



## **Faculty Statutes**

Adopted by Board of Trustees on March 12, 2021.

Effective date: July 1, 2021.

Preamble.....	4
Section 1. Institutional Structure.....	5
Section 1.1 Board of Trustees.....	5
Section 1.2. President.....	5
Section 1.3. University Divisions.....	6
Section 1.4. Schools.....	6
Section 1.5. Divisions and Departments.....	6
Section 2. Academic Administration.....	7
Section 2.1. Provost.....	7
Section 2.2. Associate/Assistant Provost.....	7
Section 2.3. School Dean .....	7
Section 2.4. Associate/Assistant Deans .....	9
Section 2.5. Division/Department Chairs.....	9
Section 2.6. Other Academic Administration .....	11
Section 3. Faculty Assembly.....	12
Section 3.1. Faculty Assembly .....	12
Section 3.2. Membership and Voting Rights.....	13
Section 3.3. Procedures for Faculty Assembly Meetings.....	13
Section 3.4. Delegates to Faculty Assembly .....	14
Section 3.5. Procedures for Motions/Resolutions .....	15
Section 3.6. Procedure to Amend Faculty Statutes .....	16
Section 3.7. Interpretation of Faculty Statutes.....	17
Section 3.8. Officers of the Faculty Assembly.....	17
Section 4. Committees of Faculty Assembly.....	18
Section 4.1. Role of Committees.....	18
Section 4.2. Election Procedures for Committee Members.....	18
Section 4.3. General Regulations Affecting Elected Standing Committees .....	19
Section 4.4. Standing Committees and Councils .....	20
Section 4.5. Procedures for the Creation of Ad Hoc Committees.....	29
Section 5. Faculty Rights.....	29
Section 5.1. Academic Freedom.....	29
Section 5.2. Faculty Rights to Salary Notification.....	30
Section 5.3. Progressive Discipline for Tenured Faculty.....	30
Section 5.4. Additional Faculty Rights.....	33
Section 6. Faculty Responsibilities.....	33
Section 6.1. Teaching Workload–Full-Time Tenured and Tenure-Track Faculty.....	33
Section 6.2. Teaching Workload: Full-Time Term Faculty .....	34
Section 6.3. Non-Teaching Workload Expectations For Full-Time Faculty.....	35
Section 6.4. Classroom Expectations .....	35
Section 6.5. General Expectations.....	35
Section 6.6. Compliance with Applicable Laws and University Policies .....	36
Section 6.7. Academic Integrity and Professionalism.....	36
Section 7. Faculty Rank and Appointments.....	37
Section 7.1. Full-Time Faculty Teaching Ranks.....	38
Section 7.2. Full-Time Term Faculty.....	38
Section 7.3. Adjunct Classroom Teaching Faculty.....	39
Section 7.4 Clinical Instructors .....	39
Section 7.5. Emeritus Status.....	39
Section 7.6. Full-Time Faculty Hiring and Appointments.....	40
Section 7.7. Joint Appointments .....	40

Section 8. Faculty Evaluation.....	42
Section 8.1. Annual Evaluation.....	42
Section 8.2. Mid-Probationary Evaluation.....	42
Section 8.3. Demonstrating Teaching Effectiveness.....	44
Section 8.4. Demonstrating a Habit of Scholarship and Creativity .....	44
Section 8.5. Levels of Scholarship .....	45
Section 8.6. Minimum Scholarly Requirements for Promotion.....	45
Section 8.7. Demonstrating a Commitment to Service .....	45
Section 8.8. Evaluation of Adjunct Faculty .....	46
Section 9. Tenure and Promotion .....	46
Section 9.1. Definition and Purpose of Tenure .....	46
Section 9.2. Eligibility for Tenure.....	47
Section 9.3. Exceptions to Granting Tenure.....	48
Section 9.4. Conversion from Tenure Track to Term Contract.....	48
Section 9.5. Procedures for Applying for Tenure and Promotion .....	48
Section 9.6. Preparation of Dossier .....	49
Section 9.7. Tenure and Promotion Review by Department and School.....	49
Section 9.8. Tenure and Promotion Review by the Rank and Tenure Committee .....	49
Section 9.9. Actions on Recommendations for Tenure and Promotion .....	51
Section 9.10. Quick Reference Chart for Tenure and Promotion Deadlines .....	52
Section 9.11. Promotion for Full-Time Non-Tenure Track Faculty .....	53
Section 9.12. Promotion for Adjunct Faculty .....	53
Section 9.13. Re-Application for Promotion to Full Professor.....	53
Section 9.14. Procedures and Grounds for Revocation of Tenure.....	53
Section 10. Leaves and Resignations.....	56
Section 10.1. Sabbaticals.....	56
Section 10.2. Leaves of Absence .....	58
Section 10.3. Effect of Leaves of Absence Upon Probationary Period .....	59
Section 10.4. Resignations .....	59
Section 11. Grievances.....	59
Section 11.1. Actions Subject to Grievance Process .....	60
Section 11.2. Informal Process.....	60
Section 11.3. Recusal Based on Committee Member Conflicts of Interest.....	61
Section 11.4. Grievance Committee Procedures.....	61
Section 11.5. Special Provisions for Tenure and Promotion Grievances.....	62
Section 12. Faculty Roles in Selecting and Evaluating Academic Administrators.....	63
Section 12.1. Faculty Recommendations Regarding Rank and Tenure for Incoming Administrators.....	63
Section 12.2. Selection and Evaluation of Provost.....	63
Section 12.3. Selection and Evaluation of School Deans.....	64
Section 12.4. Selection, Evaluation and Removal of Assistant and Associate Deans .....	65
Section 12.5. Selection, Evaluation and Removal of Department Chairs.....	66
Section 12.6. Program and Site Directors.....	68
Section 12.7. Votes of Confidence/No Confidence .....	68
Section 13. Request for Reconsideration of Administrative Decisions.....	69

## Preamble

This Preamble serves to articulate the core values and principles that inform and shape the Faculty Statutes. As an introductory statement of purpose, the Preamble acknowledges the Faculty's critical role in helping to shape and manage academic matters such as pedagogy, curriculum, and scholarship for the University.

This Preamble declares that as members of the St. John Fisher University community, the Board of Trustees, Administration, Faculty, and Staff strive to be a caring, collaborative community committed to the professional standards and responsibilities that attend their activities and establishing policies and practices that promote fairness, equity, transparency, and accountability consistent with the University's Mission Statement, including the pursuit of intellectual inquiry, professional integrity, and civic responsibility, where diversity and service to others are valued and practiced. These principles should be used to guide processes and particulars of governance not specifically addressed in the Faculty Statutes.

A primary way in which our core values are realized is through the foundational principles of shared governance, academic freedom, and professional responsibility. Attention to these principles models our intention to be a community of caring professionals that embodies the motto of the Basilian founders: "Teach me goodness, discipline, and knowledge."

Shared governance is a principle of collaboration in which Faculty plays a formative role in academic decision making and a consultative role in institutional matters. While the ultimate responsibility for the operation and maintenance of the University resides with the Board of Trustees and the President, shared governance recognizes the importance of Faculty Assembly input. Faculty Assembly is recognized as the primary vehicle for Faculty participation in the process. Faculty Assembly delegates authority to established committees within the Faculty Assembly, as specified in these Faculty Statutes. For purpose of these Faculty Statutes, shared governance consists of:

- (i) A commitment to systems and processes of transparency and open communications among Faculty, Staff, and Administration;
- (ii) Clarity in reference to governing roles and responsibilities at all levels of the institution;
- (iii) Collaboration to create and maintain the processes and structures that govern our institution;
- (iv) Jointly developed strategic goals and tactics;
- (v) Jointly established shared metrics to assess and measure success;
- (vi) Commitment to engage Faculty, Staff, and Administration in considering issues and questions that emerge in the process of institutional governance; and
- (vii) Multilateral and sustained advocacy for institutional best practices.

The principle of academic freedom emphasizes a system of higher education dedicated to the common good which depends upon the free search for truth and its free exposition, where freedom and economic security, hence, tenure, are indispensable to the success of an institution in fulfilling its obligations to its faculty and to society. The tenure process is

recognized as a primary vehicle to support and protect Faculty academic freedom in the classroom and in scholarship, as well as in wider interactions with public audiences. Academic freedom supports independence of thought and opinion so long as clearly established principles and ethics associated with professional responsibility are respected.

As a principle of free inquiry, academic freedom fosters an educational environment of diversity, where different ideas, perspectives, and values are welcomed and where prevailing and unfounded assumptions are challenged for the sake of the common good. Academic freedom thus supports the mission of the University, which encourages all members of the University community to engage “in lives of intellectual inquiry, professional integrity, and civic responsibility, where diversity and service to others are valued and practiced” (Concise Mission Statement, 2012).

Professional responsibility is a mediating principle which Faculty recognize is an interconnected component of, and essential to shared governance and academic freedom. Professional responsibility requires, among other things, sustained commitment to excellence in teaching, service, and scholarship in all stages of an academic career, including post-tenure.

The core values and principles presented in this Preamble should serve as a guidance for the interpretation, revision, and evolution of the Faculty Statutes.

## **Section 1. Institutional Structure**

For informational purposes, Sections 1 and 2 set forth the current institutional structure of the University. The Board, through the President, is responsible for establishing the institutional structure of the University, which will change from time to time in response to opportunities, challenges, and management style.

### **Section 1.1 Board of Trustees**

The property, affairs, business, and concerns of the University will be managed by its Board of Trustees, acting in accordance with its bylaws, the charter of the University and Article 5 of the Education Law of the State of New York and reserves the right for ultimate authority in all University operations and decisions. The Board of Trustees will promulgate (and amend from time to time (see Section 3.6)) the Faculty Statutes of St. John Fisher University and such other rules and orders and policies, not inconsistent with law as it deems necessary or appropriate for the management of the University.

### **Section 1.2. President**

The President is the chief executive officer of the University and is appointed by the Board of Trustees. The President is accountable to, and is the executive agent of, the Board of Trustees, with the responsibilities and duties as set forth in the Bylaws.

Pursuant to the Bylaws, the President is the University’s educational and administrative leader. The President exercises managerial authority over all University affairs and promptly brings to the Board’s attention all matters of appropriate importance.

The President delegates certain matters of governance and management of academic matters to the Provost, who serves as the chief academic officer and Vice President for Academic Affairs, as more specifically referenced in Section 2.1 below.

### Section 1.3. University Divisions

The University is currently divided into five Divisions, each of which is headed by a Vice-President who reports to and serves at the pleasure of the President.

The five Divisions are:

- (i) Academic Affairs,
- (ii) Enrollment Management,
- (iii) Financial Affairs,
- (iv) Institutional Advancement, and
- (v) Student Affairs.

These Faculty Statutes are promulgated in connection with matters involving the Academic Affairs Division.

### Section 1.4. Schools

St. John Fisher University offers undergraduate and graduate programs currently through five Schools: The School of Arts and Sciences, The School of Business, The Ralph C. Wilson, Jr. School of Education, The Wegmans School of Nursing, and The Wegmans School of Pharmacy.

Each School may have its own bylaws, provided such policies and procedures are approved by the School Faculty, the Dean, and the Provost. These bylaws must not conflict with, must be consistent with, and shall at all times be subject to the Faculty Statutes and written University policies, which shall control in the event of any conflicting language. In the event of a perceived conflict, Faculty Council will serve as the deliberative body to resolve the conflict, subject to final approval by the Provost and President (see Section 4.4). A copy of these bylaws is to be kept by the Provost and will be freely available.

The Schools are organized around related curricula or professional certifications. Schools are responsible for maintaining these certifications and accreditations when relevant. Schools are divided into divisions and/or departments that represent various related disciplines at the undergraduate or graduate level and which have faculty who, collectively, have expertise in the disciplines. The Dean of each School is the academic leader and chief administrative officer of the School.

### Section 1.5. Divisions and Departments

Divisions and departments are responsible for the development and management of departmental and program curricula and maintaining professional accreditations when relevant. Divisions, departments, and programs have autonomy consistent with and subject to the Faculty Statutes, the Strategic Plan of the University and of the School, the School policies, Dean oversight, and the educational mission and fiscal stability of the School and

the University.

Divisions and/or departments have Chairs to administer their daily operations and to manage the connection among individual departments and programs and the goals of the School's Dean, the University administration, and the missions of the School and University.

## **Section 2. Academic Administration**

All administrators in this Section serve at the will of the President in their capacity as administrators. Regardless of any term of appointment or concurrent faculty appointment, they may be removed from these positions, and returned to the faculty, if applicable, either by choice or pursuant to the procedures set forth below, or as applicable, in Section 12.4 (Assistant and Associate Deans) and Section 12.5 (Chairs).

### **Section 2.1. Provost**

The Provost is the University's chief academic officer with the responsibilities and duties as set forth in the Bylaws of the Board of Trustees and holds the title of Vice President for Academic Affairs. The Provost has faculty rank, is tenured in a Department of the University, but does not have voting privileges in Faculty Assembly or their School or Department.

Among other duties, the Provost: (a) provides oversight for the development and delivery of the educational curricula and academic policies; (b) approves/disapproves decisions on faculty appointments and oversees tenure and promotion processes; (c) directs allocation of resources to the Schools, the Library, and academic support units within academic affairs division; (d) supports faculty development and student success; and (e) is ultimately responsible for, and oversees, the appointment of the Deans.

The Provost may be removed from this position by the Board of Trustees, following a recommendation from the President and subject to any contractual limitations.

### **Section 2.2. Associate/Assistant Provost**

The Assistant/Associate Provost(s) serves in a senior administrative role and as a direct support to the Provost. At the request of the Provost, the person(s) in the position may also serve in place of the Provost in certain situations. The Assistant/Associate Provost(s) will be tenured in a Department of the University, has faculty rank, but will not have voting privileges in Faculty Assembly or their School or Department.

The Associate/Assistant Provost may be removed by the President, following recommendation from the Provost and subject to any contractual limitations.

### **Section 2.3. School Dean**

The School Dean is a member of the University Administration, is the academic leader and chief administrative officer of a School and reports directly to the Provost for all aspects of the operation of the School. The Dean is responsible for: communicating information

concerning the School's programs and departments to officers of the University and Chairs within the School; linking the work of the department to School and University-wide goals; supporting the overall mission of the University; collaborating with other leaders across campus to identify, plan and implement ways to continuously improve the University; and lead by taking action consistent with the goals of the School, the mission of the University, and established policies and procedures.

The Dean has faculty rank and is tenured in a department but does not have voting privileges in Faculty Assembly or their School or Department. The Dean is expected to perform the duties set out in the hire letter, as well as:

Oversee the administrative aspects of the School, including but not limited to scheduling, course assignments, budget, and personnel.

- (a) Oversee accreditation, curriculum, and/or program review processes and other accountability measures, including student learning outcome assessment. Where evidence exists that student learning is insufficient as determined by assessment plans, the School Dean will identify areas for improvement.
- (b) Report at designated intervals to the Provost and the School's Chairs, Academic Program Directors, faculty, and staff, engaging in and facilitating honest, and open communication.
- (c) Develop and maintain responsive, cooperative, and mutually beneficial relationships with persons within and outside the School in order to strengthen collaborations with other Schools and University departments as well as organizations in the community.
- (d) Support the recruitment and retention of diverse faculty, staff, and students and motivate others to peak performance, promoting the success of all.
- (e) Participate in the evaluation of faculty and staff yearly to document performance, provide feedback, and support the goals of the School and University.
- (f) Evaluate administrative faculty, such as Department Chairs and Academic Program Directors, according to the School's evaluation criteria and processes.
- (g) Develop, control, and manage funds and other assets in a fiscally-responsible and productive manner and in the best interests of the University, the School, the Faculty and the students we serve.
- (h) Recommend and allocate faculty positions in the School for Provost's and President's approval.
- (i) Oversee the development and implementation of the School's strategic plan and apply the School's resources to support the implementation of the University's strategic plan.
- (j) Uphold University policies and processes articulated in the Catalog and supervise faculty in their efforts to do the same.

A Dean may be removed from this position by the Board of Trustees, following recommendations from the Provost and President and consultation with faculty from the affected School as the President and Provost deem appropriate, and subject to any contractual limitations.



## Section 2.4. Associate/Assistant Deans

The Associate Dean is an administrator within a School who reports directly to the School Dean. The Associate Dean holds faculty rank but does not hold voting privileges at the Department, School, or Faculty Assembly while in the position.

The Assistant Dean is an administrator within a School who reports directly to the School Dean. The Assistant Dean may or may not hold faculty rank but does not hold voting privileges at the School or Faculty Assembly while in the position, regardless of whether they have faculty rank.

The duties and responsibilities of Associate and Assistant Deans may vary by school, but will involve a role in maintaining and advancing one or more of the following:

- (a) Instructional activities of the School's faculty, staff, and programs
- (b) Scholarly activities of the School's faculty, staff, and programs
- (c) Service activities of the School's faculty, staff, and programs
- (d) Advising activities of the School's faculty, staff, and programs
- (e) University and School policies and processes, and supporting Faculty in their efforts to do the same
- (f) Assessment activities related to the School's programs

The Associate and Assistant Deans cannot participate in faculty evaluations.

The position description for each Associate and Assistant Dean, including their duties, responsibilities, and the designation of faculty rank, will be shared with faculty and available for review at the request of faculty.

When changes to the position description occur, faculty will be consulted and given the opportunity to provide feedback. When amended, the School Dean will circulate the updated position description to the faculty of the School. The position description will remain on file and will be available, upon request, to all faculty.

Assistant Deans may request faculty status and rank. The process will include review by the relevant department, School Dean, Rank and Tenure Committee, and Provost with recommendations to and approval by the President. Faculty status and rank in these cases will follow guidelines and timetables consistent with all tenure and promotion applications.

An Associate/Assistant Dean may be removed from this position pursuant to Section 12.4.

## Section 2.5. Division/Department Chairs

The Chair, at the undergraduate or graduate level, is a full-time faculty member who is the administrative officer of an instructional unit, such as a division or department. The Chair reports to the School Dean and is responsible for carrying out general supervision and policies of the division or department. The Chair should be guided in their decisions and actions by the mission and Strategic Plan of the University and of the School, if there is one, as well as by the Faculty Statutes and by decisions made by Assembly, School, and divisional or departmental votes. Though Chairs advocate for faculty, they do so in relation

to Faculty Statutes, placing individual faculty and program needs/requests into the context of the entire School and University and working to understand and explain the relationship of all the parts of the university in relation to one another. Additionally, Chairs who supervise staff should be aware of the information in the Employee Handbook.

