HOWARD UNIVERSITY
Faculty Senate

2018 – 2019
Year End Report

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July 31st, 2019
The Faculty Senate prides itself on exercising meaningful discussion, deliberation, and debate in the practice of its legislative responsibility to serve in the interest of the faculty, the academy and Howard University. Although at times difficult, we believe that this process leads to greater transparency, accountability, responsibility, and respect within the faculty and between key stakeholders of the University. As guardians of the Academy of Howard University, the Faculty Senate strives to provide leadership and guidance in pursuit of important issues that directly and indirectly affect the quality, climate, and perception of academic disciplines at the University.

This report summarizes the activities of the Faculty Senate and its leadership, undertaken during the 2018-19 academic year. This report also communicates the Senate’s outlook and perspective regarding shared governance between key University stakeholders, and the primacy of faculty in the academic enterprise. We have reached a crossroad that demands engagement in serious dialogue to reflect on the meaning of “Truth and Service” in this new era. The positive outcomes of such reflection, amid a climate of deliberate, collective transparency can determine a brighter future for Howard University.

The Faculty: Above and Beyond the Call of Duty

“Mr. President, we are not employees of the University; we ARE the University.”

--Nobel Laureate (Physics), Dr. Isidor Rabi’s corrective to Columbia University President Dwight D. Eisenhower, after he (Eisenhower) described the faculty as “employees” of the University.

In September 2018, U.S. News & World Report announced that Howard University had climbed 21 spots to No. 89 in the 2019 rankings of the nation’s best universities, and in March, 2019 U.S. News and World Report’s 2020 “Best Graduate Schools” National Rankings increased the rankings of graduate programs in Business, Social Work, Education and Law. Moreover, the 4-year graduation rates for Bachelor degree seeking students were up to 51% from 43.4 % in 2017.
The Officers of the Faculty Senate recognize and applaud the Faculty for these academic accomplishments of the 2018-2019 academic year. While it is important to acknowledge that these accomplishments reflect the Faculty's dedication to the educational mission of the University, it is also necessary to offer some perspective. Many of the Howard Faculty have persevered diligently to ensure that our students successfully completed coursework, defenses, and met graduation requirements in spite of the persistent challenges resulting from the 2017-18 boiler crisis and other physical infrastructure deficiencies. The Faculty Senate will continue to advocate for the restoration and establishment of optimal office space, laboratories, and classrooms. The Senate will continue to champion the primacy of the Academy, in its expectation that proper management and allocation of resources will ensure the mission of Howard University.

1. 2018-2019 University Faculty Issues Agenda

The Constitution of the Faculty Senate states, “The Senate shall prepare on an annual basis, or more frequently as deemed necessary, a University Faculty Issues Agenda for collaborative dialogue and resolution with the Administration and Trustees.”

The Faculty Senate Issues Agenda outlines areas of academic and administrative concerns identified by the elected leadership of the Faculty Senate. It serves to inform the Administration and Board of Trustees of matters that guide the content and processes of deliberation in the shared governance of the University. The 2018-2019 Issues Agenda identified 10 areas that are central to the optimal health of the Academy at Howard University, and require immediate and active attention.

The 2018-2019 Faculty Senate Issues Agenda was adopted by the Council of the Faculty Senate on October 14th, 2018 [see Appendix 1]. Although a lack of quorum at the Full Faculty Senate meetings on November 14th, 2018 and April 10th, 2019, prevented its adoption by the Faculty, the Senate Leadership continued to address the issues listed during the year.

A major issue that remains outstanding is that of faculty salary compression. The Faculty Senate has long advocated for fair and equitable compensation that is consistent with comparable peer institutions and the cost of living in the DC Metro area. The Senate has written extensively on this matter, and provided copious amounts of supporting documentation that validates its assertion that the overcompensation of Senior Administrators (and their bonuses) at Howard University, when compared to the compensation of faculty, does not reflect values that are consistent with the mission of Howard University.

In the past, some Faculty have chosen to use tax deductions to recoup some work-related expenditures. However, as a result of the Tax Cuts and Jobs Act (TCJA) a large group of deductions lumped together in

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a category called “miscellaneous itemized deductions” are no longer available (from 2018-25). Unreimbursed job expenses that Faculty typically paid out-of-pocket that are no longer deductible include:

• work-related travel, transportation, and meal expenses,
• business liability insurance premiums,
• depreciation on personal computers or cell phones needed for work,
• dues to professional societies,
• education (work-related),
• home office expenses for part of your home used regularly and exclusively in your work,
• expenses of looking for a new job in your present occupation,
• legal fees related to your job,
• subscriptions to professional journals,
• tools and supplies used in your work, and
• work/field clothes (if not suitable for everyday use).

The new tax code, therefore, results in a substantial decrease in pay for Faculty who often must choose to spend personal funds to ensure continuity of professional obligations and standards. The Senate applauds the sacrifice and generosity of our Faculty colleagues who spend their own resources, particularly when this ensures that teaching and student learning will not be compromised.

Howard University is obliged to ensure its Faculty are compensated at a level that is commensurate with the level of commitment, expertise, and passion expected of a Tier 1 Institution. The University's response to this concern must be immediate and capture more than just a basic cost of living increase if we expect to continue to move Howard University Forward.

2. Shared Governance

Shared governance is the right and responsibility of faculty to seek early and meaningful engagement with the Administration and the Board of Trustees in the development of policies and decisions that impact university-wide programs. It ensures the right of faculty to seek change and to participate in the governance of the university through direct interaction between the Faculty Senate leadership, the Administration and the Board of Trustees.

With respect to Shared Governance, the Faculty Senate Chair has worked diligently to fill appointments requested by the President and Provost to several key committees, i.e. the Budget Advisory Committee, the Program Prioritization Task Force, and the Tuition Review Advisory Committee. The President’s invitation to Senate Officers to attend his Cabinet Meetings in September 2018, January 2019, and March 2019 ensured that the agenda included items for discussion that were pertinent to Faculty concerns.

Although some progress has been made in specific areas towards instituting the practice of shared governance within the Academy, many challenges yet remain. In an effort to improve Faculty participation in Shared Governance, twelve (12) members of the Faculty Senate Steering Committee met
with twelve (12) members of the Executive Committee of the Howard University Board of Trustees on September 21st, 2018.

Prior to the meeting, Position Statements were drafted that expressed important areas of concern to the Faculty Senate: a) Vision/Strategic Planning; b) Finance/Budgeting; and c) Board Oversight/Responsibilities. These were sent to the Board in July. At the September meeting, a series of Talking Points were used by the Steering Committee to focus the discussion. [Position Statements are in Appendix 2; Talking Points are in Appendix 3].

“The open discussion gave both parties the opportunity to voice their frustrations, and gain perspective that should allow each to mutually exercise their responsibility as shareholders in the governance of a Howard University.”

The meeting was deemed beneficial in that members of the Faculty Senate had the opportunity to directly express to Board members their concerns relating to persistent, unresolved issues of shared governance, and the April 2018 “No Confidence” votes by the Faculty at-large. Board Chairman Mobley acknowledged the importance of discussion in order to establish a missing element of trust between the Faculty Senate and the Board, and again expressed the willingness to work with the Faculty Senate to improve the situation at Howard University. The open discussion gave both parties the opportunity to voice their frustrations, and gain perspective that should allow each to mutually exercise their responsibility as shareholders in the governance of a Howard University. Although there was some limited discussion about next steps, the Faculty Senate continues to work toward developing functional models of shared governance, which will necessitate continued collaboration with the Board.

Unfortunately, Board members demonstrated both unfamiliarity with, and/or reluctance to address the key issues and concerns articulated in the Faculty Senate’s Position Statements and Talking Points. This was a source of much disappointment and frustration for Faculty Senate members present at the meeting because the Board had more than two months in which to examine and critique the precepts, arguments and perspectives that were expressed in the Position Statements document and the accompanying Talking Points. The inquiries, responses and reactions of many Board members appeared to trivialize the importance of Senate concerns about Program Prioritization (PPTF), the need for a transparent and thoroughly vetted Strategic Planning/Vision, the chronic problem of Faculty compensation, and the lack of Board oversight of and responsibility for the Administration. Moreover, there appeared to be a mismatch of priorities; there was no consensus on the immediacy of the issues that were raised in the Talking Points.

There has been little follow up or initiative on the part of Chairman Mobley, or members of the Academic Excellence Committee to engage the Senate since the September 2018 meeting. The default and avoidance of proactive engagement of the Board with the Faculty Senate are symptomatic of a larger problem. Such a position further alienates the faculty and is not productive for the university. Higher education consultant Elizabeth Bulette, EdD captures the challenges of Boards that fail to engage the faculty in the shared governance process:
“Over the past 30 years there has been a slow erosion of faculty involvement in shared governance, due largely to growth in college and university administrations and to changing faculty interests away from institutional issues and toward individual research and professional pursuits. This expansion of university administration has squeezed faculty out of important conversations regarding the institution and reduced their participation in addressing institutional challenges. Although colleges and universities currently face complex decisions requiring faculty, board and administrative involvement, institutional decision making has been largely relegated to the administration.

Further contributing to diminished faculty involvement in governance is the changing faculty composition due to increased numbers of contingent faculty, who until recently, have been uninvolved in academic governance. When retiring tenured faculty are replaced by nontenured faculty, there are fewer full-time faculty members available to shoulder governance responsibilities. Those who do, find the burden on their time significant. Further, when faculty citizenship is not rewarded through promotion and tenure considerations, faculty are less motivated to participate. A third cause for the decline in faculty involvement is disillusionment. Joanna Scott, in Death by Inattention: The Strange Fate of Faculty Governance, writes of a “slow atrophy of the noble idea of shared governance” caused by disproportionate distrust among governance participants. Whether faculty have grown cynical about shared governance because they have been squeezed out of institutional decision making or they feel unmotivated to participate due to their individual professional pursuits, their absence from institutional decision making, especially given the types of decisions colleges and universities now face, is consequential to institutional outcomes.” (Full text may be accessed here: http://www.buletteconsulting.com/wp-content/uploads/2015/09/2015-09-21-WHITEPAPER-on-Shared-Governance.pdf)

On a number of occasions, the Faculty Senate has formally requested to meet with Chairman Mobley and the Board to discuss university initiatives that directly affect the academic environment, the climate of the faculty workspaces, and student learning/education, without success. This position does not align with the goodwill fostered by continued interaction between the Faculty Senate and the Board of Trustees that is necessary for the shared governance process to be fulfilled at Howard, especially since major faculty concerns regarding the PPTF, strategic planning and the Faculty Handbook remain outstanding.

The Faculty Senate fully encourages a continued dialogue between shareholders in the shared governance of Howard University. Although the September 2018 meeting showed signs and potential for an emerging discourse between the Board and the Faculty Senate, all parties must continue to strive to establish a meaningful working relationship between the Faculty Senate, Board, and the Administration of Howard University.

3. Faculty Handbook Revision

The Faculty Handbook provides valuable information that helps define the role of the Faculty at Howard University and outlines policies and procedures affecting Faculty, including those which delineate Faculty rights, responsibilities, opportunities and privileges. The Faculty Handbook also serves as a guide that provides terms and conditions for employment of the faculty at Howard University. Thus, the importance of a careful and transparent process for revision of the Handbook cannot be understated. The Senate has worked extensively to ensure that the process of Handbook revision would be cooperative, collegial, and in accord with the 1993 Faculty Handbook (Section 2.9).

It is important to acknowledge the Faculty members who served on the Provost’s Handbook Revision Working Group, which was commissioned in the Spring of 2017. The Faculty members of the Working Group included Dr. Tricia Bent-Goodley, School of Social Work; Professor e. christi cunningham, School of Law; Dr. Subodh P. Kulkarni, School of Business; Dr. Ahmed A. Moen, College of Nursing and Allied Health Sciences; Dr. Mercedes V. Tibbits, College of Arts and Sciences, and Dr. Eric Walters, College of Medicine. For more than one year, the Working Group expended countless hours to develop the original Draft of the Proposed Revision of the Handbook, and made additional revisions to the document before it was submitted to the Faculty Senate review process. Members of the Working Group acted on behalf of the Faculty in good faith to ensure that a Revised Faculty Handbook would preserve Faculty rights, responsibilities, and academic freedom. They also were diligent in the expectation that the Handbook would reinforce accountability and transparency on the part of both the Faculty and Administrators, incorporate additional protections for Faculty from abuse by Administrators, and emphasize opportunities for shared governance.

Provost Wutoh submitted a Draft Revision of the Handbook to the Faculty Senate on January 31st, 2019 via Chair Sonya Sobrian, who, following the Section 2.9 protocol (of the 1993 Faculty Handbook), sent it with additional suggestions from the Faculty received during a Senate-initiated second review period, to the Faculty Handbook Committee to review the proposal and provide recommendations. The Senate leadership followed formal procedures for Handbook revision, with review and votes at the levels of the Steering Committee and Senate Council. The Senate Council, acting in good faith and in the spirit of cooperation and shared governance, proceeded:

- On March 7th, 2019 the Council of the Faculty Senate approved the “January 31st, 2019 [with March 7th, 2019 Faculty Changes] Proposed Draft Faculty Handbook” version. Although there

The Board’s execution of unilateral changes and immediate implementation of the new Faculty Handbook does not reflect the spirit of shared governance, transparency, and accountability.
were concerns listed by the Provost, to which the Council responded, this Senate-approved version was sent to the Board of Trustees (in accordance with the Faculty Handbook Revision Procedures outlined in Section 2.9 of the 1993 Faculty Handbook). [see appendix 4].

- Upon receipt of the document, the Academic Excellence Committee and the Legal and Audit Committee of the Board of Trustees made significant changes to the content and substance of the Council-approved version. The Senate was informed of these changes and immediately communicated its objections in a formal letter to Chairman Mobley and requested a meeting with the Board to discuss these concerns prior to the Board’s anticipated vote to ratify the document. [see Appendices 5 and 6]

- Despite the letter detailing the Senate’s objections to seventeen (17) changes made by the Board, in addition to a request to meet immediately with the Board of Trustees to discuss these issues, the new Faculty Handbook was approved by the Board on June 7th, 2019, effective immediately.

- On July 11th, 2019, the Senate Council again requested a meeting with Board representatives to discuss the concerns regarding the implementation of a new handbook, which has already created numerous challenges within the current academic setting that are non-compliant with the newly ratified (June 7th, 2019) Faculty Handbook. [see appendix 7].

The actions of the Board do not reflect the spirit of shared governance, transparency, and accountability in which the Handbook revision process was initiated. Moreover, they undermined the good faith efforts exerted by the members of the Working Group, the Faculty Handbook Committee, the Faculty Senate Steering Committee and Council, and the Faculty-at-large by executing unilateral changes and a rushed implementation of this new Faculty Handbook. The rigid position of Chairman Mobley and the Board fails to seriously consider the concerns of the Faculty with respect to the contractual agreements that are contained within the Faculty Handbook. The Board’s immediate implementation of this new Handbook has placed the University in a position of non-compliance, which may result in significant legal consequences.

4. Faculty Ombudsperson Search Process

The Faculty Senate has long advocated for the establishment of a Faculty Ombudsperson at Howard University. The Faculty Ombudsperson will serve as a means of protecting the faculty against abuse, bias and other improper treatment or unfairness. The roles and functions of the Faculty Ombudsperson may include, but are not limited to, assisting faculty who have questions, complaints, or disputes concerning University policies and procedures; helping to resolve conflict in the academic unit or between faculty and administrators. The Ombudsperson will supplement, but not replace, the University’s existing structures and resources for conflict resolution. Consultations with the Ombudsperson will be confidential, and reports and recommendations of the Ombudsperson will be simultaneously submitted to both the President and the Chair of the Faculty Senate. The position of Ombudsperson has been codified in the new June 7th, 2019 Faculty Handbook.
The selection of a Faculty Ombudsperson is the sole responsibility of the Faculty Senate. To fulfill this obligation, during the past 11 months, the Selection Committee engaged in a process that involved:

- review and ranking of the applications of 48 candidates,
- selection of the top 10 most qualified applicants,
- zoom videoconference interviews (5 of the top 10 candidates accepted our invitation to interview),
- ranking of top 3 candidates based on Zoom interviews,
- on-campus interviews on May 13th, 2019 with the top 3 candidates, that included interviews with Council members and Faculty-at-large, (candidate evaluation surveys were provided to each member of the Faculty in attendance), as well as interviews with both the Provost and the President,
- tabulation of Faculty surveys and collection of feedback from the Administration,
- Council discussions and deliberation of Faculty evaluation surveys/comments and Provost feedback regarding each of the finalists, and
- selection in rank order of top 2 candidates.

On July 22nd, 2019, the Faculty Senate was informed that the Ms. Gomez-Moran had accepted another position since interviewing at Howard.

The next step in the Procedure for Ombudsman Selection was defined in the August 8th, 2018 document, which states:

“Should the “top” candidate decide not to take the position, the Faculty Senate Council shall deliberate before offering position to the next highest ranked candidate. [The Council shall retain the right to either extend an offer or to initiate a new search.]”

**5. Faculty Trustee Election: April 2019**

As mandated by the Faculty Senate By-Laws, each year the Faculty Senate holds an election for Graduate or Undergraduate Faculty Trustee nominations to the Board of Trustees, as appropriate. These elections are coordinated by the Faculty Senate Committee on Committees (a standing committee) in conjunction with the Secretary of the Faculty Senate.

While both the Constitution and By-laws of the Faculty Senate and the By-laws of the Board of Trustees address the election of a Graduate and Undergraduate Faculty Trustee to serve on the Board, the eligibility criteria listed as to who may stand for election differ between the two documents with respect to faculty status, administrator exclusions (i.e., eligibility criteria), and the minimum/maximum number of candidates. Despite a lengthy debate over the discrepancy within the documents between the Governance Committees of both the Faculty Senate and the Board, the Board has ruled that Assistant and Associate Deans are eligible to serve in these positions. However, the Council continued to feel strongly that this decision compromised the spirit of the position as it was created, voting not to submit the names of candidates that serve as deans at any level. The inability to resolve these
differences resulted in the April 2018 election for the position of Undergraduate Faculty Trustee being invalidated by the Board of Trustees.

To resolve this impasse and find a path forward for the Spring 2019 elections, the Officers of the Faculty Senate met with the General Counsel and Secretary of the Board. At the end of a productive discussion, we were asked to provide input regarding the Faculty’s opinion on the issue of eliminating assistant and associate Deans from eligibility, why this is necessary, as well as the potential impact on the Faculty and Board.

In response to this request, the Faculty Senate conducted a Survey of the Faculty to provide the requested information regarding these questions. Survey access was available electronically or by paper, and the Survey was completed by 192 faculty members. A summary of the results indicated:

- 88% (Paper) and 83.5% (electronic) Agreed and Strongly Agreed that Associate and Assistant Deans should be excluded from serving as Faculty Trustees on the Howard University Board of Trustees.
- 81% (Paper) and 82% (Electronic) Agreed and Strongly Agreed that Excluding Assistant and Associate Deans from serving as Faculty Trustees would best ensure that the elected Faculty Trustee can provide a faculty perspective that enriches Board discussion and decision-making.
- 67% (Paper) and 69% (Electronic), Agreed and Strongly Agreed that Excluding Assistant and Associate Deans from serving as Faculty Trustees would have a positive impact on the Board.
- In contrast, 14% (Paper) and 10% (Electronic), Agreed or Strongly Agreed that Excluding Assistant and Associate Deans from serving as Faculty Trustees would have a negative impact on the Board.
- Information provided to the Senate by the Office of the Provost indicated that as of November 2018, there were 27 Associate Deans and 15 Assistant Deans who would not be eligible to stand for election as faculty trustees if the change in eligibility were enacted. This number represents 4.3% of full-time Faculty.

The Survey results were presented to the Secretary of the Board of Trustees in February 2019. Despite the meeting and information gathered from the surveys, the Board determined that their initial ruling would stand and again deemed Assistant and Associate Deans eligible to serve as faculty trustees. The Faculty Senate held Undergraduate Trustee elections in April 2019, following another Faculty Senate Council vote not to allow deans at any level to be nominated, and sent the name of the candidate who received the most votes to the Board. Once again, the Board did not recognize the validity of the election.

If the issue of candidate eligibility is not resolved within the Senate, after 2020 the Faculty Senate will no longer have Undergraduate or Graduate Trustee representation on the Board of Trustees. This is not a situation in which the Senate can engage in shared governance. A Faculty perspective on issues of research and academic priorities is essential, as is information about financial matters.

“The Senate shall meet not less than twice a year, once in the fall and once in the spring.... In the spring it shall ... hold elections for its officers, representatives to the Council of the Senate and standing committees, and otherwise conduct its business. Faculty incumbents holding positions within the University Senate shall serve until their successors are elected at that first election. Subsequent elections will be held in the spring and elected individuals will take office on August 1st of the same year. – The Constitution of the Faculty Senate (Article VI, Section A.)

Votenet Solutions, Inc. was designated to implement its online voting solution, eBallot, to authenticate eligible voters and tabulate submissions for the Howard University 2019 Faculty Senate Spring Elections during the period from April 12-19th, 2019. After completing its audit process, Votenet Solutions, Inc. certified that during the course of the voting event, eBallot was performing optimally, experienced no downtime and never experienced a security lapse. Additionally, Votenet Solutions, Inc. further certified that the online submissions for the Faculty Senate 2019 Spring Elections were tabulated in a fair and impartial way and were deemed accurate.

To provide an independent certification of the election process, Bert Smith & Co. reviewed the online voting details to determine if there was any issues with the voting procedures or exceptions in the online voting results and with the vendor (Votenet Solutions, Inc.). Their results indicated that no voting issues or exceptions were found.

A full report of the election results as received from Bert Smith & Co. was sent to the Faculty on May 1, 2019. In summary, the total number of on-line votes cast was 242 out of 942 possible votes, with Drs. Marcus Alfred, Lynne Kelly, and Mohsen Mosleh garnering the most votes for Chair, Vice Chair, and Secretary, respectively. Dr. Sonya T. Smith received the most votes for Undergraduate Faculty Trustee.

7. Campus-Wide Faculty Senate Forum

On March 29th, 2019, the Faculty Senate sponsored a Campus-Wide Faculty Forum, whose topics included a broad range of items.

**MSCHE Third Party Comment.** The Forum initially addressed matters of concern to the Faculty related to the Council’s vote to consider submitting a Third Party Comment to the Middle States Commission on Higher Education (MSCHE). The Faculty were informed about the purpose and protocol of submitting a Third Party Comment, followed by an animated question and answer session. The Senate used the occasion to educate the attendees about the requirement to provide documentation to validate any concerns listed in the Comment, and to emphasize that MSCHE invites comments during the institutional self-study process for initial accreditation or reaffirmation of accreditation which may be provided by submission of a Third Party Comment from any constituent group of the University ([https://www.msche.org/wp-content/uploads/2018/08/ThirdPartyComment.pdf](https://www.msche.org/wp-content/uploads/2018/08/ThirdPartyComment.pdf)). This ensures transparency and inclusion of broad perspectives that can ultimately serve to improve the accreditation process.
Candidates for Elected Positions. In light of the importance of the accreditation process, and other Faculty concerns, the Senate held a session for candidates standing for office for Undergraduate Faculty Trustee and Faculty Senate Leadership positions (Chair, Vice-Chair, Secretary). Candidates for the position of Trustee included:

- Dr. Sonya T. Smith, College of Engineering and Architecture
- Dr. Talitha M. Washington, College of Arts and Sciences

Candidates for Faculty Senate Leadership positions included:

- Dr. Marcus Alfred, College of Arts and Sciences (Chair)
- Dr. Werner Graf, School of Medicine (Vice-Chair)
- Dr. Lynne J. Kelly, School of Business (Vice-Chair)

Each candidate presented a brief statement that outlined their major platform issues; the presentations were followed by a brief question and answer session.

HBCUs and Social Justice. The major emphasis of the Forum was a discussion surrounding “The Role of Faculty in Social Justice: Within and Beyond the HBCU”. The topic was selected in an effort to explore how HBCU scholarship can thrive amid the threat of “the corporate university”, wherein media, commercial, and political forces have the potential to undermine the proliferation of bold and unapologetic work in the arenas of social justice/activism/Black identity, and civil rights. Howard Faculty should strongly encourage the Howard Administration and Board to shape a better future that fulfills the University’s mission of social justice.

The first highlight of the Forum was the Keynote Address by Jared A. Ball, Ph.D., Professor of Communication Studies Institute for Urban Research at Morgan State University, Baltimore, MD. His topic, “Degrees of Propaganda: Public Opinion and the University”, acknowledged the continuing context of colonialism or colonization on a) current scholarship; b) the impact of that context on the developed role of the university and specifically the HBCU; and c) the specific function played by propaganda [i.e., propagated myth] in the maintenance of that institutional (university) role.

The second highlight was a Panel Discussion on “Social Justice and the Mission of Howard University” by members of the Howard University Faculty and Dr. Ball, moderated by Dr. Greg Carr, Department of Afro-American Studies.

- Dr. Jared Ball (Morgan State University) expanded on his remarks from the Keynote address and engendered a lively discussion about the commonality of individual faculty experience(s) that were subject to administrative fiat at both Morgan State and Howard University.
- Dr. Carolyn Byerly, Department of Communication, Culture, and Media Studies, addressed “The Political Economy of Academic Freedom and the HBCU Campus”. Her presentation probed the matter of a neoliberal university with a focus on connecting it to the way it is seen and experienced at an HBCU campus. Dr. Byerly detailed how neoliberal ideology defines the role of higher education to serve market forces, rather than producing graduates with comprehensive knowledge who can take an active part in civic life, in addition to earning a living. She also presented examples of current neoliberal/conservative processes that exists at Howard
University, and offered suggestions about how faculty and students might respond to the neoliberal direction of our campus for the common purposes of education and social action, which is Howard’s legacy and true mission.

- **Dr. Lorenzo Morris**, Department of Political Science, commented on “The Political Context of Historically Black Higher Education”. In his remarks he presented an historical perspective about the changing role of HBCUs from the period of national reconstruction to the present. He identified the unique role of Howard as the only private university established by the national government, and thus the role of Howard in the context of national values. Dr. Morris indicated the HBCUs add merit to a culturally constricted meritocracy by identifying and evaluating social needs, national goals and international obligations on the basis of a human understanding uncorrupted by barriers of inequality.

