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GLOSSARY

Academic unit: a free-standing school or college or the University Library; the academic units are the Kogod School of Business, School of Communication, School of Public Affairs, School of International Service, College of Arts and Sciences, School of Professional and Extended Studies and University Library.

Academic unit review: all stages of the internal review up to and including review by the academic unit dean.

Adjunct faculty: all faculty whose regular contractual obligations to the university are on a part-time basis.

Annual report: a yearly summary prepared by a faculty member of his or her scholarly, teaching, and service activity. The Dean of Academic Affairs or the academic unit dean may prescribe a format for the annual report.

Chair: refers to department chairs, deans of schools within an academic unit, division directors, or directors or leaders of centers and institutes within an academic unit.

Credit hour productivity: the total number of student credit hours (SCH) generated by an individual faculty member, a teaching unit, or an academic unit in a defined period, such as a semester or an academic year. Credit hour productivity may be used as a target or a factor in formulating unit budgets or allocating such resources as tenure or term faculty lines.

Dean: refers to the dean of each academic unit and the University Librarian.

Emeriti and emeritae faculty: all retired faculty who have been awarded these designations and associated privileges as defined in this *Manual* in the tenure-line and term faculty sections "Academic Ranks and Qualifications."

External review: the review of a faculty file for action by one or more faculty members or professionals not associated with American University.

Faculty action: all requests for appointment, reappointment, tenure, or promotion.

File for action: information assembled by the faculty member (and potentially supplemented by external materials) requesting a faculty action for reappointment, tenure, or promotion.

Full-time faculty: all tenure-line faculty and term faculty who have a full-time contractual obligation to the university.

Internal review: the review of a faculty action by American University faculty, administrators, or both.

Pre-tenure faculty: tenure-line faculty whom American University has not yet considered for tenure.

Pre-tenure review: an internal review that provides the faculty member a report on his or her progress toward tenure.

Retired faculty: all full-time faculty who have retired from active service at American University.

Sabbatical eligibility year: the year after completing six years of full-time workload obligations to the university.

Scholarship or scholarly: refers to research, scholarship, and creative or professional activity.

Senior faculty: all faculty members at the rank of associate professor or above who are currently tenured at American University.

Teaching unit: department, school within an academic unit, division, program, institute, or center.

Tenure-line faculty: refers to all faculty who are tenured or on a tenure track; does not include emeriti and emeritae faculty.

Tenure-track faculty: refers to all tenure-line faculty who hold pre-tenure appointments at American University.

Term faculty: all full-time faculty with contractual obligations who are not tenure line at American University.

University review: all stages of the internal review process.

FOREWORD

Each member of the faculty and American University accept a mutual set of obligations and expectations at the time of initial appointment. The *American University Faculty Manual* presents these obligations and expectations as a guide to university policies and practices regarding faculty.

The Faculty Senate formulated these policies, acknowledging the prior work of the Committee on Faculty Relations and the ad hoc Faculty Manual Committee. They reflect the efforts of its drafters to affirm principles in accord with those generally in effect in the academic world. The university does not discriminate on the basis of race, color, religion, national origin, sex, gender, gender identity and expression, age, disability, marital status, personal appearance, sexual orientation, family responsibilities, political affiliation, or any other legally protected status under federal or District of Columbia law. Seeking a diverse faculty and administration, the university strives to conform to all applicable equal employment opportunity and affirmative action laws and all federal and state nondiscrimination laws. American University is committed to providing and protecting all rights afforded to faculty members under federal and District of Columbia employment and employment-related laws.

The principles set forth in the *Manual* evince the firm intention of the university to provide as favorable working conditions for its faculty as resources permit and an atmosphere in which faculty members may pursue their scholarly, creative, and professional activities and interests freely and without restraint. In return, the university expects faculty members to devote themselves with energy to the primary duties of teachers, scholars, and creators of knowledge and to challenge students intellectually and encourage them to acquire knowledge, understanding, and vision.

This *Manual* sets a framework for a university that continually aspires to be recognized among other distinguished universities as a distinct college-centered research university that values outstanding teaching and scholarship.

This *Manual* applies to all faculty at the university with the exceptions noted below or unless a specific rule, regulation, or policy requires otherwise. Any faculty member may submit to the Faculty Senate a recommendation to amend the *Manual.* If approved, the Faculty Senate forwards the recommendation to the Provost, who may either accept or reject the recommendation. If the recommendation is accepted, the Provost forwards the recommendation to the President who may either accept or reject it. The President forwards accepted recommendations to the Board of Trustees for a final decision. The Board of Trustees may make changes to the *Manual* in consultation with the Faculty Senate, the Provost, and the President.

This *Manual* establishes a set of standard procedures. When the *Manual* uses the words "customarily," "generally," "usually," "typically," or "normally" in the description of a procedure, it indicates the flexibility to depart from standard procedure in individual instances. When such departures require a written exception as indicated in this *Manual,* these written exceptions must be filed in the office of the Dean of Academic Affairs. The Dean of Academic Affairs provides to any

faculty member the exception agreements upon request except for those agreements that contain health or other highly personal information.

This *Manual* applies to the Washington College of Law faculty only when not inconsistent with the *Washington College of Law Faculty Manual*. In particular, faculty appointments, promotions, tenure, and grievance decisions in the Washington College of Law are not subject to review by either the Committee on Faculty Actions or the Committee on Faculty Grievances. The *Washington College of Law Faculty Manual* supersedes and preempts this *Manual* when its practices and procedures, including but not limited to those enunciated by the American Bar Association and the Association of American Law Schools, are inconsistent with this *Manual*.

This *Manual* also applies to University Library faculty only when not inconsistent with the *University Library Faculty Manual*. The *University Library Faculty Manual* conforms to the *American University Faculty Manual* except in instances when long-standing practices, criteria, or principles specific to University Library faculty members result in different policies or procedures. The *University Library Faculty Manual* supersedes this *Manual* where the two manuals are inconsistent.

This *Manual* also applies to the Law Library faculty of the Washington College of Law only when not inconsistent with its approved *Washington College of Law Library Faculty Manual* (section II, part V, of the *Manual of Information and Procedures*). The *Washington College of Law Library Faculty Manual* conforms to the *American University Faculty Manual* except in instances when long-standing practices, criteria, or principles specific to Law Library faculty members result in different policies or procedures. The *Washington College of Law Library Faculty Manual* supersedes this *Manual* where the two manuals are inconsistent.

To the extent there are statements in the *Manual* which conflict with the policies and bylaws of the Board of Trustees, the Board's bylaws, policies, and other governing documents will be controlling.

GENERAL INFORMATION

1. A Brief History of American University

An Act of Congress approved on February 24, 1893, established American University in the District of Columbia. The act was primarily a result of the efforts of Methodist Bishop John Fletcher Hurst (1834–1903).

Bishop Hurst and his colleagues aspired to build an institution that would meld the strengths of German universities with those of the existing university system in America. As their plans developed during the early years, they began to conceive of American University as:

- a privately supported university financed principally by the membership of the churches of the Methodist Episcopal Church, which had founded many colleges and universities in the early years of American history

- an internationally minded institution where scholars from across the nation and throughout the world would gather to dedicate their combined efforts to advance and disseminate knowledge
- a center of higher education and scholarship activities which, while independent of the government, would draw freely on the intellectual and scientific resources of the nation's capital to supplement and extend its own capabilities; an institution that would contribute to the general cultural life and development of the capital in much the same manner that state-supported universities in other world capitals contributed to their communities.

After more than two decades devoted principally to securing financial support, the university was officially dedicated on May 15, 1914. Instruction began on October 6 of that year, when the university enrolled 28 students (19 of them graduate students, and 9 of them special students who were not candidates for a degree). The First Annual Commencement, at which no degrees were awarded, was held on June 2, 1915. The Second Annual Commencement was held on June 2, 1916, and the university awarded its first degrees (one master's degree and two doctoral degrees).

During the next 10 years, the university offered instruction at the graduate level only, in accordance with the original plan of the founders. In the fall of 1925, the College of Liberal Arts (subsequently named the College of Arts and Sciences) was established. Since that date, the university has offered both undergraduate and graduate degrees and programs.

The present structure of the university began to emerge in 1949. The Washington College of Law became part of the university in that year, having begun in 1896 as the first coeducational institution for the professional study of law in the District of Columbia. Shortly thereafter, the university reorganized three departments as schools: the School of Business Administration, subsequently named the Robert P. and Arlene R. Kogod College of Business Administration (1955); the School of Government and Public Administration (1957); and the School of International Service (1958). From 1965 to 1977, the College of Continuing Education existed as a degree-granting college with responsibility for on- and off-campus adult education programs. The Lucy Webb Hayes School of Nursing provided undergraduate study in nursing from 1965 until 1988. In 1972, the university incorporated the School of Government and Public Administration, the School of International Service, the Center for Technology and Administration, and the Center for the Administration of Justice (subsequently named the School of Justice) into the College of Public and International Affairs. In 1988, the university reorganized the College of Public and International Affairs to create two free-standing schools: the School of International Service and the School of Public Affairs, incorporating the School of Government and Public Administration and the School of Justice. The School of Communication became independent from the College of Arts and Sciences in 1993. The School of Professional & Extended Studies was created in 2012 to serve life-long learners with innovative, employer-responsive professional degrees, certificates and short-term courses. It also hosts the Washington Semester Program founded in 1947, among other programs in national and international experiential education.In 1994, the national honor society Phi Beta Kappa granted American University a chapter, Zeta of Washington.

2. The University and the United Methodist Church

Many sources have supported the development of the university, and the United Methodist Church has been particularly important. The financial support and participation of the church through its congregations and Board of Higher Education was particularly important during the early years of the university. Methodist funds made possible the founding of the School of International Service and the construction of the Kay Spiritual Life Center. On August 1, 1953, the U.S. Congress amended the university's charter, leading to a closer association between the university and the General Board of Higher Education Ministry of the United Methodist Church, which makes an annual contribution to the university. The United Methodist Church also seeks to ensure the academic integrity and reputation of the university through its own regular accreditation visits by the University Senate of the church. This accreditation process includes a rigorous examination of the university's course offerings, instructional quality, ongoing relationship with the church, and many other key factors. While the United Methodist Church has been instrumental in forming and supporting the university, active management of the corporate affairs of the university is vested in its Board of Trustees, and the university is nonsectarian in its educational philosophy and academic programs. The United Methodist Church, recognizing the integral place of religion in human experience, seeks to provide optimum opportunity for religious development on its campuses, but it always has taken care to guarantee the values of academic freedom, which is in keeping with intellectual liberty being a cornerstone of Methodist thought from the time of the founding of Methodism by John Wesley. Thus, the faculty and student body of American University represent a diversity of religious as well as academic and national backgrounds and experiences. The Board of Trustees has delegated to the faculty basic responsibility for the academic programs of the university.

3. Statement of Common Purpose

The Faculty Senate and the President recommended and the Board of Trustees approved the Statement of Common Purpose for American University, which can be found on the Office of the President web site.

4. Academic Freedom for All Faculty at American University

American University endorses the *Statement of Principles on Academic Freedom and Tenure* issued jointly in 1940 by the American Association of University Professors (AAUP) and the Association of American Colleges. These principles shall apply to all faculty at American University without regard to institutional status. The principles with respect to tenure set forth in that document are incorporated in the relevant entry in the "Provisions for Faculty Appointments in Tenure-Line Positions" section in this *Manual.*

With respect to academic freedom, the principles in effect at American University are based on the *1940 Statement:*

- All faculty are entitled to full freedom in scholarship and in the publication of the results.

- All faculty are entitled to full freedom in the classroom in discussing their subject.
- All college and university faculty are citizens, members of a learned profession, and officers of an educational institution. When they speak or write as citizens, they should be free from institutional censorship or discipline, but their special position in the community imposes special obligations. As scholars and educational officers, they should remember that the public may judge their profession and their institution by their utterances. Hence they should at all times be accurate, should respect the right of others to express their opinions, and should make every effort to indicate when they are not speaking for the institution.

5. Governance at American University

The university is committed to following its procedures that promote shared governance that is transparent and accountable at every level of operation. Effective governance requires broad participation. Individual faculty can be their own best advocates through maintaining familiarity with this *Manual* and by staying current with issues in faculty governance. The following bodies and individuals are integral to shared governance and are involved in reviewing faculty actions, policies, or procedures.

a. The Faculty Senate

i. Role of the Senate in Faculty Matters

Elected by faculty colleagues, the Faculty Senate ensures excellence and equity in both policies and practices that affect faculty across the university. Its responsibilities include formulating the academic policies and regulations, making recommendations for the academic budget, and setting the general and minimum standards for instruction throughout the university. Its duty is also to represent the interests of faculty members and to be concerned with their individual and collective welfare, as well as the general welfare of the university. The Faculty Senate and its representatives on the Board of Trustees and on Board committees may discuss and express their views about any matter affecting the university. These views may be shared with any individual, faculty, or group within the university.

The full rules of the Faculty Senate are available in the Faculty Senate office or are posted on the Faculty Senate web site.

ii. Membership

The voting membership of the Senate shall be elected by the university faculty. There will be the Chair, the Vice Chair, and the Past Chair. There will be four members from the College of Arts and Sciences (CAS) and one each from the Kogod School of Business (KSB), the School of Communication (SOC), the School of International Service (SIS), the School of Public Affairs (SPA), the School of Professionl and Extended Studies (SPExS) the Washington College of Law (WCL), and the University

Library; five at large full-time faculty members, at least two of whom are tenure-line faculty and at least one a term faculty member; the chair of the Committee on Faculty Actions; and the chairs of the Undergraduate Curriculum Committee, Graduate Curriculum Committee, Committee on Information Services, Committee on Academic Budget and Benefits, and Committee on Learning Assessment are members of the senate. No member of the senate other than the Vice Chair can serve in more than one of the above positions.

The Provost, as the chief academic officer, is the official leader of the faculty and an *ex officio* member of the Senate but does not vote. He or she has all other privileges of Senate membership. The Dean of Academic Affairs will serve as an *ex officio* member of the Senate but does not vote. He or she has all other privileges of Senate membership.

iii. Committee on Faculty Actions

The Faculty Senate's Committee on Faculty Actions (CFA) is an elected body of the university faculty. Its function is to represent the interests of faculty members, individually and collectively, in matters related to appointments, reappointments, tenure, and promotion. The CFA promotes equitable treatment of faculty. Each CFA member is to consider solely the good of the university as a whole when undertaking the work of the committee.

The CFA is composed of eight senior faculty, preferably full professors, one from each of the following academic units: the Kogod School of Business, the School of Communication, the School of International Service, the School of Public Affairs, the University Library; and one from each cluster (arts and humanities, social sciences, and natural sciences) of the College of Arts and Sciences. Tenure-line faculty and term faculty on multi-year contracts from each academic unit elect the unit's member(s) of this committee. CFA members have staggered three-year terms. The members may not be academic unit deans, teaching unit chairs, or persons whose principal duties are administrative in nature. The committee elects its own chair from among its membership.