The Chair is responsible for the following:

- (a) Creating a culture of transparency and trust within the division and/or department, working to understand, explain and implement the priorities of the University and advocating for program, departmental and divisional needs in relation to those priorities, according to the rights and responsibilities set forth for Departments/Divisions in Section 1.5;
- (b) Working with members of the division or department to establish structures that support the work and responsibilities of the division or department. These include scheduling, curriculum and program development, rank and tenure processes, and the hiring process;
- (c) Administrative work, including: correspondences and records, submitting capital requests, approving independent studies, approving requirements or waivers within the majors, etc.;
- (d) In consultation with faculty, the School Dean, and other affected departments, scheduling classes that serve the interests of students. In scheduling classes, chairs should consider the relationship between programs, the need for certain time-blocks to develop adequate student schedules, the needs of students, and the constraints of rooms. Other guidelines should also be considered, including, but not limited to, equity and relevant personal situations of faculty members and academic and professional demands to maintain faculty qualifications;
- (e) Assignment of responsibility for academic advisement of students enrolled in programs in a way that is fair and equitable to all within the division or department. Chairs should work to assure that all faculty can effectively advise about general education requirements as well as those in the programs within the division or department;
- (f) Overseeing the hiring and orientation of adjunct faculty and staff in conjunction with the School Dean, when necessary;
- (g) Organizing and managing searches for candidates for full-time faculty positions (see Section 7.6 and 7.7);
- (h) Evaluation of full-time and adjunct faculty, and other department staff who report to the Chair;
- (i) Organizing the mentorship of faculty;
- (j) Assessment and revision of the curriculum, including, in consultation with faculty and administration;
- (k) Facilitating discussions about new program developments in divisions and departments and submitting program proposals and programmatic changes according to School policies (as applicable) and University procedure;
- (l) Conducting and scheduling division/department meetings;
- (m) Arranging division or department representation at required events including recruitment events (such as Open House);
- (n) Communication of division and/or department issues, initiatives, concerns, and

personnel issues to the School Dean, as well as communicating regularly with division, department and School faculty and staff;

- (o) Preparation, management, and submission to the School Dean of budget requests for programs or for the division or department;
- (p) Accreditation or program review processes for programs in the division or department, in conjunction with the faculty in the program;
- (q) Updating appropriate websites and catalogs;
- (r) Upholding School policies and processes articulated in the Catalog, and supervising faculty to assure compliance with these policies and processes.

It is, furthermore, our expectation that department chairs will:

- (a) value and practice equity and fair treatment in all interactions and decisions pertaining to persons and programs within the division or department;
- (b) work collaboratively with faculty across all programs in the division or department as well as with chairs of other departments;
- (c) cultivate a professional and productive relationship with the Dean (and Dean's Office) based on mutual respect and clear lines of communication;
- (d) promote and lead innovation and advancement within the department or program's curricula, pedagogy, and scholarship;
- (e) practice transparency regarding matters germane to the division or department that promotes trust, confidence, and the active participation of all within the division or department;
- (f) recognize the essential role of a Chair for safeguarding the integrity of shared governance as well as encouraging colleagues to participate in School and University activities, including governance, on a regular and consistent basis;
- (g) keeping confidential and HR files and information secure.

A Chair may be removed from this position pursuant to Section 12.5.

## Section 2.6. Other Academic Administration

Undergraduate and Graduate Program Directors: Program Directors are full-time faculty members who serve as the academic and intellectual leaders of an interdisciplinary program or minor. Program Directors are typically elected by relevant faculty for a term of three years and recommended for appointment by the Dean; alternately, they may be hired into the position. Elections will be conducted by the Elections Committee. As the academic and intellectual leader, their duties may include designing and assessing program curricula, recruiting, and advising students, convening an advisory board, and organizing events. Unlike Chairs, Program Directors will not hire faculty; however, they will collaborate with the Chair(s) and Dean to recommend faculty to teach in the program and to determine a schedule of classes. The full range of duties for each Program Director will be determined at the point of hire or election and will be specified in individual contracts. If there is a conflict between the recommendations of a Program Director and one or more Chairs, the Dean is responsible for resolving the conflict. Specifics about selection and evaluation of Program Directors are decided according to School or University policies.

Site Director: The Site Director oversees the day-to-day activities of an off-campus site of an existing program in an area off campus. They work under the direction of the

Department Chair and may assist them with administrative duties at the site, although the ultimate responsibility for faculty evaluation, scheduling, budgeting, and hiring for the off-campus program is the duty of the Department Chair.

Special Cases: In some cases, a School may have a specialized organizational structure necessitating position titles required by that School's accrediting body or for other reasons specific to department, school, or discipline. In these cases, the Dean of that School may deviate from the administrative structure set out in these Faculty Statutes in order to meet those reasons, but only after discussion with School faculty, notification to Faculty Council, and approval by the Provost.

Persons holding the positions in this Section may be removed from such position by the Provost, following a recommendation from the Dean, and after consultation with any affected Departments, unless confidentiality concerns prohibit such consultation, and subject to any contractual limitations.

### **Section 3. Faculty Assembly**

The Board of Trustees recognizes that University governance is enhanced by the contributions of faculty who organize their work through elected and representative bodies. Through their expertise and sustained commitment to the institution, faculty contribute valuable insight, feedback, and recommendations on a variety of issues and matters of importance.

#### **Section 3.1. Faculty Assembly**

The general forum for the expression of faculty views at St. John Fisher University is the Faculty Assembly. The Faculty Assembly ensures open discussion of academic and professional matters by the faculty. Its guidelines and procedures are guided by Roberts Rules of Order and are arranged to allow for wide participation in governance. Faculty Assembly's primary responsibility is to make recommendations regarding educational policies and procedures, changes or additions to the curriculum, and certain personnel actions (through the Rank and Tenure Committee or as otherwise set forth herein) to the Provost and the President, who then decide which such recommendations are forwarded to the Academic and Faculty Affairs Committee of the Board of Trustees or directly to the Board of Trustees for consideration for approval. Faculty Assembly's work related to academic matters is appropriately discussed during meetings of the Academic and Faculty Affairs Committee of the Board of Trustees.

Faculty Assembly is also the forum for the faculty to engage in discussion with the administration about matters of importance to the University as a whole, to hear reports from administrative offices, and to share ideas and feedback about the overall work of the University.

The Faculty Assembly is a continuing body that meets throughout the academic year. While meetings can be held during the summer and in intersession, the Faculty Council will serve on behalf of the faculty and Faculty Assembly during intersession and June, July, and August (see Section 4.4). The Faculty Assembly will convene each fall and spring semester

in at least two sessions of one or more meetings, the first Session to begin near the opening and the second near the middle of the semester. Each session will continue in subsequent meetings, normally at two-week intervals, until its business is concluded. The Faculty Council will set the dates for regular sessions and meetings of the Faculty Assembly. The Chair of Faculty Assembly or the Faculty Council may also call for a meeting of the Faculty Assembly to be designated as an Executive Session, which is closed to non-voting members of the Assembly (see Section 3.2) and the general campus community, except for those individuals explicitly invited to attend and participate in such sessions. The Provost is normally included in this Executive Session, unless Faculty Council or the Chair of Faculty Assembly requests from the President that the Provost not attend.

### Section 3.2. Membership and Voting Rights

To facilitate the discussion of academic and professional matters, voting members of the Faculty Assembly at St. John Fisher University include: full-time teaching faculty (defined in Section 6); adjunct faculty (see Section 7.3) currently teaching credit courses and who have completed at least six semesters of service at St. John Fisher University in the previous four years; and emeritus faculty. Clinical instructors (see Section 7.4) will not have voting rights. An annual list of eligible adjunct and emeritus faculty will be certified by the Faculty Council and the Provost. Librarians and the SGA President (or designee from the executive board of the SGA) are considered voting members of the Faculty Assembly.

The President, the Vice Presidents, the Provost, Associate and Assistant Provosts, School Deans, Associate and Assistant Deans, the Registrar, the Director of Higher Education Opportunity Program, the Director of Institutional Research, and staff who concurrently hold faculty appointments are members of Faculty Assembly without voting privileges.

### Section 3.3. Procedures for Faculty Assembly Meetings

- (a) Quorum: A quorum of the Faculty Assembly is achieved by having at least two of the three non-honorary officers of the Faculty Assembly present as well as Delegates (as defined in Section 3.4) of at least two-thirds of the departments. All members in attendance retain their full privileges to speak and vote.
- (b) Participation by Electronic Means: Eligible faculty members who are required to be off campus during the time of the Faculty Assembly meeting may participate in Faculty Assembly remotely and are considered present if they do so.
- (c) Meeting Rules of Order: Meetings of the Faculty Assembly will follow the most recently published version of Robert's Rules of Order. The Vice Chair of Assembly, acting as the Parliamentarian, will interpret Robert's Rules, if needed. Any deviation from Robert's Rules during an Assembly meeting must be proposed, seconded, and approved by a  $\frac{2}{3}$  vote of those present.
- (d) Agenda: The agenda for the meeting of the Faculty Assembly will be composed of reports collected from the President of the University, the Chair of the Faculty Council, and from all standing committees, as well as all items needing faculty consideration and approval. In addition, any member of the Faculty Assembly may request in writing to have items placed on the agenda under New Business. The President of the Student Government Association may submit to the Chair of the

Faculty Assembly a written list of items pertinent to the student body, for consideration by the Faculty Assembly.

The Chair of the Faculty Assembly will draft the agenda. At least seven calendar days before each regularly scheduled meeting, the Chair of each Faculty Assembly committee will submit in writing a report of committee activities, including a report of no action, with all motions and supporting documents to be brought before the Faculty Assembly. At least three calendar days before the meeting, the Secretary will distribute the agenda, with these reports, motions, and supporting documents to all Faculty Assembly members.

In case an agenda is not published for any given meeting, the agenda will be considered as follows:

1. Approval of agenda
2. Approval of minutes
3. Announcements and correspondence
4. Reports and Correspondence from Administration
5. Report from Faculty Council
6. Amendments
7. Reports from committees
8. Proposals for new or modified programs
9. Proposed resolutions
10. Other reports
11. Unfinished business
12. New business
13. Constituent questions
14. Adjournment

### Section 3.4. Delegates to Faculty Assembly

Delegates to the Faculty Assembly will represent departments that have at least one full-time faculty member devoted exclusively to them. Final certification of whether a body qualifies for delegate representation will be made by the Faculty Council.

- (a) Selection of Delegates: At the beginning of each academic year the secretary of the Faculty Assembly will compile a roster of departments eligible for delegate representation that will be used for determining quorums for that year's meetings of the Faculty Assembly. Each eligible body will select one primary delegate and one alternate delegate and provide their names to the secretary of the Faculty Assembly. Each delegate or alternate can represent only one department.

If at a point in the academic year the delegate and/or alternate are unable to fulfill their duties, they shall inform the Faculty Assembly Chair, and respective department. The Faculty Assembly Chair will request that the department select one new primary delegate and/or one new alternate delegate and provide their names to the secretary of the Faculty Assembly

- (b) Duties of Delegates: The Faculty Assembly delegates are to attend all Faculty

Assembly meetings; a schedule will be published at the beginning of each semester. Delegates who cannot attend a given meeting will inform their alternates, who should attend in their stead. The purpose of having delegates is to ensure quorum and communication with all departments. Delegates shall have no authority beyond their individual vote as a faculty member.

At the meetings, delegates (or alternates) will sign in with the Faculty Secretary, so that a count of delegates present can be easily taken. Since the delegates (or alternates) have agreed to serve in this capacity, their attendance will be part of the Faculty Assembly record.

In cases where the Delegate and Alternate are absent, the Department Chair can serve as an ex officio Delegate.

### Section 3.5. Procedures for Motions/Resolutions

The Faculty Assembly may approve, reject, modify, or refer back to its source any motion presented to it. Motions recommending the creation, reorganization, or dissolution of academic programs must be submitted to the Faculty Assembly by Graduate Program Council or the Curriculum and Instruction Committee or the Administration. Academic programs include but are not limited to majors, minors, and credit-bearing certificates.

Motions recommending the creation, reorganization, or dissolution of academic departments must be submitted to the Faculty Assembly by the Dean of that school. Motions recommending the creation, reorganization, or dissolution of any school must be submitted as a resolution to the Faculty Assembly by the appropriate administrators. Both types of motions are then submitted to Faculty Assembly for faculty review and recommendation back to the Dean, and the Provost, who may make recommendation to the President. Such motions can be introduced at one meeting of the body but cannot be voted on until the next meeting.

Notice of motions concerning educational policy will be circulated to the faculty at least three calendar days prior to the scheduled meeting of the Faculty Assembly at which they are to be considered. This requirement of early notice may be waived by a two-thirds majority of the delegates in attendance. Motions not concerning the creation, reorganization, or dissolution of programs, departments, or schools may be submitted by any faculty member with voting privileges, or any faculty committee, standing or otherwise, to the Faculty Assembly for consideration. These motions may be submitted in advance, or from the floor.

All motions must be approved by the Faculty Assembly before they are forwarded as resolutions to the President. It will be the responsibility of the presiding officer of the Faculty Assembly when the resolution is passed, in cooperation with other elected officers of the Faculty Assembly, to ensure that copies of the resolution are transmitted to the President of the University and the appropriate Vice President most concerned with the subject for consideration and action.

The President of the University, acting as President or for the appropriate administrative

officer, will review the resolutions presented by the Assembly Chair and respond with a determination on the resolution (and, if applicable, plans for implementation) to the Chair of the Faculty Assembly as well as the offices charged with implementation, within a reasonably appropriate time frame after receiving the resolution. If the response will take more than sixty (60) days, the President will provide a status update to the Assembly Chair at the end of the sixty-day period. The President may request more information from Faculty Assembly, Deans, the Provost, Vice Presidents, or others, including the Board of Trustees or Board leadership if the President deems it appropriate. The President may, among other determinations, approve the resolution, reject with suggestions for resubmission, request more information as noted above, reject the resolution, or refer it to the Board of Trustees for disposition. Elected officers of the Faculty Assembly will report back to the body at the next meeting of the Faculty Assembly on actions taken, or lack thereof, in response to resolutions. For those resolutions that are required under their By-laws to be approved by Board of Trustee action, if the resolution passed by the Faculty Assembly is not forwarded by the President to the Board of Trustees for consideration and approval, the President will explain the reasons to the Faculty Assembly as soon as the Faculty Assembly agenda and President's schedule will allow. Faculty Assembly reserves the right to request a written explanation.

In the event that the President's response to a resolution includes changes, no further action will be taken on such changes until they have been reviewed by the Assembly. Should the Faculty Assembly reject those changes, and should the President still want to proceed, the President will provide detailed reasons for doing so to the Faculty Assembly.

If the Faculty Assembly rejects a motion by the administration to create, reorganize or dissolve a new program, department, or school, the President may refer it back to the Faculty Assembly a second time for further consideration, addressing Faculty Assembly's concerns. Should the Faculty Assembly reject that motion a second time, and should the President still want to proceed, the motion may be presented to the Board of Trustees only after the President has provided detailed reasons for doing so to the Faculty Assembly.

### Section 3.6. Procedure to Amend Faculty Statutes

Amendments to the Faculty Statutes may be proposed by any University administrator, full-time member of the faculty, or committee of the faculty at any meeting of the Faculty Assembly. Amendments proposed by committees will be submitted separately from their report. Such amendments will be written and be placed under "Amendments" on the agenda.

For the next meeting, such motions will then be placed on the Faculty Assembly's agenda under "Unfinished Business" where they may then be debated and acted upon. To be approved for recommendation to the President and ultimately to the Board of Trustees for approval or rejection, such motions need a simple majority of voting Faculty Assembly members present. At all times, only the Board, in its discretion, is ultimately authorized to amend or revise the Faculty Statutes and can on its own initiative introduce and approve amendments and revisions. Nevertheless, any such amendments or revisions shall first be referred to Faculty Assembly.



### Section 3.7. Interpretation of Faculty Statutes

In the event there is a disagreement among faculty members and/or administrators as to any ambiguity in the Faculty Statutes or should an issue of faculty governance arise on which these Statutes are silent, Faculty Council shall provide recommendation as to the correct interpretation. Although the President reserves the right and has authority to make the final interpretation of any ambiguity, the President will endeavor to defer to Faculty Council. If the President does not agree with Faculty Council's interpretation, the reasons will be provided in writing to Faculty Council and reported to Faculty Assembly. The President's decision will be final.

### Section 3.8. Officers of the Faculty Assembly

The Officers of the Faculty Assembly include the Chair, the Vice Chair, the Secretary, and the Honorary Chair of the Assembly. Elections for these officers take place in the spring semester (see Section 4.2) in the last semester of the current officer's term of duty. The President of the University will be the Honorary Chair of the Faculty Assembly, but the duties and powers of this position will regularly be exercised by the Chair of the Faculty Assembly. If the Chair is unable to perform the duties, the duties will be performed by the Vice Chair. If the Vice Chair is also unable to perform the duties, the duties will be performed by the Chair of the Faculty Council.

The Chair of the Faculty Assembly will be elected from the full-time teaching faculty by the Faculty Assembly for a term of two academic years. The term of the new Chair will begin on the next September 1 or at the beginning of the next academic year, whichever comes first. The Chair may be re-elected. A vacancy during the Chair's term of office will be filled by an election at the next meeting of the Faculty Assembly, and the Chair so elected will serve for the remainder of that the original term of office.

The Vice Chair of Faculty Assembly will be nominated by the faculty and elected at the last faculty meeting of the year and will serve for a term of two academic years. The Vice Chair may be re-elected. The election of Chair and Vice Chair will take place in alternating years. The Vice Chair serves as the parliamentarian at Faculty Assembly meetings. As such, the Vice Chair is to be a resource to the Chair and assist in the conduct of the meeting. The Vice Chair will sit adjacent to the Chair and unobtrusively give the Chair help, guidance, and support during the meetings. The Chair can and should consult with the Vice Chair when not certain on how to rule on a question or proceed in the circumstances.

The Secretary (or Secretaries) will be nominated from the faculty and elected by the faculty at the last faculty meeting of the year and will serve for the next academic year. The Secretary (or Secretaries) may be re-elected. The Secretary (or Secretaries) will circulate the agenda as specified in Section 3.3, will be responsible for recording the minutes of each meeting of the Faculty Assembly, and will distribute the minutes no later than one month following each meeting.