- **Dr. William Spriggs**, Department of Economics, presented “Thoughts on Reparations and Legacy and the Sustainability of US Higher Education”. Dr. Spriggs developed an argument that the yearly federal appropriation Howard University receives is a form of reparations. From the standpoint of wealth equating with power, the reason that Howard excels in comparison with other HBCUs is fundamentally due to its access to resources. Acceptance of the federal appropriation indicates that we as an institution, as well as our graduates, owe a debt. But that debt is not to Howard, or to themselves. Rather, debt is owed (quite literally) to the blood sweat and tears of freed Black sharecroppers who chose to send their children to school for useful purpose and good cause. Howard’s acceptance of the federal payment for 150 years obligates our students to a debt to remember those Black sharecroppers who took their children out of the fields and put them in school for purpose of educating them to explain how they were being cheated by those with wealth and power, and to keep themselves from being cheated. Dr. Spriggs noted that Howard’s obligation is to produce educated students who ask, “How are we being cheated?”, and to trumpet the cause of social justice by saying, “Stop cheating us!” Howard University has the responsibility to make graduates who, amid an increasingly neoliberal view and divestment in the education of Americans, understand and exercise their obligation to the debt that is owed.

- **Dr. Ronald Hopson**, School of Divinity, discussed “Black Religion and Today’s Strange Fruit”. He posited that HBCUs can sometimes be considered a subset of historically black religious organization [HBROs] and discussed the parallel processes that exist between the black college/university environment and the black church environment. One common process he identified is excessive individualism, which he labeled the “strange fruit of black religion”. Dr. Hopson maintained that the “personal salvation personal success” ethic embraced by many Black churches is a recent innovation which is neither Black nor Christian. It is a reaction to the social gospel movement, which was a critique of acquisitive capitalism, in which great fortunes were being accumulated by a few, while many workers were being exploited. Despite the fact that the definition of the gospel is concern for the poor, social justice was erased from the Christian faith. In the HBCU, our task as educators is to dispel the notion of personal success, to say to our students that the purpose of education is actually liberation, and the increase in justice, not personal profit and not personal gain.

More information and full texts of each presenter’s comments are published in the July 2019 edition of *The Senate Communicator*. 
8. University Faculty Lounge

The current officers of the Faculty Senate have advocated for a unique space where university-wide faculty members could meet to exchange ideas, strike-up research collaborations, discuss politics and issues that impact the university, escape their official office for a little while, or relax at the end of class. Due to the efforts of Dr. Tashni-Ann Dubroy our request was granted. The Faculty Senate has been given a space which is currently being configured. It is envisioned as a place where we can enjoy each other as educated human beings, build friendships or decamp to a quiet retreat from the day. Details about the location and a formal opening will follow.

9. Accomplishments: The Office of the Faculty Senate

During the tenure of the current Leadership of the Faculty Senate, two notable accomplishments within the Faculty Senate Office have come to fruition.

- First, the position of Administrator, which was downgraded to Administrative Assistant in June 2015, has been restored within the Senate Office, allowing for consistent full-time support, at a level commensurate with the duties required of the Senate office. Ms. Patricia McDougall will continue to serve in this position, and the Faculty Senate thanks her for the time, effort and expertise that she has brought to the office.

- The second initiative successfully completed was the re-instatement of a Faculty Senate Budget. During the previous administration funds for the Senate Office have been provided on an ‘as requested’ basis, which hampered the Senate’s activities and planning efforts. With the support of the President’s office and Ms. Towers in the finance office, the Officers were able to create a Senate budget that covers office costs and supports events such as our fall/spring full faculty meetings, the Senate retreat, electronic voting, and a legal officer to assist the Grievance Commission in its operations.

Concluding Remarks

In summary, this report serves to inform and update the Faculty of the major initiatives undertaken by the Faculty Senate during the past academic year, and their outcomes. Though at times sobering, the document is written in service to the alma mater and students that we love. The analyses are written to assure the Faculty of the efforts of Senate leaders to uphold the principles of shared governance, especially regarding issues of Faculty welfare, and inspire greater Faculty participation in future endeavors of the Faculty Senate. In this regard, the information and the documents contained herein are a reminder to all key stakeholders (Board members, Administrators, Faculty) that Howard University functions optimally with inclusion and participation of the Faculty Senate in the shared governance of the institution.

Finally, the outgoing Officers of the Faculty Senate hope that this report serves as a blueprint for the newly elected leaders of the Faculty Senate.

Thank you for the opportunity to serve.
APPENDICES

1. 2018-2019 University Faculty Issues Agenda

2. Position Statements: September 25th, 2018 Meeting with the Board of Trustees

3. Talking Points: September 25th Meeting with the Board of Trustees

4. Council Approved Version of the Proposed Revised Faculty Handbook

5. Board of Trustees June 7th, 2019 Approved Version of the Proposed Revised Faculty Differences

6. Letter to Chairman Mobley: List of 17 Council Objections to Board version on Faculty Handbook

7. Letter to Chair Sobrian: Notice of Board Approval of New Handbook – June 7th, 2019

8. Letter to Chairman Mobley: Request for Meeting with the Board re; New Handbook, July 11th, 2019

Appendix 1: Issues Agenda

University Faculty Issues Agenda 2018 - 2019

1) Shared Governance (Continued need for the Administration and Board of Trustees to honor and implement shared governance as required by the Faculty Senate Constitution (Article XI, Section C). Neglect of processes and programs that ensure co-leadership of the Administration, Board, and Faculty Senate in shared governance of Howard University continues to undermine the Health and Welfare of the Academy).

2) Faculty Handbook Revision (Cooperative engagement of the Faculty Senate and Office of the Provost to complete the process of revising the new University-wide Faculty Handbook, especially with regard to the removal of the current “notwithstanding clause” of the current (1993) Faculty Handbook).

3) Program Prioritization Task Force (PPTF) and 4) Strategic Planning Committee (SPC). In the absence of a clear Vision for Howard University, the success of the PPTF/SPC initiatives is undermined by the failure of the Administration to consult with the Faculty Senate in the conception, design, and timelines for these undertakings.

5) General Education Model (HUGE 21). In the absence of a clear Vision for Howard University, the success of the HUGE 21 initiatives is undermined by the failure of the Administration to consult with the Faculty Senate in the conception, design, and timelines for these undertakings.

6) Faculty Welfare (Direct and meaningful consultation between the Administration and the Faculty Senate in both (1) budgetary matters, and (2) working environment dynamics involving the Administration):
   - Alleviation of Salary Compression
   - Faculty workload
   - Gender Equity (Salaries and Promotion)
   - Faculty Workload
   - Healthcare and Retirement Benefits (pensions, matching retirement savings)
   - Retiree Benefits
   - Parking Fees
   - Faculty Development
   - Transparent Merit Pay
   - Administrative Retaliation Against Faculty
   - Hostile Work Environments Established by Administration
   - Maternity/Family Leave

7) Research and Teaching Infrastructure (The Faculty Senate asserts that a research-intensive university is undergirded by dedicated and adequate support for graduate education. This is undermined by the following recurring dynamics:
   - Deficient Maintenance of Infrastructure and Facilities
   - Lack of Research Equipment and Core Laboratories
   - Inadequate Number of Graduate Student Stipends and Teaching Assistantships
Persistent IT Issues [Lack of Improvement and Upgrade of Information Technology]

8) Infrastructure and Environment (The leadership of Howard University must ensure the safety of the Faculty workplace with respect to):

- Occupational Health and Welfare
- Personal Safety Issues
- Physically Unsafe Workplace Environment

9) Faculty Evaluation of Administrators: Chairs, Deans, Provost, and President (Although regular and multi-tiered review and evaluation of Faculty abound, there is no comparable process for the multi-tiered levels of the Administration. Performance evaluation, if its primary purpose is to improve performance, must be wholistic within the University).

10) Greater Transparency with Respect to the Budget Advisory Committee (Faculty and Administration are partners in the shared responsibility for the academic and educational enterprise at Howard University. The Budget Advisory Committee (BAC) must develop an open, transparent, and meaningful engagement with the Faculty in strategic planning and prioritization of budget allocations and resources. The BAC must engage the Faculty in a process of review and comment on proposed university funding strategies and revenue generation).
APPENDIX 2
Position Statements

Vision/Strategic Plan
Finance/Budgeting
Board Oversight/Responsibilities
Faculty Senate Positions Report

Executive Summary

The 2017-2018 academic year presented many challenges and opportunities to the Howard University community. Despite hardships and calamity, the faculty worked diligently to ensure that our students successfully completed course work and graduated on time. As academic guardians of Howard University, the Faculty Senate provides leadership and guidance for important issues that directly and indirectly affected the quality, climate, and perception of academic disciplines at the University. In the Spring 2018 semester, based on the decisions, behavior, practices and responses by the Administration, the Faculty Senate Council and Faculty Senate at-large voted “No Confidence” in the Executive Committee of the Board, and in the Administrative officers (Dr. Wayne A.I. Frederick, President; Dr. Tashni Dubroy, EVP/COO; Dr. Anthony K. Wutoh, Provost/CAO). The Position Statements contained herein articulate the Steering Committee’s concerns regarding Board of Trustees and Administrative leadership of the University. The Position Statements herein focus on three areas:

- **Vision, strategic planning, and the direction of the university.** The current Administration has failed to provide a Strategic Plan that is worthy of the Howard University’s history, mission, and values. The current plan, “2017-2022 Strategic Plan/Howard Forward”, is woefully lacking. It does not possess the key features and characteristics of a substantive plan of action for Howard University. In comparison to the strategic plans of other universities (FAMU, Duke, Vanderbilt), the “2017-2022 Strategic Plan” lacked clear benchmarks, timelines, and any evidence of substantive, rigorous academic input. Furthermore, there was no evidence that the “2017-2022 Strategic Plan” had been effectively communicated to the university-wide community in a process that would have best served this important initiative. The Faculty Senate also has expressed similar convictions about the Program Prioritization Task Force initiative. The severe shortcomings of “2017-2022 Strategic Plan” and the PPTF reflect a significant failure to engage the Faculty and academic units in a process of transparency and shared governance that would ensure their success.

- **Financial stewardship and management of university resources.** Analysis of the University’s financial position, seen through financial statements from 2015-2017,
showed improvement in terms of “Revenues minus Expenses”. However, these results were largely achieved through various cost reduction strategies (major cuts in staff, supplies support services, outsourcing, etc.), which negatively impacted student enrollment, matriculation, and the ability of faculty to conduct their primary responsibilities of teaching, research and scholarship. Amid these cost-cutting measures, the frustrating irony is that while faculty salaries have remained historically low, salaries of Howard’s senior administrative team (President, Provost/CAO) far exceed senior administrator salaries of their peers at similar universities. The under-compensation of faculty and overcompensation of administrators does not comport with the University’s mission. In light of the disclosure of financial mismanagement scandals and the catastrophic boiler crisis, the Faculty do not have confidence that the University’s financial resources are being managed properly. Finally, we find that many of these fiscal challenges also relate to a larger problem, which was the continued failure to implement an adequate development and fundraising strategy. Most notably, the administration failed to launch a capital campaign for the 150\textsuperscript{th} sesquicentennial of Howard University—a missed opportunity that only adds to the severity of our financial condition.

- **Board of Trustees oversight and responsibilities.** The Faculty Senate maintains that the Board of Trustees - particularly its Executive Committee - has fostered a culture that is dismissive of the opinions, perspective, and expertise of the Faculty as a) scholars who make possible the mission of the University through their scholarship, research, and teaching, and b) a key stakeholder and partner in shared governance. It has done so by its consistent support of Dr. Wayne Frederick as President. The Board and Administrative leadership has not adhered to best practices of shared governance as prescribed by the Association of Governing Boards and the American Association of University Professors.

The significant areas of concern expressed in these Position Statements reflect the current and persistent challenges that the Faculty endure under the Frederick Administration. They are the consequences of the lack of oversight of the Board of Trustees in carrying out its responsibilities. The April 2018 Faculty Senate votes of “No Confidence” in Howard Administrators now necessitate the establishment of both a process and a timeline for leadership transition.
1. Vision, Strategic Planning and the “2017-2022 Strategic Plan/Howard Forward”

More than ever before, the varied fiscal challenges faced by colleges and universities require significant planning and deliberation by key stakeholders. Structural deficits, decreased net tuition revenue due to diminishing enrollment, shrinking private donations, and a steady decline in overall revenues threaten the stability of many institutions. Equally ominous is the increasing competition for students who now consider the cost of attending college in relation to their earning potential in the immediate future, their sense of safety in their learning environment, and their holistic experience.

Strategic planning that is informed by financial realities, changing student interests, demographic shifts, and a university’s mission can help avoid pitfalls that will be inevitable in the absence of a substantive vision and strategic plan.

Howard University is no different in this regard. A meaningful strategic plan for any university, including Howard, must be collaboratively crafted, prioritize academic initiatives, engage in both formative/diagnostic and summative/evaluative planning that is driven simultaneously by data and aspiration. Plans must be undergirded by both financial realities and realistic financial decisions (including attention to both fundraising and development). A strategic plan for Howard must be informed by the university’s path forward with full financial awareness. Such a plan must also be aspirational, realistic, and dynamic, and it must be enduring enough to be persistent, but fluid and flexible enough to adapt to inevitable change. Bearing this in mind, Howard’s strategic planning should emphasize how best to recruit and focus current and anticipated revenue and resources toward educating its student population, facilitating the production of scholarship in furtherance of the mission of the university, and promoting opportunities for community engagement where that research can be tested and implemented. Few constituent groups have better perspective on this than the faculty. Accordingly, shared governance that involves faculty, beyond a perfunctory advisory capacity, must inform the planning process at every turn.
An appropriate strategic plan for Howard would be certain to contain these elements:

- Clarify the university's priorities in light of its mission and its financial realities (present and future);
- Articulate the university's current vision of and aspiration vision for itself to be shared with funding agencies and donors;
- Create ownership of the vision among constituencies;
- Encourage innovation and revitalization of academic programs;
- Provide a guide to achieve established, measurable goals and objectives; and
- Align resources with articulated priorities and goals.

We offer the draft Florida Agricultural and Mechanical University (FAMU) plan, the Duke plan, and the Vanderbilt plan as examples of strategic plans:

<table>
<thead>
<tr>
<th>Howard</th>
<th>See Appendix II</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vanderbilt</td>
<td><a href="https://www.vanderbilt.edu/strategicplan/">https://www.vanderbilt.edu/strategicplan/</a></td>
</tr>
</tbody>
</table>

Comparing, the draft FAMU strategic plan, for example with the Howard “2017-2022 Strategic Plan/Howard Forward”:

<table>
<thead>
<tr>
<th>Pillars or Vision</th>
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<tbody>
<tr>
<td>Howard</td>
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</table>
## Strategies, Priorities and Goals

<table>
<thead>
<tr>
<th>Howard</th>
<th>FAMU</th>
<th>Duke</th>
<th>Vanderbilt</th>
</tr>
</thead>
<tbody>
<tr>
<td>Enhance Academic Excellence</td>
<td>Exceptional Student Experience</td>
<td>Invest in the Duke faculty as scholars and leaders of the university’s intellectual community</td>
<td>Excellence in Education</td>
</tr>
<tr>
<td>Inspire New Knowledge</td>
<td>Excellent and Renowned Faculty</td>
<td>Provide a transformative educational experience for all students</td>
<td>Excellence in Scholarship, Creative Expression, and Research</td>
</tr>
<tr>
<td>Serve our Community</td>
<td>High Impact Research, Commercialization, Outreach, and Extension Services</td>
<td>Strengthen Duke’s capacity to address global challenges</td>
<td>Leveraging synergies between Discovery, Learning, and Service</td>
</tr>
<tr>
<td>Improve Efficiency and Efficacy</td>
<td>Transformative Alumni, Community, and Business Engagement</td>
<td>Create a supportive environment for research, learning, and academic communities</td>
<td>Transparency and Accountability</td>
</tr>
<tr>
<td>Achieve Financial Sustainability</td>
<td>First-Class Business Infrastructure</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Outstanding Customer Experiences</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Initiatives and Programs or Outputs

Howard

No information available

FAMU

- Enhance pathways to degree attainment
- Achieve national distinction for success in retention and graduation rates
- Increase the proportion of students completing high-impact co-curricular experiences to 60%
- Increase the number of students graduating from programs in areas of high employer demand
- Strategically enhance campus residence, athletics, recreational, instructional and research facilities
- Promote faculty excellence by recruiting, supporting and retaining a diverse faculty with a commitment to teaching, research and community engagement, consistent with a doctoral-research university
- Maintain and develop sustainable state-of-the-art facilities that support the academic enterprise of the university.

Duke

- Build on the excellence of the faculty through a strategic hiring program
- Develop a diverse and vibrant faculty community
- Invest in the sciences and technology
- Provide new resources to support the faculty and their work
- Expand signature learning communities, including for disciplinary inquiry
- Increase opportunities for graduate and professional school students to apply their education to an increasing array of career options
- Strengthen efforts to diversify our graduate and professional schools and address issues of access and affordability
- Provide high-impact undergraduate educational opportunities that intensely engage undergraduates with faculty
- Enable all undergraduates to access and benefit from the best of Duke
- Build on Duke’s strong institutes and schools to deepen Duke’s leadership on global issues
- Establish nodes for local and global influence
- Strengthen mechanisms for outside engagement
- Bolster links between local and global education
- Enhance alumni engagement across the globe
FACULTY SENATE POSITION STATEMENTS

- Cultivate an inclusive community, culture, and climate
- Create spaces on campus that facilitate community
- Accelerate the establishment of residential house-based living-learning communities

Vanderbilt

- Trans-Institutional Programs
- University Courses
- Immersion Vanderbilt
- Chancellor Faculty Fellows
- Educational Technologies
- Graduate Education
- International Strategies
- Design as an Immersive Vanderbilt Experience
- Provost's Initiatives to Enhance Research and Scholarship
- Residential Colleges

Phased Implementation and Timeline

<table>
<thead>
<tr>
<th>Howard</th>
<th>FAMU</th>
<th>Duke</th>
<th>Vanderbilt</th>
</tr>
</thead>
<tbody>
<tr>
<td>No information available</td>
<td>No information available</td>
<td>Community input (January 2015)</td>
<td>Planning Phase (2013)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Framework for discussion (November 2015)</td>
<td>Action Phase (see interactive timeline at <a href="https://www.vanderbilt.edu/strategicplan/">https://www.vanderbilt.edu/strategicplan/</a>)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Strategic Plan (2017)</td>
<td></td>
</tr>
</tbody>
</table>

Howard: No information available
FAMU: No information available
Duke: Community input (January 2015)
Vanderbilt: Planning Phase (2013)

Framework for discussion (November 2015)
Strategic Plan (2017)
The current document titled, “2017-2022 Strategic Plan/Howard Forward”, henceforth referred to as the “2017-2022 Strategic Plan”, has a 2017 copyright date. However, the “2017-2022 Strategic Plan” was neither formally presented by the President or the Provost to the Faculty Senate nor to the academic community at large. It possesses multiple shortcomings that generate concerns:

- The “2017-2022 Strategic Plan” appears to be a final document because it includes the following statement: “The document went through several iterations and was vetted by stakeholders prior to being submitted to and approved by the Howard University Board of Trustees” (page 4).

- However, the Faculty Senate has no evidence that the “2017-2022 Strategic Plan” has been officially communicated to the faculty at-large and to other stakeholders of Howard University. A case in point: In an HU Communications e-mail of June 20, 2018, Howard students and employees were asked to respond to a survey about specific elements within the “2017-2022 Strategic Plan”, (i.e., Off-Campus Housing and Community Engagement). However, there is no information provided to the respondents that linked the survey request to the larger, complete strategic plan document. This, as well as other events surrounding the “2017-2022 Strategic Plan”, raises important questions concerning the origination, and conception, and design of a strategic plan. How can a survey be properly conducted, when the “2017-2022 Strategic Plan” has not been effectively vetted or communicated? What are the timelines of such a plan, (draft or final) with regard to data collection and analysis?? And how can a substantive faculty response to the survey be collected when most of the constituents are away from the campus during the summer?

Although administrative and faculty representatives are listed in the document, the faculty and students of the academic units were not consulted or given any opportunity to contribute to the strategic plan. Further, the makeup of the committee that developed the “2017-2022 Strategic Plan” is overly administrative in composition.

- The ideas expressed in the current “2017-2022 Strategic Plan” suffer from a lack of clear vision and depth, as well as an explanation of how academic units will participate in actualizing stated goals;

- Failure to delineate the academic units that are linked to stated goals/objectives—coupled with the challenge of vague timelines (i.e. no
indication of phased approach or implementation) is further complicated by no information/discussion of Resource (Budget priorities) allocation;

- The document is not based on current data, in that it has a publication date of 2017. Moreover, on June 20, 2018, when most faculty and students were away for the summer, a community service survey instrument was distributed with a June 29, 2018 due date to collect data as part of the “2017-2022 Strategic Plan”.

- Importantly, there has been no significant engagement with key stakeholders to review, critique and revise the Plan—although it’s not clear if the Plan is a draft or working document since it has not been officially or broadly or actively communicated to the Howard University community.

Howard University suffers from many challenges that are a consequence of the absence of a clear, collaborative Strategic Plan and Vision. The inadequacies of depth, comprehensiveness, and specificity that plague the “2017-2022 Strategic Plan”, confirm a process that lacked transparency, inclusion, and thorough vetting of its contents by key stakeholders. The development of this plan failed to exemplify qualities of excellence, truth, or service to the University, its alumni, and its constituents.

2. Financial Instability Prevents Howard University from Advancing its Mission

Howard University is a culturally diverse, comprehensive, research-focused, doctoral-granting Historically Black University that provides her students with an exceptional educational experience. Focusing on training students of high academic standing and potential, particularly those associated with the African Diaspora, university faculty are committed to developing distinguished leaders at national and global levels and in all disciplines.

In recent years, like many other institutions of higher education, Howard University has had to deal with serious financial issues associated with reduced enrollments, increasing costs, and legacy (outdated) modes of operation. The university administration has addressed these issues largely through upgrades in operational infrastructure coupled with reductions in personnel. The resulting financial position, seen through financial statements from 2015-2017, show improved operating results when the metric is “Revenues minus Expenses”. However, as mentioned, these results were
largely achieved through a cost reduction strategy. Nonetheless, the financial position remains precarious in a number of critical areas.

For instance, over that same period, 2015-2017:

- Revenues declined despite an increase in the federal allocation
- Student enrollment declined and remains below 10,000
- Bond ratings declined to “speculative” with a “negative outlook”
- Expenditures on instruction, research, academic support, and student services declined

Moreover, currently

- Deferred maintenance, estimated at over $500M, remains a major problem
- The $1 billion Sesquicentennial Capital Campaign outlined in 2014 was not launched—while other HBCUs have launched or completed major campaigns:
  - Spelman College: $150M (completed in 2014)
  - Morgan State: $250M (launched in 2017)
  - Hampton University: $150M (launched in 2018)
  - Morehouse College: $250-$500M (planned)
- Alumni giving and university development remains low
- Financial issues are compromised by apparent misappropriation

**Impact on our Students:**
Students state that they enjoy the HU experience, but it is not worth the tuition that they pay.

- Classrooms, laboratories, technology, and other facilities are inferior to what our students experience in high school and/or community college
- Student support services such as Financial Aid and Housing are understaffed. Available staff are unwilling and/or unable to address their questions/concerns
- Some dormitories remain outdated and overcrowded
- Wi-Fi and power outages on campus are the norm
- Steam heating failure disruptions in January 2018 have forced classes to meet in locations that are not up to code with regard to handicap accessibility, sprinkler systems, etc.

**Impact on our Faculty:**
Salary compression/gender inequity and a lack of funding for research obstructs our ability to attract and retain faculty. This, in turn, impedes the advancement toward our mission to move from a level R2 (higher research activity) to R1 (highest research activity).

- Faculty salaries remain below peers at similar doctoral granting universities; salaries remain at 86% of market median on average (*See The Senate Communicator, January 2018 in Appendix III*)
Recent faculty raises (3%) were “selective,” and were completely overshadowed by increases in healthcare and parking costs, and were insufficient to compensate for increases in the cost of living in the Washington, DC metropolitan area.

Assistant Professors in some academic units have resigned from the University as a result of an inability to advance their research agendas due to a lack of university support (financial, infrastructural, and personnel). Increased faculty turnover rates (particularly in the STEM disciplines) are both costly (initial investment costs are not recouped), and curricular/research programs are disrupted.

Throughout the university, numerous situations exist where faculty (and in some cases, entire academic units) do not have sufficient administrative support, the latest computer and technology (hardware/software upgrades) printer access, reliable Wi-Fi, or even in some cases, telephones that function.

Some academic units, such as the College of Dentistry, and the C.B. Powell building are exposed to unsafe air quality, mold, and possible asbestos. Serious concerns arise as some faculty may develop illnesses related to bronchitis, and present exacerbated symptoms of asthma.

Disruptions resulting from the steam heating failure in January 2018 have resulted in numerous faculty being housed in temporary buildings that do not meet basic codes such as handicap accessibility, sprinkler systems, etc. The impact on faculty and student morale is devastating, and productivity has been severely compromised.

Administration:
In addition to the issues outlined above, which have disrupted the academic life of the University:

- Administrative Leadership Team’s salaries far exceed those of their peers at similar universities.
- Differences between administration and faculty salaries are also excessive; according to the IRS 990 tax records, President Frederick’s salary was 10 times the average Howard full professor’s salary. The market norm is 5 times the average full professor’s salary at Howard (according to AAUP and The Chronicle of Higher Education faculty salary data).
- The Deans are now faced with proposed budget cuts that are anticipated to compromise teaching, research and other scholarly activities.

Howard University deserves accountability from its leadership in raising funds necessary to advance its mission and address the long-standing problems which negatively impact the faculty and students and academic processes of the University.
3. Oversight and Responsibilities of the Board of Trustees

The sequence of events during the past eight months add to the long-standing frustration of the Faculty Senate with the Administration and Board of Trustees, who are charged with ensuring the fiduciary and infrastructure stability of Howard University. Since January 2018, the University has endured several serious and public embarrassments:

- A catastrophic “boiler crisis”, which has displaced faculty, staff, and students, significantly compromised the academic resources and faculty productivity throughout the university, but particularly the teaching and research within academic buildings (School of Nursing, Douglas Hall, College of Medicine/Numa P.G. Adams, College of Dentistry)
- Non-disclosure of decade-long financial mis-management and embezzlement
- A “Twitter” scandal that involved the President’s admonition to a student (i.e., her... “tone and tenor”)
- Student complaints surrounding safety, delivery of services, and financial aid
- Student takeover of the Administration building for eight days

The recent aforementioned problems have undermined the ability of the Faculty to effectively conduct teaching research, and scholarship. The Faculty Senate finds that the Board has demonstrated a lack of oversight of the Administration. The Board’s failure to ensure that the Administration conducts its duties within a framework of shared governance has led to an untenable situation that undermines the Faculty’s confidence in specific Howard University leaders.