The CFA has the following responsibilities:

- to make recommendations to the Faculty Senate and the Provost on all matters and policies relating to full-time and part-time faculty appointments, reappointments, tenure, and promotions
- to evaluate and review, in accordance with the criteria set forth in this *Manual,* all faculty actions involving the reappointment, tenure, and promotion of tenure-line faculty and to make recommendations on all such actions to the Provost.
- to evaluate and review, in accordance with the criteria set forth in this *Manual,* all faculty actions involving the reappointment with promotion to assistant professor, associate professor, or full professor of term faculty and to make recommendations on all such actions to the Dean of Academic Affairs

- to make recommendations for senior hires in accordance with the subsection "Appointment of Faculty with Tenure" of the section "Provisions for Faculty Appointments in Tenure-Line Positions"
- to conduct a review at least every five years of all published criteria from each academic unit and its teaching units that pertain to the appointment, reappointment, tenure, and promotion of full-time and part-time faculty members. The reviews will assist the CFA as they prepare recommendations on faculty actions and ensure that consistently high standards are maintained throughout the university

- To evaluate and review the file of a term-faculty member, in the event of a disagreement between a teaching unit and its dean

.

- to review and make recommendations on matters and policies as requested by the Faculty Senate, including proposed changes to the *Manual*.

The Committee on Faculty Actions and the Dean of Academic Affairs will update the guidelines for the submission of faculty actions annually and submit them to the Faculty Senate Executive Committee for review before the start of each academic year. Any policy changes introduced into the annual guidelines are subject to the rules of the *Faculty Manual*.

iv. Committee on Faculty Grievances

The Committee on Faculty Grievances is composed of seven tenured faculty members who are elected by the faculty at large, including term faculty on multi-year contracts. The Faculty Senate Executive Committee should undertake efforts to ensure diverse representation from different teaching units and constituency groups across campus when it solicits nominations of candidates to stand for election for the grievance committee. Persons identified as nonvoting participants and observers of the Faculty Senate in the *Academic Regulations* and Committee on Faculty Actions members are not eligible to serve on this committee.

The committee represents the Faculty Senate in matters any faculty member, faculty committee, teaching unit council, or administrative officer refers to it. The committee is the primary instrument in university governance for faculty review of grievances. It accepts the submission of a grievance on any subject relating to a faculty member's professional functioning at American University. It reviews grievances presented to it and makes recommendations for settling them, in accordance with the procedures specified in the relevant sections in this *Manual*. The committee refers grievances regarding discrimination or sexual harassment to the Dean of Academic Affairs for resolution in accordance with university policies. At the discretion of the committee, there may be additional instances in which grievances are referred to the appropriate party. The committee's recommendations provide means for resolving differences affecting the interests and welfare of faculty members and the university.

v. Faculty Hearing Committee

The university faculty at large, including term faculty on multi-year contracts, shall elect the Faculty Hearing Committee. This committee shall elect the Faculty Hearing Committee, which consists of 15 tenured members of the teaching faculty. Members of the committee are elected for terms of three years. The committee is charged with hearing cases the Provost refers to it.

b. Academic Unit Governance

Each academic unit must have at least one governance council that maintains bylaws for the academic unit. The faculty of each academic unit should construct this council to provide a voice for every faculty member in the unit. Academic unit faculty should form additional councils and committees, such as an educational policy committee, as required by the bylaws of the academic unit. The councils and committees must act in conformity with policies and regulations established by the Faculty Senate.

c. Teaching Unit Chairs within Academic Units

The academic unit dean appoints the teaching unit chairs within academic units after the appropriate governance teaching unit council has made a recommendation. In most cases the dean does not make an appointment that is unacceptable to a majority of the members of the teaching unit council. Should the dean make such an appointment, reasons for that appointment will be supplied to the council. Teaching unit chairs are the academic leaders of their teaching unit and are responsible for the professional development of their constituents. They report to their deans, oversee the administrative functioning of their units, and make recommendations for faculty hiring, reappointment, promotion, and tenure.

d. Deans of Academic Units

The Provost shall appoint the deans of the College of Arts and Sciences, Kogod School of Business, School of Public Affairs, School of International Service, Washington College of Law, and School of Communication, School of Professional and Extended Studies, and the University Librarian with the advice of the faculty of the academic unit concerned and the approval of the President and the Board of Trustees. Deans are the academic leaders of their units. They provide opportunities for growth and development of their faculty, students, and staff. The deans report to the Provost and make recommendations for faculty hiring, reappointment, promotion, and tenure.

e. The Dean of Academic Affairs

The Dean of Academic Affairs is appointed by the Provost with the advice of the university faculty. The DAA is authorized to act on behalf of the Provost on all faculty matters, except as noted in this *manual*. The Dean of Academic Affairs must approve all full-time faculty employment appointments in advance of the offer to the prospective faculty member. The Dean of Academic Affairs will give due respect to, but is not bound by, the recommendations of the Committee on Faculty Actions or other faculty committees, teaching unit chairs, and academic unit deans involved in the faculty action process. Decisions of the DAA may be in consultation with the Provost. The Provost may decide on faculty actions in the absence of the DAA.

f. The Provost

The President appoints the Provost with the advice of the university faculty and with the approval of the Board of Trustees. The Provost continues in office at the pleasure of the President. The university bylaws specify that the Provost:

- is the chief academic officer of the university, second in responsibility only to the President
- reports to the President and has other powers and duties assigned by the President
- is a member of the university faculty and of each teaching unit and academic unit and an *ex officio* member of each academic committee of the university
- receives recommendations developed by the faculty and academic administrators for consideration and recommendation to the President
- exercises the powers and duties of the President during the absence or incapacity of the President or in case of a vacancy in that office as determined by the Board of Trustees
- has the option of attending meetings of faculties, academic units, teaching units, and faculty committees
- at least once during each academic year, calls a meeting of all persons holding faculty rank to discuss matters affecting the academic policies and educational offerings of the university
- has the authority and discretion to allocate and to approve appointments for all faculty lines.

g. The President

The President of the university is the chief executive officer of the university. The President is responsible for presenting information and recommendations to the Board of Trustees and executing the policies of the Board regarding operation, development, and promotion of the university. The President also represents the university to the public.

h. The Board of Trustees

The legal powers of the university are vested in a Board of Trustees that includes faculty representatives. The Board of Trustees is responsible for oversight of all university operations and gives final approval to the award of promotion and tenure.

6. General Conditions of Faculty Appointments

There are two categories of full-time faculty: tenure-line faculty and term faculty. Tenure has been a fundamental principle of American colleges and universities since the founding of the earliest institutions in the seventeenth century. In contemporary practice, tenure serves to:

- protect academic freedom
- attract talented individuals to a secure life of scholarship, teaching, and service to others
- ensure that due process, as provided in the relevant policies of this *Manual,* is employed if a tenured faculty member is dismissed for cause

The university strives to maximize the number and percentage of full-time faculty in tenure-line appointments consistent with AAUP guidelines. Taking into consideration its available resources and short- and long-term priorities, the university may also make additional full-time faculty appointments that do not lead to consideration for tenure. These appointments enable the university to retain flexibility in addressing the changing needs of scholarship and instruction and may provide term faculty with potential opportunities for continued employment at the university over an extended period of time.

TENURE-LINE FACULTY

7. Professional Obligations of Tenure-Line Faculty

a. Yearly Obligations

Tenure-line faculty members must meet the criteria for high-quality teaching, scholarship, and service as described in "General Criteria for Evaluation of Faculty" in this *Manual.* A faculty member's normal yearly obligation is to provide two semesters (customarily fall and spring semesters) or their equivalent of full-time teaching, scholarship, and service to the university. During times when classes are not in session or faculty members are not teaching, they nonetheless need to continue their professional relationships involving students (e.g., being available to read, comment upon, administer, and/or grade comprehensive examinations, MA theses or portfolios, or doctoral dissertations).

Beyond these student-based responsibilities, faculty members are encouraged to participate in major campus-wide events, particularly opening convocation and graduation, and service roles that arise when classes are not in session or faculty members are not teaching. These roles may include, for example, recruitment or orientation activities, faculty hiring committees, or other university business or committee work that must be conducted outside of the normal fall and spring academic semesters. Such service makes a critical contribution

to the well-being of the academic community. However, choosing to engage in service outside the fall and spring semesters is wholly left to the discretion of the individual faculty member and is not a contractual obligation.

b. Teaching, Scholarship, and Service

Members of a teaching unit need to coordinate and collaborate when planning how to sustain academic programs, working in a collegial atmosphere that fosters scholarship and creativity. Because individual faculty members play diverse roles, academic units must establish and maintain procedures for determining an appropriate and equitable allocation of faculty obligations in teaching, scholarship, and service. In balancing the three—teaching, scholarship, and service—teaching units may use as a baseline the standards of peer departments at other major universities. Within the framework of these general policies, members of teaching units or their elected representatives and chairs will recommend appropriate individual teaching assignments based on the mission of the teaching unit, the faculty member's contributions to that mission, and the faculty member's involvement in scholarship, teaching, and university service. The dean of the academic unit must approve these assignments of workload.

The allocation of each full-time faculty member's professional obligations is predicated on the assumption that the faculty member is actively engaged in teaching, scholarship, and service and is based on the following parameters:

- On an annual basis the Provost in consultation with the dean (and then the dean in consultation with the chairs) shall establish overall average course load and credit hour productivity measures for each academic unit. The Provost will make this information for all academic units available to the faculty on an annual basis.

- In each academic year, the university expects all full-time tenure-line faculty members to have a workload divided among teaching, scholarship, and service that faculty members will develop at the teaching or academic unit level and recommend to the dean for approval. The university recognizes the multiplicity of faculty roles and responsibilities and therefore subscribes to the practice of an instructional load based on an assessment of the balance among an individual faculty member's teaching, scholarship, and service.

- As part of their teaching responsibilities, tenure-line faculty members maintain a campus presence that reflects a commitment to connecting with students and to the university community. Faculty members of each teaching unit and/or academic unit shall determine the details of this obligation.

- Generally tenure-line faculty members active in scholarship teach four courses per academic year; however, this may vary by teaching unit. An exception in this instance is when such a faculty member teaches more than four courses per academic year

and this exception is only valid when all parties involved have agreed to it in writing. The actual course assignments per individual faculty member will vary by the intensity and productivity of scholarship and service as assessed by the teaching unit or academic unit. Final determination of all course loads rests with the dean in consultation with the teaching unit chair.

When recommending a faculty member's workload assignment to the dean for an academic year, the teaching unit or academic unit may consider, but is not limited to, the following: evidence of an active scholarly agenda and productivity; the scope and intensity of course preparation; supervision of student scholarship, internships, and theses or dissertations; credit hours taught; size of classes; teaching-related activities, such as contact hours, advising, laboratory or studio time, and fieldwork; and significant contributions to service (such as major committee assignments) at the university and beyond. Such external service must be clearly related to the teaching and scholarly interests of the faculty member and/or advances the academic reputation of the academic unit or university.

In the interest of transparency, the Dean of Academic Affairs will prepare a summary of the faculty effort by teaching unit and academic unit and will make it available to all faculty.

8. Academic Ranks and Qualifications for Tenure-Line Faculty

A teaching unit, academic unit, or other appropriate administrative unit must recommend all full-time tenure-track appointments and appointments with tenure to the faculty of the recommending unit. Two or more faculties of the university (with the concurrence of the appropriate deans) must act jointly to recommend individuals for joint appointments at any rank to more than one academic unit. An individual with a joint appointment must have the same rank within each academic unit. In academic units that are organized by teaching units, all faculty appointments are specific to a teaching unit within the academic unit.

In addition to fulfilling the general criteria for the evaluation of faculty members described in the following section, faculty must meet specific requirements for each rank to be appointed to or promoted to that rank. A statement of these qualifications follows.

a. Tenure-Line Faculty Ranks and Titles

i. Acting Assistant Professor

The university will designate a newly hired tenure-line faculty member whose highest degree has not been certified before the beginning of the initial contract as an acting assistant professor, with promotion to the rank of assistant professor occurring immediately upon receipt of certification from the degree-granting institution. The university usually grants this rank for a maximum of one year. The university usually will not reappoint for subsequent years of service a tenure-line faculty member who does not receive certification by June 30 during the first year of service.

ii. Assistant Professor

In most circumstances, an appointee to this rank holds an earned doctorate or the highest degree customary in the field. In extraordinary circumstances, an appointee may have professional experience equivalent to the highest degree in the field. In all cases, the appointee demonstrates the potential to achieve excellence in teaching and scholarly activities and demonstrates the promise of future professional growth in the field. An appointee also has the potential to participate in internal and external service and to mentor and advise students.

iii. Associate Professor

In addition to meeting the criteria for the rank of assistant professor, the faculty member demonstrates high quality as a teacher; engagement with students in and outside the classroom; significant scholarly accomplishments appropriate to the field; professional recognition and growth; and potential for a career of sustained scholarly distinction and/or prominent accomplishments. Customarily, the faculty member has a significant proven record of teaching, of participating in internal and external service, and of mentoring and advising students.

iv. Professor

In addition to meeting the criteria for the rank of associate professor, the faculty member demonstrates continuing excellent scholarship and/or prominent accomplishments in the field, high-quality teaching, continuing active engagement with students in and outside the classroom, continuing relevant and effective internal and external service, and evidence of the potential to sustain excellence in all of these areas.

v. University Professor

This rank has been discontinued as of May 2012. All faculty who are currently at this rank may retain the rank through the remainder of their tenure at the University.

vi. Distinguished Professor

General Description: The rank of Distinguished Professor honors American University faculty who have produced extraordinary and exceptional scholarship that has earned national and international renown. Faculty must hold the rank of Professor to be nominated for Distinguished Professor. The rank of Distinguished Professor is awarded on a highly selective basis; it is not a routine promotion for faculty who have already achieved the rank of Professor.

Procedures for Nomination and Review: To be considered for this rank, faculty must be nominated by at least two of the following: Deans of the College of Arts and Sciences, the School of Business, the School of Communication, the School of International

Service, the School of Public Affairs, and the Washington College of Law; the University Librarian; or the Vice Provost for Graduate Studies and Research. Faculty may not self-nominate. Nominations must include a current CV and supporting discussion and documentation of the candidate's qualifications for the rank. Nominations may be made from the beginning of each academic year through March 1. Nominations should be sent to the *Review Committee on Distinguished Professor Appointments*. Based on an initial review of the nomination materials, the committee may decline further review or move the file forward. The committee may also request additional relevant information at any point in the review process. The committee customarily forwards its final recommendation to the Provost no later than October 15 of the academic year following the nomination. If approved by the Provost, the recommendation requires final approval by the Board of Trustees for the award of the rank.

Appointment of Faculty when Hired at the Rank of Distinguished Professor: Faculty may also be appointed to a position at American University at the rank of Distinguished Professor. Such a nomination requires the approval of the teaching unit Chair and Dean of the candidate's home academic unit and of the Provost. Candidates must meet the same criteria as internal candidates and the review will necessarily be expedited to fit the appointment schedule of the candidate. As in all faculty actions, the committee's recommendation to the Provost is advisory.

vii. Designation of Special Titles Other Than Regular Tenure-Line Faculty Ranks

There are circumstances under which a faculty member may receive a special title. For example, an endowment fund may allow for the naming of a chair or a professorship in an academic unit for an indefinite period or for a fixed term. A designated committee from the appropriate teaching or academic unit and the dean provide recommendations to the Provost. The Provost makes the final decision to award such a designation to a faculty member.

b. University Library Faculty Ranks

A central element in the educational structure of the university, the University Library supports and promotes the work of all teaching units. Therefore, its full-time faculty members are evaluated for excellence, are offered the protection of academic freedom, and enjoy privileges, such as tenure and the opportunity for leaves, that are given to other full-time faculty members. (See the *University Library Faculty Manual*.)

c. Emeriti and Emeritae Faculty

Emeritus or emerita status is an honor generally conferred on retiring tenured faculty members after active service of approximately eight years or more. Usually a designated committee or faculty member from the candidate's teaching unit or academic unit initiates the process with a brief letter of commendation to the Dean of Academic Affairs. The faculty member's chair and dean may add letters before the Provost makes a decision.