Any elected officer of Faculty Assembly may be removed by using the same process for removing chairs of committees (see Section 4.3).

## **Section 4. Committees of Faculty Assembly**

### **Section 4.1. Role of Committees**

The business of the Faculty Assembly is delegated to the various Faculty Committees. These Faculty Committees are either standing or ad hoc. Their members may be elected or appointed. The method of election or appointment for each standing committee will be in accordance with the guidelines enumerated in Section 4.4. The formation of ad hoc committees is enumerated in Section 4.5. Committees of the Faculty Assembly will have such particular duties as are specifically assigned to them; in no case will committees of the Faculty Assembly have the power or authority to bind the Faculty Assembly.

The roles and responsibilities of committees of the Faculty Assembly may affect multiple sections of the Faculty Statutes. Modifications to committees require careful review of the entire statutes to ensure continuity and to prevent undesired effects.

The Faculty Assembly may appoint additional standing committees. Such committees will be chaired by a faculty member and consist of additional members, which may include faculty members, Emeritus faculty, students, and staff, with skills and experience needed on the particular committee.

The name, minimum membership requirement, voting privileges, and charge of each standing committee are outlined in Section 4.4. Each committee will have a Chair, who will be a faculty member, and may have a Vice Chair. The membership of each committee should include broad faculty representation.

All committees will meet as often as their members deem necessary to meet their responsibilities, at least once per semester. Minutes will be reported to Faculty Assembly at least once per session of the Faculty Assembly.

Faculty representatives who serve on Board of Trustee Committees will be elected by the Faculty Assembly for two years on a staggered basis or will serve by virtue of their official role in Faculty governance or will be selected according to the bylaws of the Board of Trustees, if applicable.

### **Section 4.2. Election Procedures for Committee Members**

By February 1 of each academic year, the Provost will submit a list of teaching faculty eligible for one or more election categories to the Chair of the Elections Committee.

By February 15 of each academic year, the Elections Committee will provide the faculty with a master list, reporting for each committee: the present membership, the positions to be filled, and the qualifications of faculty members eligible to fill them.

For at least five calendar days after receipt of the elections master list, members of the faculty may submit electronic nominations to the Elections Committee. These nominations will include the names of the nominator and the seconder, and the name of the committee for which he or she is nominated. The Elections Committee will confirm that the nominee

accepts the nomination and request a rationale and list of experiences relevant to the position in writing. The Elections Committee will include candidates' written statements on the electronic elections ballot.

Once the list of nominees is acquired, an electronic voting platform will be set up by the Elections Committee. The voting window will be open for 72 hours.

To be deemed elected, a nominee must receive the plurality of the votes and at least 30% of the ballots cast. If no candidate receives 30% of the ballots cast, the two individuals with the most votes will partake in a runoff election.

The number of elections for any given committee will equal the number of positions to be filled. There will be a separate election for each position.

Whenever a vacancy develops on an elected standing or ad hoc committee, the Elections Committee will conduct a special election, either electronically or at a meeting of the Faculty Assembly, following the same procedures as regular elections (see Section 4.3).

### Section 4.3. General Regulations Affecting Elected Standing Committees

The right to be elected to Faculty Assembly standing committees belong to the full-time and adjunct faculty with voting privileges, except where otherwise stated.

No faculty member may serve as Chair of more than one elected standing committee. No faculty member may serve on more than two standing committees. Elected members may be re-elected when their term expires, unless prohibited by term limits for the committee (see Section 4.4).

Except for the Grievance Committee (see Section 4.4(h)), the terms of service for all newly elected committee members will begin on September 1. All terms are for a number of full years, including summers; terms that begin on September 1 would not expire until the end of August of the final year of the term. All committees will hold an organizational meeting of new and continuing members before the end of the spring semester to elect a Chair. All continuing members of the committee and all members whose terms of service begin on September 1 are entitled to vote for the committee Chair for the upcoming year.

A quorum of each committee will be a majority of the voting members.

In the case that an elected member is unable to fulfill their duties, or a mid-term vacancy occurs for any reason, a special election to fill the vacancy will be conducted by the Elections Committee. Such elections will take place as soon as possible after the vacancy occurs, either electronically or at the next meeting of the Faculty Assembly, whichever is more expeditious. The person elected to fill the vacancy will serve only for the remainder of the term. A faculty member on sabbatical leave or on leave of absence from the University for more than one semester is considered ipso facto to have resigned their membership on elected standing committees. In the event of any temporary vacancy of one semester or less due to sabbatical or other leave of absence, a member is permitted to retain their committee seat(s); if a member chooses to temporarily vacate their seat(s), Faculty

Assembly will elect an interim replacement based upon the requirements of the position. If the original faculty member's leave is extended, the replacement may choose to continue serving, or another replacement will be elected.

An elected member may be recalled by means of a petition signed by one-third of the members of the full-time teaching faculty and then a three-fifths majority vote of the full-time teaching faculty taken by secret ballot. Recall elections will be overseen by Faculty Council.

Committees are required to submit their reports to the Secretary of Faculty Assembly, including any motions they intend to present at the next meeting, at least one week before the meeting. If a committee desires to bring new business forward after their report has been submitted, they may propose to amend the agenda from the floor of the Assembly.

No student may serve on more than one elected standing committee at one time.

All committees must place the minutes of their meetings and other relevant documents online for at least seven years. Those documents that do not contain confidential information are to be accessible by faculty.

All committees have the authority to form subcommittees of their membership to investigate matters under their purview, as necessary.

## Section 4.4. Standing Committees and Councils

For the purposes of determining the composition of committees, the following should be understood as applicable to all Standing Committees:

In Arts and Sciences, there are three units defined this way:

1. Sciences and Mathematics = Division of Natural Sciences and Division of Life Sciences
2. Social Sciences = Division of Social Sciences and Division of Behavioral Sciences
3. Humanities = Division of Humanities and Division of Communication, Literature, and the Arts

(a) Academic Resources Committee

Duties and Responsibilities: The Academic Resources Committee (ARC) will provide recommendation as an advisory body to administration regarding matters of personnel, enrollment, and budget. Working from agreed upon principles, guidelines and data points, the committee will review information and plans and make both short-term and long-term recommendations regarding priorities for academic resources, including faculty lines (tenure track, conversion, and term), academic support staff, instructional facilities, and instructional technology. Recommendations will be guided by the values embodied in our institutional mission and the goals of the strategic plan and will be informed by relevant data. The Committee will make recommendations to the

Provost and CFO and report on its activities and recommendations to the Faculty Assembly. The ARC chair or designee will be invited to institutional budget planning and retreat activities.

Number of Members: Nine.

Composition: Seven elected faculty members, one each from the Schools of Business, Education, Nursing, and Pharmacy, and three from the School of Arts and Sciences (one from each of the three School of Arts and Sciences divisions) and both the Provost and CFO as ex- officio members.

Voting Privileges: All elected faculty members.

Chair and Vice Chair: To be elected from the committee for a term of one year with the possibility of re-election.

Term of Service: Staggered three-year terms.

Election: Faculty members will be elected by secret ballot.

Meetings: Meetings of the Academic Resources Committee will be open to all members of the faculty of the University, except for those Executive Sessions that the Committee will judge by a two-thirds majority vote of its members to involve matters too sensitive to be discussed openly.

(b) Academic Standing Committee

Duties and Responsibilities: This Committee will: (1) review the academic standing of undergraduate students; this will be reassessed after any changes to the academic record occur; (2) hear student appeals regarding registration activity and deadlines, exemptions from academic policies, and re-admittance after academic dismissal; (3) actively review University policy for academic standing, academic honors, graduation, grading and other academic policies, and bring forth recommended changes to Faculty Assembly when appropriate; (4) oversee policies and processes related to the evaluation of transfer credits; and (5) provide a report to Faculty Assembly once a semester with quantitative data pertaining to appeals, academic standing, and academic honors. Recommendations regarding student standing will be sent to the Provost's office to implement. The Provost will report back to the committee regarding the implementation.

Number of Members: Eleven.

Composition: Seven elected faculty members: one each from the School of Business, Education, Nursing, Pharmacy, and three faculty members from Arts and Sciences (one from each of the three School divisions). Additional members include: the Provost (or designee), the Registrar (or designee), and two advisors from the Center for Career and Academic Planning.

Voting Privilege: All elected faculty members (7), the Provost or Provost's designee (1), the Registrar (or designee) (1), and the senior or present member of the Center for Academic Advising and Support Services (1).

Chair and Vice Chair: To be elected by and from the faculty members of the Committee for a term of one year. The Chair and Vice Chair may be re-elected.

Terms of Service: Staggered three-year terms with the possibility of re-election.

Election: Each elected member will be elected by a secret ballot and by a simple majority vote of each division or School.

Meetings: Closed

(c) Curriculum and Instruction Committee

Duties and Responsibilities: Changes to undergraduate curriculum proposed by faculty, departments, programs, or administration, must be reviewed and approved by the committee. The committee will review, by exploring structure, content, and balance, proposals for adding, expanding, discontinuing, or modifying undergraduate programs, or the delivery of programs, that impact degree completion. In addition, the committee will review and recommend academic policies pertaining to undergraduate education. The level of review undertaken (exempt, expedited, or full) is based on whether a proposal affects/modifies the requirements of a single department or more than one department or the University as a whole. The committee's recommendations will be subject to the approval of the Faculty Assembly with new programs being subject to a vote by Faculty Assembly.

Number of Members: Fourteen.

Composition: Elected faculty members, one each from the Schools of Business, Education, Nursing, and Pharmacy, four from the School of Arts and Sciences (one from each of the divisions and one at-large), and two tenured, at-large faculty. Additional members: the Provost (or designee), the Library Director (or designee), the Registrar (or designee), and the Associate Registrar.

Voting Privileges: All elected faculty members.

Chair and Vice Chair: To be elected by and from the faculty members of the committee for a term of one year. The Chair and Vice Chair may be re-elected.

Term of Service: Faculty, staggered three-year terms with the possibility of re-election.

Election: Each elected faculty member will be elected by secret ballot and by a simple majority vote of each division or School, as appropriate. Each at-large faculty member will be elected by Faculty Assembly as a whole.

Meetings: Open to members of the Faculty Assembly.

(d) Elections Committee

Duties and Responsibilities: To prepare, supervise, and conduct department, school, and University-wide faculty elections, and others, according to the procedures outlined in Section 4.2 and elsewhere.

Number of Members: Four.

Composition: Members will be elected from the faculty at large. Voting Privileges: All elected faculty members.

Chair: The members of the committee will elect their own Chair from among themselves. The Chair may be re-elected.

Term of Service: Three years on a staggered basis. Members may be re-elected.

Election: Faculty members will be elected by secret ballot. Meetings: Open to all members of Faculty Assembly.

(e) Faculty Council

Duties and responsibilities: The Faculty Council will be the executive body of the faculty of St. John Fisher University for matters of statutory and policy review. Faculty Council serves as the liaison between the Faculty at-large and the Administration. Faculty Council will also serve to act on behalf of the faculty and Faculty Assembly during intersession and June, July, and August. During intersession and summer months, Faculty Council will share information and consult with relevant committees.

Procedural Outline: At each meeting of the Faculty Assembly, the Faculty Council will submit for approval by the Faculty Assembly all actions taken since the previous Faculty meeting. This report will be given first among the reports of faculty committees.

Faculty Council will set, as early as practicable, the dates for regular meetings of the Faculty Assembly.

Faculty Council or the President of the University may convene additional meetings of the faculty whenever the need will arise. The faculty may request that the Faculty Council convene a Faculty Assembly meeting by submitting a written petition signed by at least one-fourth of faculty eligible to vote (see Section 3.2). Upon receipt of this petition, the Chair of the Council, acting for the Council, will convene a meeting of the Faculty Assembly.

When necessary, Council will request the standing committee Chairs to be present at meetings, pertinent to their charge.

Except for Executive Sessions, and special meetings called to consider emergency situations, members of the Faculty Assembly will be furnished with three calendar days' notice of the date, time, and place of each meeting of the Faculty Council together with an agenda for that meeting.

Faculty Council will be responsible for addressing issues for which there is not a current policy, where an ambiguity or omission in the Faculty Statutes exists, or an alleged deviation from the Faculty Statutes has occurred. Ambiguity or omissions in the Faculty Statutes will be addressed as stated in Section 3.7. In instances of alleged deviation from the Faculty Statutes, Faculty Council will investigate and address whether a deviation has occurred. When a deviation from Department or School policy has occurred, the resolution of Faculty Council will be binding, subject to concurrence by the Provost. When a deviation from University-level policy has occurred, Faculty Council will make a recommendation to the Provost and President.

Faculty Council will coordinate with the Provost and the President to find solutions when disagreements over Faculty Statutes arise and work to amend statutory language as needed as stated in Sections 3.6 and 3.7.

Faculty Council will meet at least once a semester with the President to discuss issues relevant to the University.

The Chair of Faculty Council is expected to communicate and collaborate with the Chair of Faculty Assembly as well as Chairs of other standing committees one time per semester.

Faculty Council shall have the responsibilities and authority as may otherwise be specifically set forth elsewhere in these Faculty Statutes.

Number of Members: Twelve.

Composition: There may not be more than one representative per academic department or program.

Group 1: Five elected faculty members (one from each School)

Group 2: Two elected faculty from the ranks of full-time term or tenure-track faculty at the time of election.

Group 3: Two elected tenured faculty

Group 4: The President of the University (or representative), The Provost and the Chair of Faculty Assembly.

Voting Privilege: Members of groups 1, 2, and 3.

Chair and Vice Chair: The Chair and Vice Chair will be elected by secret ballot of



the Council for a term of one year. The Chair may be re-elected for no more than one successive term.

Term of Service: Elected members will have a term of three years. Election of members in Groups 2 and 3 must be staggered, so that both members of one group are not elected in the same year. Members may be re-elected.

Election: By secret ballot of the faculty members of the Faculty Assembly.

Meetings: Meetings of the Faculty Council will be open to all members of the faculty of the University, except for those Executive Sessions that the Council will judge by a two-thirds majority vote of its members to involve matters too sensitive to be discussed openly.

(f) Faculty Welfare Committee

Duties and Responsibilities: The committee will review and investigate concerns and make recommendations relevant to the working conditions and compensation of full-time and adjunct faculty, and benefits to retired faculty. The duties of this committee include: Drafting the annual faculty raise recommendation based on industry standards, reviewing compensation guidelines to evaluate St. John Fisher University compensation practices and addressing faculty concerns regarding the working environment of the University.

Number of Members: Fourteen.

Composition: Ten elected faculty members: one each from Business, Education, Nursing, and Pharmacy, four from Arts and Sciences (one from each division and one at-large), one faculty member in retirement or on the Bridge to Retirement, and one adjunct member of the faculty. Additional members: the Provost (or designee), the Vice President for Financial Affairs, the Director of Human Resources, and a representative from Staff Council.

Voting Privilege: All elected faculty members.

Qualifications: Elected members must be qualified pursuant to Section 3.2 as having voting rights.

Chair and Vice Chair: The committee will elect a Chair and Vice Chair from among its voting members for a term of one year. The Chair and Vice Chair may be re-elected.

Term of Service: Elected faculty members will serve staggered three-year terms with the possibility of re-election.

Election: Each elected faculty member will be elected by a secret ballot and by a simple majority vote of each division or School, as appropriate; the faculty member in retirement or on the Bridge to Retirement and the part-time faculty

member will be elected by the Faculty Assembly as a whole.

Meetings: Closed

(g) Graduate Program Council

Duties and Responsibilities: The Graduate Program Council will meet regularly to oversee all graduate programs and support services. The Council will establish and review curriculum and degree requirements, admission and academic standards, and academic policy, including grading practices and procedures, for graduate programs. The Council must approve all new programs and all changes in these requirements and policies including the discontinuation of programs. The level of review undertaken either exempt, expedited, or full, is based on whether a proposal impacts/modifies the requirements of a single department or more than one department or the University as a whole. All proposals having broad academic impact on the University must be submitted as motions to the Faculty Assembly.

Number of Members: Variable.

Composition: The Provost or designee; the Deans of the various Schools (or their designees); the Chair (or designee) from each graduate program or department, a representative of the Curriculum and Instruction Committee; one representative elected at-large from the Faculty Assembly who will have taught at least one graduate course in four semesters during the previous two years (summer semesters included); VP of Enrollment Management (or designee), the Registrar (or designee), Library Director, and Director of OIT (or their designees); and at the Council's discretion, up to three students.

Voting Privileges: Faculty members of the committee.

Chair and Vice Chair: To be elected by and from the faculty members of the committee for a term of one year. The Chair and Vice Chair may be re-elected one time only.

Term of Service: For elected faculty, three-year term with the possibility of re-election. Election: By secret ballot of faculty members of the Faculty Assembly.

Meetings: Open to all members of Faculty Assembly.

(h) Grievance Committee

Duties and Responsibilities: This Committee will review faculty grievances and make recommendations following the procedures listed in Section 11.

Number of Members: Five.

Composition: One tenured member elected from each of the five Schools.

Voting Privileges: All elected faculty members.

Chair and Vice Chair: To be elected from the committee for a term or one year with the possibility of re-election.

Term of Service: Staggered five-year terms with the possibility of re-election. The term will begin on September 1, or after all active grievances have concluded.

Election: Faculty members will be elected by secret ballot. Meetings: Closed.

(i) Library Committee

Duties and Responsibilities: This committee will work with the Director of the Library and designated staff members to help in formulating general policy related to the Library, advocate for the Library, and communicate library issues to their Schools. The Library Committee will also support scholarship on campus by planning and coordinating the annual Fisher Showcase in the spring.

Number of Members: Variable (minimum six).

Composition: The Director of the Library (ex-officio) and five elected faculty members: one from each School.

Additional optional members: one graduate student; one online student; one undergraduate student.

Voting Privilege: All elected and student (if applicable) members of the committee.

Chair: A faculty member, to be elected by all members of the committee. The Chair may be re-elected and serve for a maximum of two consecutive years.

Vice Chair: A faculty member, to be elected by all members of the committee. The Vice-Chair may be re-elected and will succeed the current Chair when the Chair steps down.

Term of Service: Three years, on a staggered basis. Members may be re-elected.

Election: Faculty members will be elected by secret ballot.

Meetings: Open to all members of Faculty Assembly.

(j) Rank and Tenure Committee

Duties and Responsibilities: The committee will regularly evaluate and recommend candidates for promotion and/or for the granting of tenure through the application of the criteria that govern eligibility for promotion and tenure (see Section 9.2).

