: _____
 Review: _____

CRITERIA

I. TEACHING EXCELLENCE – (45 points)

1. Relevant Course Outlines	
2. Regular Class Attendance**	
3. Organized Class Presentations**	
4. Regularly Maintained Office Hours**	
5. Acceptable Student Evaluation**	
6. Integration of Technology (Audio/Visual/Computer)	
7. Other Teaching Enhancing Activities	
B. PROFESSIONAL DEVELOPMENT RELATED TO TEACHING Relevant professional development related to teaching which may include teaching-related conferences, workshops, seminars, continuing education, post-	

II. RESEARCH/INTELLECTUAL CONTRIBUTIONS

A. INTELLECTUAL CONTRIBUTIONS (as defined by AACSB)	
<input type="checkbox"/> Intellectual Contributions – No. _____	
B. REFEREED JOURNAL ARTICLE	
1. In Area of Discipline	
2. Other	

III. SERVICE

A. STUDENT INVOLVEMENT EVIDENCE	
<input type="checkbox"/> Student Advising	
<input type="checkbox"/> Counseling	
<input type="checkbox"/> Sponsoring Student Organizations	

B. COMMITTEE SERVICE

<input type="checkbox"/> Department	
<input type="checkbox"/> School	
<input type="checkbox"/> University	

V. Department Chair's Evaluation* – Con't

C. PROFESSIONAL/COMMUNITY SERVICE	
<input type="checkbox"/> Professional Service Activities – No. _____	
<input type="checkbox"/> Community Service Activities – No. _____	
D. REGULAR ATTENDANCE AND/OR PARTICIPATION IN SCHOOL OF BUSINESS FUNCTIONS	
<input type="checkbox"/> Awards Banquet	
<input type="checkbox"/> Brown Bag Seminars	
<input type="checkbox"/> Commencement Exercises	
<input type="checkbox"/> School Retreats	
<input type="checkbox"/> Meetings	

****STUDENT EVALUATIONS WILL BE USED IN EVALUATING THESE ITEMS.**

COMMENTS:

VII. Post-Tenure Review

I. TEACHING EXCELLENCE

A. QUALITY INSTRUCTION

1. Relevant Course Outlines
2. Regular Class Attendance
3. Organized Class Presentations
4. Regularly Maintained Office Hours
5. Acceptable Student Evaluation
6. Integration of Technology (Audio/Visual/Computer)
7. Other Teaching Enhancing Activities
 - Library-Related Assignments
 - Team Assignments
 - Guest Lecturers
 - Recognition of Outstanding Teaching
 - Teaching Creativity

B. PROFESSIONAL DEVELOPMENT RELATED TO TEACHING

Relevant professional development related to teaching which may include teaching-related conferences, workshops, seminars, continuing education, post-doctoral studies, etc.

II. CONTINUED RESEARCH EXCELLENCE

- A. At least one intellectual contribution every two years
- B. At least one refereed journal article every five years

III. CONTINUED SERVICE

A. Student Involvement Evidence

- Student Advising
- Counseling
- Sponsoring Student Organizations

B. Department, School, Or University Committee Service

C. Professional/Community Service

D. Regular Attendance and/or Participation In School Of Business Functions

- Awards Banquet
- Brown Bag Seminars
- Commencement Exercises
- School Retreats
- Meetings

FORM

APPOINTMENT OF ACADEMIC ADMINISTRATOR

Position:
College (if applicable):

Reporting to:

I. Search committee Members:
(Elected Members) (Appointed Members)

II. Search Committee list of Nominees was forwarded for review:
By: () Date

III. Check one:

- I hereby appoint from the list of nominees submitted to me by the Search Committee.
- An appointment cannot be made from the list of nominees submitted.

By:

Dean
Provost

IV. I hereby approve the appointment made in Section III hereof.

By:
Provost

By:
President

**FORM FOR SURVEY OF ACADEMIC ADMINISTRATORS
TEXAS SOUTHERN UNIVERSITY**

Faculty of _____

As mandated by the *Faculty Manual*, a review of administration is underway. As part of this process, the input of all personnel in your administrative unit is sought. Therefore, please take the time to fill out this questionnaire, and feel free to use additional sheets if necessary. Your responses will remain anonymous.

Please check your position in the unit (optional).