Faculty who are designated as emeriti or emeritae are entitled to reasonable use of the facilities of the university consistent with the needs of the institution and with past custom and practice and specified in the retirement agreement. Emeriti and emeritae faculty have voting membership in the faculty as defined in the *Academic Regulations* and in the bylaws of their teaching or academic units. They may serve on committees and perform such other occasional services as are in keeping with their desires and capabilities and with the needs of the university. Faculty emeriti and emeritae who teach for the university after retirement shall be accorded the title of emeritus or emerita in residence.

d. Affiliate Faculty

An affiliate faculty appointment recognizes a formal arrangement between a faculty member and a teaching unit outside the faculty member's primary appointment. Affiliate faculty appointments are appropriate when there is mutual agreement about the potential for future contributions to the unit's mission. Ordinarily, only tenured faculty members are eligible for such an appointment. The university encourages individual faculty members to initiate informal discussions regarding a possible cross-unit affiliation with the heads of both the primary and proposed affiliation units.

An affiliate faculty appointment must include a written affiliation agreement that describes the responsibilities and benefits of the arrangement as well as its resource implications, if any. The agreement must specify the extent to which the faculty member will participate in the governance of the affiliate academic unit. The head of the faculty member's primary teaching unit, its rank and tenure committee, and its academic unit dean as well as the proposed affiliate unit's head, rank and tenure committee, and dean must approve an affiliate faculty appointment and the related affiliation agreement. The Dean of Academic Affairs has final approval of an affiliate faculty appointment.

Review criteria for affiliate faculty appointments include the faculty member's past and/or envisaged future contributions to scholarship, teaching, and/or service in the unit where affiliation is sought. The term of an affiliate appointment may vary from one to three years and may be renewed. An affiliate faculty member will retain the academic rank held in the faculty member's primary field and may, for example, use a title such as "associate professor of history and affiliate associate professor of government."

e. Joint Faculty Appointments

Joint appointments of faculty across teaching and/or academic units are important means to achieve strategic academic initiatives.
These appointments are made by two teaching units in one or more schools/colleges. One of the two teaching/academic units will be designated as "primary" and will serve as the "academic home" unit for the faculty member. In the case of tenure-line faculty members, the primary unit will serve also as the "tenure home." The other hiring unit is secondary with responsibilities and rights as outlined in the sample agreement. Joint appointments must be a minimum of 25% in the secondary unit. Appointments that are "half-time," must be

designated as 49% in the secondary unit and as 51% in the primary unit or, if applicable, "tenure home." Faculty members may not hold different ranks in the two units. Customarily, American University's joint appointments are held by tenured faculty. However, all full-time faculty, both tenure-line, including junior faculty, and term, are eligible for joint appointments. Joint appointments are reviewed every five years to ensure their viability.

A faculty member who already occupies a line may seek to have a joint appointment based on her/his scholarly and teaching expertise as well as the needs of the unit(s) in question. In this case, the particular faculty member holds a joint appointment on her/his line, but that line, unless differentiated in the MOA (see below), will revert back to a single unit once it becomes vacant or following a regular appointment review.

A faculty member who already occupies a line may seek to have a joint appointment based on her/his scholarly and teaching expertise as well as the needs of the unit(s) in question. In this case, the particular faculty member holds a joint appointment on her/his line, but that line, unless differentiated in the MOA (see below), will revert back to a single unit once it becomes vacant or following a regular appointment review.

Each joint appointment, regardless of whether it is for a "permanent" line or for a specific faculty member, is defined by a memorandum of agreement (MOA). The MOA must be developed in accordance with the Dean of Academic Affairs (DAA) and signed by the chairs/directors and the dean(s) of both of the hiring units. The MOA will delineate the jointly-appointed faculty member's appointment specifics, division of privileges, duties, and responsibilities. All of the terms in the MOA must also be described in the letter of appointment to the faculty member.

9. Provisions for Faculty Appointments in Tenure-Line Positions

American University is deeply committed to a diverse faculty. All tenure-line appointments must be consistent with the university's commitment to affirmative action, equal opportunity, and nondiscrimination. Teaching units and academic units must demonstrate that they have vigorously taken steps to fulfill those commitments.

Teaching units or academic units may request authorization from the Provost for searches to hire tenure-line faculty members at the assistant, associate, full, or Distinguished Professor rank. For all tenure-line appointments, the teaching unit or academic unit must demonstrate that it has conducted a full and careful search, including evidence that the candidate has the strong support of the faculty members of the unit for a specified rank, along with concurrent support from the dean and any other review bodies of the unit, as well as the potential for sustained significant contributions in the areas of teaching, scholarship, and service. While all faculty members who

vote on tenure-line hires must be tenure-line faculty members, academic unit procedures should specify whether such faculty should be tenured or at a rank higher than that of the candidate.

Once appointed, faculty will customarily receive tenure in one of three ways:

(1) An appointment that includes tenure,
(2) A successful tenure review in the sixth year of tenure-line service at American University, or
(3) A successful tenure review in the sixth year of service at American University that may include: (i) credit for prior service at another institution before coming to American University, or (ii) credit for prior service at AU in a non-tenure line position.

In rare instances a faculty member with an exceptional record may apply for a tenure review prior to the sixth year review period. Each of these categories is covered in the sections that follow.

a. Appointments of Faculty with Tenure

If a teaching unit or academic unit completes its full search process and seeks to recommend appointing a faculty member with tenure, the unit must undertake additional due diligence to ensure that the candidate will meet the standards expected of a tenured faculty member in terms of teaching, scholarship, and service at American University and be an effective colleague in assisting the overall development of the academic unit. Hiring at this level demands more than a demonstration of achievements commensurate with the rank; it also requires evidence that the individual possesses qualities that positively distinguish her or his career and that hold additional promise for AU. In such cases, the academic unit presents its report simultaneously to the Office of the Provost and the Committee on Faculty Actions. Both undertake a review.

The Provost and the Dean of Academic Affairs will review the documentation, consult with the CFA, and interview the candidate. If an offer is to be made, it will include determination of tenure status and rank.

Should circumstances require unusual action outside normal procedures, the Provost should, to the extent possible, consult with the faculty of the teaching unit, the academic unit, appropriate administrators, and the CFA. Under such circumstances, the Provost will provide a written explanation to all parties involved.

b. Tenure Review Schedule for Faculty Following the Standard Six-year Tenure-line Track at American University

The majority of faculty will seek tenure during the final year of the standard six-year pre-tenure period. Pre-tenure faculty on the standard six year track are reviewed at the university level during the third and sixth years of service by the Dean of the College or

School, the Committee on Faculty Actions and the Dean of Academic Affairs. The third year review, called the pre-tenure review, is an important step in determining if the faculty member is making sufficient progress toward tenure. The sixth year review, called the tenure and promotion review, assesses the candidate's record so that a final recommendation regarding promotion and tenure can be made to the Provost. The final decision to promote or to grant tenure rests with the Board of Trustees on the recommendation of the Provost.

i. Delay of Tenure

A pre-tenure faculty member may request a one year extension of time for tenure consideration based on personal or professional circumstances that substantially impede his or her expected professional development as defined by the *Faculty Manual* and specific unit guidelines for tenure and promotion.

The university may grant a maximum of 2 one-year extensions, customarily only if each relates to a different initiating event or set of circumstances.

Sample list of professional circumstances that might support a delay of tenure consideration follows:

- Unforeseeable disruptions to major scholarly efforts that are beyond the control of the faculty member, for example, political unrest at a research site.
- Death or acute illness of a doctoral advisor (for Acting Assistant Professors) or co-author.
- Major loss of research facilities or scholarship itself due to acts of Nature (*force majeure)*- including floods, fire, earthquake, etc.

Sample list of personal circumstances that might support a delay of tenure consideration follows:

- Military service
- Illness or injury to the faculty member
- Faculty member's primary caregiver role in the following examples of acute family responsibilities: (note: Family members include domestic partners.)

Childbirth or Adoption
Care of ill or injured family member
Death of a family member

Requests for delay of tenure should be submitted to the chair and the Dean within 90 days of the qualifying event. Within 10 business days thereafter, the decision of the chair and the Dean should be submitted to the Dean of Academic Affairs for decision. Unless the Dean of Academic Affairs determines that extraordinary circumstances are

presented, the "tenure clock" may not be stopped in the sixth year (or the year of the tenure review).

c. Pre-tenure Credit for Prior Service

Qualified candidates may elect to take up to two years of prior service towards tenure at American University. The typical service credit is for one to two years, but Academic units may also consider recommending appointments with up to four years of prior service under special circumstances. Extensions of credit for prior service beyond two years must be approved by the Dean of Academic Affairs in consultation with the academic unit, teaching unit or other appropriate administrative unit, and the appropriate dean. This service credit may be based on experience at another institution, generally one of higher learning, but may include service at other types of appropriate institutions. Faculty whom the university converts from non-tenure to tenure-line positions are also eligible for service credits. Candidates given credit for prior service shall be required while at American University to maintain at least the level of scholarly work for which credit was awarded.

The academic unit and university reviews for faculty with credit for prior service normally follow the schedule below.

Review Schedule for Faculty with Credit Claimed for Prior Service at Initial Appointment at American University				
	Type of Review			
	One Year Prior Service	Two Years Prior Service	Three Years Prior Service	Four Years Prior Service
Prior to initial appointment	Standard search review and due diligence	Standard search review and due diligence	Standard search review and due diligence	Standard search review and due diligence
Beginning of second actual year at AU	University pre-tenure review (File for Action)	University pre-tenure review (File for Action)		University tenure review (File for Action)

Beginning of third actual year at AU			University tenure review (File for Action)
Beginning of fourth actual year at AU		University tenure review (File for Action)	
Beginning of fifth actual year at AU	University tenure review (File for Action)		

Faculty who negotiate a service credit in their initial contract may waive the entire credit or reduce the amount of the credit within one month after receiving their first annual review. Changes in credits must be in writing and filed with the Dean of Academic Affairs. This waiver of prior credit has the effect of extending the pre-tenure period for the faculty member who originally claimed credit for prior service at the time of appointment to American University. Thereafter, pre-tenure faculty may not reclaim or waive additional time credited toward tenure except in the most unusual circumstances. Faculty who waive all credit will revert to the standard six-year review schedule. Faculty who waive partial credit will revert to the review schedule in the appropriate column in the table above.

d. Faculty Seeking an Early Tenure Review

Faculty with an exceptional record may apply for tenure prior to completing the entire sixth-year review period. In such instances, the faculty member must have the support of their Teaching Unit Chair, their unit's Rank and Tenure Committee or comparable unit-level review committee, and their unit's Dean. Customarily, such a request would not be made prior to the completion of the third year pre-tenure review. Faculty who file for an early tenure review go through the standard review described in this *Manual*. As in other instances, the tenure decision is final, and the candidate cannot reapply for tenure again.

Adjusted University Review Schedule Based on Changes to Credit for Prior Service Originally Claimed at Initial Appointment to American University		
Number of years of prior service originally claimed at initial appointment to AU	Number of those years of prior service waived	Adjusted university review(s) schedule
1	1	Beginning of 3rd and 6th years at AU
2	1	Beginning of 2nd and 5th years at AU
	2	Beginning of 3rd and 6th years at AU
3	1	*Beginning of 2nd and 4th year at AU
	2	Beginning of 2nd and 5th year at AU
	3	Beginning of 3rd and 6th years at AU
4	1	Beginning of 3rd year at AU
	2	*Beginning of 2nd and 4th year at AU
	3	Beginning of 2nd and 5th year at AU
	4	Beginning of 3rd and 6th years at AU
**Review required in this case, because maximum time between pre-tenure reviews is 3 years.*		

e. Contractual Terms of Service

Initial Appointment: Initial appointments for pre-tenure faculty are usually for three years. In instances when the performance of a faculty member under an initial contact is substantially less than satisfactory, the teaching unit or academic unit will provide guidance and support so that the faculty member has an opportunity to improve. In these instances, the chair will notify the faculty member in writing of such concerns. In extraordinary circumstances, upon the recommendation of the chair, appropriate designated committee(s) in the unit, the dean, and the Committee on Faculty Actions, the Provost may, before the three-year contract expires, dismiss a tenure-line faculty member who, despite guidance and

support, persists in unsatisfactory performance. This unusual action would normally, but not always, be related to teaching. A faculty member dismissed for unsatisfactory performance during the initial appointment term is not entitled to the process outlined in "Disciplinary Procedures" in this *Manual*. However, the faculty member dismissed under such circumstances has the right to contest the termination decision, using the university's grievance procedure for faculty.

Reappointment: Reappointments prior to the granting of tenure are usually for three years. However, the teaching unit may recommend reappointments of less than three years, including one-year terminal appointments, which would then proceed through the usual reappointment process for approval. Reappointments are contingent upon the satisfaction of the general criteria for the evaluation of faculty members contained in the "General Criteria for Evaluation of Faculty" section of this *Manual,* the specific criteria set by the individual teaching unit, and the criteria for particular ranks outlined in the tenure-line "Academic Ranks and Qualifications" section of this *Manual.*

The reappointment of a tenure-track faculty member to a seventh year of service must indicate whether the reappointment conveys tenure or is a terminal contract.

f. Schedule of Notice for Appointment or Termination

Each teaching unit or academic unit will state the precise terms and conditions of all appointments in writing for each appointee. The letter of appointment will include a specific reference to this *Manual,* which is available online at the Office of the Dean of Academic Affairs web site.

Appointments to the tenure-track faculty for the first six years of pre-tenure service are generally for a specified term or duration. This means that these appointments naturally expire on the end date of the term, unless the appointments are terminated earlier as provided by the *Manual,* without further university action. Nevertheless, it is the intention of the university that all tenure-track faculty members be advised by letter as early as possible in the academic year of service in which their appointment expires whether they will be reappointed, and in cases of reappointment, the terms and conditions thereof.

Only the Dean of Academic Affairs may reappoint tenure-track faculty for a succeeding term, and does so in writing. Failure to receive notice does not imply reappointment or the award of tenure. If a faculty member has not received notice of renewal or grant of tenure, it is the faculty member's responsibility to inquire of the Dean of Academic Affairs, through the chair, who will respond with a status report.

g. Resignations

A faculty member who wishes to resign from the university while under contract must submit a written request to the teaching unit chair or academic unit dean. The request shall then be tendered to the Dean of Academic Affairs, who will notify the faculty member

whether the resignation is accepted and any related conditions, including effective date of resignation.

h. Death While on Active Service

Upon the death of a full-time faculty member with ten years or more of continuous full-time service to the university (including time on approved leave or disability), the university will pay a lump sum equal to twenty percent of the faculty member's base annual salary to the representatives of the decedent's estate.