The Faculty Senate maintains that the Board of Trustees - most notably the Executive Committee - has fostered a culture that is dismissive of the opinions, perspective, and expertise of the Faculty as a) scholars who make possible the mission of the University through their scholarship, research, and teaching, and b) key stakeholder and partner in shared governance. It has done so by its consistent support of Dr. Wayne Frederick as President. Under the Frederick Administration, the Faculty has endured significant cuts in administrative staffing, outsourcing of support services, a decline in building services/physical facilities, decreased student enrollment and a decline in faculty morale. Together, these problems have raised significant and serious concerns regarding the future of Howard University.
Moreover, the Administration and Board convey quite clearly that Faculty Senate consultation and collaboration are sought only after major decisions have already been made. This is not an appropriate exercise of shared governance. Such actions are not transparent, nor do they demonstrate respect for the opinions and expertise of the Faculty. The Faculty Senate has directly communicated its concerns to the Board and Administrative leadership, through submission of its annual Issues Agenda. In addition, the Senate published a special edition of The Senate Communicator (January 2018) on “Shared Governance,” where many of the challenges of shared governance at Howard were specifically addressed.

In an attempt to communicate its concerns over the lack of transparency and openness of Howard administrators, at the Faculty Senate’s request, in October 2017 members of the Board met with the Faculty Senate Steering Committee to present its Issues Agenda. A significant part of this discussion was the concern that a thorough process and protocol of shared governance was not being exercised regarding two major initiatives of the Administration: a) activities of the Program Prioritization Task Force (henceforth referred to as “PPTF”, Appendix IV) and b) development of a Strategic Plan and Vision for Howard. In March 2018, Faculty Senate leaders requested and obtained a meeting with the Executive Committee to discuss matters related to deficiencies of shared governance in the PPTF plan, and the importance of a clear Vision and Strategic Plan for Howard. Dr. Matthew Hartley, an invited consultant with expertise in academic shared governance, stressed that:

“...effective faculty-board communication is a critical component of shared governance. Its absence can result in serious misunderstanding between campus constituents and in significant governance failures leading to flawed decision making.” (See Appendix V for Dr. Hartley’s complete statement on shared governance.)

The Faculty Senate cannot accept the Board’s failure to hold Administrators accountable for their actions and fulfillment of their primary responsibilities. The Senate asserts that the Board has failed to exercise its responsibility or hold the President responsible for fundraising—within and beyond its own ranks— that will ensure the stability and growth of the Academy in service to the Values, Vision, and Mission of Howard University.

A case in point: Failure of Howard University leaders to launch a robust Capital Campaign during the 150th sesquicentennial in 2017. Faculty Senate leaders and other constituent groups across the University were told as early as 2012 that the University planned to launch a major campaign. In 2014, newly appointed President Frederick proclaimed that the 150th celebration would engage an ambitious, $1 billion campaign for
Howard. In June 2015, Board Chairman Stacey Mobley and President Frederick submitted the *Howard University Periodic Report to the Middle States Commission on Higher Education* stating:

“As its 150th anniversary approaches in 2017, the University is preparing to launch a billion dollar capital campaign. The administration and the Board of Trustees are working in concert to lay the foundation for a successful capital campaign including extensive donor prospect research.” (page 29 of MSCHE Periodic Report, see Appendix VI; full report at: https://www2.howard.edu/sites/default/files/PRR%202015.pdf)

To date, no such campaign has been launched. Further, a basic structure for such a campaign remains absent, e.g., there has been no development of a Vision and Strategic Plan with the potential to a) convincingly engage constituents, alumni, philanthropists, and corporate interests (a Board-member responsibility); b) recruit and retain significant numbers of high-achieving African American students and faculty; c) provide infrastructure supports (physical, financial, staffing, etc.) that promote and encourage faculty growth and development; d) sustain and increase graduate student stipends—a bedrock of the research university.

Since 2013, the faculty, staff, and students have struggled under Dr. Frederick’s style of leadership that is characterized by an increased turnover of senior level administrators, officials, and most recently, the Deans of Dentistry and the College of Arts and Sciences. The Administration has cultivated an atmosphere of inattention to faculty rights that has resulted in a climate of fear and intimidation, and low faculty morale.

The frustrations of the Faculty Senate that are enumerated in the Resolution of “No Confidence” votes of the Faculty Senate Council and the Faculty at-large, in March-April 2018 (see Appendix VII) are reflected within and across four major areas that relate to the Board’s failure to:

1. exercise proper oversight of Dr. Frederick’s conduct of his duties as the chief Administrative officer of Howard University

2. acknowledge the Faculty Senate as an equal partner in shared governance

“...*Shared governance brings together the disparate views of the board* (which is responsible for paying attention to the long-term health of the institutions), *the president* (who oversees the administrative aspects of the university and plays a key role in the development of institutional strategy with others), and *the faculty whose expertise has to be tapped*
if there is any meaningful progress in the educational efforts of the institution. Each of those views is distinct and valuable. (See Dr. Hartley, Appendix V)

3. ensure that the Academic Excellence Committee obtains information from both the Administration and the Faculty Senate before committee members

“...(2) review, evaluate, and enhance, as appropriate, all curricular, academic programs, and support services; (3) evaluate the implementation of reorganization, establishment, merger, or abolition of schools, colleges, programs, centers or institutes and faculty development and performance initiatives... (6) identify external sources of support for the academic programs and activities of the University; (7) evaluate the development and implementation of a research agenda for the University consistent with its mission.” (Approved Bylaws, Board of Trustees, March 2018. ARTICLE V: BOARD COMMITTEES)


“...Recently, the Association of Governing Boards (which is the national association that serves boards of trustees) did a study asking institutional leaders their views on shared governance. There was not just strong support, there was near universal support for the ideal of shared governance. When asked if the American Association of University Professor’s concept of shared governance reflected their own policies 96% of respondents said they were “similar, ” “very similar,” or “the same.” (See Dr. Hartley, Appendix V)

The reader is reminded of the Faculty Senate’s “No Confidence” votes of April 2018, as reflected in the rationale for the “Whereas Statements” (Appendix VII):

1. They are the evidentiary foundation for the “No Confidence” votes of the Faculty Senate Council.
2. They represent evidence compiled over many years...evidence that is deemed tangible and verifiable, quantifiable and experiential, and is further informed by the dynamics that currently exist in the schools/colleges/units.
3. They are the result of protracted, contemplative discussion, debate and deliberations among the elected faculty representatives, informed by conversations with their respective constituents.
4. They articulate significant deficiencies in the organization, administration, communication, and transparency of the Administration and Board of Trustees,
which compromise the fundamental construct of Shared Governance that is foundational to the stability and future promise of Howard University.

The Faculty Senate Resolutions of “No Confidence” mean that the Faculty Senate has determined that the Administration and the Board of Trustees, despite their professional expertise, have not displayed the focus or collective vision necessary to lead the University into a optimistic future, resulting in a climate of skepticism, distrust, and confusion among stakeholders.

“No Confidence” is the pronouncement that trust, a critical factor that undergirds mutual respect, transparency, and accountability that must exist between the triumvirate partners of shared governance of Howard--has been undermined and eroded. Overwhelming evidence illustrates that the current Administration—by consent of the Board of Trustees—has not exercised the discipline or professional courtesy to actively seek the wisdom of the Faculty in decision-making processes, particularly regarding major academic and University initiatives.

“No Confidence” declares that the Truth about excellence, truth, and service can only be realized when there is a change in the leadership of Howard University.

Conclusion.

The primary areas of administrative and fiscal concern expressed by the Faculty Senate, reflect current and persistent challenges under the Frederick Administration as a consequence of the lack of oversight of the Board of Trustees. These circumstances triggered the votes of “No Confidence” by the Faculty at-large in April 2018, and now necessitate establishing a collaborative, transparent process and timeline for leadership change and transition at Howard University.

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525 Bryant Street, NW, Rm C-119
Washington, DC 20059

facultysenate@howard.edu
Appendix 3. Talking Points

Organizational Running Order and Issue Commentaries

1. Introduction of Steering Committee Members (Name, College/School, Department, Years at HU)
2. Introduction of Board Members
3. Chair’s Introduction

   We are here today to discuss 3 major areas of concern that were highlighted in the Faculty Senate’s Position Statements submitted to the Board of Trustees in July 2018. Please note that these Statements reflect the collective wisdom of the Council as representatives of the Faculty at-large, and are the result of rigorous debate, discussion and deliberation. They are a sobering reminder of the reality in which the Faculty labors on a daily basis. Despite the issues and concerns articulated in the Position Statements, the Faculty continues to perform its duties and pursue excellence because of our love for Howard University, its mission, and dedication to our students.

   The Howard University is best served when openness, transparency and accountability permeate the engagement among the Faculty, Administration and its Board of Trustees. The current challenges stem from the long-standing default in the exercise of shared governance among these key stakeholders.

   It is imperative that today’s discussion will compel us to agree on and formulate the next steps necessary to move the University forward.

4. Steering Committee members will make three short Commentaries (~ 20 minutes Total)

   ● Each Commentaries will consist of a

       Statement of the Issues,

       Consequences and Impact, and

       Additional Concerns, that we hope will encourage and enlighten the Discussion.

   ● All 3 Commentaries will be made first, followed by a Discussion of the Additional Concerns/Questions.
Faculty Senate Organization

- Senate Officers
  - Chairperson
    - (Vice Chair, Secretary)
    - Elected at-large

- Council (34 members)
  - (elected at-large and from individual schools/colleges)

- Steering Committee
  - (12 members, elected from the Council)

- Standing Committees
  - (12 members each, elected at-large)

- Faculty Grievance Commission
  - (7 members, elected at-large)

- Faculty Trustees
  - (2 elected at-large)
I. VISION/STRATEGIC PLAN

Commentator: Andre Farquharson

Statement of Major Issues:

1. With respect to strategic planning, there was a lack of significant engagement of key stakeholders with respect to planning, deliberation, review and critique of strategic planning.

2. Faculty and academic units were not engaged in a process of transparency and shared governance. The existing Howard Forward/Strategic Plan was largely developed by the university's administration.

3. Strategic Plan lacks key features indicative of a substantive plan of action, i.e., benchmarks, timelines, evidence of rigorous academic input.

4. A meaningful strategic plan for Howard University should be informed by the unique precarious political and social moment African Americans find themselves in, financial realities and realistic decisions, changing student interests, labor market conditions, demographic shifts, and the University's mission.

Consequences and Impact:

a. Major decisions will be made regarding which academic programs to retain through data collected by the Program Priorities Task Force (PPTF). It is irresponsible that program elimination and consolidation may occur in the absence of a Vision and Strategic Plan for Howard University that has been developed in co-operation with the Faculty Senate.

b. Lack of transparency and an uncertain fiscal outlook has fostered a climate that is not optimal for building morale among students, staff, faculty, and alumni.

Additional Concerns:

• The Board would endorse a Strategic Plan with flaws that has been formulated without formal, structured and co-operative engagement with the Faculty Senate.

• Given the deficiencies that have been articulated with respect to shared governance, if/when the university engages in a Capital Campaign, what is the role in this process that you envision for the Faculty Senate, and how will the University ensure that resources are optimally allocated?

• Although we recognize that Howard University is a unique academic institution, even within the HBCU community, the leadership bows to the corporate agenda.

• When the Board of Trustees and the Administration do not engage in shared governance with the Faculty, they deprive themselves benefit of Faculty expertise and the wisdom of institutional memory; this is harmful to the growth and well-being of the institution and all university constituents.

• In the United States today, African-American men and women are the targets of police brutality, and the current political climate reinforces the entrenchment of structural inequality and systemic racism. Moreover, our DC community is changing demographically and ethnically, and African-American communities are being subjected to aggressive gentrification that is displacing communities of color. In light of these challenges, the Howard Forward Strategic Plan articulates no clear priority of Social Justice. This is unacceptable.
Finance

Commentator: William Spriggs

**Statement of Major Issues:**

1. Given deferred maintenance, outdated STEM facilities, and the 150th anniversary of the university, we should not have gone six years without a Capital Campaign.

2. A clear Vision and Strategic Plan are critical factors in determining priorities for a Capital Campaign, irrespective of the amount raised.

3. Academic units cannot establish clear priorities and goals because of the lack of a Strategic Plan and delays in the timely allocation of budgets to schools and colleges.

4. The financial aid oversight crisis, that included the violation of federal privacy regulations [FERPA], brought on in part by under resourcing the financial aid office, has resulted in the Department of Education’s recent punitive designation of Howard University as a Heightened Cash Monitoring2 [HCM2] category institution, which requires financial aid payments be made directly from university funds, intensifies the need for transparency and accountability.

5. Individual faculty have difficulty accessing research monies to conduct research and carry out obligations to funding agencies.

6. Unjustified compensation and bonuses of top administrators’ salary in relationship to faculty salary compression and budget tightening.

**Consequences and Impact:**

a. Aging infrastructure has resulted in classrooms, laboratories, technology and other facilities that are inferior to those students experience in peer institutions.

b. There has been no statement of accountability by the Administration with respect to the ‘Boiler Crisis’ in December, 2017-January, 2018 that resulted in catastrophic infrastructure failure in several buildings. It has also necessitated the relocation of classes, the suspension of research, exposure to unsafe air quality, mold and asbestos in some buildings, as well as the destruction of archival materials, biological research samples, historical artifacts and personal property.

c. Research and scholarship at all levels of the professoriate have been severely hampered. Assistant Professors in some academic units have resigned from the university as a result of an inability to advance their research agendas due to lack of university support (financial, infrastructure and personnel). Increased faculty turnover is both costly and disruptive to curricular/research programs.

d. Schools and colleges are continuing to experience budget reductions, enduring significant cuts in administrative staffing, outsourcing of support services, and a decline in building services/physical facilities, which created barriers to faculty engagement and productivity, and seriously diminished morale.
e. Faculty are compensating for these losses by purchasing supplies out-of-pocket, and performing secretarial and other support duties, which compromise teaching, research and other scholarly activities.

f. Faculty salaries continue to remain below peers at similar doctoral granting universities. On average, they are at 86% of market median.

**Additional Concerns:**

- No ongoing strategy of investment in the university.

- Failure to launch a Capital Campaign has further promoted a constraint in finances that is being diminished by leveraging (selling) assets; reducing resources for academic research and instruction; eliminating staff, services, and stipends; and potentially eliminating academic programs.

- Despite a 2013 plan from the Budget Advisory Committee to alleviate faculty salary compression, there has been no implementation of this proposal to date.

- Extraordinarily high administrative leadership salaries in light of faculty salary compression and extreme budget cuts at HU is not justified.

- The financial aid crisis, and the boiler failure are part of a pattern of lack of oversight that has resulted from stabilizing finances through austerity without Vision.
BOARD OVERSIGHT and RESPONSIBILITY

Commentators: Mercedes Tibbits/Eric Walters

**Statement of Major Issues:**

1. The Administration and the Board of Trustees have not adhered to best practices of shared governance as prescribed by the Association of Governing Boards and the American Association of University Professors, and Board approved documents, including the *Constitution of the Faculty Senate*, that define the role of the Senate in shared governance.

2. The Administration and the Board are dismissive of the perspective and expertise of the Faculty as scholars, who are responsible for directly fulfilling the University’s mission of educating students, and are key stakeholder in shared governance.

3. Specifically, the Academic Excellence Committee of the Board has neglected to fulfill its responsibility to consult the Faculty Senate for its perspective and opinion, prior to either the Board or the Administration making major decisions that impact academic programs.

4. The Board of Trustees fails to hold Administrators accountable for their actions, despite extreme default in administrative oversight and leadership. Furthermore, it has not itself established, or obligated the administration to establish a relationship with the Faculty that is built on respect and transparency.

**Consequences and Impact:**

a. Campus climate of alienation, distrust, fear, low morale, lowered expectations, and lack of confidence in Howard University leadership.

b. Erosion of confidence in the Board’s unwillingness to foster shared governance and transparency.

c. Flawed, uninformed decision-making by the Board and the Administration with respect to academic matters.

d. Corporate-driven agendas that devalue the role of Faculty in determining the University’s academic future.

**Additional Concerns:**

- Given the long-standing nature of these issues, and the unwillingness of the Board to address them, do you think it is possible to re-establish trust between the Faculty and the current Board?
APPENDIX 4
Proposed Faculty Handbook Revision

January 31, 2019

(with Faculty Senate Council edits March 7, 2019)
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Introduction

Howard University is committed to education, service, and the development of future leaders. The University is a community of scholars, consisting of faculty, staff, and students, who are dedicated to the search for new knowledge, truth, and justice.

In the conduct of its affairs, the University is also committed to shared, humane and efficient governance in order to act in the best interests of the institution and the society it serves. Likewise, all members of the University community are dedicated to the pursuit of a culture of excellence, to full compliance with the law, and to the unfinished struggle for justice and equality—a struggle that has been at the foundation of the University since its creation in 1867.

This Howard University Faculty Handbook reflects the policies of Howard University in effect as of the date of its adoption by the Board of Trustees. It supersedes all prior versions of the Howard University Faculty Handbook and will govern all members of the Howard University faculty, regardless of the faculty member’s date of hire, except as specifically noted herein. This version of the Faculty Handbook shall remain in effect until amended according to the procedures described herein, and in accordance with the Charter of the University and the Bylaws of the Board of Trustees.

The University was founded by an Act of Congress and, pursuant to the Act, it is governed by a Board of Trustees. The primary governing document of the University is the Bylaws of the Board of Trustees. The Board of Trustees retains authority over all aspects of the University’s business. This faculty handbook describes, in principle and in practice, shared governance among the faculty, the administration, and the Board of Trustees of Howard University. In the event of any inconsistency between the Faculty Handbook and the Bylaws of the Board of Trustees, the provisions of the Bylaws of the Board of Trustees will supersede those of the Faculty Handbook.

The Board of Trustees may delegate certain aspects of its authority to the President, the central administration, the deans and directors, or the faculty for specific purposes. Additionally, the Board of Trustees may invite University constituencies to participate in various aspects of the governance of the University and enjoy certain other benefits.
Chapter A: The University and its Governance

Section A1: About Howard University

A1.1 Mission

Howard University, a culturally diverse, comprehensive, research intensive, and historically Black private University, provides an educational experience of exceptional quality at the undergraduate, graduate, and professional levels to students of high academic standing and potential, with particular emphasis upon educational opportunities for Black students. Moreover, the University is dedicated to attracting and sustaining a cadre of faculty who are, through their teaching, research and service, committed to the development of distinguished, historically aware, and compassionate graduates and to the discovery of solutions to human problems in the United States and throughout the world. With an abiding interest in both domestic and international affairs, the University is committed to continuing to produce leaders for America and the global community.

A1.2 History

In the aftermath of the Civil War, leaders of the First Congregational Church in Washington, D.C., concluded that “the pressing demand of the Southern field” for teachers, ministers, and other professionals warranted establishing an institution of higher learning to address the need. Prominent among them was Civil War hero Major General Oliver Otis Howard, then commissioner of the Freedmen’s Bureau. The vision of the founders became a reality on March 2, 1867, when President Andrew Johnson signed the charter, approved by the 39th Congress of the United States, creating an institution under “the name, style and title of ‘The Howard University.’” The name recognized the general’s service to the nation and his important role in establishing the University.

Starting with four students in the Normal Department on May 1, 1867, the University student body increased to 94 by the end of the first term of enrollment. The Preparatory Department was opened on August 14, 1867, and the Medical Department on April 16, 1868. Other academic departments organized during the University’s first three years of existence included Agriculture, Commerce, Law, Military, Music, and Religion. Of the present academic units, the College of Arts and Sciences (which includes the Fine Arts Division), the College of Medicine, the College of Pharmacy, the School of Law, and the School of Religion had their beginnings prior to 1871. The College of Dentistry, originally a division within the School of Medicine, was organized in 1881, followed by the School of Engineering and Architecture (1907), the School of Architecture and Planning (1911), the School of Engineering (1911), the Graduate School (1934), the School of Social Work (1945), the College of Nursing (1969), the School of Business and Public Administration (1970), the School of Communications (1971), the School of Education (1971), and the College of Allied Health Sciences (1974).
Other years of special significance in the history of Howard University include 1928, when the Substantive Act authorizing an annual Federal appropriation to the University was enacted, and 1955, when programs leading to the doctor of philosophy degree were inaugurated.

Howard University’s academic growth has been accompanied by an expansion of both its physical facilities and its other enterprises. What began as the original two-story frame house has developed into today’s 59-acre main campus, the West Campus, two sites in Northeast Washington, and a research site in Beltsville, Maryland. The University also established the Howard University Press, a radio station (WHUR-FM), and a television station (WHUT). Moreover, Howard operates a university hospital (Howard University Hospital) that not only provides services for a significant segment of the Washington, D.C. metropolitan community, but also provides a clinical setting for training physicians, nurses, and other healthcare providers.

Howard is more than academic programs and physical facilities; the University is a community of people dedicated to the quest for solutions to human and social problems in the United States and throughout the world. The interactions of these people, each contributing in their own way to the education of others, enable Howard to fulfill its mission and provide the kind of environment in which scholarship develops and flourishes. Recognition of students’ high academic achievement has come from many national honor societies, including Phi Beta Kappa. The University is proud that, among its student body, faculty, administrators, and trustees, there are persons of virtually every racial/ethnic group, religion and background.

Traditionally, Howard has had and continues to have the largest gathering of African-American scholars in the world. Alumni and members of the distinguished faculty at Howard have risen to national and international prominence. Among them are Ernest E. Just, Zoology; Ralph Bunche, Political Science; Charles Drew, Medicine; Kelly Miller, Mathematics and Social Sciences; Elizabeth Catlett, Fine Arts; E. Franklin Frazier, Sociology; Carter G. Woodson, History; Zora Neale Hurston, Literature; Charles H. Houston, Law; Howard Thurman, Religion; Percy Julian, Chemistry; John Hope Franklin, History; William Hastie, Law; Lois Mailou Jones, Art; Lorraine A. Williams, Social Sciences; Ronald W. Walters, Political Science, Art; Patricia Bath, Medicine; Patricia Roberts Harris, Law; Sterling Brown, English; and Thurgood Marshall, Law.

A1.3 Schools and Colleges

Howard University is organized into various schools and colleges. The University offers a full array of undergraduate degrees, master’s degrees, Ph.D. degrees, other doctorates, professional degrees, and professional certifications. Additionally, the University offers several dual degrees. Howard University is periodically reviewed for affirmation of accreditation by the Middle States Commission on Higher Education. In addition, many specialized programs and professional schools are accredited by the relevant accrediting agencies. Each school/college is governed according to bylaws recommended by its faculty and approved by the Board of Trustees. The bylaws of the schools and colleges supplement the Faculty Handbook. In the event that there is any inconsistency between such bylaws and the Faculty Handbook, the provisions of the Faculty Handbook shall govern and control.
A1.4 Board of Trustees

The ultimate authority and responsibility for both the development of policies and the control and operation of Howard University is vested in a self-perpetuating Board of Trustees as provided in the University’s charter. The Board of Trustees is governed by its bylaws.

A1.5 Academic Administrative Officers

Academic administrative officers of the University include the President, the Provost and Chief Academic Officer, deans, associate deans, department chairs, and directors of academic units. Other members of the President’s cabinet and other persons with advisory or administrative responsibilities whom the President may appoint also help to achieve the University’s mission.

A1.5.1 President

The President is the chief executive of the University and is responsible for implementing the policies established by the Board of Trustees and for making appropriate recommendations to the Board as provided by its bylaws and by this handbook. Such recommendations include those affecting academic policies and programs that originate in the schools and colleges.

The President is the official representative and spokesperson for the university.

A1.5.2 Provost and Chief Academic Officer

The Provost and Chief Academic Officer (the “Provost”) is responsible for the overall supervision of the programs and activities of the schools and colleges, other academic units, and the academic support units of the University. The Provost is largely responsible for the appointment and retention of the faculty members who sustain these programs.

A1.5.3 Deans of Schools and Colleges

Each of the University’s deans is responsible for the administration of the school/college he or she leads. Deans report to the President, through the Provost. Associate and assistant deans report to the dean of their school. Deans have responsibilities that may include, but are not limited to, the following: faculty recruitment and development; faculty evaluation; academic program development and review; student advising; budget development and management; course schedule planning; general supervision of school/college research, teaching, and fundraising; and service and outreach activities, in addition to other duties that may be assigned or required. Deans shall consult with the faculty in matters relevant to the academic programs and administration of the unit and be guided by the principle of shared governance. The administrative functions, titles, and status of deans (including associate and assistant deans) of schools and colleges, shall be distinct from their functions, titles, and status, if any, as holders of academic positions. Deans will normally hold tenure within their academic departments and will retain their departmental seniority and rights to return to a tenured position in their department when they leave the administrative position. While serving in administrative positions, deans (including associate and assistant deans), are ex officio members of the faculty senate.
Deans without faculty status have no retreat rights. A dean who has not been awarded tenure does not have the right to assume a faculty position unless the individual's credentials have been reviewed by the appropriate departmental and college committees and a recommendation for a faculty appointment has been made by both committees and approved by the president and Board of Trustees.

**A1.5.4 Department Chairs**

Each department chair is responsible for the administration of the academic unit to which he or she is assigned. The department chair's responsibilities may include, but are not limited to, the following: faculty recruitment, development, and evaluation; program development, review, evaluation and assessment; student advising; departmental budget development and implementation; course schedule planning; and general coordination of the departmental research, teaching, and outreach activities. Department chairs shall consult with the faculty in matters relevant to the academic programs and administration of the unit and be guided by the principle of shared governance. The administrative functions, titles, and status of department chairs shall be distinct from their functions, titles, and status, if any, as holders of academic positions. Department chairs will normally hold tenure within their departments and will retain their departmental seniority and rights to return to a tenured position in their department when they leave their administrative position. While serving in administrative positions, department chairs are ex-officio members of the faculty senate, unless they have been appointed (as chair) with the advice and consent of the faculty of their department.

