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high standing in the candidate's professional field, and highly satisfactory teaching performance.

For Distinguished Adjunct Professor, either the qualifications for the full-time rank of Professor in Section 9 of this *Manual* must be shown, or relevant full-time professional responsibility and exceptional achievement. Distinguished service in the candidate's professional field or outstanding teaching performance is also required.

14. Appointment With Tenure

a. *In General*

A faculty member granted tenure may continue in the rank to which s/he has been appointed with tenure or at a higher rank until retirement, unless the University finds it necessary, after due process, to invoke its right to terminate the association at an earlier date. Termination must be based upon proof of adequate cause for dismissal which will be related directly and substantially to the fitness or performance of the faculty member in his/her professional capacity as a teacher, researcher, or creative member of his/her professional field.

If, for reasons of financial exigency of a program in which a tenured faculty member is teaching the termination of a tenured appointment is proposed, such termination shall be considered only as a last resort after every effort has been made to meet the need in some other way and to find for the faculty member a suitable assignment in the University.

b. *Eligibility for Tenure*

Tenure is not acquired merely by successive reappointment over a specified period of time. The granting of tenure is a positive judgment based on the process set forth in Section 9 of this *Manual*. For a positive tenure decision, a faculty member must have demonstrated high quality in both teaching and scholarship. There must also be evidence of the ability to continue significant growth in these areas and continue to make positive contributions to the University community such as institutional service to the Washington College of Law community.

i. Minimum Rank

To be eligible for an appointment with tenure, a faculty member must have attained the rank of assistant professor or higher. Normally, the requirements for a positive tenure decision would be equivalent to the qualifications for the rank of Associate Professor or higher.

ii. Years of Service: Full-Time Faculty

To be eligible for tenure, a full-time faculty member must have six years of full-time teaching

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service at the rank of instructor or above, at least four of which must be completed at American University, consistent with the waiver of prior service provisions described in iii.

A faculty member with a new appointment who has been previously tenured or who was eligible to be considered for tenure at another institution may, in exceptional cases, be appointed with tenure after following appropriate University procedures as described in section 9.

iii. Waiver of Prior Service

At the time of an initial tenure track appointment, a faculty member may be granted credit by the University for prior service. All years of prior service at American University may be waived. If the service was at another institution, up to two years of prior service may be credited towards tenure accrual.

Until the faculty member submits his/her first "File for Action" for reappointment to the University, a faculty member may waive such credit towards tenure, subject to notification through the established faculty action process. The waiver must be in writing and filed with the dean of academic affairs. Thereafter, time credited toward tenure may not be waived, even at the request of the faculty member, except in the most unusual of circumstances.

c. *Leaves and Accrued Time for Tenure*

Certain types of leave do not count as accrued time for tenure. Eligibility for these leaves is described in section 15.

Leave Without Pay : A leave without pay is not included either in accrual of service for sabbatical eligibility or as part of pre-tenure service, unless there is advance written agreement to the contrary by the dean of academic affairs, in consultation with the individuals and committees ordinarily involved in recommending faculty personnel decisions. Normally, if a leave without pay is granted in the sixth year of pre-tenure service, the tenure review will go forward and the time accrues towards tenure. Periods of partial leave without salary stop the tenure clock on a proportional basis. These arrangements and the conditions related to it must have the prior written approval of the dean of academic affairs.

Research Leave: A Research Leave normally carries with it accrual of eligibility for tenure and promotions in rank, but not for sabbaticals. Faculty members have the right to waive this accrual, if they specify this waiver as part of their application for Research Leave. Normally, if the

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Research Leave is granted in the sixth year of pre-tenure service, the tenure review will go forward and the time accrues towards tenure.

Parental Delay: A faculty member who is the primary care-giver for a newly born or newly-adopted child may postpone tenure consideration for up to one year even if no leave from the university has been taken.

The maximum number of years of delay will be two years and this will include all other types of leaves.

*d. Accumulation of Service Toward Tenure: Faculty Members with Less Than Full-Time Teaching Duties*

The faculty of American University includes some members who are designated as full-time but who teach less than a full load of courses while engaging in full-time scholarly work and teaching. Provided that they carry a minimum teaching load of five credit hours per academic year and participate actively in the governance of the Washington College of Law or of the University, such faculty members will accumulate credit toward tenure as if they were teaching a full load.

A rate of not less than one-half of the regular rate of accrual of credit toward tenure for full-time faculty members who are engaged partly in administrative, counseling, or other functions, or who do not work full-time in scholarship and teaching will apply, provided that the rate is agreed upon in writing at the commencement of such contractual period. No credit toward tenure shall be granted while a faculty member is on leave without pay.

*e. Prohibition Against a Concurrent Tenured or Full-Time Appointment at Another Higher Education Institution*

Regular faculty members who are teaching full time at the university, may not, during the term of their appointment, hold a tenured or full-time position on the faculty of another higher education institution.

15. Professional Obligations

The University expects that during the terms of their contract faculty members will devote themselves to teaching, advising students, scholarship, and University service in a fashion that is demonstrably full-time by any reasonable standard. Moreover, the University expects that a faculty member's professional relationship to the University will continue during vacation periods in such areas as preparation of courses, participation in professional development, reading and grading of comprehensive examinations, theses, and dissertations, as well as supervision of students in clinical