10. General Criteria for Evaluation of Faculty

Every faculty action should serve to enhance the quality of the university. Faculty members must demonstrate effective teaching and significant scholarship, as well as a willingness to assume a fair share of service. There must also be evidence of the ability and commitment to continued advancement in all areas. As members of the learned profession responsible for educating the future citizenry, the university expects faculty members to exhibit civility, collegiality, and respect for different points of view in the academic community.

To achieve these objectives, constituent faculty in each teaching unit or academic unit must establish guidelines that define the expectations for the overall contributions of each faculty member. The Committee on Faculty Actions shall review these guidelines as specified in the section "Governance at American University" in this *Manual*. Upon approval by the appropriate dean and the Provost, the academic unit will make these guidelines available to faculty.

a. Teaching

Effective teaching enables students to acquire knowledge, develop critical thinking skills, and become active participants in the learning process. Each teaching unit or academic unit establishes guidelines for evaluating teaching by members of that unit. In each case, these evaluation metrics must extend beyond Student Evaluation of Teaching scores. Faculty may demonstrate effective teaching in a variety of ways, including course design, development of new curricular initiatives, up-to-date course content, student engagement and achievement outside the classroom, and adherence to evaluation procedures that accurately reflect student accomplishments. Teaching units or academic units may also view publication and presentation of teaching materials and methodologies as a contribution to teaching.

Additional ways of evaluating teaching may include, but are not limited to, the items made available to faculty by academic units and the Office of the Dean of Academic Affairs.

b. Scholarship

Faculty members' thorough understanding of and significant contribution to their field are essential to the mission of the university and to the advancement of knowledge. All teaching units or academic units must have criteria that require creative, scholarly, and professional

achievements of the highest quality and with national or international impact. The university shall base its assessment of a faculty member's achievements on the aggregate productivity and impact of the work since degree completion, including evidence that the faculty member is productive at AU. The work should relate directly to the criteria established by the teaching unit or academic unit. An additional required assessment addresses the likelihood of continued successful achievements.

c. Service

i. Service to the University

Engagement at American University is an essential component of faculty responsibility. Faculty members should demonstrate engagement in the university community, including a meaningful level of teaching unit, academic unit, or university service, as well as participation in major campus-wide events, such as opening convocation and commencement. Each teaching unit or academic unit must establish guidelines for evaluating service that include evidence of a willingness to carry an appropriate share of teaching unit or academic unit collegiate service obligations.

ii. Service beyond the University

Faculty often provide service to local, national, and/or international communities and governments as well as hold leadership positions in scholarly associations. Such activities demonstrate an individual's acceptance of the responsibilities that come with being a member of the faculty in a university deeply committed to service to a wider community. Such service must be clearly related to the teaching and scholarly interests of the faculty member and/or advances the academic reputation of the academic unit or university. Service beyond the university cannot substitute for a service contribution to the university but may count toward faculty members' fulfilling their workload obligation. Each teaching unit or academic unit must establish guidelines for evaluating service beyond the university.

11. Principles, Structure, and Process for Faculty Actions

Faculty members are responsible for determining if a candidate's performance contributes significantly to the field and raises the academic quality of the university. Faculty participation in the process is essential. The seriousness of this responsibility must be apparent in the depth and thoroughness with which faculty members conduct reviews for appointments, reappointments, promotion, and tenure at every level.

At all stages of the process, reviewer recommendations should be objective, substantiated, and balanced, regardless of the conclusion. Any recommendation from the teaching unit chair or designated committees should:

- provide a thorough analysis of strengths and weaknesses rather than simply advocating a conclusion
- anticipate and discuss questions that others may raise later in the process
- when applicable, summarize the reasoning of both the majority and minority

A negative recommendation from a teaching or academic unit will customarily result in the unit's retention of a tenure-line position. An exception in this instance must be in writing and provided to all parties involved; however, the allocation of all faculty lines remains under the authority and discretion of the Provost.

a. Confidentiality and Conflicts of Interest

Faculty participating in the process at any stage must respect its confidentiality and cannot reveal to anyone the votes, names or views of reviewers, contents of discussions, or contents of the file. Breaches of confidentiality may subject a faculty member to disciplinary action. Teaching units and academic units should take appropriate steps to maintain confidentiality. Broad electronic distribution of the file is unwise.

Faculty members should always avoid conflicts of interest involving the evaluation of individual faculty members for appointment, reappointment, tenure, or promotion. The university expects the Provost, deans, members of the Committee on Faculty Actions, teaching unit chairs, and all other internal faculty reviewers to acknowledge such conflicts openly and to abstain from participation whenever such conflicts arise.

In the interest of fairness, the principle is that no person shall have more than a single vote in the evaluation of a faculty member.

b. Access to Annual Reports and Files for Action

i. Annual Reports

The Office of Human Resources maintains official personnel records of all faculty. Faculty members are entitled to inspect those records and correct factual errors. The Office of the Provost, working with the Faculty Senate, determines procedures and practices for accessing, maintaining, and correcting annual reports and makes these procedures and practices available by the Office of the Dean of Academic Affairs. The Faculty Senate will review these procedures and practices at least once every five years. Any faculty member may submit to the Faculty Senate a recommendation to change these procedures. The senate may then forward the recommendation to the appropriate committee. Changes to the procedures must be approved by the Provost.

ii. Files for Action

Upon completion of the process for internal review, the faculty member's File for Action will be retained under the direction of the Provost's Office. The file may be accessed following the processes in this *Manual's* section on *Tenure-Line Faculty Appeal Procedures for Denial of Reappointment, Promotion, or Tenure.*

After initial preparation of a file, candidates may add information to their file at any stage during the internal review process. Candidates shall not see the identity of the external letter writers per the section entitled "External Letters for Tenure and Promotion," and the candidate shall not see individual reviewers' votes per the section entitled "Internal Review." Candidates shall have one week to read and to respond to the following items:

- when applicable, external letters, in redacted form which are included with the candidate's response
- teaching unit and/or academic unit faculty recommendation(s) with redacted references to the vote count
- designated committee recommendation(s) with redacted references to the vote count
- dean's recommendation
- the Committee on Faculty Actions' recommendation with redacted references to the vote count

The candidate may make a request in writing to the teaching unit chair or academic unit dean, as applicable, for additional time to respond.

c. External Letters for Tenure and Promotion

Following the guidelines for files for action posted by the Office of the Dean of Academic Affairs, each academic unit should obtain qualified external reviewers before internal reviews begin. Consistent with these guidelines, the file should contain a minimum of five letters solicited by the chair, teaching unit/academic unit committee chair, or the dean. The external reviewers should be nationally or internationally respected individuals whose area of expertise qualifies them to speak with authority about the candidate and whose professional and personal relationship with the candidate is such that the external reviewers can provide an objective review. Customarily, the majority of these letters must be from faculty members, typically full professors, who are affiliated with highly regarded institutions. The identity of external letter writers remains confidential before, during, and after the review process. External letters shown to candidates must be strictly redacted. A strictly redacted letter blocks the identity of the writer, letterhead, revealing statements about the writer's association with the candidate, and all other potentially self-identifying characteristics. An individual teaching unit or academic unit may, as a policy for faculty actions, keep external letters completely confidential if a majority of tenure-line faculty members in the unit vote in favor of doing so.

d. Internal Review

Each academic unit should provide written procedures for the internal review of candidates' files. With the exception of teaching unit chairs, all faculty members who vote in reviews for

promotion to the professor ranks or for tenure must be tenured and, preferably, hold a rank higher than that of the candidate. While all faculty members who vote on tenure-line hires must be tenure-line faculty members, academic unit procedures should specify whether such faculty should be tenured or at a rank higher than that of the candidate. Academic unit procedures should specify the fulltime faculty who are eligible to vote on promotion to professorial lecturer ranks and on term faculty appointments and reappointments.

In all cases, eligible senior faculty are to vote on a candidate's file. Because the academic unit governance structures vary, the faculty of the teaching unit and/or academic unit needs to define clearly the process for voting and review. Voting must be by secret ballot. Each eligible faculty member will provide a separate positive, negative, or abstaining vote on each of the criteria of teaching, scholarship, and service, and on the overall recommendation. In all cases, the file must include the following elements:

- a vote count for each of the criteria
- a written recommendation from the chair of the teaching unit
- a written recommendation from the senior faculty of the teaching unit or academic unit, as appropriate and as the unit defines
- a written recommendation from any other designated review committee at the teaching unit or academic unit, as appropriate and as the unit defines
- a written recommendation from the academic unit dean
- a written recommendation from the Committee on Faculty Actions

e. Dean of the Academic Unit Review

Upon receipt of the candidate's file, the dean reviews faculty action procedures to ensure that they conform to the requirements of this *Manual* and to the criteria the teaching unit and academic unit specify. The dean may choose to request clarifying information from relevant persons or committees involved in the review at earlier stages. The Dean may also request additional information and if needed return the file for additional external letters that will be reviewed at the previous levels. Such requests and any responses (or summaries thereof) must be included in the file.

f. Committee on Faculty Actions Review

The committee will review the file and the previous recommendations. In the interest of equity, the committee will also determine if the file has been handled according to the written procedures of the unit and the *Manual*. The committee may choose to request additional information from relevant persons or committees involved in the review at earlier stages. Such requests and any responses (or summaries thereof) must be included in the file. The CFA chair will write a recommendation that reports the vote count for each of the criteria and reflects the deliberations of the committee, including the majority and minority opinions, regarding the strengths and weaknesses identified in the file. Voting must be by secret ballot. Each eligible CFA member will provide a separate positive, negative, or abstaining vote on each of the criteria of teaching, scholarship, and service, and on the

overall recommendation. If a member of the CFA is eligible to vote on a faculty action at the unit level of review, the CFA member will vote at the unit level of review and will not vote at the CFA level of review. In that case, the CFA member will serve as an informational resource for the CFA.

g. Dean of Academic Affairs and Provost Reviews

The Dean of Academic Affairs will review files for reappointment before the tenure decision. For files concerning tenure or promotion, the Dean of Academic Affairs will determine if the file is complete, thorough, and ready for review before submitting it to the Provost for a final decision.

The Provost, in consultation with the Dean of Academic Affairs, will review the file and may request clarifying information from relevant persons or committees involved in the review at earlier stages. The Provost may also request additional information and if needed return the file for additional external letters that will be reviewed at the previous levels. In extrodinary circumstances additional external letters may be requested by the Provost. Such requests and any responses (or summaries thereof) must be included in the file.

If recommending promotion, tenure, or both, the Provost will inform the President of the recommendation and will forward the recommendation to the Board of Trustees for action. A decision by the Provost to deny promotion or tenure terminates the process. The faculty member can grieve the decision as discussed in "Appeal Procedures for Recommendations or Final Actions Involving Non-Renewal, Non-Promotion, or Denial of Tenure for Tenure-Line Appointments."

If the decision of the Provost differs from that of earlier recommendations in the file, then the Provost must submit a written explanation of the decision to the Committee on Faculty Actions, the dean of the applicable academic unit, the chair of the applicable teaching unit, the chair(s) of the applicable designated review committee(s), and the candidate.

h. The Board of Trustees

The candidate is awarded tenure or promotion only upon the approval of the Board of Trustees.

TERM FACULTY

The university should use term appointments primarily:

- to retain a cadre of effective and committed teachers who can provide instructional continuity, particularly in multisection courses
- to maintain flexibility in allocating its resources for faculty positions

- to bring in outstanding individuals who will enrich the learning experience through their professional qualifications and experiences from careers outside academia
- to provide additional time for scholarly pursuits of the tenure-line faculty
- to deal with exigent circumstances, such as replacing faculty on leave, filling vacancies that occur too late to conduct an appropriate search for a tenure-track faculty appointment, filling a vacancy resulting from an unsuccessful search for a tenure-track faculty member, or staffing an experimental program

The Dean of Academic Affairs will report to the Faculty Senate at the beginning of each academic year on the status of all full-time faculty appointments—pre-tenure, tenured, and term faculty; ratios of pre-tenure appointments and appointments with tenure to term faculty appointments by academic units and teaching units; and any other pertinent information concerning faculty appointments. Academic unit deans shall report the same information to their respective faculties.

12. Professional Obligations

Each term faculty member's professional obligation is based on the following parameters:

- On an annual basis the provost in consultation with the dean (and then the dean in consultation with the chairs) shall establish overall average course load and credit hour productivity measures for each academic unit. The provost will make this information for all academic units available to the faculty on an annual basis.
- In each academic year, the university expects all term faculty members to have a workload that consists primarily of teaching developed at the teaching or academic unit level and recommended to the dean for approval. When approved in advance by the teaching unit and the academic unit, the term faculty member's workload may include service and in some instances scholarship.
- As part of their teaching responsibilities, full-time term faculty members maintain a campus presence that reflects a commitment to connecting with students and to the university community. Each teaching or academic unit shall determine the details of this obligation.
- Generally, term faculty members teach six courses per academic year; however, this may vary by teaching unit. An exception in this instance is valid only when all parties involved have agreed to it in writing. The actual course assignments per individual faculty member will vary as defined by the teaching unit or academic unit. Final determination of all course loads rests with the dean in consultation with the teaching unit chairs.

When recommending a term faculty member's workload assignment to the dean for an academic year, the teaching unit or academic unit may consider, but is not limited to, the following: the scope and intensity of course preparation; supervision of student scholarship and internships; credit hours taught; size of classes; teaching-related activities, such as contact hours, advising, laboratory or studio time, and fieldwork; contributions to internal (such as major committee assignments) and external service; and scholarship, if applicable to the position.

