

## Summary of Significant Substantive Changes in the 2009 Revision of the *Faculty Handbook*

### FACULTY HANDBOOK REVISION COMMITTEE

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### CHANGES THROUGHOUT THE HANDBOOK

Jurisdiction has been expanded and clarified to include not only **all full-time tenured and tenure-track instructional faculty**, but also **all full-time term faculty**, whether they have an instructional focus, research focus (aka **research faculty**), or clinical focus (aka **clinical faculty**). Part-time instructional faculty are not covered by this handbook, regardless of their employment status (adjunct appointment, part-time term faculty position, part-time research faculty position, etc.). Administrative and professional faculty are governed by the *Administrative/Professional Faculty Handbook*.

Substantial editing has been done to accomplish the following goals:

- Conformity with the 2004 *Administrative/Professional Faculty Handbook*.
- Conformity with terminology used in current policies and practices
- Clarity and precision (for ease of interpretation, to minimize the possibility of multiple interpretations, and to achieve internal consistency throughout the document)

All new and recently created university policies appropriate for inclusion in the *Faculty Handbook* have been added, for example:

- Tenure-Clock Extensions (for new parents, serious illness, or military service)
- Study Leave for Tenure-Track Faculty
- Post-tenure Review
- Term Faculty Appointment/Reappointment/Promotion Guidelines
- Teaching at Other Institutions
- Favoritism in Personnel Decisions
- Noncompetitive (direct) Appointments
- Awarding of Tenure at Time of Appointment in Competitive Searches

## **PREFACE**

Three significant changes were made in this brief section:

1. 2008 university mission statement replaces 1991 mission statement
2. Specifies how revisions to the Handbook will be made (joint responsibility of the Faculty Senate, central administration, and Board of Visitors)
3. Specifies how alternative interpretations of the Handbook will be resolved (i.e., by Provost and Executive Committee of the Faculty Senate)

## **CHAPTER ONE**

This chapter, titled “University Organization,” is a relatively short chapter that defines how the university’s administration and faculty are organized, both structurally and functionally. Only a handful of significant substantive changes were made in this chapter.

### 1.1 *The Rector and Board of Visitors*

Adds information about faculty non-voting representation on the BOV and on all BOV standing committees.

### 1.3 *Faculty Organization*

#### 1.3.1 *The General Faculty*

Clarifies that only those faculty who have instructional appointments – tenured, tenure-track, term, or adjunct – may be elected to the Faculty Senate.

#### 1.3.6 *Definition of Local Academic Unit (LAU)*

Adds “academic organization and institutional change” as areas in which faculty play a “vital role” (in addition to areas relating to academic offerings and faculty personnel actions).

#### 1.3.4 *Academic Institutes*

##### 1.3.11 *Research Institutes*

In the 1994 Handbook, Institutes were defined as local academic units. But not all Mason entities labeled “Institute” have conformed to this definition. The 2009 Handbook resolves this problem by creating a distinction between “Academic Institutes,” which do function as LAUs, and “Research Institutes,” which have the “same defining features as centers” except that “(i) the overall volume and/or complexity of activity is substantially larger, as evidenced by the number of

faculty affiliated with the unit, the range of projects undertaken, or the amount of funding invested in the unit; and (ii) the mission must include a broad social purpose focused directly on the betterment of the human condition.”

The defining criteria for academic institutes are also broadened in two ways: (1) they may now have academic departments, and (2) they are no longer defined as being “normally at the graduate level.”

#### Deleted section – old 1.3.5, *Graduate Faculties*

This outdated section was deleted since Mason academic units no longer use the concept of “Graduate Faculty Membership” to categorize faculty.

### **CHAPTER THREE**

This chapter, titled “Faculty Compensation and Benefits,” is an even shorter chapter with just a few significant substantive changes (thus its placement in this explanatory document prior to Chapter Two).

#### 3.1 *Faculty Salaries (previously titled “Salary Schedule”)*

Removes inaccurate information about a non-existent “salary schedule” and notes that faculty can view current faculty salaries on the Faculty Senate website (as opposed to such information being “on file in the library”).

#### 3.2 *Salary Increases*

Clarifies that while “Annual salary increases are based chiefly on performance... Salary increases may also reflect efforts to achieve equity.” In addition, references to the “prevailing rate of inflation” and “cost of living in the University’s service region” as factors in salary increases were deleted because, although they may (or may not) be factors influencing the size of the total amount available for raises, they are not relevant to decisions about how salary increases are assigned to individual faculty members unless the raise is specifically designated by the state as a cost-of-living adjustment. A sentence has been added to insure that raises specifically designated as cost-of-living adjustments are disbursed accordingly.

#### 3.3 *Summer Salary*

Formally states the parameters jointly agreed to by the Provost’s Office and Faculty Senate, which require that “every full-time faculty member who wishes to teach in the summer shall be afforded an opportunity to teach one 3-credit course

(or equivalent) at 10% of their annual nine-month salary” assuming there is sufficient enrollment in summer courses the faculty member is qualified to teach. “Furthermore, full-time faculty should not be excluded from teaching additional courses...when no demonstrated financial constraints exist.” Also resolves ambiguities regarding how faculty should be compensated for lab courses and other special offerings in the summer by stating that “If a course is valued at a higher or lower amount for workload purposes during the academic year, the summer payment will be assigned by the academic unit accordingly.”