The committee is responsible for maintaining and updating the Rank and Tenure

Toolkit which provides additional details regarding the requirements and expectations for tenure and promotion outlined in Section 8 as well as provides examples of how candidates may effectively document their work in teaching, service, and scholarship. Any changes to this toolkit must be brought forward from the committee to the Faculty Assembly following the same Faculty approval process used for approving changes to the Faculty Statutes (see Section 3.6); these changes do not need approval of the Board of Trustees. When substantive changes occur, the committee will evaluate candidates based on the information available to those candidates at their mid-probationary review process.

Number of Members: Eight.

Composition: The Provost and seven elected tenured faculty members; one each from each of the University's five Schools, with no two members coming from the same department and two at-large positions. One of the at-large positions must hold the rank of full professor.

Voting Privilege: All members except the Provost.

Chair: To be elected by and from its elected membership for a term of one year. The Chair may be re-elected.

Term of Service: For elected members, four years on a staggered basis. Members may serve a second consecutive term.

Election: By secret ballot of all voting members of the Faculty Assembly.

Meetings: Closed

(k) Travel and Grants Committee

Duties and Responsibilities: The committee will work to support faculty scholarship through the stewardship of the Faculty Development Fund. The committee will solicit and evaluate proposals for annual Faculty Development Grants and execute regular calls for Supplemental Travel Requests to support individual faculty (and librarian) scholarship through travel to scholarly meetings, ideally to present faculty (and librarian) scholarly works. Through that process, the committee will generate recommendations to the Provost for the funding of these scholarly endeavors. The committee will also solicit and review information on the outcomes of the Faculty Development Grants.

Number of Members: Seven.

Composition: Seven elected faculty members, one each from Business, Education, Nursing, Pharmacy, and three from Arts and Sciences (one from each of the divisions).

Voting Privilege: All members.

Chair: To be elected by and from the faculty members of the committee for a term of one year. The Chair may be re-elected.

Terms of Service: Staggered three-year terms with the possibility of re- election.

Election: By secret ballot of the faculty members of the Faculty Assembly.

Meetings: Funding decision meetings are closed. Procedures meetings are open to all members of the Faculty Assembly.

## Section 4.5. Procedures for the Creation of Ad Hoc Committees

The faculty or administration may desire the investigation of matters or completion of tasks that are beyond the authority or capacity of existing standing committees. In that case, any faculty member, standing committee, or administrator may propose the formation of an ad hoc committee. The proposal for an ad hoc committee must be presented to Faculty Assembly for consideration, and include the following: (a) a description of the matters to be investigated and/or the tasks to be completed; (b) a rationale for why an ad hoc, rather than a standing committee is necessary; (c) the proposed structure of the committee, which shall include, at minimum, representation from across the schools, and a rationale for this structure; (d) the method of selecting and approving the committee membership, such as by special election; and (e) a proposed timeline for completion of duties.

The proposal for an ad hoc committee will be debated and voted on as a motion by the Faculty Assembly. The approved ad hoc committee should aim to complete their tasks within the proposed timeline. If the committee is unable to meet this timeline, they must report the status of their work back to Faculty Assembly and provide a new timeline for completion of tasks. The ad hoc committee will determine when their tasks are complete. Intermediate reports may be desired, but the committee must provide a final report of their work, including any recommendations or findings, to Faculty Assembly. Ad hoc committees may propose motions or amendments to the statutes. The ad hoc committee will disband upon completion of their work, or after five years, whichever occurs first.

## Section 5. Faculty Rights

### Section 5.1. Academic Freedom

College and university teachers are members of a learned profession, and critical to the success of an educational institution's mission. Institutions of higher education are conducted for the common good, and the common good depends upon the unfettered search for truth and its free exposition. Academic freedom is essential to these purposes and applies to teaching, research, and service. 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. Freedom in research is fundamental to the advancement of truth.

Academic freedom suggests that when speaking or writing as citizens, faculty should be generally free from institutional censorship or discipline but should recognize their special

position in the community and the obligations this position imposes. Academic freedom carries with it duties and responsibilities correlative with rights. Academic freedom is guided by the following:

- (a) Teachers are entitled to full freedom in determining the subject of their research, grant applications, and in the publication of the results, while remaining subject to the adequate performance of their other academic duties. Research for pecuniary compensation from an outside source must be based upon a written understanding with the Dean, the Provost prior to the project being undertaken.
- (b) Teachers are entitled to freedom in the classroom in discussing their subject, but they should be careful not to introduce into their teaching matter that has no relation to their syllabus, the content of the materials being explored and discussed or the contexts surrounding and intersecting with those materials.
- (c) College and university teachers are citizens, members of a learned profession, and officers of an educational institution. When they speak or write as citizens, they should generally be free from institutional censorship or discipline, but their special position in the community imposes special obligations. As scholars and educational officers, they should remember that the public may judge their profession and their institution by their utterances. Hence, they should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that they are not speaking for the institution.<sup>1</sup> Faculty are expected to be mindful of the University Creed and University Mission when exercising academic freedom.

As education professionals, teachers should remember that the public, their colleagues, and their students may judge their profession and their institution by their actions, utterances, social media posts, and other communications. Teachers are entitled to freedom in the classroom and should foster an atmosphere respectful of and welcoming to all persons.

All Faculty, whether tenured, tenure-track, visiting, or adjunct, are entitled to full freedom in determining the subject of their research, grant applications, and the publication of the results, while remaining subject to the adequate performance of their other academic duties. Research for pecuniary compensation from an outside source must be based upon a prior written understanding with the Dean, the Provost, and the Vice President for Financial Affairs.

---

<sup>1</sup> AAUP. 1940 Statement of Principles on Academic Freedom and Tenure. <https://www.aaup.org/report/1940-statement-principles-academic-freedom-and-tenure>

## Section 5.2. Faculty Rights to Salary Notification

No later than two weeks prior to the start of classes for the fall semester, the University shall endeavor to notify faculty members of the salary to be attached to their appointment for the forthcoming academic year.

## Section 5.3. Progressive Discipline for Tenured Faculty

Progressive discipline means the process of imposing sanctions in a gradual manner that corresponds to the nature, seriousness, and impact of the behavior. The purpose of these

guidelines is to facilitate a productive and harmonious working environment, protect tenured faculty from arbitrary application of disciplinary sanctions, and assure the ultimate and enduring success of St. John Fisher University through adherence to the University's core values. The University recognizes that providing opportunities for improvement through progressive discipline is a benefit to the faculty and to the University.

The provisions of this section apply only to tenured faculty due to the unique nature of tenure; however, the general principles of a progressive discipline response may be followed for all faculty and the University is encouraged to adopt such a response when appropriate.

(a) Process

These guidelines are predicated on the tenured faculty members' responsibility to maintain and exhibit competence and professionalism in their capacity as faculty; exercise professional and personal integrity and behavior; follow the ethical principles of the academic profession; and adhere to federal and state laws and the rules and policies adopted by the University. The University should respond progressively to faculty member misconduct, including the failure to meet expectations through neglect of, or failure to perform, their responsibilities, by imposing sanctions in a manner that helps correct the behavior, assists the faculty member to understand the impact of their behavior, and protects the University's ability to carry out its mission.

In cases of minor misconduct or performance issues, the Chair will discuss the situation with the faculty member and develop solutions. Written documentation of these discussions will be maintained by the Chair at the department level, may be included in the annual review, but will not be included in the faculty member's HR personnel record.

For allegations serious enough to warrant exploration or application of progressive discipline, including repeat issues, the Chair should immediately notify and discuss the situation with the Dean and HR. Human Resources will notify the faculty member when legally appropriate. If progressive discipline is going to be explored or pursued, the Provost is to be advised, and the Provost shall delegate the conduct of an investigation to HR or other appropriate personnel. The Chair, and the Dean or other appropriate faculty member shall stay involved and work with HR during all aspects of this process. The Provost, in consultation with HR shall determine the proper investigation procedures appropriate for the given situation but it will include, at a minimum, the opportunity for the faculty member to respond in writing to the allegations and the evidence received by the University.

The faculty member may be accompanied by another faculty member of their choice to serve as a witness during the investigation. This faculty member is allowed to attend all of the formal proceedings during the case, unless precluded by law. The faculty member may retain legal counsel at their expense. However, legal counsel will have no right to attend or participate in any internal University employment disciplinary proceedings.

If the Chair is the subject of the complaint, any progressive discipline procedures will be initiated at the level of the Dean, who has the option of delegating to a tenured member of the department.

As appropriate, prior to or in concert with exploring or applying progressive discipline procedures, Chairs should explore and recommend whether there are opportunities for professional development workshops, continuing educational opportunities, sensitivity training, or matters that should be referred to the Employee Assistance Program, Student Accessibility Services, or other entities.

If the results of an investigation ultimately warrant corrective action and/or progressive discipline as determined by the Chair and Dean, the faculty member will be given a written warning stating that their conduct did not meet acceptable standards and describe the corrective action and the time frame for implementation. This written communication must identify any standards of behavior, rules, or policies that have been violated; summarize the evidence obtained by the investigation; inform the faulty member of the disciplinary measures imposed; and inform the faculty member of their right to provide a further, final written response for the file as noted below. The written warning shall be delivered in a meeting between the Chair, the faculty member, the faculty member's witness (if desired, and legally permissible) and an appropriate third-party witness, typically a representative from Human Resources and/or the Dean. The faculty member's signature is required to acknowledge receipt, not necessarily agreement.

The faculty member may provide a final written response to the written warning for the record. Any response shall be made within 10 calendar days from the receipt of the written communication. The written communication and any written response from the faculty member shall be placed in the faculty member's official personnel file maintained in the University's Office of Human Resources.

After the written warning, the faculty member shall have time, as determined by the Chair, to address the concerns presented in the warning. Once that time period has concluded, the faculty member and Chair will meet again to discuss the corrective actions taken. If the Chair is satisfied that the faculty member has addressed those concerns, they will write a memo and add it to the faculty member's official personnel file.

One or more types of progressive discipline measures may be imposed as appropriate to address the nature and seriousness of the misconduct, provided they are in compliance with applicable law. Such measures may include but are not limited to those listed below. These measures do not appear in hierarchical order.

1. Mandatory personal counselling through the Employee Assistance Program.
2. Reduction in additional duties (program director, administrative duties, or appointments, etc.) with associated reduction in compensation.



3. Loss of financial support for travel and professional development.
4. Loss of raises for a period not to exceed one year.
5. Reduction in salary for a period of one year. The reduction will take place with the next academic year.

(b) Exceptions to Progressive Discipline

There is no requirement that the University pursue progressive discipline instead of tenure revocation should the allegations be serious enough in the University's discretion to warrant tenure revocation or termination, or if the behavior otherwise satisfies the tenure revocation criteria set forth in Section 9.15.

These procedures are also not appropriate for and do not apply to allegations of discrimination, illegal conduct, harassment, or violations of Title IX, which will be resolved in accordance with the appropriate Human Resource policies of the University, applicable law, and Section 9.15 if appropriate.

In most cases of alleged misconduct, it is anticipated that tenured faculty members will be entitled to the processes of progressive discipline. However, in the event the University determines, either before or after investigation of the allegations, that the allegations are serious enough to warrant suspension, tenure revocation and/or termination, the President, upon recommendation from the Provost, may initiate suspension, dismissal, or revocation of tenure procedures immediately pursuant to Section 9.15. If these actions are contemplated, the Provost (and any other persons deemed to be appropriate to have present, in the Provost's discretion) will meet with the faculty member to discuss the issue in question.

## Section 5.4. Additional Faculty Rights

To the extent provided herein, Faculty also have the right to Rank and Tenure (see Section 7 and Section 9), to grieve decisions (see Section 11), to due process for tenure revocation (see Section 9.14), to Sabbatical (see Section 10.1), and to medical leave (see Section 10.2).

## Section 6. Faculty Responsibilities

### Section 6.1. Teaching Workload–Full-Time Tenured and Tenure-Track Faculty

Full-time tenured and tenure track faculty are responsible for activities in the following three areas: teaching, scholarship, and service, which includes advising and mentoring students.

The major commitment of faculty at St. John Fisher University is excellence in teaching, with an emphasis on close interaction with students. Current full-time teaching load may change from time-to-time and is summarized in the table below.

School	Length of Teaching Obligation	Contact hours per semester
Ralph C. Wilson School of Education	9 months	9
School of Business	9 months	9

School of Arts and Sciences - Natural Science	9 months	12
School of Arts and Sciences – Other Than Natural Science	9 months	9
Wegmans School of Nursing	9 months	12
Wegmans School of Nursing - Mental Health Counseling	10 months	9
Wegmans School of Pharmacy	12 months	An annual range of 18- 30

The table above offers each School's general expectations guiding faculty teaching load. Other factors influencing workload include such things as accreditation standards and principles of equity. This table and workload expectations may be changed by the University for these and other reasons. For example, Deans, Department Chairs, and a Faculty member may agree to shift some of a faculty member's teaching load from one semester in an academic year to another. When an individual's teaching load, as defined by student credit hour, differs substantially from departmental expectations, Chairs are responsible for working with faculty to identify adjustments to their overall workload, possibly by undertaking alternate assignments whereby they can contribute fairly and productively to the mission and work of their School and/or the University, and present the proposal to the Dean for consideration. It is necessary that all Faculty be engaged and productive commensurate with workload requirements.

Faculty concerns regarding workload variations, either in excess or lower than departmental expectations should be addressed first to the Department Chair and then to the Faculty Welfare Committee and/or the Dean if not appropriately addressed.

## Section 6.2. Teaching Workload: Full-Time Term Faculty

The major commitment of full-time term faculty at St. John Fisher University is excellence in teaching, with an emphasis on close interaction with students. Current full-time teaching load may change from time-to-time and is summarized in the table below. Term faculty are expected to engage primarily in teaching activities. Additional expectations may be set forth in their appointment letters.

<b>School</b>	<b>Contact hours per semester</b>
Ralph C. Wilson School of Education	Specified by individual contract
School of Business	12
School of Arts and Sciences - Natural Science	15
School of Arts and Sciences - Others	12
Wegmans School of Nursing	12
Wegmans School of Nursing - Mental Health Counseling	9
Wegmans School of Pharmacy	Specified by individual contract

The table above offers each School's general expectations guiding teaching load. Other factors influencing workload include accreditation standards and principles of equity. Faculty concerns regarding individual workload variations should be addressed to the

Faculty Welfare Committee.

### Section 6.3. Non-Teaching Workload Expectations For Full-Time Faculty

To be effective in the classroom and to serve as models of academic excellence, faculty must be actively engaged in scholarship throughout their careers. Scholarship is broadly defined at St. John Fisher University.

Full time tenured, full-time tenure-track are expected to engage in service to the University, their profession, and the community. Full-time term faculty may be expected to engage in service, as defined by contract. Service to the University includes, but is not limited to, serving on committees of academic departments, Schools, and the University, both elected and ad hoc. Faculty members are expected to advise students. Student advisees should be equitably distributed among faculty within a department or program.

For elaboration of service and scholarship, see Section 8 and the Rank and Tenure Toolkit.

### Section 6.4. Classroom Expectations

At the beginning of each term, faculty members will inform students about course requirements including, but not limited to: learning objectives, grading policies, due dates for major assignments, required texts, faculty contact information and office hours, University policy on students with disabilities, University policy on academic honesty, and other pertinent details when required by New York state and/or professional accrediting bodies. Faculty will submit copies of syllabi to Department Chairs and School Deans.

Faculty will retain records and student materials submitted as summative assessments for two years from the end of the course so that students can retrieve their work and understand the basis for their grades. Faculty will make student work and analysis of student learning available to the department and the School for two years from the end of the course, unless otherwise stipulated by the Department Chair or Dean.

Faculty members are expected to make themselves available to students seeking advice and help. Each faculty member must publicize their office hours. Faculty members are expected to be accessible and easily available during the listed hours. Although the University does not require that each member of the faculty be present on campus for a fixed number of hours each day, it should be understood that all faculty members should be reasonably available to students.

When necessary (for health, personal, professional, or other appropriate reasons) for faculty members to be absent from class, they will inform the Department Chair as soon as possible.

### Section 6.5. General Expectations

Full-time faculty members are expected to attend governance meetings, including: division or department meetings as scheduled by the Chair; School meetings as scheduled by the Dean; meetings of those committees on which they hold membership; and all-University

meetings as called by the Provost or the President.

Full-time faculty members are also expected to: participate as active members of their division/department and school, including performing tasks requested by the Chair and/or Dean and expected to be performed by faculty; maintaining sufficiency qualifications for accreditation; contributing to student learning outcome assessments; and performing accreditation reviews as directed by the Chair and/or Dean.

Chairs should assure that departmental/divisional committees have representation from as many programs and/or departments as sensible according to the faculty composition of each department or division.

Participation by full-time faculty in the Commencement ceremony is required, unless excused by the Dean.

## Section 6.6. Compliance with Applicable Laws and University Policies

All University employees, including faculty, are required to comply with all applicable federal and state laws, rules, and regulations, including, without limitation, laws and regulations prohibiting discrimination, harassment, and retaliation based on legally protected categories, as well as all established written University policies, including policies in the Employee Handbook (available on the University website). This includes, without limitation, compliance with Title IX of the Education Amendments of 1972, University policies which prohibit sexual harassment of students, staff, faculty, and other members of the St. John Fisher University community, the Family Educational Rights and Privacy Act (FERPA), required training and policy acknowledgement, and Whistleblower policy.

## Section 6.7. Academic Integrity and Professionalism

All faculty are expected to hold themselves to a high standard of ethical behavior in teaching, scholarship, and service, which includes but is not limited to:

- (a) Professors, guided by a deep conviction of the worth and dignity of the advancement of knowledge, recognize the special responsibilities placed upon them. Their primary responsibility to their subject is to seek and to state the truth as they see it. To this end professors devote their energies to developing and improving their scholarly competence. They accept the obligation to exercise critical self-discipline and judgment in using, extending, and transmitting knowledge. They practice intellectual honesty. Although professors may follow subsidiary interests, these interests must never seriously hamper or compromise their freedom of inquiry.
- (b) As teachers, professors encourage the free pursuit of learning in their students. They hold before them the best scholarly and ethical standards of their discipline. Professors demonstrate respect for students as individuals and adhere to their proper roles as intellectual guides and counselors. Professors make every reasonable effort to foster honest academic conduct and to ensure that their

evaluations of students reflect each student's true merit. They respect the confidential nature of the relationship between professor and student. They avoid any exploitation, harassment, or discriminatory treatment of students. They acknowledge significant academic or scholarly assistance from them. They protect their academic freedom.