In schools that are not organized into departments, the associate dean for academic affairs or other appropriate academic administrator may fulfill responsibilities associated with chairs of departments.

Department chairs without faculty status have no retreat rights. A chair who has not been awarded tenure does not have the right to assume a faculty position unless the individual's credentials have been reviewed by the appropriate departmental and college committees and a recommendation for a faculty appointment has been made by both committees and approved by the president and Board of Trustees.

**A1.5.5 Directors of Academic Units**

Directors are responsible for the administration of units that are not schools or colleges, and they may also fulfill responsibilities associated with chairs of departments. Directors shall consult with the faculty in matters relevant to the academic programs and administration of the unit and be guided by the principle of shared governance.

**Section A2: Academic Organization and Governance**

**A2.1 Shared Governance**
Shared governance is defined as the right and responsibility of faculty to seek early and meaningful engagement with the administration and the Board of Trustees in the development of policies and decisions that impact university-wide programs and the responsiveness of Howard University to achieve its unique contemporary mission. In areas where the faculty have primary responsibility, such as the nature and quality of academic programs (including curriculum, subject matter and methods of instruction), faculty welfare (including faculty status), student welfare (including those aspects of student life which relate to the educational process), and research and scholarship, the governing board and president should concur with the faculty judgment except in rare instances and for compelling reasons which should be stated in detail. Shared governance ensures the right of faculty to seek change and to participate in the governance of the University through direct interaction and dialogue with the administration and/or the Board of Trustees, as set forth in the Constitution of the Faculty Senate.

A2.2 The Role of the Board of Trustees and the President in Approving Academic Policies and Programs

Academic policies and programs of individual schools and colleges usually emanate from the committee or department level and are submitted for subsequent consideration by the school/college faculty. Following faculty consideration, the dean of the school/college shall prepare a recommendation and submit both the recommendation and the proposal to the Provost. Following the Provost’s review, these and the Provost’s recommendation shall be forwarded to the President for review and approval and for submission to the Board of Trustees for final action. The dean, the Provost and the President shall acknowledge receipt and consult with the appropriate school/college faculty with respect to their recommendations in a timely manner.

The President shall communicate decisions of the Board of Trustees related to academic policies and programs to the faculty and the University community in a timely manner. In areas where the faculty have primary responsibility, the governing board and president should concur with the faculty judgment except in rare instances and for compelling reasons which should be stated in detail.

A2.3 Organization of the Schools and Colleges

Schools and colleges may contain the following components: academic departments and support units, a duly appointed faculty, a dean, and associate and/or assistant dean(s) appointed as necessary. Each school/college shall be organized and governed according to bylaws that have been approved by its faculty, the Provost, the President, and the Board of Trustees. In addition to other provisions, the school/college bylaws shall contain the specific criteria for appointments, promotions, and tenure, consistent with those outlined in the Faculty Handbook. Bylaws and appointments, promotions, and tenure criteria shall be reviewed for updating at a minimum of every five years.

In schools that are not organized into departments, certain procedures that otherwise begin with actions at the departmental level begin instead at the school level. In those cases, the associate
The dean for academic affairs and/or a faculty committee may fulfill the roles comparable to those of the chair or a departmental committee. In such cases, the bylaws of the school will govern.

**A2.4 Academic Departments**

An academic department shall consist of faculty members appropriately appointed to teach; conduct research; engage in professional development; provide service to the department, school/college, university, and community at large; and perform other duties that may be assigned. The department shall have autonomy consistent with the maintenance of general school/college and University policy. Each department shall have a chair and be organized and governed according to the approved bylaws of the school/college to which it belongs.

**A2.5 The Faculty**

The faculty of each school/college is comprised of the dean, associate and assistant dean(s) who hold faculty appointments, and the professors, associate professors, assistant professors, instructors, and lecturers, whether full time or part time. The President and Provost of the University are members of the faculty of each school and college.

The Howard University faculty is comprised of all faculty members of the various schools and colleges and shall have such powers and duties as a collective constituency of the University, as set forth in the Board of Trustees-approved Constitution of the Howard University Faculty Senate (hereafter called the “Constitution of the Faculty Senate”).

The faculty shares responsibility with the administration of the University in matters of shared governance including responsibility for academic programs; faculty recruitment and development; faculty evaluation and status; program development and review; student admission and advising; class schedule planning; general supervision of the research, teaching, and outreach activities of the school/college; and the allocation of university resources to support these activities. The mechanism for faculty involvement in these matters shall be outlined in the bylaws of the respective schools and colleges.

**A2.6 Faculty Senate**

The Faculty Senate is comprised of all faculty members, both tenured and non-tenured, who are currently serving in full-time faculty appointments or positions, and department chairpersons, if they have been appointed (as chair) with the advice and consent of the faculty of their department. The following general administrative officers of the University [President, Vice President (including Associate and Assistant VPs), Provost (including Associate and Assistant Provosts), and Deans of the Schools and Colleges (including Associate and Assistant Deans)], whether they hold regular faculty appointments or not, shall be non-voting, ex-officio members of the Faculty Senate, ineligible to serve as officers of the Senate or appear on the ballot for faculty trustees. Ex-officio membership in the Senate is for the exchange of information with the faculty senators concerning the business of the Senate. The functions, membership, and voting
The rights of the Faculty Senate are set forth in the Constitution of the Faculty Senate, which defines the role of the Faculty Senate in the shared governance of the University.

The Howard University Faculty Handbook and the Constitution of the Faculty Senate are the Board of Trustees-approved documents that coordinately frame a relationship that is based upon mutual respect between the faculty, administration, and Board of Trustees that is the framework of a partnership and collaboration in University governance. The Faculty Senate functions through its Officers (Chairperson, Vice-Chair, and Secretary), the Council of the Faculty Senate, the Steering Committee of the Council, and standing committees. The Faculty Senate meets to hear reports from the President of the University, its officers, and the chairpersons of the Senate Committees. The Faculty Senate also nominates members of the faculty to serve in the two (2) Faculty Trustee positions on the Board of Trustees. The Council of the Faculty Senate is the representative body that acts on behalf of the entire faculty in legislative and advisory capacities. The Council (and its Steering Committee) has the power and the responsibility to consider and propose legislative recommendations to the President and to the Board of Trustees on (a) any matter of academic policy which involves more than one school/college, and (b) any other matters that substantially affect the general interest of the University faculty.

A2.7 Faculty Ombudsperson

The Faculty Ombuds Office is organizationally located in the Office of the President, but the Faculty Ombudsperson operates independently of all institutional reporting responsibilities. The roles and functions of the Faculty Ombudsperson may include, but are not limited to, assisting faculty who have questions, complaints, or disputes concerning University policies and procedures; helping to resolve conflict in the academic unit or between faculty and administrators, including those administrators that are not covered by Chapter F; consultation and informal advising; facilitation and provision of assessments and information to appropriate University officials. The office shall be informal, independent, impartial, and confidential.

Recourse to the Ombuds process shall be at the option of the faculty member, and the faculty Ombudsperson may participate in disciplinary proceedings as described in Chapter E, below.

The Faculty Ombudsperson shall issue annual reports and recommendations to the Provost and the Chair of the Faculty Senate summarizing the activities of the office.

Section A3: Academic Committee Structure

A3.1 University-Wide Committees

From time to time, the President or the Provost may form various University-wide committees or task forces whose roles are distinct from, but do not conflict with, the committees that are part of the regular University governance structure, such as the Faculty Senate and faculties of the schools and colleges. Such committees may have an indefinite duration or they may be limited to a specific task and/or a specific period of time. Before creating such a body, the President or the Provost shall consult with the Faculty Senate such that faculty representatives
should be selected by the faculty according to procedures determined by the faculty. Faculty should represent no less than 50% of the committee membership.

A3.2 School and College Committees

The functions, membership, and organization of all standing and ad hoc committees for each school/college shall be established and set forth in the school/college bylaws or by the dean, except as provided herein.

The following standing committees shall exist in each school/college: an Executive Committee; a Committee on Appointments, Promotions, and Tenure (APT); and a Curriculum Committee. The school/college Executive Committee shall be responsible for those matters delegated to it by the faculty. The school/college APT Committee shall make recommendations to the dean regarding appointments, promotions, and tenure of faculty members. The Curriculum Committee shall periodically review the school’s/college’s curricula and make recommendations to the dean regarding required enhancements. Other standing and ad hoc committees may be established by vote of the school/college faculty, by provisions set forth in the bylaws of the school/college as determined by the faculty of the school/college.

A3.3 Departmental Committees

Each department shall have, at a minimum, the following committees: an Executive Committee; a Committee on Appointments, Promotions and Tenure (APT); and a Curriculum Committee. The department APT Committee shall make recommendations regarding appointments, promotion, and tenure in accordance with the faculty handbook and the school/college bylaws. Other departmental standing and ad hoc committees may be established by faculty vote, by provisions set forth in the by-laws of the school/college as determined by the faculty of the school/college.

Section A4: Academic Administrative Policies

A4.1 Faculty Status

The administrative functions, titles, and status of such administrators of academic services as the Provost, vice presidents, deans, associate and assistant deans of schools and colleges, directors, and departmental chairs shall be distinct from their functions, titles, and status, if any, as holders of faculty positions. Academic administrators may hold faculty rank and tenure; however, no academic administrator shall hold faculty tenure solely by virtue of the administrative appointment.

Administrators with faculty tenure retain faculty status within the academic unit of their faculty appointment. They may apply for promotion to higher rank as any other tenured faculty member may. Administrators who have not been awarded tenure prior to receiving an administrative appointment do not receive tenure by virtue of receiving an administrative appointment. While serving in the administrative role, however, such persons may apply for appointment to a vacant faculty position in the manner described below, to include review of credentials by the
appropriate faculty committees and administrators and approval by the appropriate decisional
authority. Holders of temporary faculty appointments do not have permanent rights to a faculty
position, nor do administrators without a tenured, tenure-track, or non-tenured renewable term
faculty appointment.

A4.2 Appointment, Term and Evaluation of Deans

Deans of schools and colleges do not have a definite term of office, but serve at the pleasure of
the President. Deans are appointed by the Board of Trustees upon the recommendation of the
President. When appointing a new dean, the Provost shall name the chair of the search
committee and appoint or arrange for the election of a search committee. The majority of the
search committee members shall be from the school/college that the new dean will head, and
two members will be selected by the Faculty Senate. The Provost’s recommendation, together
with that of the school/college search committee, shall be forwarded to the President for final
decision.

A4.2.1 Faculty Participation in Academic Planning

Faculty and administrators are partners in the shared responsibility for the academic and
educational enterprise at Howard University. In this regard, there is joint responsibility to engage
in ongoing processes that guide important decisions regarding academic priorities, academic
restructuring, budget/resource allocation, and planning—including capital expenditures and
allocation of physical facilities. Faculty shall participate in the planning process for their
school/college to ensure the growth of the educational and scholarly potential of the University.
The regular members of the faculty of a school/college shall have an opportunity to make
recommendations on proposals concerning such matters. Where the creation, consolidation, or
elimination of departments, institutes, or other academic or research units making up a part of
that school/college concern primary faculty responsibility, such as curriculum, subject matter and
methods of instruction, research, faculty status, and those aspects of student life which relate to
the educational process, the governing board and president should concur with the judgment of
the regular members of the faculty except in rare instances and for compelling reasons which
should be stated in detail. Deans shall consult with the faculty in matters relevant to the academic
programs and administration of the unit and be guided by the principle of shared governance
(see Sections A1.5.3 and A2.1).

Faculty shall be informed of decanal priorities, goals, and objectives at the start of the academic
year, accompanied by budget summaries and resource allocations associated therewith. Faculty
shall have an opportunity to offer advice and recommendations to the proposed plan to the
extent that the proposed plan does not concern matters of primary faculty responsibility.
Concerning the priorities, goals, objectives, and budgets for matters of primary faculty
responsibility, the dean should concur with the judgment of the regular members of the faculty
except in rare instances and for compelling reasons which should be stated in detail. At the
conclusion of each academic year, deans shall provide the faculty with a written report of
activities, accomplishments, and impediments related to the original proposed goals and
objectives.
A4.2.2 Faculty Evaluation of Academic Deans

Deans shall be evaluated by the faculty of their academic units, in writing, at least once every two (2) years. The evaluation shall be developed and coordinated by collaboration between the Office of the Provost and Chief Academic Officer and the Executive Committee of the school/college. Evaluation rubrics will be distributed to faculty within each school/college to provide them the opportunity to give feedback on their decanal leadership. The evaluation rubric will consist of a series of questions in which participating faculty will assign a score and will be given an opportunity for discursive comments. The discursive comments allow faculty to state any reasons they have for believing that the decanal leadership has or has not helped the school or college make progress in meeting its mission and goals. The Executive Committee will tabulate the results of the evaluation and submit a summary report and all completed evaluation rubrics to the Provost. The rubric responses and comments will be anonymous and will not be edited. The Provost will communicate the results of the evaluation to the full-time faculty within the school or college within sixty (60) days of the completion of the evaluation. The results shall be used by the Provost to improve the effectiveness of deans and to make recommendations to the President regarding their continuation or replacement.

A4.3 Appointment, Term, and Evaluation of Department Chairs and Directors of Academic Programs

A4.3.1 Search

When a new department chair position is created, or an existing department chair position is vacated, a departmental search committee shall be established. The size and composition of the search committee shall be determined by the faculty of the department. The dean shall appoint the chair of the committee and notify the department, in writing, of the scope of the search. The search committee shall present a recommendation to the dean, who shall also develop a recommendation. The dean's recommendation, along with that of the departmental search committee, shall be forwarded to the Provost. The Provost will then provide any recommendations and forward all recommendations to the President for final decision.

A4.3.2 Appointment

The President appoints department chairs based on recommendations from the Provost, the dean, and the departmental faculty search committee, as defined above.

A4.3.3 Term

The term of office for department chairs shall be three (3) years, unless a shorter term is stated in the Letter of Appointment, as determined by the President.

A4.3.4 Reappointment and Evaluation

Incumbent chairs shall be eligible for reappointment at the expiration of a term. Chairs shall be subject to performance evaluations by their respective dean at least every two years. In addition,
during the final year of a department chair’s term, the dean shall seek input from the full-time faculty of the department to evaluate the chair's performance by such procedures as the full-time faculty may establish. On the basis of this evaluation, the full-time faculty shall recommend reappointment or replacement of the chair to the dean. The dean's recommendation, along with that of the faculty, shall be forwarded through the Provost for a recommendation, and then on to the President for final decision.

**A4.3.5 Removal**

Chairs serve at the will and the pleasure of the President, and may be removed by the President at any time prior to the expiration of a term, as described in this section. Removal of a chair may also be initiated by the department upon the vote of two-thirds of the full-time faculty members of the department. The chair will be allowed to present his/her rebuttal to the dean and Provost prior to the President’s final decision regarding removal. The dean or Provost may also recommend the removal of a chair. In each case, the chair may present his/her rebuttal to the next level of authority. Compensation as chair terminates at the point of removal.

**A4.3.6 Directors of Academic Programs**

Procedures guiding the search for and the appointment, reappointment, term, evaluation, and removal of directors of academic programs are the same as those for department chairs.

**A4.3.7 Academic Associate Deans in Schools without Departments**

In schools that are not organized into departments, associate deans for academic affairs who fulfill responsibilities similar to those of department chairs shall be evaluated by their respective deans at least every two years. The dean shall seek input from the full-time faculty of the school by such procedures as the full-time faculty may establish in collaboration with the dean.
Chapter B: Terms and Conditions of Faculty Employment

The Faculty Handbook sets forth the terms and conditions of faculty employment at Howard University. Chapters B, C, D, E, F, and G of the Faculty Handbook are incorporated into the individual contract of employment of each faculty member.

Faculty members are subject to the Faculty Handbook and to the Employee Handbook. If a provision of the Employee Handbook conflicts with a provision of the Faculty Handbook, the provision stated in the Faculty Handbook shall govern.

Faculty members in the colleges that comprise the Health Sciences who are expected to provide clinical patient services are not only subject to the provisions contained here, but shall also be subject to the provisions set forth in the Howard University Medical Staff Bylaws and, where applicable, in a Faculty Practice Plan. The Howard University Medical Staff Bylaws contain rules, policies, and procedures governing patient services.

No individual faculty member’s contract or agreement may supersede the provisions of the Faculty Handbook.

Schools and colleges within the University may promulgate and enforce their own Board-approved bylaws and other policies. Those bylaws and policies will apply only to faculty members within the particular school/college. The bylaws and policies must be consistent with the Faculty Handbook. If provisions of an individual school’s or college’s bylaws or policies conflict with any provision of the Faculty Handbook, the provisions of the Faculty Handbook shall govern.

For faculty members who are members of a collective bargaining unit, the applicable collective bargaining agreement will provide additional terms and conditions of employment. To the extent that the Faculty Handbook and the applicable collective bargaining agreement do not conflict, both the Faculty Handbook and the collective bargaining agreement shall govern. If one or more provisions of a collective bargaining agreement conflict with provisions of the Faculty Handbook, the provisions of the collective bargaining agreement shall govern.

Section B1: Faculty Rights and Responsibilities

Important principles are associated with the appointment of faculty at Howard University. These principles include academic freedom and responsibility, professional ethics, tolerance, and good citizenship.

B1.1 Academic Freedom and Responsibility

Faculty members are entitled to academic freedom in teaching, research, publication, scholarly activity, assembly, service, and in the generation and transmission of new knowledge.

Academic freedom is defined as follows:

1) freedom of inquiry, thought, expression, publication, and peaceable assembly;
2) the unrestricted exploration of subjects (including controversial questions), both on and off the campus, in a professionally responsible manner; and

3) expression and communication of the widest range of viewpoints, in accord with standards of research integrity, scholarly inquiry and professional ethics, free from internal or external interference or coercion.

Academic discourse frequently involves a strong expression of opinions, including discussion, deliberation, and debate.

The responsibility for defining the particulars of academic freedom primarily lies with the faculty as a body, guided by national norms, such as the “1940 Statement of Principles on Academic Freedom and Tenure” issued by the American Association of University Professors. The exercise of academic freedom entails correlative duties of professional care when teaching, conducting research and scholarship, performing service, or otherwise acting as a member of the faculty.

Academic freedom in research is exercised in the pursuit of new knowledge, the publication of results, and in the generation of new concepts, theories, and hypotheses. In their exercise of academic freedom in research, faculty should be aware that they are subject to policies, regulations, and guidelines governing research that may be required by the University or by external entities such as government agencies or sponsors. Among these are the University’s policies regarding sponsored research, intellectual property, research involving human subjects, research involving animals, academic fraud, scientific misconduct, and hazardous materials. The University has policies on the disposition of intellectual property, which are found in the Howard University Intellectual Property Policy. Faculty should be mindful that the University may have, and may assert, ownership of intellectual property developed by faculty, staff and, in some cases, students. Faculty must be careful not to provide University intellectual property, or their associated rights, to third parties without written permission from the Howard University Intellectual Property Committee. In sponsorship agreements, the University will generally try to retain intellectual property rights, or obtain fair consideration for them.

Academic freedom in the classroom, at scholarly assemblies, or in other learning environments involves the discussion and/or transmission of knowledge and information by faculty to foster in students a mature independence of thought and expression. In these contexts, faculty should be careful matters introduced into their teaching have a legitimate educational purpose. Students are entitled to an atmosphere conducive to learning and to fairness and respect in all aspects of the teacher-student relationship. Thus, faculty members must ensure that their treatment of students complies with all University policies, rules and regulations, including those regarding equal opportunity, non-discrimination, harassment and mistreatment, and the University's commitment to promoting the educational aspirations and achievements of all students.

Faculty members also have rights common to all citizens, free from institutional censorship or discipline for private activities, except insofar as such actions affect substantially their responsibilities to the University. At the same time, Howard University faculty members are obligated to be accurate, to exercise appropriate restraint, and to show respect for the opinions
of others. Each faculty member has the right to criticize and seek alteration of institutional regulations and policies through appropriate means. However, faculty should remember that the public may judge their profession and the institution by their utterances and, therefore, should make clear when they are operating as individuals, rather than speaking on behalf of the University.

A faculty member’s exercise of academic freedom shall not affect his or her terms and conditions of employment, including appointment, reappointment, performance evaluations, promotion, and tenure.

**B1.2 Professional Ethics and Conduct**

As members of a learned profession and the University community, faculty members, administrators and supervisors have special ethical obligations. These ethical standards are the repository of what experience has revealed regarding how scholars can live together to the best advantage of the academy and the larger community. All faculty members, administrators and supervisors are required to maintain the highest standards of honesty, integrity, professionalism, and ethical behavior and conduct in carrying out their roles and responsibilities as members of the Howard University faculty.

Faculty members, administrators and supervisors are required to adhere to all local, state, and federal laws and regulations, as well as Howard University policies and procedures. Federal laws relevant to higher education include, but are not limited to, Family Educational Rights and Privacy Act (FERPA), the Americans with Disabilities Act (ADA), the Rehabilitation Act, the Civil Rights Act of 1964, Title IX of the Education Amendments Act of 1972 (Title IX), the Family and Medical Leave Act of 1993, and the National Labor Relations Act. Applicable University policies include, but are not limited to, the Employee Handbook, the Code of Ethics and Conduct, the Equal Employment Opportunity (EEO) policy, the Title VII policy, the Title IX policy, and all other applicable policies listed on the University’s policy website. Faculty members, administrators and supervisors must also comply with any codes of conduct or ethics of professional associations or societies to which they belong. These include, but are not limited to, any established code regulated by the Department of Health for those licensed as health professionals in the District of Columbia and any other jurisdiction in which they hold a professional license.

The University will provide appropriate training and educational opportunities regarding compliance with applicable laws, rules, and regulations. Certain training may be mandatory.

Faculty are encouraged, and in some cases required, to report suspected violations of federal laws. Retaliation against faculty who report unlawful conduct is strictly prohibited.

Disciplinary actions against faculty members for alleged violations of applicable laws, regulations, and policies must adhere to the grounds and procedures outlined in Chapter E of this Handbook. Actions that aim to adversely affect faculty for matters outside of those specified in this Handbook are prohibited. In addition, actions that sanction faculty through means outside of the guidelines prescribed in Chapter E or that adversely affect a faculty member’s terms or conditions
of employment, teaching, research, or service are prohibited. Such actions are prohibited because they may penalize faculty for considerations not outlined within this handbook and fail to provide sufficient notice to faculty of the basis for action, avenues for effective communication of concerns and goals, and timely resolution of conflict. Faculty members who are subjected to such actions are advised to seek informal resolution through normal administrative channels or through the Office of the Faculty Ombudsperson. If such steps do not resolve the matter, faculty members with access to the Faculty Grievance process may file a complaint according to the provisions of Sections F4 and F5 of this handbook.

**B1.3 Tolerance**

To maintain a community and campus environment in which all members are treated with respect and decency, Howard University aims to do more than take action against all forms of intolerance specified under applicable laws and regulations. The University desires to maintain an inclusive environment in which the invidious stigmatizing of any member of the University community is discouraged. The University will affirm the dignity of persons with diverse identities, statuses, conditions, and circumstances. To that end, the University will increase awareness and provide educational opportunities to prevent the spread of intolerance and stigmatization and to affirm the value of diversity.

Any member of the community who engages in any form of prohibited discrimination or harassment based on race, color, religion, national origin, sex/gender, sexual orientation, disability, age, gender identity, gender expression, non-conformance with gender stereotypes, appearance, political beliefs, veteran status, family status and responsibilities, marital status, genetic information, unemployment status, or any other characteristic protected by Federal and/or District of Columbia law will be subject to discipline according to applicable University policies. Any person who retaliates against a person who reports an alleged violation will also be subject to discipline.

**B1.4 Good Citizenship**

Participation in departmental, school/college, and University activities is vital to the achievement of the educational and research mission of the University. Therefore, faculty members are expected to serve on various University, school/college, and departmental committees and are encouraged to engage in other designated activities where their expertise is needed.

Faculty members are strongly encouraged to attend the University’s Opening Convocation, Charter Day, and Commencement Convocations. Faculty members are also encouraged to participate in other departmental, school/college, and University programs and activities.

**Section B2: Core Responsibilities: Teaching, Scholarship, and Service**

Appointment to the faculty of Howard University carries with it responsibilities for excellence in teaching, research, and service. Additionally, faculty members have a responsibility to participate in the life and operation of the University and, particularly, the department and
school/college of their appointment. Although the final authority for the conduct of University affairs is vested in the Board of Trustees, the academic judgments, recommendations, and policies of the faculty are central to the University's general educational policy and critical in determining the shape and character of the University as an educational institution.

The mission of Howard University includes the provision of quality education for any student, but especially those students who may not otherwise have an opportunity to acquire an education of the type provided at Howard.

**B2.1 Teaching and Related Responsibilities**

Faculty members' pursuit of teaching excellence is a life-long commitment and includes the following specific responsibilities:

1) To have a firm command of their subjects and keep abreast of new developments in their discipline.

2) To employ teaching strategies that promote the learning process and communicate their subjects effectively.

3) To instruct classes, conduct clinical sessions, and fulfill other instructional responsibilities with students and patients at the scheduled time and place, in a manner consistent with curricular objectives. When an emergency prevents the faculty member from fulfilling these responsibilities, the faculty member must follow the notification procedures applicable to the department and the school/college. When the fulfillment of other approved professional responsibilities (for instance, participating in a professional meeting) creates a conflict, the faculty member should notify students or other affected parties in advance, and make arrangements for substitute instruction or conduct an appropriate make-up session in accordance with the procedures applicable to the department and the school/college.

4) To receive appropriate University-approved certification and training and receive approval from the appropriate department chair and/or dean prior to offering or teaching on-line or distance-learning courses.

5) To provide each student with a written or electronic copy of the course syllabus or a course guide summarizing the objectives and requirements of the course, the required textbooks or other sources to be used, and the applicable attendance and grading rules.

6) To comply with any and all reasonable accommodations provided to students as determined by appropriate University officials in accordance with applicable laws and regulations, including, but not limited to, the ADA, the Rehabilitation Act and Title IX.

7) To evaluate all student work with impartiality and complete and submit grades in a timely manner in accordance with the schedule of due dates announced by the Office of the Registrar.
8) To avoid discrimination based on race, color, religion, national origin, sex/gender, sexual orientation, disability, age, gender identity, gender expression, non-conformance with gender stereotypes, appearance, political beliefs, veteran status, family status and responsibilities, marital status, genetic information, unemployment status, or any other characteristic protected by Federal and/or District of Columbia law. Faculty members must be sensitive to the harmful consequences of professorial or student conduct that perpetuates stereotypes or prejudices. Failure to abide by and uphold these specific responsibilities may result in disciplinary action including, but not limited to, suspension or termination.