Previous rules limiting summer teaching salary to a maximum of 20% of prior AY salary and non-research salary to 25.64% of prior AY salary have been abolished. The only remaining constraint is the prohibition against overload pay, i.e., “Faculty may be paid no more than 33% of their prior academic year salary for all summer work, regardless of funding sources.”

The Handbook also clarifies that faculty who teach in the summer before their full-time contract starts or in the summer after their full-time contract ends can only be paid at matrix rates unless an exception is granted by the Provost Office.

In addition, the Handbook clarifies that summer teaching for faculty on 12-month contracts does not yield additional pay unless the Provost Office approves the teaching as an overload assignment, in which case the pay can only be at the appropriate matrix rate unless an exception is granted by the Provost Office.

### 3.6.1 ***Study Leave for Tenure-Track Faculty***

This innovation is now included in the Handbook along with information about who is eligible under what circumstances.

### 3.6.2 ***Leave Programs for Tenured Faculty***

Policies and eligibility criteria governing the Provost Office Study Leave program and LAU Professional Development Leaves are brought together in this section so that tenured faculty can easily identify their full range of leave options and understand the similarities and differences between these two leave programs.

### 3.7 ***Retirement***

A new section has been added noting that “From time to time the University, and particular academic units, may develop programs to assist faculty with the transition to retirement. Faculty contemplating this transition should discuss their options with their dean or director and with the Human Resources and Payroll department.”

## **CHAPTER TWO**

This long chapter, titled “Faculty Personnel Matters,” defines faculty appointments and faculty ranks and covers a wide range of topics related to how faculty and department chairs are hired, evaluated, reappointed, tenured, promoted, and terminated. The chapter also discusses important topics related to “faculty duties and responsibilities” and “faculty rights and privileges.”

### **2.1.2 *Tenure-Track Appointment***

Clarifies the length of the tenure-track period and the timing of tenure decisions for faculty in various circumstances.

### **2.1.3 *Other Types of Full-Time Fixed-Term Appointments***

Defines the basic parameters of instructional, research, and clinical “term faculty” appointments (i.e., non-tenure-track status, contract length, academic rank).

### **2.1.4 *Part-Time Appointment***

Clarifies the distinction between adjunct faculty (hired by the course) and part-time term faculty (hired for a period of time up to one year with assignments that generally exceed those of adjunct faculty).

### **2.2.5 *University Professor***

Incorporates the recent redefinition of this title into the Handbook. Previously University Professors were appointed as “as at-large members of the General Faculty,” but this feature has been dropped. University Professors are “women and men of great national or international reputation” earned through “substantial research or scholarship or arts credentials, as appropriate to the discipline.”

### **2.2.6 *Distinguished Service Professor***

New section of the Handbook based on recent (2007) policy innovation.

### **2.3.2 *Procedures for Recruitment and Appointment of Tenured and Tenure-Track Faculty***

This section updates policies and procedures related to faculty searches and hiring procedures. Most notably, it includes detailed information about the circumstances under which noncompetitive (direct) appointments might be appropriate, and the specific procedures required for any such appointment.

2.3.2.1 ***Awarding of Tenure at the Time of Appointment in Competitive Searches***

This new section (passed by the Faculty Senate in 2008) details the procedures to be followed in cases where a candidate is being considered for tenure at the time of the initial appointment.

2.3.3 ***Criteria and Procedures for Appointment, Reappointment and Promotion of Term Faculty***

This section describes policies and procedures related to term faculty that were implemented in 2003. Contract lengths for multi-year term faculty under various circumstances are clarified. In addition, a clear differentiation is made between the criteria required for promotion to the associate and full professor ranks. Specifically, promotion to the associate rank only requires candidates to “demonstrate at least high competence in the focus area (teaching, research, or clinical)...” but “Candidates for promotion to full professor must demonstrate genuine excellence in the focus area...”

2.4 ***Criteria for Evaluation of Tenured and Tenure-Track Faculty***

The familiar concepts of high competence and genuine excellence are retained, but a new paragraph clarifying the higher threshold for external reputation and impact for candidates seeking promotion to the full professor rank has been added: “...evidence of significant impact beyond the boundaries of the University must be much more substantial than in cases involving tenure or promotion to the rank of associate professor. Clear and convincing evidence must be provided of an established external reputation in the primary field, based on consequential achievements in teaching, research and scholarship, or professional activities directly related to teaching and scholarship.”

In addition, this section includes an important new sentence clarifying that “Only the criteria described in this handbook can be used in the evaluations of instructional, research, and clinical faculty.”

2.4.1 ***Teaching*** [evaluation criteria]

2.5.1 ***Teaching*** [evaluation procedures]

Adds “successful learning outcomes” to the list of ways one might demonstrate effective teaching.