- (c) As colleagues, professors have obligations that derive from common membership in the community of scholars. Professors do not discriminate against or harass colleagues. They respect and defend the free inquiry of associates, even when it leads to findings and conclusions that differ from their own. Professors acknowledge academic debt and strive to be objective in their professional judgment of colleagues. Professors accept their share of faculty responsibilities for the governance of their institution.
- (d) As members of an academic institution, professors seek above all to be effective teachers and scholars. Although faculty must observe the stated policies and regulations of the institution, they maintain their right to criticize and seek revision. Professors give due regard to their paramount responsibilities within their institution in determining the amount and character of work done outside it. When considering the interruption or termination of their service, professors recognize the effect of their decision upon the program of the institution and give due notice of their intentions.
- (e) As members of their community, professors have the rights and obligations of other citizens. Professors measure the urgency of these obligations in the light of their responsibilities to their subject, to their students, to their profession, and to their institution. When they speak or act as private persons, they avoid creating the impression of speaking or acting for their college or university. As citizens engaged in a profession that depends upon freedom for its health and integrity, professors have a particular obligation to promote conditions of free inquiry and to further public understanding of academic freedom.<sup>2</sup>
- (f) Faculty are expected to maintain integrity and honesty in their research at all stages. The "Policy and Procedures for Reporting and Dealing with Research Misconduct" document maintained by the Provost's Office outlines these expectations and procedures for dealing with potential violations of this policy.

---

<sup>2</sup> Points 1-5 are drawn from the AAUP. Statement on Professional Ethics.  
<https://www.aaup.org/report/statement-professional-ethics>

## Section 7. Faculty Rank and Appointments

As an institution of higher learning, the University continually seeks to enhance its academic stature. This goal is best achieved by maintaining and improving the quality of the faculty. Promotion in academic rank is a means by which the University encourages, recognizes, and rewards faculty members for excellence in the performance of their duties.

Faculty rank is extended to tenured, tenure track, and full-time members of the faculty according to their written contracts. Faculty rank may be extended by contract to administrative officers who have qualifications for an academic appointment in an existing department of the University.

Faculty rank is specified by the instructional level, skill, and achievement of the faculty member, increasing as follows: instructor; assistant professor; associate professor; professor; and, upon retirement, emeriti with any professorial rank.

## Section 7.1. Full-Time Faculty Teaching Ranks

- (a) Instructor: Faculty who have not earned a doctorate or its professional equivalent will receive the rank of Instructor. Exceptions will be made only by a written agreement of the Department Chair involved, the School Dean, and the Provost. When instructors earn their doctorate or its professional equivalent, the promotion to Assistant Professor is automatic.
- (b) Assistant Professor: The rank of Assistant Professor will be extended to faculty members who hold an earned doctorate or its professional equivalent.
- (c) Associate Professor: For promotion or appointment to Associate Professor, the Associate Professor candidates must possess the qualifications for an Assistant Professor, and in addition, a record of significant achievement in their field or profession as a teacher or as an administrator and accomplishments in scholarship. Assistant Professors who were previously granted tenure but not promotion may apply for promotion to the rank of Associate Professor.
- (d) Professor: For promotion or appointment as Professor, the candidate must possess the qualifications of an Associate Professor, and in addition, a record of distinguished achievement in teaching, scholarship, and service. There will be evidence of continued growth and of general recognition among scholars and educators outside the campus academic community.
- (e) Faculty initially appointed to associate professor or professor without being granted tenure at the time of their appointment will have their case for tenure reviewed following the process outlined in Section 9 within no more than two years following such appointment.

## Section 7.2. Full-Time Term Faculty

Visiting Faculty, Faculty of Practice, Faculty in Residence, Clinical Faculty, Faculty of Teaching, or other titles may be used to describe faculty hired into non-tenure-track, full-time term positions. Such titles will be qualified with the appropriate faculty rank (i.e., Assistant, Associate, or Full Professor). Title, duration, and other conditions of the appointment will be specified in writing at the time of the appointment. These appointments may be converted to a tenure-track line. Full-time term faculty may apply for promotion following the process outlined in Section 9.11.

Full-time term faculty play a vital role in Fisher's academic mission. Tenured and tenure track faculty bring additional levels of commitment and stability to the institution. To strengthen the University's record on academic excellence in teaching, scholarship, and service; diversity and inclusion; standing in the community; and leadership development, a University-wide commitment to maintaining a majority of tenure-track faculty in each School is critical.

The University will endeavor to inform full-time term faculty of anticipated contract non-renewal at least six months in advance, or as soon as possible. The University will endeavor by June 30th to provide term faculty who are reappointed with written appointment letters containing the terms of their reappointment. The reappointment letter must be signed and returned no later than 30 calendar days from its date of receipt by the faculty member. Failure to return the reappointment letter within this time will be understood as the resignation of the faculty member unless an extension is granted in writing by the Provost of the University.

### Section 7.3. Adjunct Classroom Teaching Faculty

Adjunct Classroom faculty are hired by Schools to teach on a course-by-course basis. Adjunct Classroom faculty will generally be hired at the rank of Instructor or Associate Instructor. To be hired at the rank of Associate Instructor generally requires a Ph.D. or a terminal degree in the discipline.

Part-time faculty can apply for promotion from instructor to associate, or associate to senior instructor after three years of teaching at least two courses per academic year at St. John Fisher University.

An adjunct faculty member who earns a Ph.D. or terminal degree will automatically receive promotion to the rank of Associate Instructor. The process for applying for promotion is detailed in Section 9.12.

Adjunct appointments are temporary in nature for specific periods not to exceed one academic year for each appointment. Adjunct faculty members may be reappointed. All terms and conditions will be specified in writing at the time of the appointment or reappointment. The adjunct appointment expires at the end of the specified period, and no notice of non-reappointment is required.

Service as an adjunct faculty member will not count as part of the tenure-track probationary period.

Voting rights are granted according to provisions set forth in Section 3.2.

Adjunct faculty play a vital role in Fisher's academic mission, bringing a range of expertise to the campus and allowing for institutional flexibility. To maintain its standing as an institution of higher education, a University-wide commitment to maintaining a majority of tenure-track faculty in each School is critical.

### Section 7.4 Clinical Instructors

Clinical Instructors are experienced practitioners who provide supervision during clinical practice. They do not have voting rights in Faculty Assembly, or School/Department matters.

### Section 7.5. Emeritus Status

A St. John Fisher University retiree is defined by meeting the following two criteria: 1) an employee with at least ten years of full-time employment with St. John Fisher University; and 2) the number of years of service plus the individual's age must equal at least 65. A retiring or retired faculty member may self-nominate, or a member of the Fisher community with faculty rank may nominate a retiring or retired faculty member - for the award of the Emeritus/Emerita status. This nomination (or self-nomination) is addressed to Human Resources, the Provost, Department/Division Chair (or Program Director), School Dean, and Chair of the Rank and Tenure Committee. The nomination may include any material that the nominator deems necessary for making a case for the award (limited to five pages; including letter and material). The Department/Division Chair (in consult with the Department) and the School Dean will review the submission and submit a letter to the Rank and Tenure committee. The Rank and Tenure committee will consider the nomination and supporting material (if any) and make a recommendation to the Provost.

When awarded the status of Emeritus or Emerita, the individual will continue to enjoy the right to vote in Faculty Assembly, along with all retiree benefits. Specific information about those benefits, including network access, the transition to a retiree email address, and off-campus Lavery Library database access, can be found on the HR website. To maintain network access with Emeritus status, an individual must complete annual security awareness training. When awarded the status of Emeritus or Emerita, the individual will continue to enjoy the right to vote in Faculty Assembly.

## Section 7.6. Full-Time Faculty Hiring and Appointments

After consultation with the division, department, and/or program faculty, the Chair will request approval from the School Dean and the Provost to fill a full-time academic position. Supporting data, based on criteria established and published by the Provost, will be included with the request. In all cases, before moving forward with a hire, support from a majority of the department or program faculty needs to be established.

Upon approval, the Chair will contact Human Resources to set up the application process. The Chair will request from initial candidates: a completed application dossier or letter of application, as determined by the department concerned; a curriculum vitae; and any information required by Human Resources.

Chairs will coordinate the application screening and interviewing process of prospective candidates for the vacant position, and will coordinate the formation of a search committee, which will include full-time faculty members from the department or program seeking the hire as well as others from that department or division if necessary. The Chair may be a member of the search committee.

The Chair, with approval from the School Dean, may invite faculty members from other departments as voting members and/or any other participants as ex officio, non-voting members of the search committee. If desired by the Chair and full-time faculty members of the department, the search committee may also invite those adjunct faculty members of the department with voting rights (see Section 3.2) to participate on the search committee in the same manner as full-time faculty members of the department. Individuals planning to



apply for the position shall not participate in the search process. The responsibilities of a search committee include, but are not limited to, developing screening criteria, screening applications to determine viable candidates, determining finalists among the viable candidates, conducting interviews of finalists, choosing which finalists to invite to campus for an on-campus interview, and meeting with finalists during an on-campus interview. The search committee should also report on their progress and regularly consult with the department during the search process.

Chairs will seek permission from the School Dean and the Provost to invite finalists for campus interviews.

As soon as possible after the last interview, the search committee and voting members of the department or program will seek the input of the remaining members of the division as to their disposition regarding the candidates. Subsequently, the search committee and voting members of the department or program, excluding emeriti faculty, will meet and cast ballots for their preferred candidate(s) for the vacant position(s). The Chair or a designee should tabulate the results of the nominations and make the complete results known at the meeting.

The Chair will then submit the complete results of the vote and recommendations to the division, School Dean, and Provost. Based on their assessment of these recommendations, the School Dean will submit the Dean's recommendations directly to the Provost, who will make the final decision. Beginning salary is defined by the Provost in consultation with the Chair and the School Dean.

All members of the faculty receive their appointment to the University and their assignment to academic rank from the Provost based on the recommendations from the Chair and School Dean. If the Provost elects to assign a rank that differs from the Chair's or Dean's recommendation, the Provost will give an explanation to the recommending party explaining their reasoning.

To offer tenure to a candidate who has received tenure at another institution, the Chair will submit the candidate's application materials to the Rank and Tenure committee for an expedited review and approval. If, in rare cases, it is necessary to make any different arrangements concerning conditions of appointment with an individual faculty member, these must be made in writing by the Provost, and communicated back to the Chair. In all instances, final approval for hire is made by the Provost, financial arrangements must be approved by the President, and tenure granted by the Board of Trustees.

## Section 7.7. Joint Appointments

Faculty are generally hired within one department. If a faculty member is hired with a joint appointment in two departments, the faculty member's primary department, which will coordinate evaluation and scheduling, will be determined at the time of hire and the appointment shall be subject to approval by the Provost. A transition to a joint appointment can happen with approval of both Department Chairs and School Dean(s). The faculty member's primary department will be determined by the Chairs and Dean(s) at that

time. This primary department will also determine the Divisional or School status of the faculty member for voting. At the departmental level, the faculty member can vote on curricular matters in both departments but can only vote on hiring and tenure and promotion cases in their primary department.

## **Section 8. Faculty Evaluation**

All full-time faculty are responsible for participating in a process of annual evaluation. The faculty evaluation process will use established criteria to provide constructive and balanced information which promotes professional development. This process is also a means by which departments and the University can make evaluative judgments concerning reappointment of non-tenured faculty, promotion in rank, and merit increases in salary for tenured as well as non-tenured full-time faculty.

The St. John Fisher University Mission Statement (10/13/1987) states: “[T]he major commitment of the faculty of St. John Fisher University is excellence in teaching, with an emphasis on close interaction with students. To be effective in the classroom and to serve as models of academic excellence, faculty must also remain actively engaged in scholarship.” Further, every faculty member has a service obligation to the University; service to the profession and to the community complements this obligation. No faculty member is expected to be equally active in scholarship and service, but excellence in one or more categories is not compensatory for the absence of effective professional performance in either teaching, scholarship, or service to the University.

### **Section 8.1. Annual Evaluation**

Each full-time faculty member for whom continuing appointment is anticipated undergoes an evaluation. This evaluation covers the previous summer, fall, and spring semesters. The evaluation provides the Chair, the School Dean, and the Provost with necessary information on the status of all faculty members, and it supports recommendations for advancement in rank and merit increases in salary. In addition, the evaluation will encourage professional development by identifying strengths and areas for growth.

The annual evaluation is conducted by the Chair in consultation with the individual faculty member and may include a classroom observation; when appropriate or when requested by a faculty member, a senior faculty member from the faculty member’s department or division can be asked to conduct the evaluation, including the classroom observation. Faculty members may request additional observations from the chair, other chairs, or senior faculty members. Prior to the evaluation, the evaluator asks the faculty member to submit an updated curriculum vitae and a self-evaluation. This self-evaluation will comment on the faculty member’s performance in teaching (Section 8.3), scholarship (Sections 8.4 - 8.6), and service (Section 8.7) in which they have been active for the year in question. The evaluator will have access to student opinion survey results and may request that the faculty member provide additional documentation of their activities in any area to be evaluated.

After reviewing the appropriate documentation, the evaluator will communicate strengths and areas of concern with the faculty member and invite them to respond within two

weeks. The evaluator's communication will summarize in writing the faculty member's accomplishments, comment on the faculty member's performance in all areas for evaluation, and make constructive suggestions. The evaluator's letter of evaluation, a summary analysis of student opinions, and any response from the faculty member become part of the individual's confidential personnel file, which is managed by the Dean's office. If the Chair does not conduct the evaluation, the evaluation will nonetheless be shared with the Chair as well as the Dean.

Annual evaluation of the Chair is conducted by the School Dean, who may delegate the evaluation to the Associate Dean.

The Chair's (or evaluator's) evaluations of every full-time faculty member will be completed by May 15, and responses from individual faculty members to their evaluator will be received by June 1. No later than two weeks prior to the start of classes for the fall semester, the University shall endeavor to notify faculty members of the salary to be attached to their appointment for the forthcoming academic year (Section 5.3).

## Section 8.2. Mid-Probationary Evaluation

Tenure-track faculty will participate in a mid-probationary evaluation to aid them in pursuing their careers in expectation of tenured appointments. The mid-probationary evaluation takes place in the third year of service for tenure-track faculty with no credit for prior teaching. Faculty whose probationary period has been reduced in recognition of prior full-time teaching will have a mid-probationary evaluation according to the following timetable: those who have received one year's credit at the time of their tenure-track appointment will be evaluated in their third year of service at SJF; those who have received two years of credit will be evaluated in their second year of service at SJF; and those who have received three or more years of credit will be evaluated in their first year of service at SJF.

In order to initiate the mid-probationary evaluation, the School Dean writes to the Department Chair and the Provost by September 15, indicating that a thorough evaluation of the faculty member should be undertaken by the department. The faculty member will compose a narrative, due to the Department Chair by October 15, detailing accomplishments and growth areas in teaching, scholarship, and service. As part of the review process, the following will occur: 1) at least two tenured faculty in addition to the Department Chair must assist in the evaluation (these evaluators are chosen by the Department Chair; if the department does not include two tenured members other than the Department Chair, the Chair asks tenured faculty in another department to assist in the evaluation); 2) each of the faculty evaluators must observe the faculty member in the classroom at a time or times agreed to by the member and must assess their scholarship, research, and/or creative work; all faculty level evaluators must submit letters of evaluation to the Department Chair; and the Department Chair writes a summative report (including the Chair's comments), due November 15 to which the faculty member may respond. This report must assess the faculty member following the criteria for promotion and tenure, pointing out strengths and areas for growth (see Sections 8.3 - 8.6). The faculty member's response, if any, will be submitted by December 1 and incorporated into the full

report before it proceeds to the School Dean.

Since the mid-probationary review is intended to prepare faculty for later tenure review, the School Dean writes to the faculty member by February 1 with a copy to the Provost and to the Department Chair with an assessment of the results. The faculty member may respond to the Dean's assessment in writing by February 15. The faculty member is also entitled to respond to the School Dean's assessment by February 15 in a written statement to the Provost. All documents from this review process are included in the faculty member's personnel file.

In the unusual circumstance in which a Department Chair is subject to mid-probationary evaluation, the School Dean conducts the review, assisted by two additional faculty as defined above.

### Section 8.3. Demonstrating Teaching Effectiveness

The University gives primary emphasis to providing its students an outstanding education. Thus, faculty are expected to demonstrate a firm commitment to quality teaching that emphasizes student learning and reflective practices on the part of both student and instructor. Such practices should be informed by professional standards in the discipline; department, school, and University needs and missions; student opinion, broadly construed; student academic accomplishments; and peer feedback.

While opinion surveys from students are one form of data, teaching effectiveness can also be demonstrated by classroom observations, developing new courses, professional development related to teaching practices, incorporating innovations into existing courses, and samples of student achievement. For further discussion of supporting claims of teaching effectiveness, see the Rank and Tenure Toolkit.

### Section 8.4. Demonstrating a Habit of Scholarship and Creativity

Effective teaching necessitates active involvement in the intellectual and scholarly developments in a discipline. Scholarship is defined as a concrete demonstration or evidence of authority or expertise in one's academic field or discipline as adjudged through peer review.

Scholarship is an intellectual and/or creative contribution that is widely available and subject to peer or expert review in the areas of discovery, integration, application, or teaching. Scholarship and scholarly or creative activities are necessary and desirable means through which faculty members remain current in their academic disciplines and teaching areas. Scholarship takes many forms at St. John Fisher University where faculty members are employed in an array of programs of study and disciplines. Scholarship can be understood at St. John Fisher University in the context of the rich intellectual discussions and literature coming out of Ernest Boyer's redefinition of the categories of scholarship in *Scholarship Reconsidered: Priorities of the Professoriate* (Boyer, 19903). For further discussion of the Boyer Model see the Rank and Tenure Toolkit.