13. Academic Ranks and Qualifications

a. Full-Time Faculty Ranks for Term Faculty

The designated ranks for full-time faculty members with term appointments are instructor, professorial lecturer, senior professorial lecturer, Hurst Senior Professorial Lecturer, assistant professor, associate professor, and professor.

i. Instructor

For term faculty members who do not hold a terminal degree in their field, the rank of instructor is a temporary one-semester or one-year appointment. The university usually appoints these faculty members to provide instruction to undergraduate students in such programs as writing, foreign language, mathematics, and other skills areas of the curriculum. Reappointments are subject to annual review. Teaching and academic units evaluate instructors primarily on their teaching and, if applicable, service to the teaching unit or academic unit.

ii. Professorial Lecturer

Term faculty members are awarded the rank of professorial lecturer if they (1) have demonstrated successful teaching in the rank of instructor for a period of three years, or (2) hold the terminal degree in the field, or (3) have professional experience and achievement equivalent to a terminal degree. They are customarily hired to provide instruction at the undergraduate level. The term of these appointments may range from one to five years, depending on the needs of the teaching unit. After five years of service, professorial lecturers are eligible for promotion to one of two ranks: senior professorial lecturer or assistant professor.

iii. Senior Professorial Lecturer

The rank of senior professorial lecturer recognizes the contributions of faculty members who have served in the rank of professorial lecturer and have demonstrated superior performance as a teacher. An academic unit may also appoint to this rank those who have equivalent professional experience. Senior professorial lecturer appointments may range from three to five years, depending on the needs of the teaching unit. Evaluation is primarily on the basis of teaching performance and, if applicable, service to the teaching unit.

iv. Hurst Senior Professorial Lecturer:

This rank, named for American University's founder, is a term appointment an academic unit awards to a senior professorial lecturer who has provided particularly meritorious performance to the university over a period of years or to a new faculty member whose previous career and experience are notably prestigious.

v. Assistant Professor (Associate Professor, Professor):

Term faculty members who are promoted or appointed to assistant professor (or other standard professorial ranks) must hold the terminal degree in the field or have equivalent professional experience and have demonstrated achievement in both scholarship and teaching. Evaluation of faculty members holding this rank will include consideration of scholarship commensurate with the rank as defined by the teaching unit. In unusual cases, if warranted by programmatic needs, a teaching unit or academic unit may award this rank to a candidate for an initial appointment or to a candidate for an appointment after less than the standard five years at the university. Recommendations for appointment to these ranks will be reviewed by the Committee on Faculty Actions.

b. Additional Types of Term Faculty Appointments

i. Research Faculty

The university may grant a person engaged primarily in scholarship or professional activities relevant to the work of the university an appointment to the research faculty. Following the same review procedures as term faculty appointments, a teaching unit or academic unit may recommend the rank of research assistant professor, research associate professor, or research professor provided that the research faculty member possesses the educational and scholarship qualifications appropriate to the particular rank. The teaching unit or academic unit will clearly express the nature and extent of the duties of persons appointed with such titles. The university will provide the description of duties in a letter of appointment. Such an appointment does not confer membership in the faculty. The teaching unit and academic unit recommend research faculty appointments and reappointments, subject to the Provost's approval according to procedures the Provost has established. A research faculty appointment expires at the end of the appointment period unless it is renewed according to the procedures the Provost sets out. Members of the research faculty should not expect employment beyond the contract period. These appointments carry no implications of or credit towards academic tenure. Research appointments may be either part-time or full-time.

Persons having such an appointment will normally have sources outside the university fund their salary. Exceptions will require the Provost's written approval upon recommendation of the teaching unit and/or academic unit. Research faculty members are entitled to specific resources and access to specific facilities of the university as the dean of the academic unit or director of center or institute to which they have been appointed determines.

ii. Visiting Faculty

The university may appoint a person who is on leave from the full-time teaching faculty of an accredited college or university or from a comparable educational, scholarship, or policy institution as a full-time term faculty member at the rank of visiting assistant

professor, visiting associate professor, or visiting professor. The qualifications for each rank are the same as for initial appointments of a tenure-line faculty member. The university may make or renew visiting appointments using the criteria and guidelines for term faculty.

Visiting faculty members are entitled to specific resources and access to specific facilities of the university as the dean of the academic unit to which they have been appointed determines. The conditions and perquisites of employment for visiting faculty are not the same as those of tenure-line faculty; the rules, policies, and procedures for term faculty apply.

iii. Faculty Fellows

Occasionally faculty members or scholars from another institution may wish to have a short-term affiliation with the university for the purpose of pursuing scholarship or participating in other scholarly, creative, or professional activities. These individuals receive no compensation from American University but may participate in campus activities that are of mutual benefit to the individual and the university. The university may grant the title of faculty fellow to such individuals with the understanding that they may receive privileges consistent with university policies, as determined by the dean of the academic unit or director of a center or institute.

iv. In-Residence Faculty

An in-residence faculty appointment allows for flexibility when there is a desire to provide for the presence of a distinguished and prominent individual at the university. The positions that are given in-residence designation include, but are not limited to, writer, artist, diplomat, poet, scholar, lecturer, executive, journalist, *emeritus,* and *emerita.* In-residence faculty members who are reappointed may be awarded the rank of senior writer in-residence, senior poet in-residence, or other appropriate designation, following the unit's criteria for the term faculty rank of senior professorial lecturer. In limited circumstances, an in-residence appointment may be made on a less than full-time basis.

c. Washington Semester Program Faculty

The Washington Semester Program enhances many teaching units throughout the university and contributes to the university's national and international reputation. Its full-time faculty members hold the same ranks as term faculty and are evaluated with concern for excellence. Persons appointed as full-time faculty members in the program incur the responsibilities and enjoy the benefits of university faculty but are not eligible for tenure. Washington Semester Program faculty members are eligible for renewable contracts.

d. Emeriti and Emeritae Term Faculty

Emeritus and emerita status is an honor generally conferred on retiring faculty members after active service of approximately ten years or more. Usually a designated committee or faculty member from the candidate's teaching unit or academic unit initiates the process with a brief letter of commendation to the Dean of Academic Affairs. The faculty member's chair and dean may add letters before the Provost makes a decision. Faculty who are designated as emeriti or emeritae are entitled to reasonable use of the facilities of the university consistent with the needs of the institution and with past custom and practice and specified in the retirement agreement. Emeriti and emeritae faculty have voting membership in the faculty as defined in the *Academic Regulations* and in the bylaws of their teaching or academic units. They may serve on committees and perform such other occasional services as are in keeping with their desires and capabilities and with the needs of the university. Faculty emeriti and emeritae who teach for the university after retirement shall be accorded the title of emeritus or emerita in residence.

14. Term Faculty Appointments and Reappointments

a. Faculty Action Procedures for Term Faculty

In recommending term faculty appointments or reappointments, the teaching unit must specify in writing the duties of the term faculty member and the means for evaluating the faculty member's performance. Each teaching unit or academic unit will establish the process for appointing and reappointing term faculty. The process should provide a means for recommending whether to reappoint a term faculty member beyond the initial one- or two-year period. If the teaching or academic unit approves reappointment beyond the initial period, it must also determine the length of the reappointment period, which can be from one to five years. The academic unit dean and the Dean of Academic Affairs must approve all decisions to appoint and reappoint term faculty. If there is a disagreement between a teaching unit and its dean, the dean will send the file to the Committee on Faculty Actions and subsequently to the Dean of Academic Affairs for a final decision.

If a term faculty member is subsequently appointed to a tenure-track position, the faculty member may waive all or part of prior American University service in accordance with the subsection "Pre-tenure Credit for Prior Service," contained in "Provisions for Faculty Appointments in Tenure-Line Positions" in this *Manual*.

b. Contractual Terms of Service

Initial Appointments: The university customarily makes initial term faculty appointments for one or two years. When the performance of a term faculty member under an initial contract is substantially less than satisfactory, as determined by the dean in consultation with the chair, the Provost may dismiss the faculty member before the contract expires. This unusual action would normally, but not always, be related to teaching. A term faculty member dismissed for unsatisfactory performance during the initial appointment term is not entitled to the process outlined in "Disciplinary Procedures" in this *Manual*. However, the

term faculty member dismissed under such circumstances has the right to contest the termination decision, using the university's grievance procedure for faculty.

Reappointments: The university may reappoint term faculty for periods of from one to five years. There is no limit on the number of such reappointments.
Reappointments are contingent upon the satisfaction of the general criteria for the evaluation of faculty members contained in "General Criteria for Evaluation of Faculty" in the tenure-line portion of this *Manual,* the specific criteria the individual teaching unit sets, and the criteria for particular ranks outlined in the term faculty "Academic Ranks and Qualifications" section of this *Manual.*

c. Notice for Appointment, Reappointment, or Termination

The university shall state the precise terms and conditions of all appointments in writing to the appointee. The letter of appointment will include a specific reference to this *Faculty Manual,* which is available on the Office of the Dean of Academic Affairs web site. Term faculty appointments are for a specified term or duration. This means that these appointments naturally expire on the end date of the term without further action from the university. Term faculty should not expect employment beyond the appointment period. However, it is the intention of the university that it will advise individually by letter as early as possible in the academic year all full-time members of the teaching faculty (except those in a visiting status and those with temporary or emergency appointments) whether the university will reappoint them, and in cases of reappointment, the terms and conditions thereof.

The university may reappoint members of the term faculty to a succeeding academic year only by notice from the Dean of Academic Affairs. If a term faculty member does not receive notice, it is the faculty member's responsibility to inquire of the Dean of Academic Affairs, through the teaching unit chair, who will respond with a status report. Notwithstanding the university's intention to provide notice of reappointment, the lack of notice is not to be construed as reappointment.

d. Resignations

A faculty member who wishes to resign from the university while under contract must submit a written request to the teaching unit chair or academic unit dean. The request shall then be tendered to the Dean of Academic Affairs, who will notify the faculty member whether the resignation is accepted and any related conditions, including effective date of resignation.

e. Death While on Active Service

When a full-time term faculty member with ten years or more of continuous full-time service to the university dies while on the active rolls of the university, the university will pay a lump

sum equal to twenty percent of the member's base annual salary to the representatives of the decedent's estate.

OTHER FACULTY

15. Designation of Special Titles

There are circumstances under which a faculty member may receive a special title. For example, an endowment fund may allow for the naming of a chair or a professorship in an academic unit for an indefinite period or for a fixed term. A faculty member who receives such a designation from the university must have the recommendation of the unit's designated committee and the dean before the Provost takes action.

16. Adjunct Faculty

a. Adjunct Faculty Ranks

An adjunct faculty appointment allows an individual to contribute to the instructional program of an academic unit, teaching unit, center, or institute on a part-time basis. The university makes adjunct faculty appointments at the rank of adjunct instructor, adjunct professorial lecturer, senior adjunct professorial lecturer, Hurst Adjunct Professorial Lecturer, adjunct assistant professor, adjunct associate professor, and adjunct professor. Adjunct faculty ranks also include faculty fellows and in-residence faculty. Qualifications for these ranks include those comparable to term faculty ranks. In the absence of a doctoral degree, the candidate must have relevant professional responsibility and achievement. An academic unit may award the rank of distinguished adjunct professor to a candidate whose qualifications correspond with the rank of adjunct professor and who has demonstrated distinguished service in the professional field and outstanding teaching performance. Persons may serve as adjunct faculty without limit of time through successive reappointment. These appointments carry no implications of or credit towards academic tenure. Adjunct faculty have access to specific facilities that support their teaching, as provided by the academic unit to which they have been appointed.

b. Faculty Action Procedures for Adjunct Faculty

The teaching unit and academic unit recommend adjunct faculty appointments and reappointments according to procedures the Dean of Academic Affairs establishes, and subject to approval by the Dean of Academic Affairs.
Adjunct faculty receive compensation only for those sessions during which they receive a contract to teach ("contract period"); and they should not expect employment outside the contract period even if they have a current appointment. The terms and conditions of employment for adjunct faculty covered by the Collective Barganing Agreemment between American University and the Service Employees Internation Union, Local 500 will be governed by that agreement.

17. Administrative Officers and Staff Members with Faculty Rank

The assignment to a university administrative or professional staff position and the conferring of faculty rank represent separate and distinct actions. A member of the faculty whom the university appoints to an administrative or staff position must understand clearly the dual nature of the relationship with the university. An individual holding both an administrative or staff position and faculty rank is subject to the rules and regulations for both appointments.

Staff policies will govern administrative and staff actions, and faculty policies will govern faculty actions.

The term "senior administrators" refers to those who are designated as members of the Executive Staff and who report directly to the Office of the Provost. Senior faculty members who have gone through a full search process for a senior administrative appointment, as specified by university policies for senior academic administrative hires, will customarily have a full background check prior to the offering of an appointment. If the university seeks to appoint a senior administrator to a faculty position in a teaching unit, that teaching unit and any other designated review committee as defined by the academic unit will submit a written recommendation regarding tenure and rank directly to the Provost for action, without further steps of internal evaluation and review.

When the university appoints full-time members of the faculty to administrative or staff positions, the university expects that they will retain faculty status and be entitled to consideration for promotion in rank or an appointment with tenure on the same basis as other full-time faculty members. Administrators are encouraged to teach or otherwise participate in classroom or other education activities.

FACULTY PROCESSES

18. Appeal Procedures for Denial of Reappointment, Tenure, or Promotion of Tenure-Line Faculty and Certain Multi-Year-Contract Term Faculty

These procedures apply to appeals related to denials of reappointment, promotion, or tenure. The following categories of faculty may use these appeal procedures: 1) tenure-line faculty and 2) term faculty who i) are on a multi-year full-time teaching contract and ii) have seven or more years of consecutive full-time service.
A faculty member may appeal (on limited bases) a final action regarding nonrenewal, nonpromotion, or denial of tenure. All parties involved will maintain confidentiality throughout the process and after the process is complete; only relevant information will be shared with persons with a legitimate need to know. Breaches of confidentiality may subject the person to disciplinary action as described in section 20, *"Disciplinary Actions, Investigations, and Formal Faculty Hearing."*

a. Bases for Appeal

A faculty member may file an appeal for any of the following reasons:

- The decision was a result of discrimination prohibited by applicable federal or local law.
- The decision process materially deviated from the requirements of this *Manual* or other written supplemental criteria and procedures approved by the Provost, and such deviation resulted in a negative personnel decision.
- Evidence that existed before the Provost's or Dean of Academic Affairs's decision was not discovered through appropriate diligence on the part of any party and is likely to change the outcome of the decision.

b. Appeal Process

1. The faculty member must notify the Committee on Faculty Grievances in writing of his or her intent to file an appeal, with a copy to the Provost's Office, within 30 days of receiving a decision by the Provost or the Dean of Academic Affairs. Normally, the faculty member must submit the completed documentation for an appeal within 60 days of notifying the committee of the intent to appeal. The faculty member must state clearly the grounds for the appeal and the supporting facts and evidence and, if applicable, provide a preliminary list of individuals who may have information relevant to the appeal.
2. The Committee on Faculty Grievances will conduct a preliminary review of the case to determine whether the appeal meets the criteria for appeal. The preliminary review will include, but not be limited to, the timeliness of the appeal and whether the faculty member has clearly articulated a proper basis for appeal beyond mere disagreement with the decision. If the Committee on Faculty Grievances decides that an appeal does not merit review, the Committee will forward its recommendation to the President with a copy to the faculty member and Dean of Academic Affairs or Provost. The recommendation must state the reasons for not reviewing the appeal. The President may affirm the Committee's recommendation or remand the case to the Committee for further review.
3. If the Committee on Faculty Grievances conducts a full investigation of the appeal, the Committee may take the following or similar steps to evaluate the appeal: (1) review the written appeal and supporting documentation, (2) review relevant policies and other documents, (3) review the original file, and (4) gather information from individuals who have relevant information. In addition, the Committee will invite the grievant to meet with the Committee to discuss the investigation.

4. The Committee review will be guided by the following principles:
    - The Committee's role is solely to determine whether sufficient evidence exists to support the grounds for appeal and, where appropriate, to recommend corrective action. The Committee does not decide on the merits of the case. In reviewing an appeal, the Committee may not make a recommendation for tenure, promotion, or reappointment.

- Faculty personnel decisions are made on a case-by-case basis. Except in cases of alleged discrimination, personnel decisions regarding other faculty are not relevant to the Committee's review. Thus, the Committee will not normally have access to the files of other faculty members. After considering the privacy interests of the faculty and other parties involved, if the Committee believes that access to such files would be likely to aid materially in the disposition of the complaint, the Committee will submit a written request to the Dean of Academic Affairs. The request for information must describe the basis for the complaint, the issue under review, and the relevance of the comparative files to the complaint. The request will also include the name of two Committee members designated to meet with the Dean of Academic Affairs, or a designee of the Dean of Academic Affairs, to (1) determine if other sources of information will fulfill the Committee's need in lieu of access to personnel files; and (2) select only those files that will best serve to meet the Committee's need absent of other sources. The designated Committee members will provide the other sources of information to the Committee or, if applicable, arrange a meeting of the Committee to review the selected files.