2.4.2 ***Research and Scholarship*** [evaluation criteria]

Adds “software and media” to the list of products that might be used to demonstrate achievement in the area of research and scholarship.

### 2.6.2 *Post-tenure Review*

This section describes policies and procedures related to post-tenure review that were implemented in 1996. However, four important changes have been introduced for the 2009 Handbook: (1) unsatisfactory annual evaluation ratings must be at the “overall” unsatisfactory level to trigger the provisions of the post-tenure review policy (not just unsatisfactory in one area, which was not the original intent in any case); (2) a formal evaluation of whether any sanctions are appropriate (e.g., change in assignments, termination of employment) will occur after two overall unsatisfactory evaluations in four years (previously three in five years); (3) this evaluation will be conducted by a group of faculty peers (the college/school/institute P&T Committee acting as an evaluation committee) rather than by the Provost (the Committee formally recommends appropriate outcomes to the Provost); and (4) there is now an appeal process in the event of a negative outcome (to the President).

Collectively these changes “speed up” the post-tenure review process while also providing stronger tenure protections in cases where termination is not the clearly appropriate response. Most notably, termination can only be considered as an option by the Provost if a majority of the peer evaluation committee recommends this option to the Provost.

### 2.7.2 *Procedures for Reappointment (Contract Renewal)* [of tenure-track faculty]

Two clarifications are introduced: (1) non-renewal will only result in an additional (terminal) one-year appointment if the faculty member has submitted an appropriate and timely portfolio of materials for the purpose of seeking tenure-track contract renewal; and (2) renewal of an initial three-year contract may be for three years (the standard) or one year, but not two years; and in the latter case subsequent renewal of a contract resulting from an evaluation in the fourth year of tenure-track service will be for two years (i.e., one year is not an option). These timing rules are designed to avoid situations in which a faculty member continues on the tenure-track almost to the point where a tenure evaluation would commence (i.e., Spring of year 5 on the tenure clock for those in the now prohibited 3+2 or 3+1+1 contract renewal scenarios) without being permitted to undergo a tenure evaluation (which is initiated in the Fall of year 6 on the tenure clock for those using the entire tenure-track period).

### 2.7.3 ***Procedures for Promotion and Tenure***

This section describes the procedures to be followed in P&T evaluations. It is mostly unchanged with the exception of a new paragraph specifying the procedures to be followed in cases where a candidate for a noncompetitive appointment is to be tenured upon appointment.

#### 2.7.3.1 ***Tenure Clock Extension for New Parents***

#### 2.7.3.2 ***Tenure Clock Extension for Serious Illness***

#### 2.7.3.3 ***Tenure Clock Extension for Military Service***

These new sections (2007-08) describe the specific circumstances under which tenure-track faculty may request an extension of the tenure clock and the procedures for making such a request.

### 2.7.4 ***Eligibility for Reconsideration***

Clarifies that unsuccessful tenure and promotion candidates can only seek reconsideration if there is substantial new evidence (as opposed to just “new evidence,” which generally exists at some level in virtually every case). Disallowing this procedure when it is not appropriate will make it possible in such cases to initiate the appeal procedure earlier and resolve the faculty member’s status in a more timely fashion.

### 2.9.1 ***Financial Exigency***

New language requires that, in the event of financial exigency, “Administrators responsible for developing budget reduction plans must consult with tenured and tenure-track faculty in developing these plans...” In addition, “Principles and criteria for identifying specific individuals whose appointments are to be terminated should be formulated by tenured and tenure-track faculty.”

### 2.9.3 ***Termination of Appointment of Tenured, Tenure-Track, and Term Faculty for Cause***

In addition to a few minor procedural clarifications, there is one major change in the process of assessing allegations of serious professional misconduct, namely, instead of the allegations being assessed by an ad hoc committee within a local academic unit, they will be referred to the University Grievance Committee.

2.10.2

***Professional Ethics***

This section adds a sentence noting that unethical conduct includes “repeated instances of workplace bullying, intimidation, harassment, sabotage, and threatening behavior.” It also cautions, however, that for any case involving allegations of unethical or unprofessional conduct, “all parties have a right to procedural due process.”

2.10.3

***Faculty Work Assignments***

This section deletes outdated information stating that teaching and scholarship assignments normally are made at a 3 to 1 ratio.

2.10.8

***Full-Time Faculty Teaching at Other Institutions***

This is a new section in the Handbook, although it is not substantially changed from the policy adopted by the Faculty Senate in 2002.

2.10.9

***Temporary or Short-Term Relief of Faculty from Duties and Responsibilities***

This re-titled section clarifies the circumstances under which a faculty member may be relieved of his or her duties on a temporary basis. It also specifies that the faculty committee responsible for insuring the appropriateness of any such action is the academic unit grievance committee, not an ad hoc committee.

2.10.10

***The Family Medical Leave Act***

This new section references university and federal regulations associated with the FMLA (eligibility, procedures, etc.).