B2.1.1 Student Advising

An important component of each faculty member’s instructional responsibilities is that of advisor to students, both in the narrow sense of mentor for their class performance and research projects at the undergraduate or graduate levels and more broadly as a mentor for career plans and larger educational or career goals.

Faculty advisors assist students with virtually all aspects of the academic experience and provide information regarding campus resources as needed. Some of the responsibilities of academic advisors include, but are not limited to, assistance with goal setting, assistance with personal growth and career development (including preparing letters of recommendation), selection of educational program (major, minor, course of study, etc.), monitoring academic progress, clarification of academic and institutional policies, assistance with other academic issues, navigation within the campus environment, and assistance with campus resource identification and utilization.

In performing this advising function, faculty members should make every reasonable effort to ensure that the information they transmit is timely and accurate.

B2.1.2 Office Hours and Availability

Faculty members are required to be available to advise students throughout the academic year. While faculty members should take full advantage of available technology for purposes of advising students, they must also make themselves available on campus for in-person student advising. Faculty members are required to maintain regular offices hours throughout the semester, and to list their in-office conference hours on every course syllabus and inform the appropriate staff members of the academic unit of their availability.

Faculty members must also be reasonably available to colleagues for purposes of discussing teaching methods, content of courses, possible topics of scholarship, scholarly work in progress, and other related matters.

B2.1.3 Summer Employment of Faculty Members on Nine-Month Contracts
Members of the faculty who are on nine-month contracts may participate in the University’s summer instructional program with the approval of the department chair, the dean, and the Provost. Faculty members on nine-month contracts may also receive compensation from both internally funded and externally sponsored research projects during the summer under applicable guidelines of the University and the respective sponsoring agencies. Compensation from externally sponsored projects is governed by the university’s Institutional Base Salary Policy and the faculty member’s annual Institutional Base Salary letter. Nothing in this section intends to suggest that faculty members on nine-month contracts must be employed by the University during the summer, or serves as any form of guarantee or offer of summer employment by the University. Non-appointment or non-assignment during the summer term is not grievable.

B2.2 Scholarship

As members of learned disciplines, faculty members at Howard University have a responsibility to produce original scholarship that advances knowledge. Scholarship may take different forms, depending on the conventions of the various academic disciplines. In most fields, books, monographs, articles in academic journals, proceedings, and other written communications, with varying conventions regarding style, format, attribution of authorship, and peer review, constitute the chief form of scholarly communication. In certain fields, however, particularly those that focus on design or artistic expression, the products of the intellectual work and the venues in which they are displayed and juried take different forms. Similarly, the advance of knowledge in certain disciplines depends heavily on external sponsorship, in which case scholarship may include submitting grant proposals, fulfilling the terms of sponsored agreements, and communicating the findings in appropriate research publications.

Proper stewardship of the academic disciplines also requires participation in preparing succeeding generations of scholars, both through dissemination of research results (in the classroom as well as in other appropriate venues) and mentoring future researchers at both the undergraduate and graduate levels.

B2.3 Service

Although many duties within the University are assumed by professional administrators, members of the University faculty retain substantial collective responsibility and authority to provide institutional leadership. Thus, individual faculty members have a responsibility to assume a fair share of that leadership, including participation in departmental and school/college faculty meetings and service on departmental, school/college, and University committees. Faculty members are expected to fulfill their faculty duties in a professional, timely, and responsible manner. Also, faculty members are expected to serve the academic, professional, and civic communities with their expertise.

Faculty members are encouraged to serve as advisors and/or resource persons for student organizations that offer academic, cultural, religious, social and athletic opportunities for experiential learning.
B2.4 Evaluation of Faculty Performance

Faculty are evaluated using a variety of criteria in the areas of teaching, research, and service, as determined by the nature of the faculty appointment, the school/college bylaws, the Faculty Handbook, the President and the Board of Trustees. Each school/college must adopt criteria and guidelines that are used to conduct a regular performance review of all full-time and part-time faculty members. These performance reviews are intended to promote faculty development. In addition, such performance reviews may be used to provide guidance when determining whether a faculty member will be recommended for reappointment, promotion, and/or tenure, but they may not substitute for the procedures described in Sections C2.3 and D2 below.

Faculty members whose terms and conditions of employment are covered by a collective bargaining agreement will be evaluated according to the provisions of the agreement.

Besides receiving on-going, informal mentoring, every full-time faculty member holding a tenured, tenure-track, non-tenured renewable term, or temporary appointment will be formally evaluated at a minimum of every two (2) years. However, most schools and colleges conduct such evaluations on an annual basis so that faculty members may regularly receive feedback on their performance. These faculty evaluations are designed to:

1) provide a basis for counseling and advisement with respect to faculty development;

2) establish a comprehensive record regarding areas of growth and development over time;

3) establish goals and objectives for the succeeding evaluation period; and

4) provide a basis for awarding faculty compensation increases.

Before the start of each academic year, the department chair will meet with each faculty member and agree to the workload distribution and related goals and objectives that will be used during the evaluation period. In schools and colleges without departments, the dean will meet with the faculty member.

In preparation for the end-of-year evaluation, the department chair (or dean), will review the faculty member’s performance with the performance evaluation rubric that has been approved by the school or college. Upon completion of his/her review, the chair (or dean) will meet with the faculty member to discuss the evaluation results. The faculty member will be required to sign the evaluation to indicate that he/she has received and examined it; if the faculty member is unavailable to sign, then a suitable acknowledgement of receipt, such as an email communication, will suffice. When a faculty member disagrees with the evaluation results in part or whole, he/she may provide a written statement of rebuttal, explaining his/her agreement or disagreement with one or more parts of the evaluation results. This written statement will be added to the faculty member’s personnel file. Subsequently, the chair (or dean) will inform the faculty member of the right to appeal the decision. The faculty member may submit a written
request to the dean of the school/college for reconsideration and, if the matter is not satisfactorily resolved, the faculty member may appeal to the Provost.

**B2.5 Outside Commitments and Conflicts**

The University recognizes that limited consulting and other outside activities of a professional nature are desirable. Such activities are encouraged as a way to give the faculty member experience and knowledge valuable to professional growth and development or help the individual to contribute to the University or community. The University also recognizes that a system of precise time accounting is incompatible with the inherent character of the work of a faculty member, since the various functions performed are closely interrelated and do not conform to any meaningful division of a standard work week.

To avoid potential or perceived conflicts of interest and/or commitment and to protect against the risk of conflicting obligations or interests, consulting and other outside activity shall, in the aggregate, not exceed the equivalent of one (1) day per week.

Before the start of each academic year, full-time faculty members who have outside consulting, employment, or business interests must disclose such outside consulting, employment, or business interests.

Part-time faculty members who are engaged in externally sponsored research projects on behalf of the University are required to disclose any potential conflicts of commitment, obligation, or interest resulting from any non-University employment, consulting, or business interests.

Faculty members will submit their disclosure statements to the department chair (or, in schools that do not contain departments, to the academic associate dean) who will communicate any questions or concerns to the submitter. If these questions are not resolved, the matter is to be submitted to the dean, who, in turn, may refer the matter to the Provost and, if necessary, to the Chief Financial Officer or the General Counsel. In cases where the University deems that a disclosed external activity constitutes a conflict of interest or a conflict of commitment, an appropriate administrative officer will communicate that finding to the faculty member in writing in a timely manner.

Responsibility for preventing conflicts lies, primarily, with individual faculty members. Thus, faculty members whose situations materially change during the academic year or who believe they face actual or potential conflicts of interest or commitment are required to initiate discussion of the circumstances with an appropriate administrator as soon as they know or have reason to believe such a conflict exists.

A faculty member should not use University resources, such as support services, students, or supplies, for the gain or benefit of an outside enterprise. Limited use of these resources, however, may be made for service to professional societies in one’s discipline and in connection with nonpartisan public service. In addition, faculty may use office space and equipment assigned for their individual use, but they must avoid using their office in a manner that could
suggest University affiliation with their outside enterprise. For the same reason, faculty are not to use University letterhead for communications connected with their outside employment, consulting, or other business interests. All faculty members are subject to the University’s Financial Conflict of Interest in Research Policy.

A faculty member’s failure to provide the required information or otherwise abide by the conditions of this portion of the Faculty Handbook, including taking action required by the Provost or other University official to eliminate a conflict of commitment, obligation or financial interest, may result in disciplinary action, up to and including termination.

**B2.5.1 Political Activity**

The Internal Revenue Code imposes limitations on tax-exempt organizations, such as Howard University, relating to any attempt to influence legislation or to participate or intervene in political campaigns on behalf of candidates seeking public office.

Although every member of the academic community has a right to participate in the political process as he or she sees fit, no member of the community should speak or act in the name of the institution in a political campaign.

Faculty members shall observe the following principles when planning and engaging in political activities that might either directly or indirectly involve the University:

1) Faculty speaking at University sponsored events and in official University publications may make comments regarding candidates for public office, provided it is clear that any such comments represent their personal views and are not the views of the University.

2) Faculty who wish to participate in campaign activities may do so in their individual capacities outside the course of their regular work and responsibilities for the University and in a manner that does not interfere with the fulfillment of these responsibilities.

3) Faculty may not utilize University resources in support of one or more candidates for public office. University resources include, but are not limited to:

- The Howard University name, seal or marks
- University files, directories, databases, mailing lists or donor rolls
- University buildings and facilities, including offices and University addresses
- University students or employees, such as administrative staff
- University funds
- University website, email addresses, social media accounts, listservs and campus mail
• University-provided office supplies and equipment, such as letterhead, printers and copiers
• University publications.

4) Faculty should use their Howard University title or position only for identification purposes.

5) Faculty who participate in campaigns for candidates for public office should do so off-campus, should not use the University name in connection with such activity, and should not state or suggest support from or sponsorship by the University.

6) Faculty who wish to make or solicit contributions to candidates should do so outside the course of their regular work and responsibilities for the University, without using University resources, and without using the University name or suggesting any support or endorsement by the University.

7) Faculty should refrain from soliciting contributions or other support for candidates from students or employees whom they supervise.

8) With respect to campus appearances of political candidates:
   • Faculty may not provide any candidate or his/her representative with an on-campus forum to promote his or her candidacy unless an equal opportunity is provided to other candidates.
   • Faculty may invite several candidates for the same office to speak on a broad range of issues at a public forum, but must explicitly state that the University does not endorse or oppose any particular candidate, and provide an unbiased forum for the exchange of ideas between candidates.
   • Faculty should take care to avoid the appearance of partisan support with respect to any invitations they may extend to candidates to speak at the University.

More elaborate guidelines, which were developed under the auspices of the American Council on Education to assist universities in complying with the applicable provisions of the Internal Revenue Code, may be found on the American Council of Education’s website.

Questions about the application of these guidelines should be addressed through the Provost to the Office of the General Counsel.

B2.5.2 Nepotism

Faculty members may not serve as administrators or supervisors of their immediate family members or participate in decisions providing a direct benefit to these persons. Decisions in which familial relationship precludes participation include initial appointment, reappointment,
promotion, award of tenure, termination, salary, merit pay, and leave of absence. (Immediate family member shall mean spouse, sibling, parent, grandparent, child, and grandchild. All relationships are included, whether full-, half-, step-, foster, adopted, or in-law.)

There may be other situations in which familial relationship could interfere with objectivity or cast doubt on the objectivity of a decision. Faculty members are expected to recognize such situations and discuss them with the appropriate dean, who will determine what action is necessary, if any, to resolve the matter and inform the interested parties in writing.

**B2.6 Obligation to Report Known or Suspected Violations**

In cases where reporting is required by law or applicable professional or ethics rules, proper reporting is required by this handbook. In other cases, faculty members are encouraged to report violations of any law or policy that has the potential to affect the University adversely to an appropriate administrator. The reporting obligation also extends to violations of regulations designed to ensure the health and safety of the University community. As employees, faculty members are protected by the University’s Whistleblower Policy articulated in the Employee Handbook. It is especially incumbent on faculty members who serve in administrative capacities to report such suspected violations.

In addition, all faculty members are designated Responsible Employees under the University’s Title IX Policy. This means that all faculty members have an affirmative obligation to report any information regarding possible violation of the University’s Title IX Policy to the Title IX Coordinator. Failure to fulfill such reporting obligations may result in discipline, up to and including suspension or termination. As employees, faculty members are protected against retaliation for reporting possible violations.

**Section B3: Faculty Salary, Benefits, and Leave**

**B3.1 Salary**

At the point of hire, and each year thereafter, each faculty member is informed of his or her annual salary, which is the compensation that Howard University pays for his or her professional services during the year. Additional details may be found in the University’s Institutional Base Salary Policy.

**B3.2 Benefits**

Like other universities, Howard University offers an array of benefits designed to attract and retain faculty members and staff who assure the integrity and high quality of academic programs at every level: undergraduate, graduate, and graduate-professional. These benefits typically fall into three categories: (1) those that are mandated by national or local law or government regulations, which may include workers’ compensation and unemployment compensation; (2) those for which the University contracts with third-party vendors, which may include health insurance, short-term and long-term disability benefits, life and accidental death and
dismemberment insurance, long-term care insurance, a group legal services plan, and retirements plans; and (3) those provided and administered directly by the University, which may include flexible spending accounts, an employee assistance program, parking, and tuition remission. Specific information about benefits plans and options is available from the Office of Human Resources.

**B3.2.1 Tuition Remission**

The University offers remission for University tuition to all eligible employees, including faculty members. Tuition remission is offered to faculty members consistent with the terms and conditions of the Board-approved Tuition Remission Policy and the Employee Handbook. Further details respecting eligibility, benefits, and application procedures may be obtained from the Office of Human Resources.

**B3.3 Faculty Leave and Procedures Associated with Various Types of Leave**

A leave is a negotiated agreement whereby a faculty member or a member of the administration who holds faculty rank is granted approval to be absent from his/her regular duties. A leave with pay means that the University pays all or a part of the person’s salary and fringe benefits; a leave without pay means that the University does not pay any part of the faculty member’s regular salary or fringe benefits. A faculty member on leave may return to the position for which he/she is qualified in the area that granted the leave; previously earned benefits and seniority are not lost.

**B3.3.1 Sabbatical Leave**

Howard University recognizes the need for faculty members to acquire new experiences to enrich their teaching or to secure uninterrupted time for research and writing, and, therefore, supports the principle of sabbatical leave. The University desires to encourage professional growth and increased competence and productivity among faculty members by subsidizing significant research, creative work, or other worthy projects.

**B3.3.1.1 Eligibility**

Any tenured faculty member, including one serving in an administrative position, who has served full time for six (6) or more years at Howard University, is eligible for consideration for a sabbatical leave. Subsequent sabbatical leaves may be applied for after each six (6) year interval of full-time service.

**B3.3.1.2 Term and Compensation**

The normal level of salary support shall be one half of full salary for one (1) academic year; in exceptional cases, full salary for one semester may be provided. Salary raises and benefits, if any, will not be withheld by reason of the sabbatical leave, and both the University and the faculty member will continue to pay the normal full share toward retirement, group life insurance, health and disability insurance, and tuition remission benefits according to applicable University policy.
A faculty member receiving a sabbatical leave may also apply for an additional fellowship or grant from an appropriate source for the sabbatical period. If the net of those monies shall total more than the faculty member’s normal salary, when such monies are added to the sabbatical salary minus all reasonable expenses related to the sabbatical project, the faculty member’s salary from the University shall be reduced by the amount that exceeds the normal salary.

**B3.3.1.3 Application Procedures**

To initiate a request for sabbatical leave, a faculty member must submit a formal written application. For academic units with departments, the application is submitted to the department chair. Since the regular full-time departmental faculty may be expected to assume the teaching load of the individual on sabbatical leave, the department chair, in consultation with the departmental Executive Committee, will forward to the dean a recommendation that includes a statement of departmental plans in this regard.

For academic units without departments, the application is submitted to the dean (or the dean’s designee) or to the committee designated by the school’s bylaws. The committee will forward to the dean a recommendation that includes a statement of the academic unit’s plans to cover the teaching responsibilities of the individual on sabbatical leave.

The dean, upon receipt of the sabbatical leave application, shall evaluate the proposal for its professional worth and its overall value to the faculty member and the University. The dean shall forward his/her recommendation to the Provost, who shall in turn make a recommendation to the President in light of the total needs and financial situation, curriculum and business needs of the University. The decision of the President is final.

Applications for sabbatical leave commencing with the fall semester must be submitted on or before March 1; and applications for sabbatical leave commencing with the spring semester must be submitted on or before September 1. The deadlines permit the application file to be considered by the department, dean, Provost and President and arrangements to be made to cover the faculty member’s courses and other duties.

A sabbatical leave is not an automatic right upon completion of the required period of service. The project for which leave is requested must be beneficial both to the faculty member and the University. Sabbatical leave requests to permit a faculty member to pursue an academic degree will not be approved.

**B3.3.1.4 Obligations of Sabbatical Leave Recipients**

The recipient of a sabbatical leave is required to:

1) Make every reasonable effort to fulfill the terms of the sabbatical leave.

2) Return to the University for a minimum of one (1) academic year following completion of the sabbatical leave. If the faculty member does not return to the University for at least
one academic year after completing the sabbatical leave, he or she is required to repay the salary paid by the University during the time of sabbatical leave.

3) File a report on the results of the sabbatical leave project with the department chair, Sabbatical Leave Review Committee, dean, and the Provost within 30 days of the beginning of the semester in which the faculty member returns to the University.

Faculty are not expected to attend departmental, school, or college committee meetings while on sabbatical leave; however, attendance at meetings is at the discretion of the faculty member on sabbatical leave.

**B3.3.2 Medical or Disability Leave**

Faculty members are eligible to participate in the medical and/or disability leave programs offered to University employees. Further details respecting eligibility, benefits, and application procedures are contained in the Employee Handbook, or may be obtained from the Office of Human Resources.

**B3.3.2.1 Short-Term Medical Leave**

Normally, absences due to illness (up to 1 week) are handled informally within the academic units. The faculty member is expected to notify the department chair (or dean) in advance, if possible, and assist in arranging for a temporary replacement. Medical documentation may be required as stated in the Employee Handbook.

**B3.3.2.2 Extended Medical Leave with Pay**

Requests for leave with pay beyond one week and up to one month may be authorized by the dean. Requests for leave with pay beyond one month must be recommended by the dean and approved by the Provost. Such approval is contingent upon review of the relevant medical documentation by the Office of Human Resources and the dean’s assessment of relevant circumstances, such as the instructional unit’s ability to make reasonable accommodations.

**B3.3.2.3 Long-Term Leave**

If a full-time tenured or probationary tenure-track faculty member or a faculty member in one of the Board-approved categories of non-tenured renewable term appointments is unable to perform all or a substantial part of the faculty member’s duties for a significant period of time because of a documented medical disability for which there is not an effective reasonable accommodation to permit the faculty member to perform the duties, the faculty member may request leave according to the existing benefits plan available to University employees concerning long term medical disability. This may, upon the approval of the dean and, when required, the Provost, include extended medical leave as provided for in Section B3.3.2.2. In addition to the University-wide benefits and extended medical leave, such a faculty member may also request leave without pay a) for up to two (2) academic years or b) until such time as the faculty member may be able to resume normal duties, whichever period is shortest.
If the faculty member does not request leave or if any approved period of leave has expired and the faculty member continues to be unable to perform his/her regular duties, the appropriate dean will initiate a recommendation to terminate the faculty member’s employment, after taking the following steps: The dean will consult with the faculty member and inform him/her of the basis for the proposed action. The faculty member will be afforded an opportunity to respond and present his/her position. The dean shall forward any recommendation for termination on medical disability grounds to the Provost, who, in turn, shall forward the file, together with his/her own recommendation, to the President and Board for final action. Before the Provost forwards the case to the President, faculty members who have access to the Faculty Grievance process may grieve the recommendation for termination due to medical disability using the procedures provided in Section F2 related to other types of termination.

In the event that a faculty member who is not eligible for the above benefit is unable to perform all or a substantial part of his/her duties for a significant period because of medical disability, despite reasonable accommodation, the University may terminate the appointment prior to the end of the contract period. The decision to terminate will be reached only after the faculty member has been informed in writing of the basis for the proposed action and allowed an opportunity to respond.

**B3.3.4 Family Medical Leave**

Faculty members may be eligible for leave under the ADA, FMLA, DCFMLA and/or to short-term, extended, or long-term benefits as required by law and as provided by University plans. Additional information on family medical leave is available in the Employee Handbook and from the Office of Human Resources.

**B3.3.5 National Service Leave**

Faculty members are provided with national service leave consistent with the terms of the Employee Handbook. Additional information regarding national service leave is available from the Office of Human Resources.

**B3.3.6 Civic Duty Leave**

Faculty members are provided with leave for the performance of civic duties consistent with the terms of the Employee Handbook. Additional information regarding leave for performance of civic duties is available from the Office of Human Resources.

**B3.3.7 Unpaid Leave of Absence**

A full-time faculty member may submit a written application for leave without pay. The application must be made in advance of taking such leave, preferably by April 1 for a leave commencing the following fall semester or by September 1 for a leave commencing the following spring semester. In schools with departments, leave applications require a recommendation from the department chair. Before making a recommendation, the department chair may consider the following:
1) whether the individual contributed to the department and the University in such a positive way that the department wishes to encourage his/her return as a faculty member after completion of the leave period; and

2) whether it is possible to obtain an effective teaching replacement for the period of the leave without pay.

The chair will make a written recommendation in light of these considerations and forward it, together with the faculty member's application, to the appropriate dean who will in turn transmit the package, along with his/her own recommendation, to the Provost. The Provost will then make a recommendation and submit the entire package to the President for final decision.

In schools without departments, the initial application is made to the dean for recommendation or in accordance with school bylaws. If the dean’s recommendation is negative, the Provost will give the applicant an opportunity to justify the request before forwarding the matter to the President.

The term of such leave usually will not exceed two (2) consecutive years.

The University will not pay fringe benefits to faculty members while they are on unpaid leave. However, the faculty members may arrange to maintain coverage through personal contributions by making arrangements with the Office of Human Resources. When faculty members return from unpaid leave, their salaries may be adjusted to include general salary increases that may have been given during the time of the leave.
Chapter C: Types of Faculty Appointments, Appointment and Reappointment Procedures, Resignation, Retirement, and Separation of Faculty Due to Financial Exigency

Section C1: Types of Faculty Appointments

Faculty members at Howard University hold appointments in one of three broad categories: (1) tenured and probationary tenure-track faculty; (2) faculty serving on non-tenured renewable term appointments; and (3) temporary faculty.

Certain academic ranks (or titles) apply in each of these categories. The tenured faculty of the various academic units of the university must develop criteria for evaluating candidates who seek appointment to faculty positions at each of the ranks. The dean of the school/college in which the unit is administratively located will certify to the Provost that these criteria are consistent with the bylaws and the appointment, promotion, and tenure (APT) criteria that the Board of Trustees has approved for the school/college. Where applicable, a program may require national professional board certification for initial appointment or promotion to any rank.

Certain appointment terms apply in each of the three categories as well. For example, probationary tenure-track initial appointments are for three (3) years at the rank of Assistant Professor and four (4) years at the rank of Associate Professor, with term limits of seven (7) years at the rank of Assistant Professor and five (5) years at the rank of Associate Professor. Appointments in a non-tenured renewable term faculty track range from one (1) to five (5) years, depending on the rank and the school/college of the appointment. Temporary faculty members, including part-time (or adjunct) faculty, are appointed on terms not to exceed one (1) year.

A detailed description of the tenured and probationary tenure-track faculty category is given in Section C1.1, the non-tenured renewable term track category is described in Section C1.2, and the temporary track (full-time and part-time/adjunct) category is described in Section C1.3. Specifically, these sections describe the ranks, qualifications, term, and, where applicable, other provisions for the three categories in which faculty members at the University hold appointments. Finally, special academic titles that may be awarded are described in Section C1.4 and the administrative location of faculty appointments is described in Section C1.5.

C1.1 Tenured and Probationary Tenure-Track Faculty

Tenured faculty are senior faculty members whose records of achievement in their fields, as determined by peers, administrators, and external reviewers, have merited the award of indefinite tenure by the Board of Trustees of the University. Tenured faculty members typically hold the rank of Associate Professor or Professor. Although persons may be awarded tenure upon initial appointments at either of these two ranks, the award of tenure typically results from career advancement, whereby a probationary Assistant Professor is promoted to Associate Professor with tenure.
A faculty member who has been awarded indefinite tenure has a continuous appointment made by the Board of Trustees that extends to retirement, death, or resignation, subject only to termination for just cause or for financial exigency and then only according to the guidelines specified in the Faculty Handbook. Tenure is awarded only by the Board of Trustees of the University, upon the recommendation of the President, who is guided by the judgment of the faculty review committees and administrators in the prior levels of review. No faculty member shall receive tenure by default or by merely serving in a position for the maximum probationary period.

Probationary tenure-track appointments have term limits that vary by rank: for probationary Assistant Professors on the tenure track, seven (7) years, and, for probationary Associate Professors on the tenure track, five (5) years. Probationary faculty members holding those ranks are generally appointed to initial terms of three (3) years for Assistant Professors and four (4) years for Associate Professors. Probationary Assistant Professors may be appointed to a second three-year term prior to the required sixth-year review for tenure and promotion. Persons hired on probationary tenure-track appointments prior to the adoption of this Handbook will be appointed (and, as applicable, reappointed) according to the guidelines for appointment (and reappointment) stated in the 1993 Faculty Handbook. The terms of this Handbook shall become effective immediately upon adoption.

Certain types of leave, such as leaves of absence for professional development, shall be included in the total time counted towards the probationary period. However, other types of leave, as described in section D2.3 below, enable the tenure clock to stop for up to one year, with a corresponding extension of the probationary period.

C1.1.1 Professor

C1.1.1.1 Qualifications

Professor is the University’s highest academic rank. The holder of this faculty rank is a recognized scholar who has a cumulative and sustained record of excellence in teaching, scholarship (including peer-reviewed research publications or peer-reviewed exhibits of creative work in disciplines where this type of peer-reviewed scholarship is the norm), and service appropriate to the discipline.

C1.1.1.2 Term

Tenured Professors hold indefinite tenure.