5. The Committee on Faculty Grievances will submit its findings and recommendations in a written report that is supported by a majority vote of the full Committee. This report must include the majority and minority views and the recommendations supported by the majority. The chair of the Committee will send it along with a copy of the appeal to the President; the chair will send a copy of the report to the faculty member, and Provost or Dean of Academic Affairs. The faculty member will have one week to submit to the President a written response to the report.
6. After receiving the report of the Committee on Faculty Grievances, the President may meet with the faculty member or other persons or take additional steps as needed to review the appeal. The President will approve, reject, or amend the Dean of Academic Affairs's or Provost's initial decision. The President must state the grounds for his or her action in writing to the faculty member, the Committee on Faculty Grievances, and the Office of the Provost. The President's decision is final.
7. The final record of the appeal (including the formal appeal, documentary evidence, the Committee's recommendation, and the President's final decision) will be retained under the direction of the Office of the Provost in accordance with the university's policy on retention of written records.

19. Faculty Grievances

a. Scope

Purpose. The University encourages faculty members to resolve their disagreements with the University or other faculty members through informal, frank, and open

discussion. However, the University also recognizes that occasionally more formal processes are needed.

Who May Use this Grievance Process. Accordingly, this grievance policy may be used to resolve grievances within the University by the following categories of faculty: 1) full-time faculty, both tenure-line and term faculty, and 2) any administrators with faculty status.

Types of Grievances Not Covered by this Grievance Process. The exclusions to this grievance policy include: 1) nonreappointment of a term faculty contract and 2) any other grievance or appeal that is specifically covered by another policy, process, or procedure (e.g., tenure-line promotions and tenure matters, discrimination complaint, research misconduct).

No Retaliation. No individual will be penalized, disciplined, or prejudiced for, in good faith, exercising the right to make a complaint or for aiding another individual in pursuing a complaint. Persons obstructing this grievance process may be disciplined up to and including dismissal. Each step outlined below should be taken in a timely fashion.

b. Confidentiality

All parties involved will maintain confidentiality throughout the process; only relevant information will be shared with persons with a legitimate need to know. Breaches of confidentiality may subject the person to disciplinary action as described in the section 20, "*Disciplinary Actions, Investigations, and Formal Faculty Hearing.*"

c. Informal Resolution

The university encourages individuals to address problems and disputes promptly as they arise, through direct discussions. If discussion with a colleague does not lead to a resolution, a faculty member or administrator with faculty status may take the matter to the responsible administrator. For example, if a grievant has a complaint with respect to a teaching unit's action in which the chair was not involved, the grievant should attempt to resolve the matter through discussions with the chair. If the chair was involved, the grievant should discuss the matter with the appropriate dean. In general, attempts at resolution should involve the administrator one level above the person(s) whose actions are the source of the complaint. If the grievance cannot be resolved by the responsible administrator or if the grievant does not want to involve such an administrator, then the grievant may submit a written request to the Office of the Dean of Academic Affairs for assistance in resolving the matter informally. If a conflict of interest prevents the Dean of Academic Affairs from facilitating resolution, he or she may appoint a designee. The person who will facilitate the resolution may consult with relevant individuals, review relevant documents, and attempt to resolve the matter informally.

If the complaint cannot be resolved informally, the grievant may then file a grievance with the Committee on Faculty Grievances. However, an informal resolution can occur at any time, even after the formal process has been initiated.

d. Handling of Formal Grievances by the Committee on Faculty Grievances

i. Filing of Formal Grievance

The formal written grievance should consist of the grievant's written statement concerning the substance of the complaint, the history of attempts to resolve it, and the relief sought. It should include the name, telephone number, and e-mail address of the grievant and a preliminary list of individuals who may have information relevant to the deliberations of the Committee on Faculty Grievances.

ii. Preliminary Action

If acceptable to both parties, the chair of the Committee on Faculty Grievances may attempt to resolve the problem without involving the full committee. If a resolution is reached, both parties and the committee will receive a written report from the chair of the Committee on Faculty Grievances. If an informal resolution cannot be reached, then the grievant can request from the grievance committee a review of the formal complaint.

iii. Committee's Review

The Committee on Faculty Grievances may determine that the complaint does not merit review for reasons that include, but are not limited to, (1) the complaint challenges the nonrenewal or nonextension of a contract upon expiration of an existing contract for term faculty or adjunct faculty; (2) the complaint was subject to another university procedure or within the jurisdiction of another university committee (e.g., tenure-line faculty appeals for denial of reappointment, promotion, or tenure; discrimination complaints; research misconduct complaints, or major sanction disciplinary cases); (3) the substance of the grievance does not merit full consideration; or (4) the requested relief is beyond the university's control. If the committee believes that a grievance does not merit review, the committee will send this recommendation to the Dean of Academic Affairs, who may affirm or remand the case to the committee for further review.

The committee on faculty grievances will investigate the complaint through discussions with relevant parties and consideration of relevant documents. Relevant parties will include the grievant, the person(s) whose actions form the substance of the complaint, and any other person who may have information that the committee deems relevant. The committee may request or invite additional documentation from relevant parties, and it may invite relevant parties to meet with it. It will require all parties whom it contacts to keep the matter confidential.

iv. Committee's Report and Disposition

The Committee on Faculty Grievances will record its findings and recommendations in a written report. The committee will consult Office of General Counsel to consider any legal issues before the report is finalized. Ordinarily the committee will submit the report and a copy of the grievance to the Provost and send a copy of the report to the grievant. If the Provost is the subject of the complaint or has had substantial involvement in the issues giving rise to the complaint, the committee will submit the report and a copy of the grievance to the President instead of the Provost. The grievant will have one week to submit to the Provost (or, if the report was submitted to the President, the President) a written response to the report.

Following review of the report, the Provost (or President) will issue a statement to the grievant, the person(s) whose actions are the substance of the complaint, and the Committee on Faculty Grievances indicating what action will be taken by the university and, if the action is at variance with the committee's recommendation, the reasons for such action.

The final record of the grievance (including the formal grievance, documentary evidence, the final grievance report, and the Provost's or President's statement) will be retained under the direction of the Office of the Provost in accordance with the university's policy on retention of written records.

20. Disciplinary Actions, Investigations, and Formal Faculty Hearings

This section provides a process for investigating and resolving faculty misconduct. (Note: Discrimination and sexual harassment complaints against faculty members will be investigated using the procedures in the university's discrimination and sexual harassment policy.) If disciplinary sanctions are recommended as part of the discrimination or sexual harassment investigation, the disciplinary procedures outlined below will apply.

When a faculty member fails to fulfill his or her employment obligations or engages in misconduct (collectively referred to as "misconduct"), the university will take appropriate action. The university's response to allegations of faculty misconduct may vary according to the nature of the misconduct, its seriousness, its impact on the university's reputation or the well-being of other members of the AU community, and prior record of misconduct.

Misconduct under this policy includes, but is not limited to, incompetence, bullying, sexual or discriminatory harassment, discrimination, a pattern or practice of failing to meet university contractual obligations, failure to carry out the obligations of one's position, violations of university policies, or violations of scholarly integrity.

This policy applies to full-time faculty. Disciplinary sanctions apply to any full-time appointment, including, but not limited to, one with tenure. Disciplinary sanctions fall into two categories:

- minor sanctions, which include any adverse employment action short of suspension, such as a reprimand
- major sanctions, which include suspension or dismissal from employment

Each step in the informal inquiry and hearing process should be taken in a timely fashion.

a. Confidentiality and Disciplinary Actions, Investigations, and the Formal Hearing Process

All parties involved will maintain confidentiality throughout the process; only relevant information will be shared with persons with a legitimate need to know. Breaches of confidentiality may subject the person to disciplinary action as described in this section, *"Disciplinary Actions, Investigations, and Formal Faculty Hearing."*

b. Informal Procedures and Resolution

Any member of the community may initiate an investigation of faculty misconduct by informing the appropriate academic unit dean or designee. The dean or designee may attempt to resolve the issue through an informal process involving all parties to the issue. If informal resolution fails or if the dean determines that the allegation of misconduct has merit and is sufficiently serious for disciplinary action, he or she will refer it to the Office of the Provost.

c. Resolution by the Provost's Office

The Dean of Academic Affairs or designee may consult with parties to the matter before determining the initial disposition of the case. The complainant and respondent may each bring a person from the American University community to attend a meeting with the Dean of Academic Affairs but not to advocate on the party's behalf. The Dean of Academic Affairs or designee may also seek external or internal expertise and assistance in developing a review of the case. After consultation and consideration of the seriousness of the alleged offense, the Dean of Academic Affairs or the designee will submit in writing his or her findings and recommendations to the Provost, proposing one or more of the following: (1) dismissal of the case, (2) informal resolution of the case agreeable to all parties, (3) a minor sanction, or (4) a referral to a formal faculty hearing. A recommendation of a minor sanction must be supported by a preponderance of the evidence.

The Provost's decision to dismiss the case, issue a minor sanction, or otherwise resolve the case is final; however, the faculty member may grieve the Provost's imposition of a minor sanction according to the procedures for filing a grievance.

Allegations of infractions that result in a minor sanction, such as a reprimand, cautionary letter to the file, or short-term financial or administrative remedy, will be reported only to

the parties to the matter. Minor sanctions will be on file in the Office of the Provost and will remain confidential to protect the respondent's reputation and relations with colleagues.

If the Provost believes that further examination of the charges may result in a major sanction, the Provost will refer the case for a formal faculty hearing. However, the faculty member may waive the right to the hearing and choose to have the case decided by the Provost. In that case, the Provost's decision will be final and may not be appealed or grieved further.

d. Concurrent Grievance and Disciplinary Proceedings

When a grievance by a faculty member derives from substantially the same facts and circumstances as a proposed disciplinary action against the faculty member, the Committee on Faculty Grievances will seek an informal resolution. If an informal resolution fails, the grievance and the disciplinary action will be addressed separately according to the procedures outlined for each in this *Manual*. When both procedures are completed, the Committee on Faculty Grievances and the hearing panel will submit separate reports to the Provost.

e. Procedures for Formal Faculty Hearings in Cases Which May Result in Major Sanctions or Dismissal from the University

i. Filing of Statement of Charges for Disciplinary Action

The Provost will notify the faculty member of the intent to file charges, initiate a request for a formal hearing panel, and appoint the Dean of Academic Affairs or a designee to serve as complainant ("university representative") in the disciplinary proceeding. The faculty member may make a written request with justification (such as conflict of interest) for the appointment of a different university representative. If the Provost decides to retain the original designee, he or she will provide a written statement citing the reasons for not changing the designee. The faculty member's request and the Provost's statement will be included in the filing of the statement of charges. The university representative must file the statement of charges with the Faculty Senate chair. The statement of charges must summarize the relevant facts and circumstances of the alleged misconduct and include a preliminary list of individuals (and their contact information) who may have relevant information. The university representative will send a copy of the statement of charges to the faculty member. The faculty member may elect to present to the hearing panel a written statement responding to the charges.

ii. Hearing Panel

The past chair of the Faculty Senate (or the current vice chair of the Faculty Senate, if a conflict of interest exists) will convene the Faculty Senate Executive Committee and present the members with a general description of the case. The Faculty Senate Executive Committee members will select five senior faculty and five alternates from the Faculty Hearing Committee to serve on the hearing panel. The Faculty Senate Executive

Committee is charged with taking special care to achieve a reasonably balanced representation with regard to the issues involved (e.g., gender or respondent's field of expertise). Executive committee members and selected panelists deeming themselves disqualified for bias or conflict of interest are expected to immediately remove themselves from the selection process for panelists on their own initiative. The chair of the Faculty Senate will present the five panelists to the university representative and the faculty member. The faculty member and the university representative each will be allowed two peremptory challenges of panelists. The chair of the Faculty Senate will replace any member so removed with a member from the list of five alternates. The hearing panel will select a chair.

A hearing panel has the prerogative to attempt informal resolution before proceeding to a formal hearing. If the hearing panel cannot resolve the matter informally, then it will schedule a formal hearing. The following general hearing provisions will apply:

1) The hearing panel may modify these procedures, if necessary, for the fair and expeditious administration of these proceedings.
2) The hearing panel will conduct a prehearing conference with the faculty member and the university representative to clarify the issues, stipulate facts, finalize the list of individuals who may have information relevant to the hearing, provide for the exchange of documentary or other information, and identify other appropriate objectives to make the hearing fair, effective, and expeditious. The panel will maintain a record of the prehearing conference.
3) The chair of the hearing panel will notify all concerned parties of the time and location of the hearing. Notice of the hearing must be in writing and, customarily, made at least two weeks prior to the hearing.
4) Time extension or rescheduling requests by the faculty member or the university representative may be granted by the chair for good cause.
5) The faculty member may waive the hearing or respond to the specific charges in writing at any time before the hearing. In the event the faculty member waives the hearing but denies the charges or asserts that the charges do not support a finding for a major sanction or dismissal from the university, the panel will hear the case based on the evidence directly related to the charges.
6) Customarily, the hearing will proceed in the absence of either the faculty member or the university representative who fails to appear at the hearing after receiving notification. Only circumstances that are beyond control and that prevent a party's attendance at the hearing will constitute good cause to reschedule the hearing. The hearing panel will make the determination as to whether or not there is good cause for the absence.
7) The burden of proof rests with the university when considering whether a faculty member has engaged in misconduct warranting a major sanction. The charges against the faculty member must be established by a preponderance of evidence in the record as a whole.
8) A full panel must hear the case.
9) All hearings are closed to the public. The hearing panel, at its sole discretion, may remove participants in the hearing who are disruptive to the process.