_____ Professor	_____ Instructor
_____ Associate Professor	_____ Staff
_____ Assistant Professor	_____ Other: _____

1. Please rate
on each of the following:

	Excellent	Very Good	Good	Fair	Poor	Unknown	
Administration of academic programs	5	4	3	2	1	U	NA
Seeking external funding	5	4	3	2	1	U	NA
Alumni and constituent relations	5	4	3	2	1	U	NA
Human resources	5	4	3	2	1	U	NA
General administrative support	5	4	3	2	1	U	NA

2. Please rate on each of the following:

	Excellent	Very Good	Good	Poor	Unknown	
Academic Leadership Areas	5	4	3	2	1	U
Academic Standards	5	4	3	2	1	U
Advocacy for the Unit	5	4	3	2	1	U
Encouragement of effective teaching	5	4	3	2	1	U
Encouragement of research	5	4	3	2	1	U
Support for the mission of the Unit	5	4	3	2	1	U
Handling of promotion and tenure matters	5	4	3	2	1	U
Personal Leadership Areas	5	4	3	2	1	U
Communication and listening skills	5	4	3	2	1	U
Dedication/Commitment	5	4	3	2	1	U
Administrative style	5	4	3	2	1	U
Delegation and follow through	5	4	3	2	1	U

Conflict resolution	5	4	3	2	1	U
Fairness/Equity	5	4	3	2	1	U
Advocacy for support staff	5	4	3	2	1	U

3. What are the strengths of this administrator?

4. What are the weaknesses of this administrator?

5. What specific recommendations do you have to improve the performance of

6. On a scale of 5 (high) and 1 (low), how would you rate in terms of overall effectiveness?

5 4 3 2 1 U

7. On a scale of 5 (high) and 1 (low) indicate your level of enthusiasm for the continuance/reappointment of

5 4 3 2 1

Best Practices for a Performance Review System for Faculty

1. The performance review system must meet the “Criteria and Procedures for Evaluation” (4.8.10) of the Southern Association of Colleges and Schools which stipulate that: (1) an institution must conduct periodic evaluations of individual faculty members; (2) the evaluation must include a statement of the criteria against which the performance of each faculty member will be measured; (3) the criteria must be consistent with the purpose and goals of the institution and be made known to all concerned; and (4) the institution must demonstrate that it uses the results of this evaluation for improvement of the faculty and its educational program.
2. The performance review system should be both formative (designed to be a supportive process that promotes self-improvement) and summative (assesses and judges performance).
3. The performance review system process and criteria should be explained to new hires.
4. All faculty members, including tenured faculty at all ranks, are reviewed annually and receive a written performance evaluation. In this way, for those institutions with a tenure system, the performance review should not pose a threat to the tenure system but extends and enlarges it.
5. The performance review system should have been developed jointly by the faculty and administrators of an institution.
6. The performance review system should allow for discipline-specific components.
7. The performance review system should provide opportunities for reflection, feedback, and professional growth whose goal is to enhance instruction at the institution.
8. The performance review system should include written performance evaluation data from four sources:
 - a. Annually, instruction and course evaluation forms completed anonymously by students through a standardized process and submitted for each course (not section) taught;
 - b. Annually, administrative evaluation that includes assessments from the department chair and/or dean;
 - c. Annually for untenured faculty and at least every three years for tenured faculty, internal peer evaluations, i.e. evaluation of faculty by their peers within the institution of higher education;
 - d. At least every six years, input from peers external to the department and/or institution as appropriate to the role and function of each faculty member. External evaluators to the institution include national peers from the same field of expertise from other

institutions of higher education, professional organizations and societies, federal agencies, etc. Specialized national accreditations and the CHE program reviews, which include external reviewers' assessments, could be incorporated into the external peer review component, where appropriate.

9. At an institutional level, the performance review system must include the following criteria as appropriate to the institution's mission:

instruction/teaching; advisement and mentoring of students; graduate student supervision; supervision of other students (teaching assistants, independent study students); course/curriculum development; research/creative activities; publications; service to department; service to institution; service to community; participation in professional organizations/associations; honors, awards, and recognitions; self-evaluation; participation in faculty development activities/programs; activities which actively support the economic development of the region or the State.

10. The results of each performance review, including pot-tenure review, must be used by the institution as part of the faculty reward system and faculty development system, and the system should include a plan for development when deficiencies are indicated in the review. Specifically:

- a. when an instructor or untenured faculty member receives an overall rating of unsatisfactory on the annual performance review, the faculty member may be subject to non-reappointment;
- b. when an instructor or tenured faculty member receives an overall rating of unsatisfactory on the annual performance review, the faculty member is immediately subject to a development process, developed by the specific unit, whose goal is to restore satisfactory performance. The development process will include a written plan with performance goals in deficient areas, with appropriate student and peer evaluation of performance;
- c. when an instructor or a tenured faculty member fails to make substantial progress towards the performance goals at the time of the next annual review or fails to meet the performance goals specified in the development plan within a specified period, that faculty member will be subject to dismissal or revocation of tenure for habitual neglect of duty under the terms of the senior institution's faculty manual.

11. The institution should develop an appeals procedure for those faculty who do not agree with the results of the performance evaluation and/or the resulting recommendations or requirements for improvement.