C1.1.2 Professor (Probationary)

C.1.2.1 Qualifications

Appointment to the faculty rank of Professor (probationary) is made to a person who meets nearly all criteria in his or her discipline for an appointment as Professor with tenure, and who is expected to meet all criteria over a short probationary period.
C1.1.2.2 Term

Initial appointments at the rank of probationary Professor are three (3) years. A probationary Professor is to be reviewed for tenure during the second year of probationary status. In the event that tenure is not awarded, the third year is the terminal year.

C1.1.3 Associate Professor (Tenured)

C1.1.3.1 Qualifications

Appointment to the faculty rank of tenured Associate Professor is made only to a person whose past record of professional accomplishment in the areas of teaching, scholarship, and service merits the award of indefinite tenure and whose continuing work in those areas is expected to lead to appointment to the faculty rank of Professor.

C1.1.3.2 Term

Tenured Associate Professors hold indefinite tenure.

C1.1.4 Associate Professor (Probationary)

C1.1.4.1 Qualifications

Appointment to the faculty rank of Associate Professor (probationary) is made to a person whose professional credentials meet certain, but not all, criteria in his or her discipline for an appointment as Associate Professor with tenure, but whose record of achievement demonstrates the personal and intellectual qualities that, with increased development are expected to meet the minimum requirements for an award of tenure and, at an appropriate later date, to appointment as full Professor.

C1.1.4.2 Term

Initial appointments at the rank of probationary Associate Professor are usually made for four (4) years. A probationary tenure-track appointment at the rank of Associate Professor may not exceed five (5) years. A probationary Associate Professor is to be reviewed for tenure during (if not before) the fourth year of probationary status. In the event that tenure is not awarded, the fifth year is the terminal year.

C1.1.5 Assistant Professor (Probationary)

C1.1.5.1 Qualifications

Appointment to the faculty rank of Assistant Professor is made to a person who has completed the final earned degree and other professional certification(s) relevant to the discipline, and who has demonstrated potential for achieving promotion to higher faculty ranks. Appointment to this rank provides a period during which the faculty member has an opportunity to confirm his or her
interest in the broad scope of faculty responsibilities and one during which tenured faculty may assess the promise of the faculty member to fulfill those responsibilities.

C1.1.5.2 Term

Initial appointments at the rank of probationary Assistant Professor are usually made for three years. During the third year, the faculty member is to undergo a pre-tenure review as part of the process of reappointment for a second three-year term. The pre-tenure review follows the same procedure as that outlined below for the tenure review, but with a special emphasis on identifying what aspects of expected performance require strengthening prior to the mandatory sixth-year tenure and promotion review and without the requirement for external reviewers. Under normal circumstances, the probationary period for Assistant Professors will include appointment to a second three-year term. However, in instances where the faculty member fails to satisfy even the minimum performance requirements of progress toward tenure, reappointment may be denied. The maximum probationary period for tenure-track Assistant Professors is seven (7) years. In the event that promotion and tenure are not awarded at the end of the sixth year, the unsuccessful candidate is given a terminal one-year appointment as Assistant Professor, after which unsuccessful candidates may not be reappointed to a full-time faculty position at the university.

C1.2 Non-Tenured Renewable Term Track

The Board of Trustees has approved recommendations submitted by the deans and faculties of various schools and colleges to create categories of faculty appointments to accommodate specific instructional needs. Non-tenured renewable term faculty appointments do not grant, and they are not eligible for, tenure. Moreover, they also differ in nature from both tenured and temporary faculty appointments. These appointments complement, but do not supplant, tenured and tenure-track faculty lines in the affected academic units and programs. Subject to the provisions of the Board-approved recommendations for the respective schools and colleges, faculty members may be recommended for initial appointment to one of the approved categories of non-tenured renewable appointments. A school or college may initiate or seek modification to these recommendations through the procedures described in Section A2.2.

The terms of appointment for the respective categories range from one (1) to five (5) years. At the expiration of each term and upon satisfactory fulfillment of his or her responsibilities, the faculty member may be recommended for reappointment until retirement, resignation or death. Faculty members holding non-tenured renewable term appointments may be terminated during the term of their appointment for just cause or financial exigency, with the same rights of access to the Faculty Grievance process that tenured and probationary tenure-track faculty members enjoy. Copies of the Board-approved authorizing documents for schools and colleges with non-tenured renewable term appointments are available from the respective deans.

C1.2.1 Clinical Educator Track (Colleges of Medicine, Dentistry, Pharmacy, Nursing and Allied Health Sciences, and Communications)
C1.2.1.1 Ranks

Qualified persons may be appointed to the ranks of Clinical Professor, Clinical Associate Professor, Clinical Assistant Professor, and Clinical Instructor.

C1.2.1.2 Qualifications

Qualifications for these ranks mirror those for comparable tenured and probationary tenure-track faculty ranks, with one important exception. By virtue of the fact that this variety of appointment is intended to facilitate the delivery of high-quality instruction and patient care in clinical settings, the requirement to produce original scholarship is not as stringent as it is for faculty members on the tenure track. The Board-approved authorizing documents for the respective colleges contain specific details regarding the expected qualifications for each rank.

C1.2.1.3 Terms

Terms of appointment may vary by rank and by college between one (1) year and five (5) years.

C1.2.1.4 Other Provisions

The Board-approved authorizing documents for the respective colleges contain additional details regarding each rank, such as probationary periods, service on departmental and college-level committees and in administrative roles, and the option to switch from the tenure track to the Clinical Educator Track in certain circumstances.

C1.2.2 Research Track (College of Medicine)

C1.2.2.1 Ranks

Qualified persons may be appointed to the ranks of Biomedical Research Professor, Research Associate Professor, and Research Assistant Professor.

C1.2.2.2 Qualifications

These appointments are intended for faculty members whose primary purpose is to conduct research, preferably with the salary support of an external sponsor. Evaluations for reappointment and/or promotion will rely heavily on demonstrated research competence.

C1.2.2.3 Term

The term of appointment may vary from one (1) year to multiple years.

C1.2.2.4 Other Provisions

Research-track professors may participate in teaching and clinical activities, but that is not required. They may also, in certain circumstances, participate on college committees and serve in administrative positions. The Board-approved authorizing document for this category of faculty appointments contains additional details.
C1.2.3 Career Status

Faculty members whose academic responsibilities chiefly consist of classroom instruction may be recommended for appointment as Instructors, and upon satisfactory completion of a probationary period, as Instructors with career status. Career status is awarded only by the Board of Trustees of the university upon the recommendation of the president who is guided by the judgment of those persons and committees in the prior levels of review. A faculty member who is granted career status will be evaluated according to criteria developed by the school or college of which he/she is a member every three years. Persons who meet the criteria may be recommended for reappointment. Faculty members who hold career status may be reappointed until they leave the university voluntarily (e.g., through retirement or resignation) unless terminated for medical reasons (see Section B3.3.2.3), just cause, financial exigency, program elimination, or a recommendation for nonrenewal by the APT committees, department chair, and the dean. There shall be no career status by default, or by the mere serving of the maximum probationary period.

C1.2.3.1 Instructor

C1.2.3.1.1 Qualifications

An Instructor holds appropriate academic or professional qualifications and gives promise of excellent teaching. An Instructor is expected to be able to plan and conduct courses with little or no supervision. The Instructor’s chief responsibility consists of classroom instruction.

C1.2.3.1.2 Term

Probationary Instructors may be appointed for one (1), two (2), or three (3) years. After three years of service, an Instructor who meets the criteria for career status established by the school or college in which he/she is a member of the faculty may be recommended for such an appointment. Probationary Instructors who earn career status are Career-Status Instructors (as distinguished from Master Instructors described below). The home department will initiate the recommendation and forward it through the conventional review and approval process involving the school or college, the Provost, the President, and, ultimately, the Board of Trustees. Instructors who are not approved for career status may not serve more than seven (7) years in full-time status. Instructors who are awarded career status may be reappointed on three-year contracts subject to the conditions noted in Section C1.2.3, above.

C1.2.3.1.3 Other Provisions

The standards for the notice of non-reappointment of probationary tenure track, temporary, and career status appointments are given in section C2.4. Instructors may apply for and be recommended for appointment to any position in the Tenured and Probationary Tenure Track or the Non-Tenured Renewable Term Track (including Master Instructor) for which a search has been initiated as described in Section C2.1, below, and for which they are qualified.
C1.2.3.2 Master Instructor (College of Arts and Sciences and School of Communications)

C1.2.3.2.1 Qualifications

Career-status Master Instructors are persons with special teaching abilities or talents whose primary responsibility is instruction. While not obliged to conduct original research and disseminate their findings in peer-reviewed publications, Master Instructors are expected to engage in the scholarship of teaching and learning. Master Instructors are expected to help students enrolled in foundational academic disciplines to acquire the skills necessary for future academic success.

C1.2.3.2.2 Term

The term of appointment is three (3) years, renewable according to the provisions of Section C1.2.3 above.

C1.2.3.2.3 Other Provisions

The Board-approved authorizing documents for this category of faculty appointments contain additional details.

C1.2.4 Legal Writing Instructor (School of Law)

C1.2.4.1 Qualifications

Legal Writing Instructors are persons responsible for instructing students in the skills of legal reasoning and research writing. They are appointed (and reappointed) based on their demonstrated success in preparing students to conduct legal research and draft legal documents applicable to various legislative, judicial, and practical settings.

C1.2.4.2 Term

The term of appointment varies from one (1) to three (3) years.

C1.2.4.3 Other Provisions

The Board-approved authorizing document for this category of faculty appointments contains additional details.

C1.3 Temporary Track (Full-time and Part-time/Adjunct)

Temporary faculty members are appointed for one (1) year (or for one semester) and may work full-time or part-time. Most temporary faculty members serve in instructional capacities only, with minimal, if any, expectation of conducting research and producing scholarship or creative
work or of performing service. The terms and conditions of employment of faculty members who are members of a collective bargaining unit are determined by the current collective bargaining agreement.

Temporary faculty members are not eligible for tenure, nor may they serve more than seven (7) years in full-time status.

Temporary faculty members may apply for and be recommended for appointment to any position in the Tenured and Probationary Tenure Track or the Non-Tenured Renewable Term Track (including Master Instructor) for which a search has been initiated as described in Section C2.1, below, and for which they are qualified.

C1.3.1 Lecturer

A lecturer is a person whose primary responsibilities consist largely, if not entirely, of teaching. Although the lecturer position may be used for persons who do not possess the credentials for appointment to one of the two other tracks, it may also be used for credentialed persons who are to be employed for a limited time, not to exceed seven (7) years in full-time status.

C1.3.1.1 Qualifications

The qualifications of lecturers vary by school/college.

C1.3.1.2 Term

Lecturers are appointed for one year or, when employed for only one semester, for a single semester.

C1.3.1.3 Other Provisions

Like temporary faculty members of other academic ranks, Lecturers may apply for and be recommended for appointment to any position in the Tenured and Probationary Tenure Track or the Non-Tenured Renewable Term Track (including Instructor or Master Instructor) for which a search has been initiated as described in Section C2.1, below, and for which they are qualified.

C1.4 Special Academic Titles of Faculty

Special titles may be awarded to certain individuals. In addition to the above listed faculty ranks, the following special titles may be awarded, subject to approval of the dean and of the Provost (and, in the case of those in which the word “Professor” appears as part of the title, subject to approval of the President):

1) Distinguished Professor

2) University Professor
3) Research Professor

4) Artist-in-Residence and Writer-in-Residence

5) Graduate Faculty

6) Visiting Faculty

7) Endowed Chair

8) Emeritus

The sections below describe the qualifications for each special academic title.

C1.4.1 Distinguished Professor

C1.4.1.1 Faculty Rank

Faculty members designated as Distinguished Professors shall either hold the rank of Professor or shall meet all the qualifications for the faculty rank of Professor and have achieved extraordinary distinction in scholarship, research, and/or professional performance.

C1.4.1.2 Tenure Status

Distinguished Professor is a tenured position.

C1.4.1.3 Qualifications

A candidate for Distinguished Professor shall be a person with national and/or international recognition in the academic field or area of performance, a sustained record of achievement at the highest professional and scholarly levels, and a record of service to the University or to the wider community that the University serves. The candidate shall have achieved distinction in scholarship, research, and/or professional performance, as evidenced by:

1) Outstanding publications or other public demonstrations of professional or academic excellence that provide significant new knowledge in the candidate's field of specialization, new and useful techniques for the constructive utilization of existing knowledge in the field, or a revision or reinterpretation of data in a given field that engenders new perspectives for thought and action.

2) Recognition by professional societies or recognized experts in the candidate's field or medium. This recognition may take such forms as invitations to serve as advisor, consultant, or organizer for programs related to the field, to present professional papers, or to appear in the most selective auditoria or galleries; special awards and honors, including membership in highly selective academies and honorary societies; or inclusion in highly respected and exclusive exhibitions, performance series, or publications.
3) Recognition, based on professional merit, by groups other than professional societies, such as foundations, government bodies, and community groups.

4) A record of significant research funded by outside agencies as a result of recognition in the candidate's field of specialization. The scholarship and professional achievements of the candidate shall be attested to by reputable professionals in the field; these professionals must be outside the University.

C1.4.1.4 Appointment Procedure

Recommendations involving Distinguished Professors shall be initiated by the Faculty Senate’s Committee on Appointments, Promotions and Tenure. The Committee may receive nominations from any source within or outside of the University. Upon receipt of a nomination, the Committee shall request from the nominating person or body a complete file documenting the nominee’s qualifications. The Faculty Senate’s APT Committee will then forward the nomination and the file to the APT Committee of the department most closely related to the candidate's field of specialization for evaluation and comment.

Following the departmental APT Committee’s review, the entire file will be forwarded to the appropriate school/college APT Committee for evaluation and comment. Following review at the school/college level, the nominee’s file, and all accompanying comments and documentation, will be sent back to the Faculty Senate APT Committee for consideration and review. The Faculty Senate APT Committee will then develop a recommendation. If the recommendation is positive, the Committee will send it to the Council of the Faculty Senate for endorsement. If the Council of the Faculty Senate endorses it, the recommendation and the nominee’s file shall be forwarded by the chair of the Faculty Senate to the Provost, who will present a recommendation to the President. The President, in turn, will present a recommendation to the Board of Trustees for final action. In cases where the nominee is from outside the university, the Provost will forward the nominee’s file back to the department to begin the process of peer evaluation of candidates for tenured faculty appointments described in Section D2.5, before preparing the recommendation to the President.

C1.4.2 University Professor

C1.4.2.1 Faculty Rank

Faculty members designated as University Professors shall hold the faculty rank of Professor, shall have achieved distinction in scholarship, research, and/or professional performance, and shall be jointly appointed to more than one academic unit.

C1.4.2.2 Tenure Status

University Professor is a tenured position.

C1.4.2.3 Qualifications
Professors holding this title will be individuals of high academic, scholarly, and/or professional distinction who have the competence to teach and perform other academic services in more than one of the University’s schools/colleges.

1) **Academic Preparation.** The candidate shall hold an earned doctoral degree or its foreign equivalent. This requirement may be waived in instances where the candidate has gained prominence through creative and productive activity in his or her field of specialization.

2) **Teaching Competence.** The candidate shall have appropriate teaching experience at the school/college or university level or equivalent experience in his/her field of specialization. The candidate's teaching competence shall be judged by persons who teach in the candidate’s field. Student evaluations shall also be taken into consideration.

3) **Research and Creative Productivity.** The candidate shall present evidence of excellence in research or creative activity through the publication of books, monographs, and articles, or through the production of creative works.

**C1.4.1.4 Appointment Procedures**

Recommendations to appoint a person as University Professor shall follow the same procedure for appointment as Distinguished Professor, with the following exception. Because the University Professor appointment is a joint appointment, the candidate’s file must be forwarded for evaluation and comment to the APT committee in each of the academic units in which he or she will serve. Following review at the school/college level, the nominee’s file and all accompanying comments and documentation will be sent to the Faculty Senate APT Committee for consideration and review. The Faculty Senate APT Committee will develop a recommendation. If the recommendation is positive, the Committee will send it to the Council of the Faculty Senate for endorsement. If the Council of the Faculty Senate endorses it, the recommendation, and the nominee’s file shall be forwarded by the chair of the Faculty Senate through the Provost to the President, who will present a recommendation to the Board of Trustees for final action. In cases where the nominee is from outside the university, the Provost will forward the nominee’s file back to each of the academic units in which the faculty member will serve to begin the process of peer evaluation of candidates for tenured faculty appointments described in Section D2.5, before preparing the recommendation to the President.

**C1.4.3 Research Professor**

**C1.4.3.1 Faculty Rank**

Faculty members designated as Research Professors shall hold the faculty rank of tenured Professor or meet the qualifications for the faculty rank of Professor and have achieved national distinction in research.

**C1.4.3.2 Tenure Status**

Research Professor is a tenured position.
C1.4.3.3 Qualifications

Persons holding this title will be individuals of nationally recognized research competence in a given academic field. Their principal function shall be conducting research.

1) Teaching Competence. The candidate shall have appropriate teaching experience at the school/college or university level or equivalent experience in the professional field. The candidate's teaching competence shall be judged by persons who teach in the candidate's field. Student evaluations shall also be taken into consideration.

2) Research Competence. The candidate shall demonstrate evidence of research competence as attested by appropriate honors and awards for scholarship. This recognition may take the form of juried prizes for books, monographs, articles, or creative productions, or, in disciplines where externally sponsored research awards constitute primary evidence of research competence, it may take the form of appropriate recognition of impact of research findings on the candidate’s field. Evaluations of research competence shall be secured from at least two (2) competent persons outside of the University.

C1.4.3.4 Appointment Procedures

The appointment procedures are the same as for Distinguished Professor.

C1.4.4 Artist-in-Residence and Writer-in-Residence

C1.4.4.1 Qualifications

These titles may be offered to outstanding professional artists or writers who render a specific service to the University, such as lectures, performances, demonstrations, master classes, and consultations. Academic degrees are not required for an appointment as Artists-in-Residence or Writers-in-Residence. Individuals are appointed on the basis of outstanding professional attainments, creative accomplishments, and recognition in their specified fields.

C1.4.4.2 Term

Such appointments are for a fixed, definite-term not to exceed five (5) years.

C1.4.4.3 Appointment Procedures

Appointment procedures are the same as for other temporary faculty appointments.

C1.4.5 Graduate Faculty

The Graduate Faculty consists of those full-time members of the University’s regular and probationary tenure-track faculty who are charged with delivering graduate student teaching, supervision and advising. All tenured and tenure-track faculty at the faculty ranks of Assistant
Professor, Associate Professor, and full Professor are automatically designated as Regular Graduate Faculty by virtue of their appointment.

C1.4.5.1 Regular Graduate Faculty

Other qualified persons may be appointed as Regular Graduate Faculty by the dean of the Graduate School, on the recommendation of the relevant academic program. These individuals may be non-tenure track faculty who possess the requisite research experience needed to mentor graduate students and who hold a terminal degree appropriate to the discipline. The department may establish criteria applicable to its field for Regular Graduate Faculty membership.

C1.4.5.2 Fixed Term Graduate Faculty

Fixed Term Graduate Faculty members are individuals appointed for a fixed term length of service on graduate student committees. Fixed Term Graduate Faculty may include Emeritus faculty, Clinical Educator Track or Research Track faculty, scholars from other institutions, and independent scholars and practitioners. Fixed Term Graduate Faculty status confers no rights or responsibilities on its faculty members, except the right to serve on thesis or dissertation committees.

C1.4.6 Visiting Faculty Appointment

A visiting faculty member is an individual who holds or has held a faculty position at another institution or whose professional qualifications show promise of enhancing a program’s instructional offerings. Visiting faculty members hold temporary appointments, renewable annually, for a maximum of three (3) years. If a visiting faculty member, upon the recommendation of the dean and the approval of the Provost is subsequently given a probationary appointment, the time spent as a visiting faculty member may be counted towards the probationary period.

C1.4.6.1 Term

Such appointments are renewable annually for a maximum of three (3) years.

C1.4.6.2 Appointment Procedures

Appointment procedures are the same as for other temporary faculty appointments.

C1.4.7 Endowed Chair

When a gift is made to the University to support the endowment of a chair, specific criteria may be stipulated by the donor. However, the donor may not appoint a particular faculty member or individual to occupy the chair. Current faculty and individuals external to the University may be nominated or may apply for the endowed chair position. The procedures governing
recommendations for appointment to any tenured faculty position govern appointments to the rank of endowed chair.

**C1.4.8 Emeritus Status**

Upon retirement, tenured faculty members and administrators who hold tenure as faculty members with at least ten (10) years of full-time service at the University shall automatically attain emeritus status in their faculty rank. Other faculty members retiring from the University may be granted emeritus status only by specific action of the Board of Trustees.

Section C4, below, specifies the Retirement and Related Rights that all faculty members enjoy.

**C1.5 Administrative Location of Faculty Appointments**

A faculty member’s appointment is generally made to a specific academic department or, in the case of schools that are not organized into departments, to a specific school; however, for tenured faculty members, tenure resides in the university. Full-time faculty members may also hold appointments in more than one academic unit and are entitled to all rights and privileges of full-time faculty in each such unit including, but not limited to, committee membership and voting rights as prescribed in the respective school/college bylaws. The faculty member shall hold the same faculty rank and tenure status in all such units regardless of the percentage of effort and funding he/she receives from each individual unit. Professional duties, responsibilities, and assignments may be distributed between two (2) or more units in any proportion of full-time service that may be mutually agreed upon by the administrators of the units and the faculty member.

If one unit provides at least 51 percent of the funding for the faculty position, that unit shall be responsible for processing the faculty member’s personnel actions including, but not limited to, appointment, reappointment, promotion and tenure (where applicable), with concurrence of the other unit(s). Where units share equally in funding the position, recommendations including, but not limited to, reappointment and promotion shall be initiated by the units acting concurrently, with each submitting a separate recommendation.

**Section C2: Appointment, Reappointment and Search Procedures**

An outstanding faculty is critical to developing and maintaining academic excellence. The faculty is at the core of a University environment that demands the best from all of its participants. Additionally, a well-qualified and productive faculty helps attract other individuals, faculty members, students, staff and administrators to the University who will assist the University in achieving its mission.

The faculty has the responsibility for appropriate action on such matters as faculty appointments, reappointments, promotions, the granting of tenure, and dismissals. The faculty’s primary responsibility for appointment, reappointment, and search procedures affecting the nature and quality of the academic program, faculty welfare, student welfare, and research and scholarship
are based on the fact that the faculty’s judgment is central to general educational policy. Furthermore, scholars in a particular field or activity are expected to have the chief competence for judging the work of their colleagues. Such competence should be exercised before either adverse or favorable judgments are made. Consideration of these matters is to be by faculty action through established procedures. These actions shall be reviewed by the dean, the Provost and the President, and shall be submitted to the Board of Trustees for final action, when necessary. The governing board and president should concur with the faculty judgment except in rare instances and for compelling reasons which should be stated in detail.

When the designated decisional authority regarding initial faculty appointments (the Provost for all temporary appointments and the President for all tenured, probationary tenure-track, and non-tenured renewable term appointments) approves the appointment, the decisional authority will notify the applicant of the approval and enclose the employment contract specifying the rank, salary, full- or part-time status, term of the appointment, and academic unit(s) to which the person is assigned, and referencing the Faculty Handbook (including instructions for accessing it electronically). As noted below, in the course of recruiting new faculty members to the university, deans and other administrators may send offer letters to prospective faculty members that, besides the particulars noted above, make reference to such additional considerations as release from certain workload responsibilities, access to facilities and equipment, and financial support for travel or research assistance. All such offers of employment are contingent on final approval. Following final approval, the department chair or dean must also inform persons newly appointed to probationary tenure-track positions of the timeline for the pre-tenure review (where applicable) and the promotion and tenure review, as well as the criteria and procedures that will be observed in evaluating him or her for reappointment, tenure, and/or promotion. Persons appointed to non-tenured renewable term appointments must similarly be informed of the timelines, procedures, and criteria that will govern recommendations for their reappointment or (where applicable) promotion.

C2.1 Search Procedures

In principle, the University's commitment to excellence is best expressed by careful and extensive searches designed to find the best qualified persons to fill faculty positions. A diversity of background, experiences, and viewpoints is considered to be an element of strength in a faculty.

Search processes may vary depending on whether the school or college contains departments. In schools and colleges with departments, the processes generally follow the guidelines below. In schools that do not contain departments, these processes are as specified in the school’s bylaws or other approved procedural document.

C2.1.1 Tenured and Probationary Tenure-Track Faculty Positions

The search process for filling a tenured or probationary tenure-track faculty position shall be as follows:
1) The department’s chair and tenured faculty agree on the need to fill a vacant position or to create a new position. They identify key qualifications of the person they wish to hire, specifically with regard to rank and teaching/research specializations.

2) The department chair requests written authorization from the school/college dean, who reviews the request and, if in agreement, seeks written authorization from the Provost to initiate the search. The dean may decline the request altogether or consult with the chair to develop a different set of qualifications, rank, or teaching/research responsibilities. When the authorization is received, the chair notifies the department faculty that a search has been authorized.

3) The department establishes a search committee and a chair is selected in the manner prescribed by school/college guidelines.

4) The dean charges the committee with the scope of the search.

5) The committee finalizes the description of the position and facilitates its being advertised. Searches should be advertised nationally in appropriate general and discipline-specific venues.

6) In every search, individuals shall be recruited and recommended for appointment without regard to race, color, religion, national origin, sex/gender, sexual orientation, disability, age, gender identity, gender expression, non-conformance with gender stereotypes, appearance, political beliefs, veteran status, family status and responsibilities, marital status, genetic information, unemployment status, or any other characteristic protected by Federal and/or District of Columbia law.

7) The search committee reviews the applications and identifies a short list of prospective finalists for interviews. These interviews should be open. The department chair and the dean also interview the candidates. Depending on school or college bylaws or the practice in individual academic units, the APT committee may have a role at this stage of the search process.

8) The search committee makes its recommendations to the dean consistent with the dean’s charge.

9) The dean makes a written offer to the finalist setting forth the terms and conditions of the faculty appointment, to include rank, tenure status, term of appointment, salary, information about pre-tenure review, and any start-up considerations such as laboratory space and/or equipment, travel funds, summer salary, student research assistants, and the like. Such offers are conditional, pending approval by the President at the conclusion of the appointment recommendation process described in Section C2.2.1. The decisions of the dean and President regarding initial appointments are final, and are not subject to any grievance procedure.
10) The finalist accepts the offer.