10) The hearing panel may invite persons from inside or outside the university to give testimony relevant to the matter, and either party to the matter may request that the panel invite such persons. University personnel will make every effort to cooperate with the panel in securing witnesses and making available documentary and other evidence. The parties shall have the right to cross-examine all witnesses.
11) The faculty member may receive the assistance of counsel of her or his choosing and at her or his cost. Counsel may be present to advise the faculty member but may not address the panel directly and does not otherwise participate in the hearing process.
12) The hearing panel may seek legal counsel through the Office of General Counsel.
13) The hearing panel is not bound by strict rules of legal evidence.
14) The hearing will be recorded, and a complete, verbatim written record of the hearing will also be kept. At the conclusion of the hearing, the parties may have access to the hearing recording and the full evidentiary record. The Dean of Academic Affairs will provide a written record of the hearing to the parties upon request. The Dean of Academic Affairs, upon consultation with the Office of General Counsel, may redact such written record to remove personally identifying information if required by applicable federal or local privacy laws. These parties may file with the chair of the hearing panel written closing statements. Copies of any closing statements received will be transmitted by the chair to the other relevant parties, and the chair will accept rebuttals to the closing statements during a specified period of time determined by the hearing panel.
15) After the parties have had an opportunity to review the record of the hearing, submit closing statements, and make rebuttals to the closing statements, the hearing panel will deliberate in closed session and prepare its report.
16) The findings and recommendations of the hearing panel will be in a written report that is supported by a majority vote of the full committee. This report must include the majority and minority views and the recommended sanctions supported by the majority. The chair of the hearing panel will send the report to the Provost or, if the Provost has a conflict, to the President, and a copy of the report to the faculty member.
17) The Provost or President may approve, reject, or amend such findings and recommendations. The Provost or President must state the grounds for his or her action in writing to the hearing panel and the faculty member. The faculty member may appeal the Provost's or President's decision following the procedures for appeal in section 20.g, "Appeal Procedures for Major Sanctions and Dismissal Actions," below.
18) The final record of the hearing, the statement of charges, documentary evidence, the final report, and the Provost's or President's statement will be retained under the direction of the provost's office in accordance with the university's policy on retention of written records.
19) The Provost or President may suspend a faculty member for an interim period pending disciplinary or criminal proceedings ("interim suspension"). An interim suspension will be used only in cases where the Provost determines(1) that the continued presence of the faculty member at the university poses a substantial and immediate threatto the faculty member or others or to the stability and continuance

of normal university functions, operations, or processes; or (2) that the continued presence of the faculty member would be otherwise disruptive. The Provost may also assign the faculty member to alternative duties pending disciplinary or criminal proceedings.

f. Termination of Salary and Benefits

Termination for cause may follow immediately after the final decision of the Provost or President through the processes specified above in this section, "Disciplinary Actions, Investigations, and Formal Faculty Hearings," of this *Manual*. Final notification of termination will be given in writing to the faculty member within 30 days after the Provost's or President's decision to terminate. The faculty member is not entitled to further payment of salary and related benefits, except as required by law, after the effective date of termination. If the termination is overturned following the appeal procedures in the next section, the faculty member will be reinstated with back pay.

g. Appeal Procedures for Major Sanctions and Dismissal Actions

A faculty member may file a written appeal of a disciplinary major sanction or dismissal action to the President or, if the President has a conflict, to the Academic Affairs Committee of the Board of Trustees. The written appeal must be filed within 30 days of receipt of the Provost's or President's decision. An appeal is only permissible for the following reasons:

- The decision was a result of discrimination prohibited by applicable federal or local law
- The major sanction is excessive in light of the misconduct findings.
- New, relevant, and material evidence is available that (1) was unavailable at the time of the Provost's decision and (2) is likely to change the outcome of the Provost's decision.

The President or the Academic Affairs Committee of the Board of Trustees will review the appeal. The review will be based on the record of the hearing and the faculty member's written appeal. The President or the Academic Affairs Committee of the Board of Trustees may meet with the faculty member or other persons if needed. The President or the Academic Affairs Committee of the Board of Trustees may approve, reject, or amend such findings and recommendations and must state the grounds for his or her action in writing to the hearing panel, Provost or the Dean of Academic Affairs, and faculty member. If the President or the Academic Affairs Committee of the Board of Trustees decides to amend the recommendation, the amendment may reflect a lessening or a strengthening of the recommended action. The President's or the Academic Affairs Committee of the Board of Trustees' decision is final.

h. The Final Record of Disciplinary Matters

The final record of disciplinary matters will be retained under the direction of the provost's office in accordance with the university's policy on retention of written records.

21. Policy on Termination of Faculty Positions as a Result of Financial Exigency

a. Financial Exigency

The university reserves the right to restrict or otherwise limit faculty appointments and has the right to eliminate faculty positions, including those occupied by tenured faculty, as a result of a *bona fide* financial exigency ("Financial Exigency") at the university. American University defines Financial Exigency as an imminent financial crisis; that is, there is a current or projected absence of sufficient funds for the campus as a whole to maintain programs and activities at a satisfactory level to fulfill its educational goals and priorities, and the financial crisis can only be resolved by extraordinary means. Final determination of all matters related to declaration of Financial Exigency and related retrenchment plans rests solely with the Board of Trustees.

The Board of Trustees reserves the right to change the procedures and timelines in this policy as needed to effectuate orderly and fiscally responsible retrenchment and reorganization plans.

i. Procedures for Determining Financial Exigency and Retrenchment Plans

Declaring Financial Exigency: If the Board of Trustees believes that a Financial Exigency exists or is imminent, the Board shall consult with the President and the Vice President of Finance and Treasurer, as well as the Provost, other senior administrators, and the Faculty Senate Executive Committee or its designee prior to making the Board's declaration of a Financial Exigency. In consultation, the Board of Trustees will provide relevant financial and programmatic information upon which its initial assessment is based. The Faculty Senate Executive Committee shall consider whether the material supports a determination of Financial Exigency and, within 15 calendar days after receipt of the Board's initial assessment of Financial Exigency, submit its findings to the Board. The Board shall take into account the recommendations of the Faculty Senate Executive Committee, the President, the Provost, and other senior administrators, before declaring a Financial Exigency and its effective date ("Effective Date of Financial Exigency").

Establishing the Retrenchment Plan: Within 45 calendar days after the Effective Date of Financial Exigency, the President, in consultation with the Provost, the deans, and the Faculty Senate Executive Committee, will establish a retrenchment plan identifying services, programs, units, and the faculty members affected ("Retrenchment Plan"). The Retrenchment Plan will take into account the following principles:

- With respect to matters affecting faculty reduction or redistribution, consideration shall be given to academic needs and educational mission of the university and the service of the affected faculty member(s).
- Priority will be given to identifying measures that the university can take before eliminating faculty positions.

- Customarily, a faculty member with tenure will not be terminated in favor of retaining a faculty member without tenure. For exceptions to this policy, the Provost will provide an explanation in writing to all parties involved.
- Customarily, a multiyear faculty member with a longer continuous service will not be terminated in favor of retaining a multiyear faculty member with less continuous service. For exceptions to this policy, the Provost will provide an explanation in writing to all parties involved.

ii. Financial Exigency Termination and Review Provisions

Elimination of Faculty Positions: The Provost will notify the Faculty Senate Executive Committee of any proposed eliminations of faculty positions due to Financial Exigency. Within 15 calendar days after receiving the proposal, the Faculty Senate Executive Committee may submit recommendations to the Provost. After receiving advice from the Faculty Senate, the Provost and President will make a final determination on the Retrenchment Plan and its effective date ("Effective Date of Retrenchment Plan"), both of which are subject to approval by the Board of Trustees.

Terminal Salary or Termination Notice for Tenure-Line Faculty and Multiyear Term Faculty: The Provost will provide tenure-line faculty and multiyear term faculty whose appointments are to be terminated due to Financial Exigency with six months written notice prior to the termination of their appointments. The notice will include a statement of the basis for the decision. Guidelines for the payment of salaries for terminated faculty are available in the Office of the Provost. The university may shorten or eliminate the period of advance notice by providing equivalent salary and benefits. Tenure-line faculty and multiyear faculty may request review of the termination decision from the Committee on Faculty Grievances as described in the section 23, "Review Procedures for *Termination of Tenure-line and Multiyear Faculty as a Result of Financial Exigency or Program Elimination."*

Termination of Non-Multiyear Term Faculty: The Provost will determine the termination date for non-multiyear term faculty due to Financial Exigency, and termination will be effective on the date provided in the termination notice from the Provost. Guidelines for the payment of salaries for terminated faculty are available in the Office of the Provost. The Provost's decision regarding termination of non-multiyear term faculty for Financial Exigency is final, is not subject to the termination review process described in section 23, "Review Procedures for Termination of Tenure-line and Multiyear Faculty as a Result of Financial Exigency or Program Elimination," and is not grievable or appealable under any other policy.

b. Provisions for Tenure-Line and Multiyear Faculty Affected by Financial Exigency Plans

If, for reasons of Financial Exigency in which terminating a tenure-line or multiyear position is proposed, such termination shall be considered only as a last resort after every reasonable effort has been made to meet the need in some other way and to find for the faculty member a suitable assignment, for which she or he is already qualified, in the university.

c. Reinstatement Rights

In all cases in which a tenure-line or multiyear position has been eliminated due to Financial Exigency, the university will not fill the position of the faculty member so terminated within two years of the Effective Date of Financial Exigency, unless the released faculty member has been offered reinstatement in that position and has not accepted the offer within a reasonable period specified by the university.

22. Policy on Termination of Faculty Positions as a Result of Program Elimination

The university reserves the right to terminate, restrict, or otherwise limit faculty appointments, including tenured positions, due to program elimination as a result of programmatic considerations ("Program Elimination"). Program Elimination includes the discontinuation of an academic unit, teaching unit, undergraduate or graduate program, or other academic organizational unit. Program Elimination follows the policies established by the Faculty Senate and approved by the Provost. In the event that Program Elimination terminates faculty positions, the university will make every reasonable effort to place the affected faculty members in other suitable positions in the university. The following principles apply:

- Customarily, a faculty member with tenure will not be terminated in favor of retaining a faculty member without tenure.
- Customarily, a multiyear faculty member with a longer continuous service will not be terminated in favor of a multiyear faculty member with less continuous service.

a. Program Elimination Termination and Review Provisions

Terminal Salary or Termination Notice for Tenure-line Faculty and Multi-year Term Faculty: The Provost will provide tenure-line faculty and multi-year term faculty whose appointments are to be terminated due to Program Elimination with six months written notice prior to the termination of their appointments. The notice will include a statement of the basis for the decision. Guidelines for the payment of salaries for terminated faculty are available in the Office of the Provost. The university may shorten or eliminate the period of advance notice by providing equivalent salary and benefits. Tenure-line faculty and multi-year faculty may request review of the termination decision from the Committee on Faculty Grievances as described in section 23, "Review Procedures for Termination of Tenure-line and Multiyear Faculty as a Result of Financial Exigency or Program Elimination."

Termination of Non-Multiyear Term Faculty: The Provost will determine the termination date of non-multiyear term faculty due to Program Elimination. Guidelines for the payment of salaries for terminated faculty are available in the Office of the Provost. The

Provost's decision regarding termination of non-multiyear term faculty due to Program Elimination is final, is not subject to the termination review process described in section 23, on "Review Procedures for Termination of Tenure-line and Multiyear Faculty as a Result of Financial Exigency or Program Elimination," and is not grievable or appealable under any other policy.

b. Reinstatement Rights

In all cases in which a tenure-line or multiyear position has been eliminated due to Program Elimination, the university will not fill the position of the faculty member so terminated within two years of the university's decision to eliminate a program, unless the released faculty member has been offered reinstatement in that position and has not accepted the offer within a reasonable period specified by the university.

23. Review Procedures for Termination of Tenure-Line and Multiyear Faculty as a Result of Financial Exigency or Program Elimination

A tenure-line or multiyear faculty member terminated for Financial Exigency or Program Elimination will have the right to request a review of the termination decision, provided she or he submits a request in writing to the Committee on Faculty Grievances (with a copy to the Provost) within 10 calendar days after receipt of the notice of termination. The request for review must be based on one or more of the following grounds:

- The criteria used to identify the individual faculty member for termination did not adhere to the approved Retrenchment Plan or Program Elimination plan.
- The criteria for termination was improperly applied to the faculty member.
- The university failed to consider the faculty member for a suitable position within the university for which he or she is already qualified.
- The termination decision was a result of discrimination prohibited by applicable federal or local law.

All requests for review must be accompanied by a written statement fully discussing the reasons for the review request and evidence on which the faculty member relies to make one or more of the above charges. Failure to request a review in a timely manner will constitute a waiver of the right for a review. Unless otherwise specified in this policy, the Committee on Faculty Grievances will follow the procedures in section 19, "Faculty Grievances" of this *Manual* in resolving these requests for review. Within 15 days after receiving the request for review, the Committee on Faculty Grievances will deliver a copy of its final recommendation to the Provost and the faculty member. Within five days after receipt of the recommendation, the Provost will issue a decision to the Committee on Faculty Grievances and to the faculty member, indicating what action by the university will take and, if the action is at variance with the committee's recommendation, the reasons for such action.

FACULTY BENEFITS AND OPTIONS

24. Leaves of Absence

a. Justification for Leave

The university endeavors, to the extent possible and practicable, to allow full-time faculty members to be released temporarily from their assigned duties for such reasons as

- scholarly activities
- postdoctoral or other studies beyond the normal terminal degree in the faculty member's discipline or a related discipline
- teaching as a visiting member of the faculty at the invitation of another college or university
- service in government and other public or private institutions, if such service is clearly related to the teaching assignment or research interests of the faculty member
- military service and essential national defense activities
- temporary residence in another area for a spouse's or domestic partner's employment
- recuperation of health, pursuant to the Family Medical Leave Act (FMLA)

Generally, leave requests must be supported with appropriate documentation, including an application for leave of absence, demonstrating why the request should be granted. Leave requests based on medical or family need will be processed in coordination with Human Resources to ensure compliance with the university's family and medical leave policy and legal requirements. Otherwise, a leave of absence is granted on a case-by-case basis and must depend on the ability of the academic unit and teaching unit concerned to organize the unit's work to permit the leave without significant additional expense to the university and without detriment to the unit's programs. Faculty members with administrative assignments at all levels must understand that their absence on any type of leave may so adversely affect the ongoing operations of the university that the university may deny otherwise laudable requests for leave on administrative grounds.

All leaves and the related terms must have the prior written approval of the university (timely requests must be made to the Dean of Academic Affairs). When a leave of absence is granted, a full-time faculty contract will set forth the terms of the leave. The faculty member's name and position may continue to appear in faculty listings in catalogs and other official publications during the period of the leave of absence.

b. Limitations and Conditions

The university cannot permit any members of the full-time faculty to be away from their duties on any type of leave (or combination of types of leave) for more than two successive

years, unless the Provost grants an exception in extraordinary circumstances, or the university is legally obligated to permit leave for reasons such as, but not limited to, extended illness or required active military duty. Ordinarily, faculty members who choose to extend a leave beyond two years without authorization will forfeit their positions at the university, even if they have not submitted a formal letter of resignation. The university will endeavor to notify the faculty member in advance of the forfeiture, but such forfeiture shall be final regardless of whether prior notification has been received.

c. Types of Leave

A leave of absence may be designated in one of the following ways:

- leave without pay or leave with partial pay
- research leave
- sabbatical leave
- family and medical leave

i. Leave without Pay

A full-time faculty member who has completed at least one academic year of service may apply for a complete or partial leave of absence without pay by written request to the teaching unit chair or academic unit dean, describing in detail the purposes and duration of the leave and the activities in which the faculty member will be engaged. Leave without pay applications and extensions should be submitted by the established deadline and will be processed in the same manner as all faculty personnel actions. If a grant application is unresolved by the deadline for requesting a leave without pay, the Dean of Academic Affairs will accept a statement from a faculty member of intent to apply for leave if the grant is forthcoming. The statement of intent must be filed by the announced deadline.

The university does not make contributions to employee benefit programs for a faculty member on leave without pay. However, the faculty member may continue group insurance benefits by paying the full cost. Retirement plan contributions cannot be made on a tax-deferred basis for a faculty member for whom no salary is being paid by the university. Human Resources notifies each faculty member planning a leave without pay of the options available. The university continues tuition privileges. Exceptions to this general policy must be clearly expressed in writing and approved by the Dean of Academic Affairs.