## Section 8.5. Levels of Scholarship

- (a) Scholarly activity, much of which is essential for and preparatory to scholarly achievement, refers to continuing study and research, practice, the production of drafts of papers or lectures, conference papers and presentations, attendance at professional conferences, and grant or fellowship proposals, etc.
- (b) Scholarly service refers to quantifiable products through which one serves one's discipline or profession, such as brief book reviews and review articles; reviewing manuscripts and articles for publishing houses, academic journals, academic conferences, etc., or serving as a juror for artistic performances and exhibitions, or serving as an officer or board member in one's professional associations.
- (c) Scholarly achievement refers to the quantifiable products of scholarly activities that are judged and accepted or positively recognized by a peer review process. Typical products include monographs, books of other genres related to one's discipline, articles, book chapters, major articles that review the literature and scholarship of one's peers, and successful grants or fellowships. In the case of artistic activities, typical products include published works of creative writing, published and/or performed compositions, public performance, or production before an informed and discerning audience, jurored screenings of films, and gallery exhibition.
- (d) Faculty should document activities in each of the three categories outlined above. In all cases, scholarly achievement must be widely available and subject to peer or expert review. Scholarly service and activity may occur in a variety of ways, not necessarily in public, peer-reviewed settings. It is incumbent upon the internal and external reviewers to frame the quality and importance of an individual's scholarly work within the discipline, rather than rely solely on measures such as citation metrics or impact factors.

## Section 8.6. Minimum Scholarly Requirements for Promotion

- (a) To receive tenure and promotion to Associate Professor, faculty in all Schools should produce at least two examples of scholarly achievement.
- (b) To receive promotion to the rank of Professor, faculty should produce at least four additional examples of scholarly achievement and demonstrate the practice of scholarly service to their discipline.
- (c) For substantial projects such as a single-authored book, the department or program faculty will determine how many examples of scholarly achievement it equates to and explain this equivalency in its letter.
- (d) Based on disciplinary expectations and/or accreditation requirements, Schools may require additional evidence of scholarly achievement. Such expectations must be agreed upon by the School faculty and communicated to all candidates at the time of hire.

## Section 8.7. Demonstrating a Commitment to Service

St. John Fisher University relies upon the involvement of the faculty to fulfill the University's mission and purpose in the education of students. Service is defined as those

activities necessary to the faculty role in shared governance of the department, School, and University, and those activities that advance public support of the institution and benefit the local and professional communities at large.

Service aspires to a form of institutional citizenship, through which faculty members sustain an involvement in enacting the institutional vision and mission. Effective service is evident when the products of such work become a part of some aspect of the University's programs or policies, when new or enhanced opportunities for student learning are achieved, when public recognition or support of the University is enhanced, and when the quality of life in the University community is enriched.

No faculty member is expected to complete service in all areas; rather, each faculty member is expected to contribute to the ongoing work of the University at the department, School, and University levels in areas where the faculty member's strengths meet the University's needs.

Service includes academic advising, which may include, but is not limited to, academic advising and/or tutoring of one's own students, designated advisees, and other students when appropriate, and participation in academic enrichment activities, including advising student groups.

Faculty who serve the University in an administrative capacity must shift some time away from their scholarship and teaching efforts and towards service to their department or academic program. Administrative accomplishments, such as shepherding new programs, overseeing program review, mentoring new faculty, and developing curricula are recognized as essential to the institution and will be evaluated accordingly as part of an applicants' submission for promotion and/or tenure.

---

<sup>3</sup> Boyer, Ernest L. *Scholarship Reconsidered: Priorities of the Professoriate* Princeton, NJ: Carnegie Foundation for the Advancement of Teaching, 1990.

## Section 8.8. Evaluation of Adjunct Faculty

Department Chairs, assisted where appropriate by other members of the department, will evaluate adjunct faculty. The chief aim of such evaluation is to ensure integration of adjunct faculty into the department and to assist them in their professional and pedagogical development. The process of evaluation will be determined by the School and Department.

## Section 9. Tenure and Promotion

### Section 9.1. Definition and Purpose of Tenure

Academic tenure means that a tenured faculty member is assured the continuance of full-time appointment until retirement, resignation, or dismissal for one or more of the reasons set out in Section 9.14.

Academic tenure benefits the institution as well as faculty members, helping to ensure certain important goals are met. Specifically:

- (a) Tenure ensures academic freedom, which is essential to the search for and free

exposition of truth;

- (b) Tenure protects faculty members from untoward pressures from inside or outside the academic community;
- (c) Tenure provides freedom of teaching, research, and service;
- (d) Tenure provides a sufficient degree of economic security to make the profession attractive. Freedom and economic security, hence, tenure, are indispensable to the success of an institution in fulfilling its obligations to its students and to society.

## Section 9.2. Eligibility for Tenure

Tenure may be granted only to tenure-track faculty members, at the rank of Assistant Professor or above, who show promise of remaining productive members of the academic community and of the University, and who are judged to have expertise that the University deems pertinent to the advancement of its educational goals.

A faculty member beginning a full-time appointment at the rank of Instructor or higher applies for tenure at the beginning of the sixth year. The decision of whether or not to grant tenure will be made at the end of the sixth year.

Any faculty member who has completed their mid-probationary review prior to the approval of this document by the Board of Trustees may elect to follow and be reviewed for promotion and tenure under the March 2018 version of the statutes. In particular, a faculty member using the 2018 version may elect to have their tenure and promotion cases reviewed and voted on independently.

The faculty member's tenure contract, should tenure be granted, becomes effective in the seventh year of service. Those denied tenure will receive one additional year of employment after the decision.

Up to three years of full-time teaching at another institution of recognized standing may be counted toward the probationary period, but the precise terms of any such credit toward the probationary period must be set forth in the faculty member's initial letter of appointment (see Section 7.5). The probationary period is that period of full-time teaching prior to the acquisition of tenure.

Time spent on sabbatical leave and leaves of absence for less than an academic year will count towards the probationary period unless the faculty member is granted an extension.

A faculty member may request an extension of the probationary period of up to two years for personal or professional reasons. The request must be made in writing and approved by the Department Chair, School Dean, and Provost. This request must be submitted to the Department Chair no later than sixty calendar days after the Provost's notification of the faculty member's upcoming evaluation for tenure (see Section 9.2).

An application for early tenure may only be granted when the faculty member shows extraordinary merit in teaching, scholarship and research, and institutional service.

### Section 9.3. Exceptions to Granting Tenure

Certain exceptions exist to the granting of tenure, even after positive review by the Rank and Tenure Committee. For instance, while the merits, intellectual contributions, and scholarly accomplishments of individual faculty members are of crucial importance in all matters pertaining to the granting of tenure, other factors may also play a role and may induce the Dean, the Provost, the President, and/or the Board of Trustees, at their discretion, to differ from faculty recommendations. These other factors include, but are not limited to, the following:

- (a) Curricular trends in the Department or School and the University as a whole;
- (b) Enrollment trends in the Department or School and the University as a whole;
- (c) The financial status of the School, Department and/or University; and
- (d) Contractual understandings and conditions established in writing between the University and the individual faculty member.

If one of the above factors applies, a faculty member who has received a positive vote on tenure and promotion to Associate Professor from the Rank and Tenure Committee will receive promotion and be offered a post-probationary non-tenure-track, full-time position of at least two years with the possibility of renewal. These faculty will be classified as a Visiting Associate professor but can apply for sabbatical. If a relevant tenure track line becomes viable, it will be offered to a faculty member on a post-probationary contract based on seniority (based on length of service to the University). If the Chair and the Dean identify a compelling departmental need for faculty in a specific area and need to deviate from considerations of seniority, they must submit a proposal to the Department and the Provost detailing the circumstances surrounding the compelling need. In this case, all tenured members of the department, including the Chair, and the School Dean will submit a brief statement to the Provost explaining why their choice best fulfills the needs of the department.

If any of these factors are apparent before a faculty member applies for tenure, the administration will endeavor to convey this information to the faculty member and the Department Chair at the mid-probationary review, or as soon as possible.

### Section 9.4. Conversion from Tenure Track to Term Contract

Upon recommendation of the Department Chair and the School Dean, and with the approval of the Provost, and the President, a term (non-tenure track) contract may be offered to a tenure track faculty member who has not yet had a tenure review by the Rank and Tenure Committee. The terms and conditions of any such contract must be stated and agreed to in writing by the individual and the School Dean and the Provost.

### Section 9.5. Procedures for Applying for Tenure and Promotion

By January 15 of each year, the Provost advises individual faculty members who will be entering the sixth year of their probationary period in the fall that they must be evaluated for tenure if they wish to be considered for reappointment on a tenure contract at the end



of their probationary period. Copies of this letter will be sent to the School Dean, the Department Chair, and to the Chair of the Rank and Tenure Committee. Also, by January 15, the Provost writes to all full-time faculty informing them that applications for promotion must be submitted to Department Chairs by September 1.

The Provost, in consultation with the appropriate School Dean, will determine in which Department or Program the candidate will be evaluated for tenure and/or promotion; a candidate who has taught both undergraduate and graduate courses will normally submit the dossier to the Department Chair in which the majority of the candidate's teaching has occurred. The Office of the Provost will then send the list of tenured faculty required by the Faculty Statutes to participate in the tenure/promotion review process to the Chair overseeing the tenure review, as outlined in Section 9.7.

Faculty members are instructed to submit complete dossiers in support of their tenure/promotion to the Department Chair or by September 1. The Chair then informs tenured members of the department of the pending case and arranges for them to examine the candidate's dossier.

## Section 9.6. Preparation of Dossier

The candidate is responsible for providing an organized dossier of materials on which the tenure and/or promotion recommendation is based. The dossier can be submitted electronically or in hard copy. It will consist of 1) an updated curriculum vitae; 2) a detailed and reflective letter of application from the candidate that establishes a compelling case for tenure based on the Criteria for Evaluation (Sections 8.3, 8.4, and 8.6) while providing an articulate narrative and rationale for all documentation included in the dossier; 3) appropriate documentation, organized to support the letter of application and demonstrate the candidate's performance in all areas of the Criteria for Evaluation (Sections 8.3, 8.4, and 8.6 and the Rank and Tenure Toolkit); 4) a copy of the candidate's mid-probationary review and the feedback they received (if applicable); and 5) a list of any recommendations solicited from outside the department or from outside the University. Such letters should be sent directly to the Department Chair and must include at least one from an outside academic expert in the candidate's field who can comment on the faculty member's professional work. It is the Department Chair's responsibility to solicit letters and ensure that they are included in the dossier.

A dossier that is complete, aside from these letters, must be received by the Department Chair no later than September 1. The Office of the Provost will add systematic, uniform gatherings of student opinion (student course evaluations) by September 20. The dossier may not be changed after this date; however, the candidate may, by January 15, submit a one-page update to the Department Chair, the School Dean, and the Committee on Rank and Tenure. The Office of the Provost shall add to the dossier the student opinion (student course evaluations) gathered in the fall semester.

## Section 9.7. Tenure and Promotion Review by Department and School

The Division (A&S) or Department (all other schools) Chair oversees and manages the

tenure and promotion process. All tenured members of a candidate's division (A&S) or department (all other schools) will review a candidate's application for tenure/promotion. Faculty on leave are not required to participate.

If the Chair is not tenured, or the applicant is the Chair, the senior tenured faculty member in the division (A&S) or department (all other schools) will oversee the department's role in reviewing the tenure and/or promotion case. In the event that there are fewer than three tenured members in the department, the Chair convenes a committee of three tenured faculty, mutually agreed upon by the faculty member under review and by the Chair. If there are no tenured members in the department, the tasks attributed to the Chair will be completed by a tenured member of another department or School mutually agreed upon by the candidate and the School Dean. This committee follows the steps outlined below for the tenured faculty in the department.

As the time for tenure or promotion review is approaching, the Division/Department Chair confers with the tenured members of the department or program to arrange a schedule of classroom observations at times agreed to by the candidate. At least three tenured members involved in the review process must observe at least one class taught by the candidate. The candidate may request additional observers for classroom teaching. When the classroom visits are complete, and when all tenured members in the division/department have had access to the dossier, the Chair calls a meeting of these tenured faculty to discuss the case.

After the discussion, the tenured members (including the Chair) vote by signing the ballot on the tenure case and/or promotion, indicating either support, nonsupport, or conditional support. The Chair then tallies the votes and announces the result to those voting, without indicating how any particular faculty member voted. For a unanimous vote, the Chair writes a detailed cover letter representing the department's view supporting or not supporting the case for tenure and/or promotion.

In its letter, the department must clearly indicate the relative significance of the journals / proceedings / publishers applicable to the candidate's scholarly record and provide a narrative supporting their conclusions. If the decision is not unanimous, each tenured member, including the Chair, writes a letter explaining their decision. The Chair then also writes the division/department cover letter described above. The Chair is obliged to respect the confidentiality of these proceedings and should instruct division/department members to do the same. Additionally, any quotations from external and internal letters of support should be included without attribution.

If the Chair's recommendation does not reflect the majority view of the division/department, the cover letter should clearly state the reasons for dissent. If fewer than a majority of the division/department members support an application for promotion to Professor, the Chair informs the candidate, who may choose to withdraw the application for promotion.

By October 15, the Chair forwards the dossier, the department cover letter, all signed ballots, and individual faculty members' letters, if applicable, to the School Dean. The

School Dean also writes a letter supporting or not supporting the case for tenure and/or promotion. If the School Dean's recommendation in the case does not reflect the majority view in the division/department or program, the cover letter should clearly state reasons for dissent. By November 21, the School Dean forwards the candidate's dossier, the division/department cover letter, the signed ballots, and individual faculty member letters if applicable, along with the Dean's recommendation to the Provost.

Files are maintained by the Provost's Office and are available only to the Rank and Tenure Committee, the School Dean, the Provost, and the President. In order to ensure the confidentiality of faculty members' recommendations in the case, no copies of their letters are retained in the division/department files. The cover letters written by the Chair and the School Dean will be shared with the candidate by November 21. The candidate has the right to provide a one-page response to these letters to the Provost by December 1.

## Section 9.8. Tenure and Promotion Review by the Rank and Tenure Committee

The Provost forwards all tenure and promotion cases, along with relevant dossiers and letters, to the Rank and Tenure Committee by December 15. All Committee members will review each case. The Rank and Tenure Committee may request the School Dean, the Department Chair or Academic Program Director, or other members of the candidate's department or program who voted on the case to appear before it to present further information concerning the tenure review. The Committee may also seek additional information from the candidate's references. The Committee votes on each case and sends their recommendations to the candidate, Department Chair, School Dean, Provost, and President by April 1. If the committee does not recommend either tenure or promotion, this recommendation will include a detailed written explanation regarding their decision, outlining specific statutory shortcomings.

The Provost will make an independent recommendation and will send it to the candidate, Department Chair, School Dean, Rank and Tenure Committee, and President no later than April 10. If the Provost recommends against tenure and/or promotion, the recommendation will include a detailed written explanation regarding the decision, outlining specific statutory shortcomings. The candidate has the right to provide a 1-page response to either or both of these letters to the President by April 15.

Apart from its recommendation, all other communications and deliberations of the Committee, written and oral, will be considered confidential.

## Section 9.9. Actions on Recommendations for Tenure and Promotion

Upon review of the written recommendations on tenure and/or promotion from the Committee on Rank and Tenure, the Provost, the School Dean, and the Department, as well as any responses from the candidate, the President prepares a recommendation to the Board of Trustees. If this recommendation is contrary to the Committee on Rank and Tenure, the President meets with the Committee and the Provost prior to submitting a recommendation to the Board of Trustees. The Committee may choose to discuss the reasons for its recommendation with the President in this meeting.

All grants of tenure and/or promotion are made by the Board of Trustees, after it has been informed of the recommendations of the President, the Provost, the Committee on Rank and Tenure, the School Dean, and the individual department.

When the Board of Trustees makes its decision on tenure and/or promotion, the President communicates the decision in writing to the candidate, Department Chair, School Dean, Provost, and the Chair of the Committee on Rank and Tenure. This written communication should be sent within one week of the meeting of the Board of Trustees at which the decisions were made, typically the board meeting in May. The Board may reconsider its original tenure/promotion decision if, as a result of a candidate's tenure/promotion grievance, the Grievance Committee upholds the grievance or the President changes their original recommendation to the Board.

If a candidate recommended for tenure does not already have the rank of Associate Professor or higher, the granting of tenure will at the same time confer a promotion in rank to Associate Professor.

### Section 9.10. Quick Reference Chart for Tenure and Promotion Deadlines

It is expected that these deadlines will be kept. Failure strictly to adhere to them, however, does not constitute a procedural violation on which an appeal for the reversal of a negative decision can be based.

January 15	Provost notifies candidates of their eligibility to apply for tenure and promotion
September 1	Candidate dossiers due to department
September 20	Provost's office adds course evaluation data to dossiers
October 15	Department letter, dossier and case documents sent to Dean and Candidate
November 21	Dean letter, dossier and case documents sent to Candidate Dean letter sent to Provost
December 1	Candidate's response to Dean and Department letters due to Provost.
December 15	Provost forwards dossier to Rank and Tenure Committee
January 15	Candidate can send one-page update to Rank and Tenure
April 1	Rank and Tenure recommendations sent letters to President, Provost, Dean, Department Chair and Candidate
April 10	Provost sends recommendation to President, Rank and Tenure Committee, Dean, Department Chair and Candidate and President
April 15	Candidate can submit response to President, Provost, Dean and Rank and Tenure responding to recommendation
May (or next available Board of Trustees meeting)	Trustees vote on recommendations from President
Within two weeks after Board Decision	Board decisions communicated to Candidate and President, Provost, Dean, and Rank and Tenure Committee

### Section 9.11. Promotion for Full-Time Non-Tenure Track Faculty

Full-time, non-tenure track faculty may apply, in the beginning of the academic year, for promotion after teaching at St. John Fisher University for at least 12/14 semesters. The decision to apply for promotion will be made in consultation with the Department Chair and agreed upon by January 15th of the year before applying. The process for applying for promotion will follow the model of applying for promotion and/or tenure outlined in Section 9.5. If a full-time, non-tenure track faculty member's position is converted to tenure track, their new rank and the number of years required before the candidate may apply for tenure will be determined by the Department Chair and School Dean.

### Section 9.12. Promotion for Adjunct Faculty

Adjunct classroom faculty can apply for promotion after three years of teaching at least two courses per academic year at St. John Fisher University. By January 15, the Provost will write to all adjunct classroom faculty letting them know of this opportunity.

Those who want to be considered for promotion will submit to the Department Chair a curriculum vitae, teaching evaluations, and narrative describing accomplishments while teaching at St. John Fisher University. This narrative can focus exclusively on teaching, but those who also engage in research and/or service should also include that information. Tenured and tenure-track faculty of the applicant's primary department will vote on the application for promotion. The Chair or designee will observe the faculty member prior to the vote.