**C2.1.2 Non-Tenured Renewable Term Faculty Positions**

The search process for an individual to fill a non-tenured renewable term faculty position shall follow the guidelines specified in the Board-approved recommendation creating the category of the position. Absent such guidelines, recommendations for initial appointments to clinical educator positions will follow the guidelines for tenured and probationary tenure-track openings in the Board-approved recommendation creating the position and described above. Recommendations for initial appointments to master instructor, legal writing instructor, and research faculty may dispense with the formality of a search committee in favor of concurrent recommendations by the APT committee and the administrator of the academic unit to appoint a qualified individual.

**C2.1.3 Temporary Faculty Positions**

The search process for an individual to fill a temporary faculty position shall be as follows:

1) When the department chair sees the need to fill a vacant temporary position or to create a new temporary position, the chair requests authorization from the appropriate dean to initiate the search.

2) The chair, usually assisted by members of the faculty, identifies one or more individuals who possess the key qualifications to fill the position, specifically with regard to specialization and teaching ability and experience. These individuals are interviewed by the chair and members of the APT committee, and a decision is made to hire the person best qualified to fill the position.

3) In every search, individuals shall be recruited and recommended for appointment without regard to race, color, religion, national origin, sex/gender, sexual orientation, disability, age, gender identity, gender expression, non-conformance with gender stereotypes, appearance, political beliefs, veteran status, family status and responsibilities, marital status, genetic information, unemployment status, or any other characteristic protected by Federal and/or District of Columbia law.

4) The chair makes a written offer to the person setting forth the terms and conditions of the faculty appointment. Such offers are conditional, pending approval by the Provost at the conclusion of the appointment recommendation process described in Section C2.2.3. The decisions of the chair and Provost regarding initial appointments are final, and are not subject to any grievance procedure.

5) The person accepts the offer.

**C2.2 Initial Appointment Procedures**
C2.2.1 Initial Appointment Procedures for Tenured or Probationary Tenure-Track Faculty Positions

The appointment of an individual to a tenured or probationary tenure-track faculty position shall be as follows:

1) The candidate who has accepted the offer from the dean completes the “Faculty Application for Appointment, Promotion and/or Tenure” form, accompanied by a current curriculum vitae and supporting documentation as specified in section D2.4, below.

2) The review and approval process is the same as what is described in section D2.5, below, except that the candidate has no right to request reconsideration of negative recommendations or to appeal to the Faculty Grievance Commission.

3) Following final approval, the President will notify the applicant of the appointment, enclosing the faculty member’s employment contract.

C2.2.2 Appointment Procedures for Non-Tenured Renewable Term Faculty Positions

The appointment of an individual to a non-tenured renewable term faculty position shall follow the guidelines specified in the Board-approved recommendation creating the category of the position. Final approval of candidates to such positions rests with the President. Following final approval, the President will notify the applicant of the appointment, enclosing the faculty member’s employment contract specifying the rank, salary, category of non-tenured renewable term appointment, term of the appointment, and academic unit(s) to which the person is assigned.

C2.2.3 Appointment Procedures for Temporary Faculty Positions

The appointment of an individual to a temporary faculty position shall be as follows:

1) The department chair requests a vote from the APT Committee to hire the person who has been identified. The APT committee submits the results of the vote and its written evaluation of the candidate’s qualifications.

2) The department chair evaluates the candidate’s application file and develops a separate recommendation.

3) The written recommendations, together with the prospective faculty member’s application file, are forwarded to the appropriate dean.

4) The dean seeks the recommendation of the school/college APT Committee. The dean's recommendation, together with all prior recommendations and the prospective faculty member’s application file, is forwarded to the Provost for review and final decision.
5) Following final approval, the Provost will notify the applicant of the appointment, enclosing the faculty member’s employment contract.

In schools without departments, the school-wide APT committee initiates the recommendation to appoint which is then forwarded to the dean, unless otherwise specified in the school’s bylaws. If the recommendation is not to appoint and the dean concurs, the matter is closed. In all other cases, the dean will prepare a recommendation to accompany the APT committee’s recommendation to the Provost for final decision.

In all of these categories of faculty appointments, when the rank, the tenure status, or the type of appointment change, the final approval authority (the Provost for temporary appointments, and the President for all other appointments) will issue a new faculty employment contract to the faculty member.

C2.3 Reappointments

Faculty members may be considered for reappointment at the expiration of their current term, except when such reappointment would extend the appointment beyond the maximum allowable time in a probationary tenure-track or temporary status.

The employment of a faculty member who is denied tenure and who has an active appeal before the Faculty Grievance Commission will be extended by temporary appointment until the appeal process is complete.

C2.3.1 Reappointment of Probationary Tenure-Track and Faculty on Non-tenured Renewable Term Appointments

The procedures, timetable, criteria, and right to appeal a negative recommendation for reappointment involving faculty members on a probationary tenure-track or a non-tenured renewable term appointment track are the same as those outlined for a recommendation for tenure, sections D2.4 and D2.5, below, except that the requirement for external reviewers does not apply in cases of reappointment.

C2.3.2 Reappointment of Temporary Faculty

Reappointment recommendations are usually initiated by the department chair, after consulting with the department APT Committee. If both the department chair and the department APT Committee decide not to recommend reappointment, no written recommendation will be generated and the matter is closed (subject to the notice of non-reappointment proviso in Section C2.4, immediately below). If either the chair or the department APT Committee recommends reappointment, both the chair’s recommendation and the department APT Committee’s recommendation are forwarded to the dean with appropriate documentation. The dean then obtains a recommendation from the school/college APT Committee, adds the dean’s recommendation, and forwards the entire file to the Provost, whose decision is final.
In schools without departments, the school-wide APT committee initiates the recommendation to reappoint which is then forwarded to the dean, unless otherwise specified in the school’s bylaws. If the recommendation is not to reappoint and the dean concurs, the matter is closed, provided that the applicant was timely notified of the decision not to reappoint. In all other cases, the dean will prepare a recommendation to accompany the APT committee’s recommendation to the Provost for final decision.

**C2.4 Standards for Notice of Non-Reappointment of Non-Tenured Faculty Members**

Notice of non-reappointment of non-tenured faculty members must be provided as follows:

1) For probationary tenure-track faculty members on three-year contracts, at least 12 months (365 calendar days) prior to the expiration date of the current appointment.

2) For non-tenured renewable term faculty members, at least 12 months (365 calendar days) prior to the expiration date of the current appointment.

3) For full-time temporary faculty members, not later than December 15 of the second academic year of service, if the appointment expires after the end of that year; or, if an initial two-year appointment terminates during an academic year, at least six months in advance of its termination.

Failure on the part of the University to provide timely notification of non-reappointment shall entitle the faculty member to a temporary appointment limited to one (1) academic year for probationary tenure-track and non-tenured renewable term faculty members and to (1) one semester for full-time temporary faculty members.

Late notice does not entitle the faculty member to tenure by default or to continued employment beyond what is necessary to observe the relevant notification requirement.

**C2.5 Administrative Appointments**

The functions, titles, and status of such academic administrators as the Provost, vice presidents, deans, associate and assistant deans of schools and colleges, directors, and departmental chairs shall be distinct from their functions, titles, and status, if any, as members of the faculty. Academic administrators may hold faculty rank and tenure; however, appointment to an academic administrative position does not, by itself, convey either tenure or faculty status, and no academic administrator holds tenure as an administrator.

Deans, associate deans, and department chairs normally hold tenure within a department or other academic unit, and they retain their faculty status while serving in the administrative role. Although their administrative responsibilities preclude them from participating in all the responsibilities of faculty members, they may continue to teach, and they may also apply for promotion just as any other qualified faculty member may. Upon leaving an administrative position, they may resume full-time faculty responsibilities at their tenured rank in an appropriate academic unit. Academic administrators in the colleges of the health sciences who
hold appointments as Clinical Educators retain their faculty status while serving in the administrative role and may resume full-time faculty responsibilities at their Clinical Educator rank in an appropriate academic unit upon leaving an administrative position.

An academic administrator without faculty status at the time of the initial administrative appointment may be appointed to a faculty position only after having been reviewed by the appropriate departmental and school/college committees and administrators according to the procedures described in Section C2.2, above, and approved by the Provost or by the President and Board of Trustees, as the case may be.

**Section C3: Resignation**

Resignation is a severance action in which a faculty member voluntarily seeks to be released from employment at the University. Except in unusual circumstances, resignations from the faculty become effective at the end of the academic year. To allow the academic unit to prepare for the loss of the faculty member, the faculty member should notify the department chair or the director of the unit that the faculty member intends to resign, in writing, as early as possible.

**Section C4: Retirement and Related Rights**

The customary retirement date for eligible retirees at Howard University is June 30. Early retirement may be requested at least 30 days in advance of the proposed retirement date, provided that the sum of one’s age (figured to the nearest one-twelfth of a year) plus the number of years of credited service equals or exceeds 70.

There shall be no presumption of reappointment after retirement, and any such reappointment shall be on a temporary basis for renewable terms not to exceed one (1) year at a time.

Although no faculty member will acquire new rights or privileges within the University upon retirement, certain rights and privileges to which the faculty member was entitled prior to retirement are extended as follows:

1) When a retired faculty member is actively engaged in productive scholarship, the University will use reasonable efforts to furnish the faculty member office space as well as assistance from the department administrative staff. However, such space and/or assistance will be granted only if it is available; priority consideration will always be given to the University’s full-time and part-time faculty.

2) Retired faculty members may file research or travel grant applications. Consent from the appropriate department chair or dean must be obtained prior to submission of any such application. An application will be transmitted further only if the Provost determines that the proposed research project or travel has merit, has the potential to be completed, and that the University has available office and laboratory space for the applicant to utilize. In the event the University is experiencing a shortage of such space, priority will be given to the University’s full-time and part-time faculty.
3) Upon express invitation from the dean, retired faculty members may attend meetings of
their former departments and schools/colleges and/or participate in the work of the
department or school/college committees. However, only those individuals with active
faculty status, as identified by current temporary appointment, may vote in these
meetings. These individuals can only vote in accordance with the voting rights attendant
to that status, as provided by the school/college bylaws. Retired faculty members may
participate in University convocations with appropriate academic attire.

4) Retired faculty members may attend Faculty Senate meetings.

5) Retired faculty members may continue to avail themselves of library use privileges
enjoyed by members of the full-time and part-time faculty. They may also apply for access
to library space for purposes of conducting research.

6) Retired faculty will be listed in the University telephone directory, if they so desire.

7) Retired faculty will continue to receive the Howard Magazine and special reports from
the University.

8) After retirement, a faculty member will be issued a new Howard University identification
card upon request, identifying the faculty member as a retiree. The retired faculty
member will retain access to a variety of events, facilities, and services that require the
card for admission or access.

9) Faculty tuition remission benefits are continued to those eligible for such benefits at the
time of retirement consistent with University tuition remission policies. If a dependent is
pursuing a degree program under the tuition remission plan currently in force at the time
of retirement, such benefits will continue in accordance with the policies governing this
plan and will be subject to the plan's limitations.

Section C5: Separation of Faculty Due to Financial Exigency

A financial exigency is defined as a severe financial crisis that fundamentally compromises the
academic integrity of the institution as a whole, which requires termination of faculty
appointments to alleviate it, and that cannot be alleviated by less drastic means. A financial
exigency shall not be declared merely as an opportunity to implement academic or programmatic
reform.

C5.1 Declaration of a State of Financial Exigency

As a first step, there should be an elected faculty governance body, or a body designated by a
collective bargaining agreement, that participates in the decision that a condition of financial
exigency exists or is imminent and that all feasible alternatives to termination of appointments
have been pursued. A financial exigency will be declared by a majority of the members of the
Board of Trustees of the University, in accordance with the policies and procedures
recommended by the President and approved by the Board of Trustees.
C5.2 Development of a Plan of Action

Upon the Board's declaration of a financial exigency, the President will appoint a financial exigency advisory committee, which will include members selected by the Faculty Senate, to assist with the development of a plan of action to address the exigency. The President shall determine the composition and specific charge of the committee after consultation with the Faculty Senate such that faculty representatives should be selected by the faculty according to procedures determined by the faculty. Faculty should represent no less than 50% of the committee membership.

The following principles will be adhered to in the development of the financial exigency plan of action:

1) The responsibility of the faculty in matters of general educational policy will be recognized and consideration will be given to faculty judgments regarding the best response to the exigency.

2) No faculty member with tenure will be terminated unless all faculty members without tenure in the academic department, unit or program designated for retrenchment have been terminated.

The President shall present a plan of action to the University community, the Faculty Senate, and the Board of Trustees in a timely manner.

C5.3 Notification to Faculty Members

All tenured faculty members terminated for reasons of financial exigency will be terminated at the end of the academic year in which termination notice is given. To the extent that termination notice of less than 120 calendar days is given, severance will be paid in order to ensure that the terminated faculty member shall receive a total of one year of pay after receipt of the notice of termination. The written notice of termination must include a statement of the faculty member's right to respond and/or to present his or her case to the Faculty Grievance Commission.

C5.4 Rights of Tenured Faculty Members in the Event of Financial Exigency

Before terminating the appointment of a tenured faculty member for reasons of financial exigency, every reasonable effort shall be made to find another suitable position for the faculty member within the University. Departmental transfers may be made, if mutually acceptable, and the President (or the President’s designee) will work with the affected parties to achieve an agreeable accommodation. Faculty retraining may be provided if such retraining will prepare the faculty member to perform duties associated with another University position within a reasonable period of time. Faculty members meeting age and service requirements, as determined by the Board of Trustees, will be given the option to retire early. The appropriate Faculty Senate Committee will monitor the University’s efforts in seeking to find suitable positions within the University for displaced faculty members.
A tenured faculty member terminated for reasons of financial exigency shall receive one year’s severance pay, retain university e-mail privileges for one (1) year, and will be allowed to participate in the University group health insurance program, consistent with the University’s insurance plan, for up to 18 calendar months following the date of termination, unless a different period is required by law. The faculty member is entitled to other rights and benefits of terminated employees as may be specified by the Board of Trustees.

C5.5 Other Rights Pertaining to All Faculty in the Event of Financial Exigency

Faculty members terminated for reasons of financial exigency will have the opportunity to receive counseling services regarding employment opportunities outside the University. If a program that has undergone significant reduction or elimination as a result of financial exigency is reinstated or strengthened by reinstating full-time employees within three (3) years after termination of the state of financial exigency, tenured faculty terminated as a result of said reduction or termination will have the right to be reinstated, if positions are available, before new faculty are hired.

Under established policies and procedures, a faculty member whose appointment is terminated for reasons of financial exigency has the right to appeal to the FGC.

C5.6 Financial Exigency Sunset Provisions

A declaration of financial exigency is valid for a period fixed by the Board of Trustees. In any case, after a period of one (1) year from the date of declaration of a financial exigency, the status of the University should be reviewed by both the President and the financial exigency advisory committee, and a report should be issued to the Board of Trustees containing recommendations for appropriate action.
Chapter D: Faculty Tenure, Promotion and Evaluation

Section D1 Purpose and Definition of Academic Tenure

The tenure system consists of rules, policies and procedures that enable an academic institution’s scholars to enjoy a continuity of existence to pursue knowledge and to disseminate their findings among students, colleagues, and other interested groups both inside and outside of the institution. It is through these pursuits that tenured faculty members (and persons on probationary tenure-track appointments) uphold the principle of academic freedom that all other members of the University community enjoy. The tenured and tenure-track members of the faculty are the heirs and custodians of the institution’s academic and research programs, maintaining and enriching the past legacy for the future benefit of students, faculty members, Howard University, and society at-large.

The tenure system enables Howard University and other similar institutions of higher learning to maintain a permanent faculty that helps to fulfill the following obligations of the academy to contemporary society:

1) The discovery and dissemination of new knowledge;

2) The communication of that knowledge to students and the cultivation of the understanding and skills needed to enable them to engage productively in the further pursuit of knowledge;

3) The preparation of students for entry into professions that require a systematic body of specialized knowledge; and

4) The performance of service to the larger community—locally, nationally, and internationally.

In intellectual matters, a university faculty is not merely an assemblage of individual scientists, teachers, and scholars; it must possess a collective presence and create an atmosphere that stimulates the work of colleagues and students. Faculty members depend on the University’s provision of a tenure system for the effective fulfillment of their responsibilities in the areas of research, teaching, and service. The tenure system ensures the presence and continuity of a distinguished core of faculty members (tenure recipients) whose proven records of fulfilling those responsibilities at the highest level helps to sustain the intellectual community of the University.

D1.1 Basic Principles of the Tenure System

A faculty member's tenure resides in the University as a whole, but, in recognition of varying disciplinary cultures and for purposes of governance, tenure-track and tenured faculty members are appointed specifically to one or more local academic units. A faculty member who has received tenure has a continuous appointment, made by the Board of Trustees, that extends until resignation, retirement or death, subject only to termination for just cause or financial exigency.
In the event of termination for just cause or financial exigency, tenure entitles a faculty member to a grievance proceeding as provided herein. Tenure ends at retirement. Appointments to the faculty after retirement are on a temporary basis and are mutually agreed on by the individual faculty member and the appropriate administrators at the school/college level and approved by the Provost.

The choices the University makes in granting tenure are crucial to its goals of maintaining academic excellence. A decision to grant tenure must reflect an assessment of high academic and professional competence and performance measured against University and external standards. The award of tenure is based on a thorough evaluation of the candidate’s total contribution to the University. In the same spirit, tenure shall not be granted by default or simply by virtue of an individual’s having served to the limit of the probationary period prescribed for his or her rank.

The decision to grant tenure is a deliberate action indicating that the candidate has been selected as a member of the permanent faculty because of demonstrated high-quality performance and relative merit. An award of tenure is based on a thorough evaluation of the candidate’s total contribution to the University. Basic competence or mere satisfactory performance in itself is not sufficient to justify granting tenure.

In addition to the candidate’s professional qualifications, other considerations, including the particular needs of the department and the changed circumstances of the University, may be taken into account in recommendations to award tenure. Therefore, a decision not to grant tenure does not necessarily reflect an unfavorable judgment of the candidate. A probationary tenure-track faculty member has no contractual right to receive tenure.

**D1.2 Authority to Award Tenure**

Tenure is awarded only by the Board of Trustees of the University, upon the recommendation of the President, who is guided by the judgment of the faculty committees and the responsible officials in the prior levels of review.

**Section D2 Standards and Procedures for Reappointment, Promotion, and Tenure**

**D2.1 General Criteria for Appointment, Promotion, and Tenure (APT Criteria)**

In the interest of maintaining quality, every academic unit is required to re-evaluate, and, as necessary, to revise the criteria for faculty appointments, tenure, and promotion at a minimum of every five years. Faculty members on probationary tenure-track appointments will be evaluated for promotion and tenure according to the criteria communicated to them at their initial appointment. While specific responsibilities of faculty members may vary because of special assignments or the particular mission of an academic department or unit, all evaluations shall address each candidate’s performance in the broad areas of teaching, scholarship, and service.
D2.2 Criteria for Tenure

Tenure is awarded to faculty members who have achieved excellence in carrying out their faculty responsibilities and demonstrated promise for continued achievement. The responsibilities of a faculty member fall into three major categories: teaching, scholarship, and service.

The faculty, in cooperation with the department chair and the dean, will develop the criteria for appointment, promotion, and tenure that are specific to and appropriate for the varied and diverse academic units of the University. The criteria must be consistent with the Faculty Handbook and the bylaws of the respective schools/colleges. The school/college criteria for the award of tenure are subject to review by the Provost and the President, and approval by the Board of Trustees.

D2.3 Tenure Clock Extensions

Under normal circumstances, the maximum probationary period for Assistant Professors is seven years (7) from the start of the tenure-track appointment, with the pre-tenure review in the third year and the mandatory review for tenure and promotion occurring in the sixth year. The maximum probationary period for Associate Professors is five (5) years, with the mandatory review for tenure in the fourth year. In certain circumstances, however, the tenure clock may be stopped and an extension may be granted beyond the customary maximum probationary periods.

Probationary tenure-track faculty members may request a one-year stoppage of the tenure clock for life events that may significantly interfere with their ability to achieve promotion and/ or tenure within the conventional time frames. Such life events include, but are not limited to, the following:

1) The addition of a child into the faculty member’s household. If both parents are probationary faculty members, each is eligible for a one-year tenure-clock extension;

2) A serious health condition (as defined in the Federal and District of Columbia Family and Medical Leave Acts) of the faculty member, or of a domestic partner or family member for whom the faculty member acts as the primary caregiver;

3) The death of a parent, child, spouse, or domestic partner;

4) Active military service during the period of deployment;

5) Unforeseen circumstances that adversely affect the faculty member’s ability to conduct scholarly work or fulfill other faculty responsibilities.

The procedure for requesting the extension is as follows. Interested persons must submit a written request to the chair of their department (or dean of their school/college) explaining the underlying circumstances. The department chair shall forward a recommendation to the dean, who shall forward a recommendation, with that of the department chair, to the Provost for final
decision. In cases of unforeseen circumstances, the applicant may request that the chair seek input from the APT committee, in which case the chair will reference that input in the recommendation that goes forward. Such requests for tenure clock extensions must be made as soon as practicable once the impact of the relevant circumstance(s) has been identified. The Provost will decide the merits of the case within two (2) weeks of receiving the request and the accompanying recommendations. Seeking a tenure clock extension does not obligate the faculty member to exhaust the duration of the probationary period before requesting tenure review.

If a faculty member experiences a life event during the first two years of a probationary tenure-track appointment, those circumstances should be taken into consideration during the pre-tenure review, but the pre-tenure review is not delayed except upon recommendation of the dean and the approval of the Provost.

Each faculty member is limited to two (2) one-year extensions during his or her probationary period, except as required by law. No more than one year of tenure-clock extension will be approved per person for any single life event. Tenure clock extensions will not be granted to faculty members who have already been notified that they will not be recommended for reappointment, promotion, or tenure.

The request for, and granting or denial of, a tenure-clock extension is independent from any requests for leave made by the faculty member for the same life event(s).

The granting of a tenure clock extension does not imply any guarantee of reappointment, promotion, or tenure. The existence of this policy does not preclude or prevent a faculty member from being terminated before the end of her/his term consistent with the Faculty Handbook and/or any Federal or District of Columbia laws.

D2.4 The Application for Tenure

The Provost shall announce the annual timeline for the tenure review process well in advance of the application submission deadline to enable candidates to assemble their portfolios. The timeline shall include deadlines for actions at the respective levels of review, with clear specifications of the points at which candidates may request reconsideration of negative recommendations and appeal to the Faculty Grievance Commission. As a general principle, no individual may participate in the review of or vote on an application at more than one level.

Each candidate for tenure will assemble a portfolio of supporting documentation and submit it to the department chair (or the dean in the Schools of Divinity, Law, and Social Work) by the announced deadline. The portfolio shall contain a completed “Faculty Application for Appointment, Promotion and/or Tenure” form, available from the Office of the Provost and a current curriculum vitae. Following the section headings of the application form, each portfolio will document the candidate’s record in the areas of teaching, scholarship, and service. While different information may be relevant or appropriate to various fields, in general this documentation should address the applicant’s:
1) Educational and professional qualifications: besides a complete and current curriculum vitae containing information of past educational and professional experience, this documentation may include copies of relevant certificates and awards, copies of performance evaluations given to the applicant since his or her last change in faculty rank or tenure status, and any other relevant professional material that the candidate wishes to be considered in the tenure review process;

2) Teaching experience: this should include copies of course syllabi and other materials, as well as descriptions of courses taught; results of student course evaluations are required; evaluations of the applicant’s classroom performance, conducted by faculty colleagues and department chairperson should also be included;

3) Scholarship: copies of research publications or evidence of creative work appropriate to the applicant’s academic field or discipline; evidence of externally sponsored research grants, contracts, or awards; copies of presentations at conferences, seminars or symposia; and status reports on any work that is under review for publication or presentation should be included;

4) Service: evidence of service to the department, the school/college, the University, and the wider community should be included, as should evidence of leadership in professional associations and participation in other professional activities such as serving on editorial boards and reviewing manuscripts and grant applications.

Each candidate for tenure will include with the application the names of two external reviewers, who are experts in the applicant’s area of research or creative production and who are affiliated with a research university (or comparable institution) other than Howard University. Each reviewer should hold the academic rank of Associate Professor (or its equivalent) or higher.

After completing the application form and assembling the supporting documentation, the applicant submits the entire portfolio in electronic form to the administrator of the local academic unit (department chair or dean).

**D2.5 The Review Process**

Upon receipt of the application for tenure, the chair of the department (or the chair of the Appointment, Promotions and Tenure Committee) will contact four (4) external reviewers (two recommended by the candidate and two by the department) to determine their ability to participate in the evaluation process on the prescribed timeline. The reviewers must be persons external to the University, who are experts in the applicant’s discipline and who are affiliated with research universities or comparable institutions. The chief purpose of these letters is to obtain an objective evaluation of the applicant’s scholarship.

The local unit administrator or chair of the APT committee will then forward the applicant’s curriculum vitae and copies of research publications or facsimiles of creative productions to each
external reviewer for evaluation, along with a statement of the relevant criteria for tenure and/or promotion to the faculty rank the applicant is seeking.

Given their central importance to the overall process, faculty committees and administrators at every level of review must take the external evaluations into account before formulating their recommendations regarding the application.

**D2.5.1 Department Level Review, Recommendation and Reconsideration**

Since the decision to award tenure has far-reaching importance to the individual faculty member, the department, school/college, and the University, the first level of review (usually at the department level, but in schools without departments, at the school level) must be thorough. The first step in the process is a review of the candidate’s file by the tenured members, who comprise the APT Committee. In the event a department does not have at least three (3) faculty members eligible to vote, the dean, in consultation with the faculty, will establish an ad-hoc APT Committee of faculty in the same or related field as the applicant; the ad-hoc committee members may be from the same or from a different school/college as the candidate.

The departmental review will observe the following procedures, completing the review within three (3) weeks of having assembled the full application file:

1) The department chair informs the members of the APT Committee that the completed file of an applicant for promotion with tenure is available for their review.

2) Following review of the applicant’s file by the department’s APT Committee, the department’s APT Committee chair will call a meeting of the APT Committee, excluding the department chair, for the announced purposes of evaluating the applicant’s performance in the three areas of teaching, scholarship, and service and voting whether or not to recommend tenure and promotion.