A leave without pay is not included as part of pre-tenure service, unless written approval is obtained from the Dean of Academic Affairs prior to the leave. A leave without pay may carry with it accrual of sabbatical leave if the leave includes a regular workload of scholarly activities. The Dean of Academic Affairs will grant or deny approval, or grant approval with specific conditions, based on his or her determination of the best interests of the university.

ii. Research Leave

Faculty members are sometimes presented with a significant scholarly development opportunity funded by a prestigious award or other notable source outside the university. In such cases, they may be eligible to apply for a research leave. The university strives to support faculty who earn these awards. If the outside funding does not fully recompense a faculty member's salary, he or she can negotiate with the academic unit dean and with the Dean of Academic Affairs for additional compensation as long as the requested amount combined with the outside funding does not exceed the faculty member's salary. Application for research leave requires approval by the teaching unit and dean before submission to the Dean of Academic Affairs for final action. The application must include information about the significance of the opportunity and its potential to advance the scholarly endeavors of the faculty member.

A research leave carries with it accrual of eligibility for tenure and promotions in rank. A faculty member on research leaves will continue to accrue up to two years eligibility toward the next sabbatical leave. Exceptions must be approved in advance by the Dean of Academic Affairs. During the period of a research leave, the university will continue its contribution to the faculty member's retirement program and provide other employee benefits, subject to contributions from the faculty member. Faculty on research leave and receiving university compensation during the leave must return to the university after the research leave for one year or as specified in advance by the Dean of Academic Affairs at the time of the research leave request. If the faculty member does not return to the university for the specified period, he or she must reimburse the university for compensation and benefits paid during the leave period.

iii. Sabbatical Leave

A senior faculty member who has accrued the equivalent of six years of a full-time workload described in section 7, "Professional Obligations of Tenure-Line Faculty," in this *Manual* is eligible for sabbatical leave. A faculty member may apply for sabbatical leave by submitting a written request to the teaching unit head and academic unit dean and by completing the application for leave of absence. The application must outline in detail the scholarly program of work which the applicant agrees to follow. This program must be approved by the appropriate teaching unit and academic unit committees and the Dean of Academic Affairs.

A sabbatical leave is granted for a period of one or two regular semesters or summer semesters, as appropriate for faculty who have full-time responsibilities in the summer. Faculty members will be paid their full budgeted salary during a sabbatical leave of one academic session or one-half of the budgeted salary during a sabbatical leave of two semesters. While on sabbatical leave, faculty members accrue time towards promotion. Sabbatical leave is not granted for the purpose of taking remunerative employment of any sort, without specific justification of such employment as a research-

related endeavor and approval in advance of the leave by the relevant teaching unit, academic unit dean, and the Dean of Academic Affairs.

The fact that a faculty member has fulfilled the stated requirements for a sabbatical leave or that the applicant is strongly supported does not guarantee that the leave can be scheduled at the time preferred by the applicant. The needs of the university as well as budgetary and administrative considerations are important factors in the final determination.

A sabbatical leave cannot be extended beyond the period for which it was originally granted. A faculty member on sabbatical leave who wishes to extend the leave may, however, apply for leave without pay. If that is granted, the faculty member will be subject to all conditions governing such leaves.

Faculty members who accept a grant of sabbatical leave are obligated not only to pursue the scholarly program for which the sabbatical was granted but also to return to a full-time workload at the university for at least one academic year following the sabbatical, unless the university agrees in writing to other arrangements. If the faculty member does not return to the university for the specified period, he or she must reimburse the university for compensation and benefits paid during the leave period.

Faculty members must submit a sabbatical leave report to the teaching unit chair, academic unit dean, and Dean of Academic Affairs by the fall semester of the next academic year. The specific due date of the report is posted by the Dean of Academic Affairs.

After a sabbatical leave, a faculty member is eligible to apply for another sabbatical after completing a subsequent period of six years on a full-time workload. Any faculty member who defers a sabbatical for the benefit of the university or to take advantage of a research opportunity is eligible to apply immediately after the reason for the deferral (administrative responsibilities, for example) has ended. In such cases, the faculty member does not lose any years and may count them as part of an accrual for a subsequent sabbatical. All such exceptions require approval in advance by the academic unit dean and by the Dean of Academic Affairs. To define clearly the university's position and to protect the interests of faculty members who are asked to defer a sabbatical leave, the Dean of Academic Affairs must approve and confirm agreements for deferral of a sabbatical leave for the convenience of the university. Requests should be directed to the Dean of Academic Affairs with documentation, including a statement of the sabbatical leave project of the faculty member and a statement by the appropriate academic unit dean of the reason for deferral.

Regardless of the total number of years of service, faculty members who elect not to take sabbatical leaves are at no time entitled to other types of leaves or payments in lieu thereof.

iv. Family and Medical Leave

Please refer to the *Staff Personnel Policies Manual* and *Faculty and Staff Benefits Manual* for details on this type of leave as it applies to all employees of American University. Refer to the related *Faculty Policy for Modified Work Arrangement Due to Qualifying Family or Medical Events* made available by the Dean of Academic Affairs.

25. University Faculty Retirement Plan and Retirement Options

The university provides an optional retirement program for full-time faculty. The eligibility requirements and other information are outlined in the *Faculty and Staff Benefits Manual,* available from Human Resources or online.

The university will assist individual faculty members who wish to retire. Guidelines for the university's retirement incentive policy are reviewed as necessary by the Faculty Senate's Committee on Academic Budget and Benefits and forwarded to the Provost for consideration and action. Once approved, the guidelines are made available to all members of the full-time faculty. The Committee on Academic Budget and Benefits is empowered to recommend minor adjustments in the policy; substantive changes, however, require approval of the full Faculty Senate, the Provost, and the President. Retirees who meet years-in-service requirements will also be eligible for the Benefit Extension Plan set forth in the *Faculty and Staff Benefits Manual.*

The university may offer a full-time faculty member terminal leave or phased retirement, which is an appointment with a reduced load with proportionally adjusted sabbatical leave and other benefits for a fixed period prior to retirement. The Dean of Academic Affairs is the administrator of the retirement incentive and phased retirement programs.

PROFESSIONAL STANDARDS

26. Professional Guidelines

a. In General

This section provides guidance to faculty regarding extramural activities which may raise questions about conflict of interest or conflict of commitment. This policy is in addition to any other conflict of interest policies that are issued by the Office of Human Resources, the Dean of Academic Affairs, the Vice Provost for Graduate Studies and Research, the Board of Trustees, or other relevant offices. The university and its faculty and employees must comply with all applicable federal and local laws regarding conflicts of interest or commitment. Therefore, to the extent that provisions between this policy and the law conflict, the legal requirements prevail. In the case of conflicting provisions within internal university policies, the faculty member must seek clarification from the academic unit dean or the Dean of Academic Affairs.

The university expects faculty to perform their duties without unresolved conflicts of interest or conflicts of commitment. A conflict of interest exists when a person's external interests have the potential to influence inappropriately, or appear to influence inappropriately, the person's performance of his or her university responsibilities or otherwise have the potential to threaten harm to the university or to potentially undermine the trust on which the educational process and employment environment depend; or when the person, or his or her family member, receives improper personal benefit as a result of his or her position in the university. A conflict of commitment arises when a faculty member's outside activities interfere with the faculty member's primary commitment to the university. This policy provides specific guidance in areas which commonly arise in faculty members' performance of their responsibilities.

As a preliminary matter, the faculty member is responsible for disclosing actual and potential conflicts to the teaching unit chair or academic unit dean. If it is not clear whether the faculty member must disclose, the faculty member must err on the side of disclosure. It is the university's responsibility to determine if the disclosed interests could materially affect the faculty member's performance of university responsibilities or interfere with the faculty member's primary commitment to the university, and, if so in either case, to require the management, reduction, or elimination of the conflict. Failure to comply with the university's plan for managing the conflict, including corrective action, may result in disciplinary action.

b. Conflicts between Personal and Professional Relationships

All personnel and academic decisions must be made on their merits and uninfluenced by personal relationships that could be construed to create a conflict of interest. As a general principle, faculty members must not participate in the decision of any matter that may affect directly the appointment, reappointment, tenure, promotion, salary, or other employment status or other interest of a close relative or of someone with whom the faculty member has a personal relationship that can be construed to create a conflict of interest.

The university prohibits consensual sexual relationships between a faculty member and any student or individual for whom the faculty member has a professional or supervisory responsibility. In all such cases, it is incumbent upon the faculty member to disclose and to eliminate any conflict of interest that can potentially undermine the trust on which the educational process and employment environment depend.

c. Conflict of Commitment

Questions may occasionally arise about the extent of a faculty member's involvement in, or the appropriateness of, certain non-university activities as they relate to the faculty member's employment duties, including the obligation to act in the best interest of the university. Faculty members should avoid conflict of commitment from the intrusion of outside activities upon the academic functions of teaching, scholarship, and service to the institution. This section, although not exhaustive, is meant to serve as a guideline for determining when

such activities conflict with a full-time faculty member's responsibilities at the university. Subsection e describes conflict of commitment as it relates to part-time faculty.

i. Full-time Faculty Outside Appointments and Teaching

A tenure-line faculty member may not hold a tenure-line position on the faculty of another higher education institution. Exceptions to this policy will require the written approval of the Provost, following recommendation of the teaching or academic unit and the academic unit dean.

Teaching courses for another college or university at any time requires advance written approval of the academic unit dean and the Dean of Academic Affairs.

ii. Outside Consulting

The private and public sectors rely on faculties of universities for advice and guidance. This recognition of the contribution that institutions of higher education can make to the nonacademic world has provided many faculty members with the opportunity to use their knowledge and talents constructively and profitably and to strengthen their competence through a greater variety of professional experience.

The university permits a full-time faculty member to work on outside consulting, provided that such activity does not diminish the faculty member's total contribution to the university. In general, for full-time faculty, this consulting should be equivalent to not more than one day of a five-day work week. This privilege is not extended to research faculty members who are paid wholly from research grants or contracts.

Payments for such consulting are negotiated by the faculty member directly and do not involve the university. The university assumes no responsibility or liability for private professional services rendered by members of its faculty, and it is the faculty member's responsibility to make clear to any client that the work has no official connection with the university. When pursuing extramural commitments, faculty members may use their affiliation with the university solely for identification purposes.

The responsibility for adhering to the limit on outside consulting lies first with the individual faculty member. Before undertaking outside consulting, faculty members should resolve any questions and ambiguities, including time commitment and compensation associated with the activity, with their teaching unit chair or academic unit dean. Faculty members must submit to the teaching unit chair and academic unit dean an annual report listing the level of their consulting activities. In addition, every faculty member has on ongoing obligation to report activities that may raise questions about conflicts as soon as such situations become known to the individual.

So that the university may determine whether the principles set forth herein are being adhered to and to ensure that university and teaching unit workload responsibilities are

met, the deans will forward all consulting reports to the Dean of Academic Affairs. The university will protect itself from losses due to excessive consulting and will require faculty members to stop any consulting activity that is inconsistent with this policy.

iii. Activities That Are Not Considered Outside Consulting

Several kinds of faculty activity are generally not considered outside consulting as determined by the teaching unit or academic unit. These are:

Scholarship: Scholarly, creative, and professional work or communications that furthers the faculty member's scholarly duty to the university, though frequently earning financial profit for a faculty member and for another party (e.g., a publisher), are generally not considered outside consulting.

Service to the Profession: Service to the profession that furthers the faculty member's workload obligation to the university is generally not considered outside consulting. Examples of such service to the profession include participation on or in national commissions and professional associations, governmental agencies and boards, granting agency peer group review panels, visiting committees or advisory groups to other universities, and analogous bodies. Unlike consulting, service to the profession advances a broad public purpose. Service to the profession does not, however, wholly satisfy a faculty member's responsibilities in the area of university. Although an honorarium or equivalent sometimes is forthcoming, these service activities are not undertaken for personal financial gain. Therefore, such service to the profession generally does not fall within the definition of outside consulting.

d. Use of University Assets and Facilities

While it is understood that faculty members may be initially identified or contacted about outside work while at the university or through their university affiliation, actual consulting work that follows should be separate and apart from the university. In that spirit, the use of university assets and facilities for outside remunerative employment is prohibited, unless authorized by the academic unit dean and the Dean of Academic Affairs. Prohibited uses of university facilities for outside work include, but are not limited to, use of physical facilities (e.g., a meeting room, office) and use of university assets or facilities beyond the occasional and incidental use of electronic mail, telephone, or computer. Any use of university letterhead or other materials that would imply that the work was part of the faculty member's university obligations and use of the university's trademarks or name are strictly prohibited.

e. Part-time Faculty Conflicts of Commitment

The university assumes no responsibility or liability for external employment or private professional services rendered by members of its part-time faculty, and it is the part-time faculty member's responsibility to make clear to any employer or client that the work has no

official connection with the university. When pursuing extramural commitments, faculty members may use their affiliation with the university solely for identification purposes. Part-time faculty members may already be employed by outside parties or may be initially identified or contacted about outside work while at the university or through their university affiliation; all such work should be separate and apart from the university. In that spirit, the use of university facilities for outside remunerative employment is prohibited, unless authorized by the academic unit dean and the Provost. Prohibited uses of university facilities for outside work include, but are not limited to, use of physical facilities (e.g., a meeting room, office) and anything more than occasional and incidental use of electronic mail, telephone, or computer. Any use of university letterhead or other materials that would imply that the work was part of the part-time faculty member's university obligations and use of the university's trademarks or name are strictly prohibited.

f. Conflicts of Interest

The policies in this section exclude conflicts of interest in the context of research. Guidelines and processes for review of potential conflicts and investigations of violations of such conflicts are subject to other regulations and are available from the Office of the Provost.

This section applies to all full-time and part-time faculty members. Faculty members must ensure that outside activities and interests do not conflict with responsibilities assigned them within the university. Examples of such conflicts include, but are not limited to, situations where a research or service activity is conducted elsewhere to the disadvantage of the university and its legitimate interests; or situations where consulting or other services are provided to an organization that would put the university at a competitive disadvantage.

In situations creating an appearance of or actual conflict of interest, the faculty member must disclose the conflict in writing to the appropriate teaching unit chair, academic unit dean, and the Dean of Academic Affairs. The disclosure should include a full description of the situation and a self-assessment regarding whether there is a conflict. The Dean of Academic Affairs should seek to assist the faculty member in managing the conflict before the faculty member undertakes the activity (if permitted).

27. Violations of Scholarly Integrity

University policy does not tolerate and affirmatively prohibits violations of scholarly integrity. Scholarly misconduct in creative, professional, and research activities includes, but is not limited to, fabrication, falsification, plagiarism, abuse of confidentiality, or dishonesty in publication or production; deliberate violation of the regulations set by federal, state, local, and university agencies; failure to report observed major offenses; retaliation against individuals who have reported major offenses; or other practices that seriously deviate from those commonly accepted within the scholarly community for proposing, conducting, or reporting scholarly work. It does not include honest error or honest differences in the interpretations or judgments of data.

Scholarly misconduct will be investigated as outlined in section 20, "Disciplinary Actions, Investigations, and Formal Faculty Hearings." However, the investigation procedures may be modified as needed to conform to the recommended procedures developed by the Office of Research Integrity of the U.S. Department of Health and Human Services for investigating charges of violation of scholarly integrity.