If the department votes in favor of the promotion, the Department Chair submits by October 1 to the Dean the individual's CV and narrative, as well as a letter that includes the results of the department or program vote, reasons for supporting promotion, and any endorsements from faculty or administrators. The Dean will submit their recommendation to the Provost, who will then forward all materials to the Rank and Tenure Committee for its recommendation. This promotion process will follow the same calendar as outlined in Section 9.10.

### Section 9.13. Re-Application for Promotion to Full Professor

In the case where a Faculty member is denied promotion to Professor, the faculty member may reapply. Faculty members need to meet eligibility requirements outlined in Section 7.1 and Section 8.6 at the time of re-application. Faculty should address any explanations outlined in the letter from the Rank and Tenure Committee at the time of the recommendation against promotion. Faculty should ensure, to the best of their ability, that any deficiencies noted are addressed in the dossier submission. Deadlines for submission for promotion will follow the standard schedule in Section 9.10.

### Section 9.14. Procedures and Grounds for Revocation of Tenure

#### (a) Preliminary Proceedings Concerning the Behavior of a Faculty Member

When the behavior of a tenured faculty member, or a faculty member whose term appointment has not expired, warrants scrutiny (see Section 9.14.c), the

appropriate administrative officers should discuss the matter with the faculty member in a confidential conference. If an informal resolution is not achieved, the administrative officer refers the matter to Human Resources to determine if there is an imminent threat. At this point, Human Resources may determine that the faculty member should be suspended with pay. Regardless of the need for temporary suspension, the administrative officer will notify the Chair of Faculty Council.

Faculty Council should informally inquire into the situation to determine whether formal proceedings should be instituted. If a member of the Faculty Council is involved as one of the principals in a case, that person will not participate in the investigation. Formal proceedings should begin if recommended by Faculty Council or determined by the President of the University.

(b) Commencement of Formal Academic Due Process

The Formal Proceedings should be commenced by a communication addressed to the faculty member by the President of the University, informing the faculty member that, if they so request, a hearing to determine whether removal from the faculty position on the grounds stated will be conducted by a faculty committee at a specified time and place. In setting the date of the hearing, sufficient time should be allowed for the faculty member to prepare a defense. The faculty member should be informed, in detail or by reference to published regulations, of the procedural rights that will be accorded. The faculty member should state in reply whether a hearing is requested and, if so, should answer in writing, not less than one week before the date set for the hearing, the statements in the President's letter.

(c) Dismissal for Cause

Dismissal for cause may occur and will terminate the continuous appointment of a tenured faculty member in one or more of the following instances:

1. Financial exigency of the University which will be demonstrably bona fide. In this case, the University will follow the guidelines for 'Financial Exigency, Academic Governance and Related Matters' as provided in the AAUP "Recommended Institutional Regulations on Academic Freedom and Tenure" (2004);
2. When a specific program area or department is closed by the University, in which case the University will follow the guidelines for 'Discontinuance of Program or Department for Educational Reasons' as provided in the AAUP "Recommended Institutional Regulations on Academic Freedom and Tenure" (2004). In such cases, the University will provide at least one year's notice to the faculty member(s) affected and will offer reappointment to those faculty members affected if the program or department is reinstated within two years from the time it is closed;
3. Professional incompetence or job abandonment; Protracted failure to discharge a significant portion of the primary responsibilities of a faculty member in regard to teaching and scholarly activity;

4. Abusive treatment of students, other faculty, staff, or administrators, as prohibited by law or university policy;
5. Moral turpitude, as described by AAUP's "Professional Ethics Statement" (2009).

(d) Hearing Committee

This Committee will be an ad hoc committee called into being by the Faculty Council Committee after its preliminary investigation has determined there is cause for a formal hearing. The membership of this Committee will be constituted of five tenured faculty members – one chosen by the defendant, one chosen by the President of the University, two elected by the tenured faculty, and one chosen by the preceding four members, who will then elect a Chair from among themselves.

(e) Committee Proceeding

The Committee should proceed by considering the statement of grounds for dismissal already formulated, and the faculty member's response written before the time of the hearing. If the faculty member has not requested a hearing, the Committee should consider the case on the basis of the obtainable information and decide whether they should be removed; otherwise, the hearing should go forward. The Committee, in consultation with the President and the faculty member, should exercise its judgment as to whether the hearing should be public or private. If any facts are in dispute, the testimony of witnesses and other evidence concerning the matter set forth in the President's letter to the faculty member should be received.

The President should have the option of attendance during the hearing. They may designate an appropriate representative to assist in developing the case; but the Committee should determine the order of proof, should normally conduct the questioning of witnesses, and, if necessary, should secure the presentation of evidence important to the case.

The faculty member should have the option of assistance by counsel, whose functions should be similar to those of the representative chosen by the President. The faculty member should have the additional procedural rights set forth in the 1940 Statement of Principles on Academic Freedom and Tenure (AAUP), and should have the aid of the Committee, when needed, in securing the attendance of witnesses. The faculty member or their counsel and the representative designated by the President should have the right, within reasonable limits, to question all witnesses who testify orally.

The faculty member should have the opportunity to be confronted by all witnesses adverse to them. Where unusual and urgent reasons move the Hearing Committee to withhold this right, or where witnesses cannot appear, the identity of witnesses, as well as their statements, should nevertheless be disclosed to the faculty member. Subject to these safeguards, statements may when necessary be taken outside the hearing and reported to it. All the evidence should be duly recorded. Unless special circumstances warrant, it should not be necessary to follow formal rules of court procedure.

(f) Consideration by Hearing Committee

The Committee should reach its decision in conference, on the basis of the hearing. Before doing so, it should give opportunity to the faculty member or their counsel and the representative designated by the President to argue orally before it. If written briefs would be helpful, the Committee may request them. The Committee may proceed to decision promptly, without having the record of the hearing transcribed, where it feels that a just decision can be reached by this means; or it may await the availability of a transcript of the hearing if its decision would be aided thereby. It should make explicit findings with respect to each of the grounds of removal presented, and a reasoned opinion may be desirable. Publicity concerning the Committee's decision may properly be withheld until consideration has been given to the case by the Board of Trustees of the University. The President and the faculty member should be notified of the decision in writing and should be given a copy of the record of the hearing. Any release to the public should be made through the President's Office.

(g) Consideration by Board of Trustees

The President should transmit to the Board of Trustees the full report of the Hearing Committee, stating its action. On the assumption that the Board of Trustees has accepted the principle of the faculty Hearing Committee, acceptance of the Committee's decision would normally be expected. If the Board of Trustees chooses to review the case, its review should be based on the record of the previous hearing, accompanied by opportunity for argument, oral or written or both, by the principals at the hearing or their representatives. The decision of the Hearing Committee should either be sustained, or the proceeding be returned to the Committee with objections specified. In such a case, the Committee should reconsider, taking account of the stated objections and receiving new evidence if necessary. It should frame its decision and communicate it in the same manner as before. Only after study of the Committee's reconsideration should the Board of Trustees make a final decision overruling the Committee.

(h) Publicity

Except for such announcements as may be required, covering the time of the hearing and similar matters, public statements about the case should be avoided as far as possible until the proceedings have been completed. Announcements of the final decision should include a statement of the Hearing Committee's original action if this has not previously been made known.

## **Section 10. Leaves and Resignations**

Faculty are eligible for other employee benefits as stated in their contract, as more fully described in the University's Employee Handbook. Faculty should refer to the Employee Handbook or contact Human Resources for further information about these benefits.

### **Section 10.1. Sabbaticals**

The University recognizes the need to support tenured, and certain visiting faculty (see Section 9.3), faculty members in their professional growth and development as scholars



and teachers through sabbaticals for new or renewed research, study, writing, or travel.

There are two kinds of sabbatical leaves: for a full academic year at one-half salary, and for one semester at full salary. In either case, the University will continue to provide the faculty member with its full benefit program during the sabbatical leave.

(a) Eligibility for Sabbatical: A full-time faculty member is eligible for a sabbatical leave upon completing at least six years of full-time service at the University. Faculty who have already received a sabbatical leave are eligible for a subsequent sabbatical after an additional six years of full-time service.

1. Length of service alone does not entitle the faculty member to a sabbatical leave. A written proposal must be submitted and approved through appropriate channels as outlined below in section (b).
2. A request for a sabbatical leave will include a specific study proposal outlining how the leave is to be used and a listing of expected professional benefits to the faculty member, the University, and academic life in general.
3. Whether or not to grant a sabbatical leave rests in the discretion of the University, and the University may deny requests for sabbatical leaves for reasons which include but are not limited to:
  - Financial status of the Department, Division, School, and/or University;
  - Requests from other faculty members in the same or related areas;
  - Incomplete or inadequate sabbatical proposals;
  - Needs and best interests of the University, School, Division, or Department.

(b) Application for Sabbatical: Faculty members requesting a sabbatical leave, for fall, spring, or an academic year, must submit their proposal to their Department Chair no later than November 1 of the preceding academic year. (Faculty who are submitting their tenure dossier in their sixth year are eligible to submit sabbatical requests.) On or before December 1, the Department Chair will forward the proposal, along with a positive or negative recommendation and its rationale, to the School Dean. The Chair will also provide an explanation for how the Department will adjust for the faculty member's absence. The School Dean will forward this information, along with their positive or negative recommendation and rationale to the Provost on or before January 10 of the academic year preceding the requested sabbatical.

Taking into account these recommendations, the factors listed in (a)(3) above, and any other relevant factors, the Provost makes a recommendation to the President. All sabbatical leave decisions are made by the Board of Trustees, typically at the Board meeting in March, after it has been informed of the recommendations of the President, the Provost, the School Dean, and the Department Chair. The President communicates the Board's decision in writing to the faculty member, Department Chair, School Dean, and Provost within two weeks after the Board's decision.

(c) Other Employment During Sabbatical: Full-time, paid employment (including such as teaching at another university or at St. John Fisher University) while holding a

paid sabbatical leave is incompatible with the purposes of sabbatical leaves and is prohibited unless the University and the faculty member agree in writing before the sabbatical begins. If a faculty member on a paid sabbatical leave is employed more than part-time by another employer elsewhere (in contrast to holding a study or research grant), the University also reserves the right to reduce the amount of the University's sabbatical pay and benefits accordingly in addition to any other lawful actions taken by the University, including without limit denial of subsequent sabbaticals.

- (d) Post-sabbatical Leave Procedures: The faculty member must submit a written report on the sabbatical leave to the Department Chair or Academic Program Director, the School Dean and the Provost by the end of the first semester back at the University which will demonstrate how the goals of the sabbatical were met, and if not, why not. The submission of this report will be one factor in determining whether or not future sabbatical leave requests will be granted.
- (e) Any faculty member who receives a sabbatical leave accepts the obligation to return to the University for at least the length of the sabbatical, or will be liable to the University for an amount equal to the salary paid during the sabbatical, unless this understanding is waived in writing by the President before the start of the sabbatical leave.

## Section 10.2. Leaves of Absence

### (a) Paid Leaves and Leaves Required by Law

Recognizing the medical, personal, and professional needs of the faculty, the University makes available several types of leaves of absence in addition to the sabbatical leaves discussed above. These leaves are outlined in the Employee Handbook.

While faculty members are not required or expected to discuss any confidential details of their leave with their Department Chair or Dean, the faculty employee is expected to discuss, when possible, the timing and expected length of leave and any outstanding work duties with their Department Chair or Dean and to periodically keep them advised of their work status and expected return date.

### (b) Personal Leaves Without Pay

Paid leaves of absence are available only to full-time faculty members of the University unless otherwise required by law.

The University recognizes that there also may be academic, personal, or community needs which arise outside the framework of the leaves presented in the Employee Handbook and/or required by law. When possible, and in the mutual best interests of both the faculty member and the University, the University will seek to honor such requests from faculty members.

Personal leaves are without pay and are usually for one semester or, at the most, for one academic year and are solely within the discretion of the University. A leave of more than one year is ordinarily not approved unless the extension is essential to the needs of the faculty member and is also suitable to the needs of the

University. Exceptions may be made only with the specific written consent of the Provost after written request of the faculty member to their Department Chair, School Dean, and the Provost.

During personal leaves without pay, faculty members are not covered by the University's benefit programs unless required by law (e.g., COBRA) or unless an exception is granted in writing by the Provost before the leave begins. Any requests for special arrangements involving the University's benefit programs must be included in the faculty member's application for a personal leave without pay.

Written application for a personal leave without pay should be made at least one semester before the leave is to begin. The application is made to the Department Chair, unless the Department Chair is the applicant, in which case the application shall be submitted to the School Dean. The Department Chair or Dean will promptly forward their positive or negative recommendation, including its rationale, to the Provost. After consultation with the School Dean and the Department Chair (and, if necessary, the individual faculty member), the Provost will communicate the decision to the faculty member, with copies of the decision to the School Dean and the Department Chair.

### **Section 10.3. Effect of Leaves of Absence Upon Probationary Period**

A non-sabbatical leave of absence, paid or unpaid, for less than an academic year granted to a tenure-track faculty member will count toward the probationary period unless the faculty member and the University agree in writing to the contrary at the time the leave is granted. Exceptions may be granted only upon the written consent of the Provost after written request of the faculty member to their Department Chair and Dean, who will provide their recommendations to the Provost, who will submit their and the Provost's recommendation to the President.

A non-sabbatical leave of absence, paid or unpaid, for one academic year or more will not count toward the probationary period of a tenure-track faculty member unless the faculty member and the University agree in writing to the contrary at the time the leave is granted. Exceptions may be granted only upon the written consent of the Provost after a written request of the faculty member to their Department Chair and Dean, who will provide their recommendations to the Provost, who will submit their and the Provost's recommendation to the President.

### **Section 10.4. Resignations**

When faculty members decide to resign, they should notify their Department Chair and School Dean as soon as possible. Resignation at a late date inflicts hardship on the institution.

## **Section 11. Grievances**

To support and promote principles of equity and fairness, an internal grievance process is available to Faculty members. Its purpose is to provide a self-governance mechanism to help resolve certain types of disputes, without fear of reprisal, based on equitable

consideration of the merits.

### Section 11.1. Actions Subject to Grievance Process

For purposes of these procedures, a “grievance” is defined as a claim by a member of the teaching faculty that there has been an alleged breach, misinterpretation, or misapplication of the policies or procedures in the Faculty Statutes with regard to appointment or reappointment, suspension, dismissal, or reassignment; or that an employment decision was based on conflict of interest. (A conflict of interest is defined as a situation in which the action being grieved was made by a person in a position to derive personal benefit from that decision outside the scope of their employment.) Actions specifically not subject to the grievance process include:

- (a) any action by the Board of Trustees and/or the President, except those of suspension and dismissal;
- (b) Human Resources matters (such as allegations of violations of the University’s equal employment opportunity, sexual harassment, or unlawful harassment policies): these matters will be addressed through the University’s Sexual Harassment policy, Sexual Misconduct policy, and the Discrimination and Harassment Complaint Procedure set out in the St. John Fisher University Employee Handbook as applicable. All employees are required to bring questions or concerns about sexual harassment, discrimination, and unlawful harassment in the workplace to the immediate attention of their supervisor or manager and Human Resources;
- (c) any action that has already been decided through the grievance process;
- (d) substantive decisions regarding Tenure and Promotion, though procedural claims are available for grievance (see Section 11.5);
- (e) matters associated with revocation of Tenure (see Section 9.14).

### Section 11.2. Informal Process

Faculty members who wish to pursue a grievable offense are strongly encouraged to make a good faith effort to resolve the matter with the party or parties who made the decision in question, enlisting the aid of mediators as appropriate. This informal stage should begin relatively soon after the offense occurs, as a formal grievance must be filed within 45 calendar days of the action to be grieved. If the grievant is dissatisfied with the results of these efforts, the grievant should discuss the situation with the department Chair, unless the grievance is directed at the Chair; then the grievant should discuss it with the School Dean. If the grievance is directed at the School Dean, the grievant should discuss the situation with the Provost. If the grievance is directed at the Provost, the grievant should discuss the situation with the President.

If the informal procedures do not resolve the situation, the grievant who wishes to pursue the matter further must notify in writing the Chair of the Grievance Committee and the President with a written statement of the grievance within 45 calendar days of the action being grieved, which reviews the pertinent facts surrounding the situation, and includes at

that time any pertinent evidence and documentation which the grievant wants the Committee to consider.

### Section 11.3. Recusal Based on Committee Member Conflicts of Interest

Members of the Grievance Committee who directly participated in the decision or action which is the subject of the grievance must recuse themselves for purposes of the pending grievance. A Grievance Committee member who believes they may have a conflict of interest with respect to the grievance must reveal such information to the Chair of the Committee as soon as possible. A party may also bring any perceived conflict of interest of a Committee member to the attention of the Chair of the Committee. The Chair of the Committee will determine if an actual conflict of interest or a credible and material appearance of a conflict of interest exists and notify the other Committee members. The member who is determined to have the conflict of interest or the credible and material appearance of a conflict of interest will be excused from service on the Committee for purposes of the pending grievance. If the Chair is the Committee member with the conflict of interest, the Vice Chair will make the determination.

The grievant understands and agrees that, as a condition of bringing any grievance, they will hold no member of the Grievance Committee, the President, or any other University employee or representative, liable to legal action or other liability of any nature for their duly constituted work on the grievance.

### Section 11.4. Grievance Committee Procedures

The Grievance Committee will consider the grievant's written statement along with any supporting evidence and documentation supplied by the grievant, testimony of the parties to the grievance (should the Committee believe testimony would be helpful and appropriate), and testimony/documents from any witnesses or other persons that the Committee considers appropriate. The Committee may request written statements or relevant materials from any of the parties, witnesses, or others. Upon request, all parties to the grievance will be given access to the written testimony and documents of all other parties and witnesses which have been supplied to the Grievance Committee and upon which the supplying party relies for its complaint or defense of the grievance, as applicable, and may request the opportunity to provide a written rebuttal or verbal response to the Committee, to be granted in the Committee's sole discretion.

The Grievance Committee will keep minutes of its meetings. These minutes will include the dates of the meetings, the Committee members present, a list of those who presented testimony, and the topics discussed. All other communications and deliberations of the Committee, written and oral, as well as materials gathered and/or created in connection with the grievances shall be held confidential against all third parties, except for: the Provost; the President or the President's representative; when required by law; or when disclosed in connection with pending administrative or legal proceedings. The Committee may consult University legal counsel if needed.

The Committee will consider any specific remedies requested by the grievant, will establish

the pertinent facts, and will recommend a resolution of the grievance in accordance with the policies and procedures set forth in the Faculty Statutes. For all Committee decisions, whether about witnesses to be heard, written statements to be requested, or any other matter of procedure allowed by these grievance procedures, including its final recommendation regarding the grievance, the agreement of a majority of participating Committee members is sufficient.

The Committee will endeavor to gather and review relevant evidence, hold hearings and take testimony if necessary, and conclude deliberations within 45 calendar days after the filing of the Grievance. Within 10 calendar days after the completion of deliberations, the Committee will forward its recommendation in writing to the President, together with all supporting evidence and minutes of its meetings, and forward the written recommendation, without related documentation, to the parties in the grievance. If the President wishes to render a decision contrary to the Committee's recommendation, either on their own initiative or after consideration of a request by the grievant or any involved party to modify or reverse the recommendation, the President will inform the Committee of their intention within 10 calendar days after receiving the Committee's recommendation in order to provide the Committee with the opportunity to give further consideration to the matter. If the President and the Committee still do not reach consensus, within 10 calendar days thereafter, the President will issue a decision on the grievance within 10 more calendar days with reasons for issuing a decision contrary to its recommendation. The President will share the decision and this written statement with all parties to the grievance. In all cases, the decision of the President is final and not subject to appeal. A subsequent grievance may not be filed to challenge the outcome or manner in which a prior grievance was determined.

At the conclusion of the grievance process, all files and documentation compiled by the Grievance Committee during its deliberations will be forwarded to the chief executive of the Human Resources department, who will archive these records.

The Committee will report annually to the Faculty Assembly and may report on general principles arising from its work, including recommendations for institutional improvements.

### Section 11.5. Special Provisions for Tenure and Promotion Grievances

For purposes of these procedures, a "tenure grievance" or "promotion grievance" is defined as a claim by a grievant that there has been an alleged breach, misinterpretation, or misapplication of the tenure or promotion procedures set out in the Faculty Statutes; or that a conflict of interest materially tainted the decision. It expressly excludes any review of the substantive merits of such tenure or promotion decision.

A faculty member who has been denied tenure or promotion may file a grievance by following the procedures set out in Section 11.4.

When considering a tenure or promotion grievance, to the extent relevant, the Grievance Committee may request testimony or documentation of the confidential deliberations or

votes of the Committee on Rank and Tenure, the grievant's department, or the School Dean, Provost, or President. To the extent that such testimony or documentation is revealed in the course of the grievance proceedings, such information must be maintained as confidential by the Grievance Committee and used only for purposes of determining the grievance, and the Committee will not make it available to the grievant.

If, as a result of a grievant's tenure or promotion grievance, the Grievance Committee upholds the grievance or the President changes their original recommendation to the Board of Trustees, the Board shall be notified by the President, and the Board may then reconsider its original tenure or promotion decision for the grievant.

## **Section 12. Faculty Roles in Selecting and Evaluating Academic Administrators**

In the spirit of shared governance, faculty representatives will be active participants in the University's selection, evaluation, and removal of certain academic administrators as stated in this Section. With respect to removal, all academic administrators remain in service at the will of the President and may also be removed as stated in Section 2.

### **Section 12.1. Faculty Recommendations Regarding Rank and Tenure for Incoming Administrators**

When a candidate is hired to an academic administrator position requiring a faculty appointment, it is expected that the candidate has earned tenure and promotion at this or another institution. For an external candidate, the Provost or President will receive the recommendation of the Chair of the Department or Division (after the Chair has conferred with the Department and Division faculty) in which the candidate is to be tenured. The Provost or President will submit the candidate's curriculum vitae to the Chair of the Rank and Tenure Committee for a timely review for recommendation to the President, and ultimately the Board as to whether to confer tenure and specified faculty rank.

If the Rank and Tenure Committee does not recommend the candidate for tenure and the President elects to proceed with hiring the candidate and conferring tenure, the President must give a written explanation to the Rank and Tenure Committee and the relevant Department.

### **Section 12.2. Selection and Evaluation of Provost**

Faculty representatives elected by members of the Faculty Assembly will be active participants in the University's selection of any regularly appointed Provost, pursuant to a search committee and process established by the President.

The Provost will be evaluated by the President every year through a process established by the President in accordance with the general practice of performance review and collegial feedback. The Provost will prepare a self-evaluation.

Every three years the Provost will be evaluated by the University's faculty and staff within

academic affairs. At this time, the faculty and staff will review the Provost's self-evaluation. The President may also meet with any faculty or staff the President deems appropriate for the purpose of incorporating additional input into the Provost's evaluation.

In the event of an unplanned vacancy in the Provost position, the President, after consultation with the School Deans and Department Chairs, may make an appointment to the position of Acting Provost to serve on a temporary basis.

Assistant Provost(s) may be hired at the discretion of the Provost and President to assist with the Provost's duties.

## Section 12.3. Selection and Evaluation of School Deans

### (a) Dean Appointments

Deans are appointed by the Board, following recommendation by the President and the Provost, with consultation and guidance from the faculty as set forth in this Section 12.3.

When a vacancy for a Dean is anticipated, a meeting of School faculty will be called by the Department Chair with the most years of service in the School. At the initial meeting, which requires at least 50% of the full time School faculty to meet quorum, a facilitator for the search process will be selected. School faculty who are eligible to vote in Faculty Assembly may vote for this facilitator. All faculty of the School are eligible to attend and participate in such meeting(s). Faculty, in consultation with the Provost, will consider School needs, issues and future activities, and identify the characteristics desirable in the Dean. Through the facilitator of the meeting(s), the School may invite any other persons whose participation would be valuable. Minutes of such meeting(s) will be sent by the facilitator to the School faculty, President, and Provost.

The Provost and senior Department Chair will create a structure for the search committee. School faculty with voting privileges will select faculty of the committee. Members of the committee who are not School faculty may be recommended and invited by the Department Chairs or the Provost. The Search Committee will work with the Provost regarding criteria, process, and expectations.

During the initial evaluation of candidates, committee members must disclose any relationship with the candidate(s) that may pose a conflict of interest. The Search Committee will select finalists to visit with campus constituents. The Provost or President may also introduce candidates for consideration by the search committee at any time. After each visit, faculty and staff of the University community will have the opportunity to complete a feedback survey which will request qualitative feedback and will ask respondents to judge each candidate acceptable or unacceptable.

At the conclusion of all candidate presentations, the Election Committee, in consultation with the Search Committee, will oversee a School-wide survey. Faculty who are voting eligible per the Faculty Statutes will submit two types of responses: (1) an acceptable vs. unacceptable "vote" on each individual candidate; and (2) an



overall ranking of all the candidates.

These results will be communicated to the Search Committee, the President, and the Provost. The Search Committee, based on all the information available to them, will provide a slate of acceptable candidates by the faculty to the President and Provost accompanied by a detailed narrative that explains the strengths and weaknesses of all finalists. Deans will be appointed by the Board of Trustees upon recommendation of the President.

Following the offer and acceptance by a candidate, the Provost will be available to address the entire School regarding the decision of the University administration, if requested.

In the event that no candidate is selected and appointed to the Dean position as a result of the search process, the President and the Provost will meet with school faculty to explain the outcome of the search, discuss the search criteria, and suggest possible considerations for a new search. Subsequently, a meeting of school faculty will be held to initiate a new search.

For interim Deans, the process above is followed in an expedited fashion. The Search Committee will solicit nominations of candidates, and schedule opportunities for candidates to speak to the faculty and conduct question-and-answer sessions. The term of service for an Interim Dean will be no more than one year. In the case of a failed search for a Dean, the term of the interim Dean may be renewed.

In the event of an unplanned vacancy in a school dean position, the President, in consultation with the Provost, and Department Chairs shall make a temporary appointment to the position of Acting Dean, to serve on a temporary basis until a Dean or Interim Dean.

#### (b) Evaluation

Deans will be evaluated by the President and Provost every year through a process established by the University, in accordance with the general practice of performance review and collegial feedback. Results of the evaluation will be forwarded to the President. The Dean will prepare a self-evaluation.

Every three years, the Dean will also be evaluated by the faculty and relevant staff of the School and University. At this time, the Provost will convene a committee of faculty and staff to review the Dean's self-evaluation; this review will be forwarded to the Provost. In addition to the three-year review of the Deans by faculty and staff, the Provost may meet with School faculty in confidential meeting(s) for the purpose of incorporating faculty input into the Deans' annual performance evaluations.

### Section 12.4. Selection, Evaluation and Removal of Assistant and Associate Deans

#### (a) Selection

When a vacancy at the Assistant or Associate Dean level is anticipated, or a new

Assistant or Associate Dean position is desired, the Dean will circulate a draft of the job advertisement to the School faculty for feedback and recommendations. Based upon this feedback, the Dean will request approval from the Provost to replace or create a full-time assistant or associate Dean position. Supporting data, based on criteria established and published by the Provost, will be included with the request.

The Dean will work with the Chairs of the School to develop a process, which may include forming a committee, to recruit, interview and vet candidates for the position. In determining the appropriate process, the Dean will seek School faculty feedback and input to determine how best to fill the position.

In the event of an unplanned vacancy in the Assistant or Associate Dean position, the Dean, after consultation with the Provost and Department Chairs, may make an immediate appointment of the position to serve on a temporary basis.

(b) Evaluation

Assistant and Associate Deans will be evaluated annually by the School Dean. The School Dean may gather confidential information from faculty and Chairs to include in the performance evaluations.

(c) Removal of Associate and Assistant Deans

If an individual or group of departmental faculty members or the School Dean has concerns that any Associate or Assistant Dean with faculty status is not working in the best interests of the School, its students or its faculty, they will first meet with the Dean to discuss these concerns. If this meeting and resulting actions are unsatisfactory, the concerned individual(s) can initiate a School-wide meeting. The Dean should convene and facilitate this meeting and work towards consensus on how best to address these concerns. One possible solution would be the Associate or Assistant Dean's voluntary decision to step down from the position. If no consensus can be reached, there will be a vote scheduled on their possible removal. This vote will be administered by the University Elections Committee. The results of this vote will be communicated to the Dean, who will decide whether or not to recommend the removal of the Associate or Assistant Dean. The Provost will make the final decision on removal requests initiated by faculty.

The Dean (with Provost approval), the Provost, and/or the President on their own initiative may immediately remove an Associate or Assistant Dean with faculty status.

Issues regarding Associate or Assistant Deans without faculty status should be brought to Human Resources.

## Section 12.5. Selection, Evaluation and Removal of Department Chairs

(a) Selection

The Department Chair will ordinarily be a tenured member of the faculty from the department. The Chair will ordinarily be appointed for a term of three years by the Provost upon recommendation of the faculty members of the department, and the School Dean. A Department Chair may be reappointed. Any deviation from this will be described in individual School governing documents subject to Provost approval.

At the start of each academic year, each Department Chair will determine the voting privileges for full-time faculty members who serve more than one department or program. There is no prohibition on a faculty member having voting privileges in more than one department or program.

When a vacancy occurs or when a Department Chair's term of office is scheduled to expire, the Dean of the School will notify the Department, which will have a meeting to determine departmental needs. Full-time faculty members of the department, other full-time faculty members determined to have voting privileges, and the adjunct faculty members of the department with voting rights (see Section 3.2) may participate. A substantive account of the meeting will be sent to the School Dean with a copy to the Provost.

Shortly after, the department faculty with voting privileges in the department (see preceding paragraphs) will meet and cast secret ballots for the office of Department Chair. Voting may be done on paper or electronically. A member of the Elections Committee will tabulate the results and communicate the complete results to the department members, and then transmit the complete results to the School Dean with copies to the Provost and the President. The department may request that a member of Faculty Council be present for the vote. If there is no majority candidate, the department will conduct a run-off election between the top candidates.

If the department selects a candidate about whom the School Dean has concerns, the Dean will call a meeting of department faculty with voting privileges to discuss these concerns. After this meeting, the department faculty may opt to vote again. If, at this time, the Dean's recommendation differs from that of the department, the Dean will provide a rationale in writing to the department.

The School Dean will make a recommendation to the Provost, who will make the appointment of Department Chair, subject to final approval by the President.

If the majority of the department, or the School Dean, determines that external candidates should be eligible for consideration as the next Department Chair, the department and the Dean will discuss the possibility of conducting an external search. The search process for an external Department Chair should follow the guidelines outlined in Section 7.5 for faculty appointments.

#### (b) Evaluation

The work of the Chair in administering the Department will be evaluated annually by the Dean based on the criteria outlined in Sections 2.5, 8.3, 8.4, and 8.6. The

Dean may collect and incorporate feedback from faculty and staff into the evaluation.

### (c) Removal of Chairs

If an individual or group of departmental faculty members or the School Dean has concerns that the Department Chair is not working in the best interests of the Department, its students, or its faculty, they can initiate a Department meeting. The Dean will convene and facilitate this meeting and work towards building consensus on how best to address these concerns. One possible solution would be the Chair's voluntary decision to step down from the position. If no consensus can be reached, there will be a vote scheduled on the possible removal of the Chair. Faculty with voting rights, as outlined in Section 3.2, then participate in a vote to be administered by the University Elections Committee. The results of this vote will be communicated to the Dean, who will decide whether or not to recommend the removal of the Chair. The Provost will make the final decision on removal after approval by the President. This action will be reported to the Board of Trustees.

## Section 12.6. Program and Site Directors

Faculty under the direction of a site or program director should provide input regarding their selection, evaluation, and removal of Program and Site Directors. Policies and procedures outlining the role of faculty in this process will be maintained by the Dean of the School in which the program is housed.

## Section 12.7. Votes of Confidence/No Confidence

On rare occasions, in the course of University business, the Faculty may wish to formally express or record its opinion regarding the President, Vice President, Provost, or a Dean. A vote of confidence/no confidence is a statement of the sense of the faculty and not a personnel recommendation. The vote is not binding and does not compel the Administration or the Board to take any specific action but is reported to the appropriate administrator(s) including the Provost, President, and/or Board of Trustees. Aggrieved faculty should first make an attempt to resolve any issues or conflicts before pursuing a survey of faculty confidence by requesting an audience with the relevant administration.

If 10% of full-time faculty of the University with membership from at least two different schools seek a survey of faculty confidence in the President, Provost, a Vice President or a Dean, they will present this request in writing to the Faculty Assembly Chair, who will add the question of circulating an electronic petition on the agenda of the next Assembly meeting.

At that meeting of Faculty Assembly, there will be a discussion of the merits of the request. The administrator in question will be invited to the meeting to present their perspective. The discussion will be followed by a vote by secret ballot to circulate the petition among faculty. If the motion receives a simple majority of eligible ballots cast, the Elections Committee shall distribute an anonymous electronic survey, with rationale, among faculty

with voting rights, posing the question of whether the Assembly should debate holding a vote of confidence/no confidence in the given administrator.

If the electronic survey receives support from a majority of eligible voters, the administration is notified of the result, and the administrator in question is invited to prepare a written rebuttal to the request for a vote of no confidence.

Within two weeks of said notifications, a closed-door meeting of the Assembly is held. The rationale for the survey, as well as the administrator's rebuttal, are discussed. Faculty shall have the opportunity to ask questions of the administrator and the faculty who initially brought the concern to Faculty Assembly's attention. Following this discussion, the elections committee will conduct a vote to decide whether to move forward with a vote of confidence/no confidence. Only full-time faculty are eligible to vote.

If more than one-half of those eligible to vote elect to move forward with a vote of confidence/no confidence, the Assembly will place the vote on the agenda of the next Assembly. The vote itself will be anonymous and conducted by the Elections Committee. A  $\frac{2}{3}$  majority of all faculty eligible to vote shall be necessary for a vote of no confidence to pass. The results of the vote will be shared with the Faculty Assembly and the Administration.

Within five calendar days of the completion of the balloting, the Elections Committee will present the report of the vote to the Chair of Faculty Assembly, the Vice-Chair of Faculty Assembly, Faculty Council, and the immediate supervisor of the affected administrator (e.g., Provost, President, Chair and Vice Chair of the Board of Trustees). The report of the vote shall include:

- The total number of faculty who were eligible to vote;
- The total number of faculty who voted;
- The total number of faculty who voted confidence in the administrator;
- The total number of faculty who voted no confidence in the administrator.

A vote of confidence/no confidence may be taken with respect to an administrator no more than once every 18 months. If faculty have concerns about an administrator within that time frame, they may contact that administrator's supervisor.

Regardless of the outcome of the vote, the direct supervisor of the affected administrator (which shall be the Chair and Vice Chair of the Board of Trustees if the President is the subject of the vote of confidence/no confidence) shall be invited to meet in executive session with members of Faculty Council, the officers of Faculty Assembly, and the faculty member(s) who brought the initial concern to Assembly to discuss the reasons for the vote and the results of the vote. The direct supervisor may request additional information from appropriate parties. Furthermore, after meeting with the affected administrator, the direct supervisor shall be invited to inform, and, if desired, meet again in executive session with the appropriate faculty governance committee to discuss the results of that meeting.

## **Section 13. Request for Reconsideration of Administrative Decisions**

On rare occasions, in the course of University business, faculty may wish to have Faculty Assembly request a reconsideration of decisions made by the senior administration (Deans, Provost and President). These requests are generally done when faculty believe that the decision is not in the best interest of a School or the University. These requests for reconsideration are distinct from Grievance parameters and procedures (see Section 11) in that the University or its representative is not alleged to have violated the Faculty Statutes, but instead acted in a manner which Faculty believe has detrimental effects on a Program, School, or University as a whole.

Before submitting a request for reconsideration to Faculty Assembly the faculty member is urged to attempt to resolve the matter informally with the senior administration involved.

To request a reconsideration, a resolution to reconsider must be made during Faculty Assembly.

The reconsideration request should contain at least the following:

- (a) A clear identification of the decision of which reconsideration is being requested;
- (b) A clear rationale stating why the reconsideration is being requested;
- (c) Data provided to support the rationale and/or to refute the accuracy, interpretation, evidence, or otherwise available information that informs the affected decision;
- (d) A preferred alternative decision that is clearly linked to the data and evidence known at the time;
- (e) Signatures of faculty who are requesting or support the request of the reconsideration.

In order to proceed, the resolution must be supported by  $\frac{2}{3}$  majority of all faculty eligible to vote.

Faculty Assembly will share the reconsideration resolution with the relevant senior administration. The administrator will provide a written response within an appropriate time frame. If the response takes more than 20 business days, an explanation will be provided to Faculty Assembly to explain the delay. All responses will be recorded in the Faculty Assembly minutes.