3) The department’s APT Committee chair will record the vote and transmit the results and the required evaluative statement of the candidate’s performance, along with the application file to the department chair.

4) The department chair will perform an independent evaluation of the candidate in the three areas, recommend to the dean whether or not the candidate merits tenure (and promotion), and include an evaluative statement of the candidate’s performance.

Within one (1) academic week of completing the departmental review, the chair will communicate to the applicant in writing the results of the evaluation. In cases where either of the recommendations (the APT Committee’s or the chair’s) is negative, the communication will explain—within the limits required to preserve confidentiality—the reasoning behind the negative recommendation(s) and inform the applicant that he or she may request reconsideration.
If the applicant wishes to have any negative department recommendation reconsidered, the applicant shall respond to the department chair, in writing, within two (2) academic weeks of receiving this explanation. In the written request for reconsideration, the applicant may address any issue that he or she deems appropriate and may also present new information in support of the request for reconsideration.

The department has two (2) academic weeks to reconsider. In cases where the APT Committee’s original recommendation was negative, after reviewing the request for reconsideration, it will conduct a second vote. By the end of the two-week period, the department chair will communicate the results of the reconsideration with an appropriate explanation to the applicant.

Upon completion of the departmental review, including any requests for reconsideration, the chair of the department shall forward to the dean the original application file with its supporting documentation (including the letters of external reviewers), the recommendations of the department APT Committee and the chair, as well as all correspondence and recommendations resulting from a request for reconsideration by the deadline stipulated in the Provost’s annual review calendar.

In schools that are not organized into departments, the school-wide APT committee conducts the first-level review and forwards its evaluation statement of the candidate’s performance along with the results of its vote to the dean. The dean’s review as well as the process and timeline governing requests for reconsideration are the same as those described in Section D2.5.2, below.

**D2.5.2 School/College Level Review, Recommendation and Reconsideration**

After the department's initial review, recommendation, and reconsideration (if any) are completed, the recommendations are reviewed by the school/college dean and APT Committee. The school/college APT Committee is typically comprised of tenured faculty members holding the faculty rank of Professor or Associate Professor, however each school/college may further restrict the membership through its bylaws, subject only to approval by the Board of Trustees. The school/college APT Committee will not include department chairs, directors of academic programs, deans (assistant, associate, and full), or any faculty member from the applicant’s home department. After review, the school/college APT Committee will submit its recommendation to the dean. The dean will then conduct a review of the application file and all accompanying recommendations and render an independent recommendation. Within six (6) academic weeks of receiving the application file from the department, the dean will notify the candidate and the department of the results of the school/college level of review in writing. If the recommendation of the APT Committee or the dean is negative, the dean’s notice will also include a detailed explanation for the negative recommendation and notice of the right to request reconsideration. Within two (2) weeks of receipt of the dean’s notice, a candidate who wishes to request reconsideration will do so in writing, setting forth in detail the grounds for the appeal. Within two (2) weeks of receiving the request, the dean and/or the school/college APT committee will consider the evidence, conduct a new vote (if necessary), and the dean will inform the applicant and the department of the final recommendation. In the case of a negative decision, the dean
shall advise both the applicant and the department of their right to appeal to the Faculty Grievance Commission.

**D2.5.3 Appeal to the Faculty Grievance Commission (FGC)**

If the final recommendation of either the dean or the school/college APT Committee is negative, the applicant, the department, or the applicant and the department in concert, may file an appeal to the Faculty Grievance Commission before the recommendation is forwarded to the Provost for review. Final action by the Provost will be held in abeyance until the FGC appeal process is concluded.

The grounds for such an appeal and the procedures for the FGC’s review are detailed in Section F3 below.

**D2.5.4 University Level Review and Recommendation**

Following the school/college review and the conclusion of all requests for reconsideration and appeals, the dean will forward the complete application file, as well as all recommendations produced at the departmental and the school/college levels, along with all other documents pertinent to the case, to the Provost. The Provost will review and evaluate the application file and submit a recommendation to the President.

Within seven (7) academic weeks of receiving the applicant’s completed file, the Provost will notify the dean of the President’s final decision.

The President will present to the Board of Trustees for approval the candidates recommended for tenure and promotion. Following the Board’s approval, the President will notify the applicant and the dean. In cases where the President does not recommend an applicant to the Board for approval, the President or his/her designee will explain, within the limits set by the need to preserve confidentiality, to the applicant and the dean the reasons for the negative recommendation.

**D2.5.5 Procedures for Promotion to Professor and Initial Appointments at the Rank of Professor**

The criteria for promotion from the faculty rank of Associate Professor with tenure to Professor include excellence in teaching, a sustained record of scholarship appropriate to the discipline, substantial service appropriate to the discipline, and an assessment of whether the individual has fulfilled the promise on which tenure was originally granted.

The procedures, timetable, criteria and right to request reconsideration of a negative decision regarding promotion to full Professor are the same as those outlined for the recommendation for tenure; the only procedural difference involves the composition of the department and the school/college APT committees.
The department APT Committee reviewing applications for promotion to full Professor shall consist of at least two (2) full Professors and all tenured faculty members in the department. In the event a department does not have at least three (3) faculty members eligible to vote, the dean, in consultation with the faculty, may establish an ad-hoc committee of faculty in the same or related area as the applicant; the ad-hoc committee members from outside the department may be from the same or a different school/college as the applicant, but each must hold the rank of full Professor.

The school/college APT Committee reviewing full Professor promotions shall consist of full Professors only, and will not include department chairs, directors of academic programs, deans (assistant and associate), and members of the applicant’s department. In the event a school/college APT Committee does not have at least three (3) faculty members eligible to vote, the dean, in consultation with the faculty, will establish an ad-hoc committee of faculty in the same or related area as the applicant; the ad-hoc committee members may be from the same or from a different school/college as the applicant.

Recommendations for initial appointment at the rank of Professor (whether tenured or probationary) will follow the same procedures at the departmental and school/college levels as described above for candidates who seek promotion from the rank of tenured Associate Professor, except that candidates for initial appointment at the rank of Professor may not request reconsideration of a negative recommendation.
Chapter E: Disciplinary Matters

The provisions of this chapter of the Faculty Handbook enumerate the grounds and procedures for disciplining faculty, including administrators who hold faculty positions. They provide notice to members of the University community of the basis for disciplining faculty and a process for resolving such matters that is intended to facilitate clear communication and graduated opportunities for correction and improvement. These provisions also provide a system for the timely resolution of disciplinary matters in order to facilitate the work and community of the University.

When an administrator receives information alleging that a faculty member, who the administrator supervises, failed to perform assigned duties, violated a University policy, or engaged in conduct that interferes with the effective operation of the unit or the university, the administrator should first speak with the faculty member to determine the veracity of the charge and its seriousness. However, in cases that involve alleged violations of the University’s Title VII (Employee) Policy Against Sexual Harassment in the Workplace and/or Title IX (Student) Policy on Prohibited Sexual Harassment and Gender-Based Discrimination in Education Programs and Activities, the procedures for disciplinary action stated in the University’s Title VII and Title IX policies, up to and including suspension or termination, are followed instead of the procedures described in this section. The administrator is required to make the appropriate referral of such cases in a manner specified in the relevant policy.

If the administrator determines that the allegation lacks substance, the complainant may refer the matter to the next higher administrative level. Otherwise, no further action is required.

If, in the judgment of the administrator, the allegation has merit but it involves a minor infraction of faculty responsibilities or University policy, the administrator will seek to identify a mutually agreed upon resolution, which may include a verbal warning. In this and in all similar conversations between the faculty member and an administrator, the faculty member may choose to be accompanied by another faculty member or by the Faculty Ombudsperson. The appropriate resolution of disciplinary matters requires that all participants must be guided by the principles of confidentiality.

The following sections outline procedures for disciplinary actions involving either a written reprimand or a recommendation to impose a major sanction. Only faculty members who are tenured or probationary tenure-track, or who hold a non-tenured renewable term appointment, may appeal a recommended major sanction to the Faculty Grievance Commission. When a temporary faculty member (including all full-time faculty on appointments of one-year or less, as well as part-time adjunct faculty who are not covered by a collective bargaining agreement) is recommended for a written reprimand or a major sanction, the procedures governing the administration of a written reprimand described in Section E2 below, including the provision for a final appeal to the Provost, will apply; however, those faculty members may not appeal to the Faculty Grievance Commission. Disciplinary procedures regarding faculty members in a collective bargaining unit are covered by the applicable collective bargaining agreement.
Faculty members who have been subjected to (a) disciplinary action imposed without use of or administered in a manner inconsistent with the procedures stated in this handbook, (b) an infringement of academic freedom, or (c) other action that adversely affects the terms or conditions of their employment may avail themselves of the grievance procedures as stated in Chapter F.

**Section E1: Types of Disciplinary Sanctions**

Disciplinary actions against a faculty member may include written reprimands, which may also require satisfying the terms of a corrective action plan, and the major sanctions of reduction in pay or rank, removal of teaching responsibilities, revocation of tenure, suspension (with or without pay), and termination for just cause.

As a general rule, the principle of graduated discipline shall apply, with the disciplinary action commensurate with the behavior. Written reprimands attempt to correct objectionable behavior without otherwise affecting the faculty member’s rank, status, or the terms and conditions of employment. Major sanctions involve actions that may affect the faculty member’s rank, status, or the terms and conditions of employment.

A single incident involving a threat of immediate harm to the faculty member or others may warrant an immediate suspension pending further investigation and a formal recommendation. In these cases, the suspension shall be with pay.

**Section E2: Written Reprimands**

If the allegation brought to the attention of the administrator of an academic unit involves neglect of faculty responsibilities or violation of university policies or one that was the subject of previous charges, the administrator may issue a written reprimand. The administrator will notify the faculty member of the charge(s) and the proposed sanction and provide an opportunity for discussion and, if possible, resolution. The faculty member may, but is not required to, request that the Executive Committee of the academic unit involved [department, school/college] review the matter and make a recommendation to the administrator before the reprimand is issued. If the sanction involves a corrective action plan, requiring participation in workshops or other appropriate professional development activities to achieve specifically stated goals and objectives, the notice will specify a timeline for completion and any other terms and conditions that apply. At the faculty member’s request, the administrator will meet to discuss the proposed plan. The faculty member may be accompanied by another faculty member or by the Faculty Ombudsperson. If the sanction involves a letter of reprimand, the administrator will meet with the faculty member to discuss its contents before issuing it.

A faculty member who receives a written reprimand may, within two (2) weeks from receipt of the communication, submit a written request for reconsideration which also will be incorporated into the file. If the faculty member has not previously sought review of that matter by the Executive Committee, the faculty member may, but is not required to, request that the Executive Committee review the matter and include a recommendation to be considered by the
administrator. If the administrator decides to let the reprimand stand, the faculty member may request review by the next higher administrative authority, who will have two (2) weeks to make a decision and inform the faculty member and the relevant administrator in writing. The decision of the administrator who hears the appeal is final, and is not subject to grievance to the Faculty Grievance Commission.

**Section E3: Major Sanctions**

In light of the professional consequences, a recommendation to impose a major sanction is initiated by a dean or by the Provost. Except in the serious cases that justify immediate suspension, a recommendation to impose a major sanction shall be preceded by discussions between the faculty member and the appropriate academic administrator(s) looking toward a resolution. The faculty member may be accompanied by another faculty member or by the Faculty Ombudsperson. The President is the final decisional authority regarding the imposition of a major sanction.

The following grounds may lead to a recommendation for a major sanction if they are related, directly and substantially, to the fitness of faculty members in their professional capacities as teachers or researchers.

1) Continued neglect of academic duties, despite oral and written warnings;

2) Falsification or misrepresentation of credentials or professional experience;

3) Professional misconduct or loss of required professional certification or licensure;

4) Serious personal misconduct;

5) Deliberate and serious violations of the rights and freedom of fellow faculty members, administrators, or students;

6) Serious violation of the Faculty Handbook, the Employee Handbook, and other University policies, typically after oral and/or written warning;

7) Retaliation;

8) Bullying; and

9) Admission or conviction of a felony or misdemeanor involving moral turpitude.

The University policy on retaliation is no faculty member should be treated differently, demoted, harassed or retaliated against in any way for filing a charge of discrimination, participating in a discrimination proceeding, or otherwise opposing any practice they believe to be illegal or improper.

Academic discourse frequently involves a strong expression of opinions, including discussion,
deliberation, and debate. However, bullying is unwanted, aggressive physical or verbal behavior conducted by one or more persons against another or others, at the place of work and/or in the course of employment that may involve a real or perceived power imbalance. The behavior may be repeated, or may have the potential to be repeated, over time.

The following procedures shall be observed:

1) A recommendation to impose a major sanction will normally be initiated by the dean of the unit in which the faculty member’s primary appointment resides, after consultation with the department chair and the department Executive Committee. In schools that do not contain departments, the recommendation may be initiated by the dean of the unit in which the faculty member’s primary appointment resides, after consultation with the associate dean for academic affairs (or other appropriate administrator) and an appropriate faculty committee. However, the Provost or other appropriate administrator may initiate the recommendation. In cases involving allegations of bullying or retaliation by an administrator who is also a member of the faculty, the complaining faculty member may initiate a complaint to the next level supervisor of the administrator against whom the allegations are made. In any case involving a major sanction, the burden of proof that just cause exists shall be on the administration. Proof shall be by clear and convincing evidence on the record as a whole.

2) The administrator who initiates the recommendation will communicate the charges, a summary of supporting evidence, and the recommended sanction to the faculty member in writing and provide the faculty member with an opportunity to meet and present a defense. The faculty member may be accompanied by another faculty member or by the Faculty Ombudsperson.

3) If the matter is not resolved as a result of that meeting, the dean will forward the recommendation to the Provost.

4) If the faculty of a school/college has, by resolution, requested the dean to investigate whether a colleague merits suspension or termination, the dean has two (2) months from the date of the resolution to reply. If, at that point, the dean has not reported back on the matter, has not initiated proceedings for suspension or termination, or has declined to initiate such proceedings for reasons that the faculty deems inadequate, the faculty may forward such a recommendation directly to the Provost for further action.

5) Upon receipt of a recommendation to impose a major sanction, the Provost will review any documentation submitted and conduct any additional meetings or interviews for purposes of gathering additional information or seeking a resolution. Prior to reaching a final decision, the Provost will offer the faculty member an opportunity to meet with the Provost, the dean and, where applicable, the department chair or other appropriate administrator. The faculty member may be accompanied by another faculty member or by the Faculty Ombudsperson. If, after reviewing the case, the Provost concurs with the dean’s recommendation, the Provost will inform the faculty member in writing of his or
her intent to recommend the imposition of a major sanction to the President. The Provost’s communication to the faculty member will specify the recommended sanction; identify the policy, rule or procedure that has allegedly been violated; summarize the evidence supporting the recommended sanction; and notify the person that he or she has two (2) weeks from receipt of the communication to appeal to the Faculty Grievance Commission. If the faculty member does not submit an appeal with the Faculty Grievance Commission (FGC) within two (2) weeks, the faculty member waives the right of appeal, and the Provost forwards the recommendation along with the case file of related information to the President for final action. If a grievance is not timely filed with the FGC, the President will receive the recommendation and case file from the Provost, and will determine the final action. The President will inform the Provost of this final action, and the Provost will communicate this final action to the faculty member within three (3) weeks of receipt by the President of the Provost’s recommendation.

6) If the faculty member chooses to file a grievance, the Provost will forward the recommendation for the sanction, as well as the case file, to the Office of the Faculty Senate to the attention of the FGC Chair, at which point the procedures described below in Section F2 apply. If the recommended sanction is either suspension or termination, the faculty member may be suspended with or without pay during the pendency of the appeal.
Chapter F: Faculty Grievances, the Faculty Grievance Commission (FGC), and FGC Procedures

Section F1: Grievable Matters

A grievance is a complaint alleging that a disciplinary action (or other adverse action) has been taken that has the potential to affect the faculty member’s appointment status or the terms and conditions of employment or to abridge another right that all faculty members enjoy. The processes described below address five kinds of grievances: (1) appeals of recommended major disciplinary sanctions; (2) appeals of negative recommendations for reappointment, tenure, and/or promotion; (3) grievances against another faculty member; (4) grievances against administrators in cases that do not involve disciplinary actions; or (5) appeals of termination due to financial exigency.

F1.1 Eligibility of Faculty Members to Initiate Grievances

The grievance process described here is available to full-time tenured and probationary tenure-track faculty members and faculty in one of the Board-approved categories of non-tenured renewable term appointments.

Administrative officers who wish to contest actions affecting the terms and conditions of their administrative positions may not participate in the University’s faculty grievance process. However, faculty members serving as administrative officers may utilize the grievance procedures if an action arises while they are serving as a regular member of the faculty and their position as a regular member of the faculty is affected by the action they seek to grieve.

For allegations that a faculty member has violated the University’s Title VII (Employee) Policy Against Sexual Harassment in the Workplace, and/or Title IX (Student) Policy on Prohibited Sexual Harassment and Gender-Based Discrimination in Education Programs and Activities, the procedures in those policies for disciplinary action, up to and including suspension or termination, are followed instead of the procedures described in this section.

Sanctions imposed as a result of falsification or misrepresentation of credentials or experience, or admission or conviction of a felony shall be grievable as a major sanction.

F1.2 The Faculty Grievance Commission (FGC)

The Faculty Grievance Commission (FGC) consists of one representative from each of the schools and colleges (except the Graduate School), elected at-large by the faculty of the respective schools and colleges. No faculty member can serve on the FGC for more than two consecutive 2-year terms, although subsequent reelection is permitted. No administrative officer, department chair, or assistant or associate dean may serve on the FGC. The FGC will conduct business during the summer months as well as during the academic year, with a simple majority constituting a quorum.
The FGC shall annually elect a chair from among its current members. The chair shall serve as the presiding officer of meetings of the FGC.

Failure of FGC members to fulfill their responsibilities and duties may result in their removal from the FGC. One or more members of the FGC may submit a recommendation to the Council of the Faculty Senate, with appropriate justification for the removal of a member of the FGC, including the chairperson. After giving the individual an opportunity to respond to the removal recommendation, the Council shall decide, by majority vote, whether to accept the recommendation. Replacement of FGC members shall be guided by the school/college provisions for elections.

F1.2.1 The FGC’s Authority

The Faculty Grievance Commission has authority in four varieties of cases: (1) when an administrator recommends a major disciplinary sanction against a faculty member; (2) when a faculty member receives a negative recommendation for reappointment, promotion, and/or tenure at the school/college level; (3) when an action by another faculty member involves intimidation, infringement of academic freedom, or matters affecting terms or conditions of a faculty member’s employment; or (4) when an administrator takes an action that adversely affects a faculty member’s professional standing or reputation or terms or conditions of employment without having invoked the disciplinary process.

The procedure for resolving each is somewhat different as described below.

F1.2.2 Hearing Lists

Each school/college (except the Graduate School) will elect three (3) tenured faculty to serve as members of the Hearing List. The members of the Hearing List will, as selected, serve as members of Formal Hearing Panels as described in Section F2.3. Members of the Hearing List shall be elected for three-year terms, staggered so that the terms of approximately one-third of the members shall expire each year. Members of the Hearing List may be re-elected to a second three-year term, but no person shall serve more than two (2) terms consecutively. Persons elected to serve on the FGC may not serve simultaneously as a member of the Hearing List.

Members of the FGC and of the Hearing List shall receive appropriate training regarding the proper procedures for conducting hearings.

An independent legal officer shall assist the FGC in its operations. The legal officer’s professional responsibility shall be to the Senate, and the terms and conditions of employment shall be determined by the Senate.

F1.2.3 Principles of Confidentiality and Preponderance of Evidence

All parties concerned in grievance matters will maintain confidentiality both during the process and following its conclusion. Decisions and resulting recommendations will be based on the preponderance of evidence.
Section F2: Procedures Governing Appeals of Recommendations to Impose Major Disciplinary Sanctions or Termination

F2.1 Appeals of Major Disciplinary Sanctions or Termination

A major sanction is one that, if implemented, will have significant impact on the person’s professional standing or reputation. Eligible faculty members who are recommended to receive one or more of the following seven (7) major sanctions, for which the President is the final decisional authority, may appeal to the Faculty Grievance Commission (FGC):

1) Dismissal for just cause or termination;
2) Suspension;
3) Demotion or reduction in rank;
4) Revocation of tenure;
5) Removal of teaching or research or clinical responsibilities for disciplinary reasons;
6) Salary reduction;
7) Terminations pursuant to Section B3.3.2.3; and
8) Any other action that may seriously affect a person’s professional standing or reputation; however, this does not include any form of oral or written warning.

F2.2 Filing a Complaint

When a faculty member who has been recommended for a major sanction informs the Provost of his or her intention to appeal to the FGC, the Provost notifies the chair of the FGC and forwards the recommendation to impose the major sanction with the case file of supporting documentation. The chair of the FGC forwards copies of the recommendation and the case file to the grievant with instructions that he or she has thirty (30) days to file the complaint. The complaint must:

1) Identify the recommended major sanction that is being challenged and the alleged action(s) specified in support of the recommendation;
2) Provide any relevant information and supporting documentation to rebut the charges; and
3) Identify the redress or relief sought.

Upon receiving the complaint submitted by the grievant, the chair of the FGC will: (a) acknowledge receipt to the grievant and to the respondent; (b) notify the Provost and the chair of the Faculty Senate that the grievance has been received; and (c) inquire if the parties wish to
submit the matter to mediation. If the grievant and respondent agree to mediation, a professionally trained and mutually agreed upon mediator will be retained. If, at the end of thirty (30) calendar days, the mediation does not result in a written agreement memorializing the terms of resolution, the chair of the FGC will move the complaint into the Formal Hearing process. If the grievant and respondent do not agree to mediation, the complaint is referred to a Hearing Panel, subject to the procedures described below. In either case, the Formal Hearing process is considered initiated at this time.

F2.3 The Formal Hearing

F2.3.1 The Hearing Panel

Within three (3) academic weeks of when the chair of FGC initiates the formal hearing process, the FGC chair will constitute a Hearing Panel as follows: The grievant and respondent shall each select two candidates respectively from the elected Hearing List. The FGC chair shall select a fifth who shall act as chair. Members of the Hearing List who have a personal bias or conflict of interest will remove themselves from consideration, either at the request of the grievant or respondent, or on their own initiative. If, at any time during the deliberations a conflict of interest arises or is discovered, the chair of the Hearing Panel will take action to eliminate the conflict. Additionally, members of the Hearing List with current and pending complaints against the University may not serve, nor may members of the same department (or, in cases wherein the grievant is affiliated with a school without departments, from the same school) as the grievant or the respondent. The final decision with respect to whether a member should hear the grievance rests with the remaining panel members. Once the Hearing Panel is constituted, the FGC chair will forward all materials in the case to the Hearing Panel chair.

F2.3.2 Hearing Procedures

After the Hearing Panel is constituted, the Hearing Panel chair will notify all parties in writing, within two (2) academic weeks, that formal proceedings will be initiated and of the time and place of the hearing. The Hearing Panel chair will also send to the Provost a summary statement of the evidence proposed to be presented by the grievant, a list of witnesses to be called, and copies of relevant documents.

Grievance hearings are not formal judicial proceedings; they are internal University proceedings. Their purpose is to provide a fair and neutral evaluation of the allegations listed in the complaint.

During the Formal Hearing, the Hearing Panel may receive and review any relevant evidence supporting the positions of both sides, as long as the documentation is not subject to attorney-client and/or work-product legal privilege, and provided that the privacy rights protected by law of third parties are maintained. Oral arguments, written evidence, and witnesses may be presented by the grievant, the respondent, and the Hearing Panel. The University will make a reasonable effort to facilitate the appearances of witnesses, when appropriate. The grievant may be assisted by one or more advisors and/or counselors in preparing and presenting the case to
the Hearing Panel. A transcript of each hearing will be prepared and a copy will be made available, upon request, to both parties without cost.

The Hearing Panel must complete its hearings and reach its final decision within eight (8) academic weeks of the notice. The grievant may request an extension of time if a hearing is scheduled for the summer and the grievant or the grievant’s witnesses are unavailable. In such circumstances, or any extraordinary circumstances that may justify an extension, the Hearing Panel chair will communicate in writing to the chair of the Faculty Senate a request to extend the completion deadline for a stipulated period. If approved, the Hearing Panel chair will inform the grievant, the respondent, and the Provost in writing.

**F2.3.3 Recommendation**

The Hearing Panel’s final recommendation shall be based solely on the preponderance of evidence presented during the hearing. No later than thirty (30) business days after the conclusion of the hearing, the Hearing Panel chair will transmit the recommendation and the case file to the FGC chair, and the FGC chair will forward a copy of the recommendation to the grievant, the respondent, and to the Provost. The Hearing Panel may request a time extension from the Faculty Senate Chair; if granted, such an extension may not to exceed ten (10) business days.

**F2.3.4 Appeal**

If either the grievant or the respondent wishes to appeal, the request for an appeal must be submitted in writing to the FGC chair through the Office of the Faculty Senate within fifteen (15) business days of receiving the Hearing Panel’s recommendation. Upon receipt of an appeal, the chair will convene the FGC. Members of the commission who have a personal bias or conflict of interest will remove themselves from consideration either at the request of the grievant or the respondent, or on their own initiative. Additionally, members of the FGC with current and pending complaints against the University may not serve, nor may members of the same department as the grievant. New evidence material to the case that was not previously available through the exercise of reasonable due diligence may be considered during the appeal at the discretion of the FGC. Within thirty (30) business days of receiving the notice of appeal, the FGC members hearing the appeal will decide, by majority vote, whether to sustain, modify or remand the Hearing Panel recommendation and notify all the parties of the decision. In cases that are remanded, the Hearing Panel has ten (10) business days to report back to the FGC. After the FGC concludes the appeal process, the case is returned to the Provost for reconsideration. Within ten (10) business days of receiving the report, the Provost will forward the recommendation and the entire case file to the President for review and final decision.

If neither the grievant nor the respondent chooses to appeal the findings of the Hearing Panel, the chair of the FGC will forward the case file to the Provost, who, in turn, will forward the entire case file to the President for final decision.

**F2.3.5 Final Decision**
The President's decision will be communicated, in writing, to the FGC Chair, the Provost, the grievant, and the respondent within thirty (30) business days of receiving the recommendation from the FGC. Whether or not the President imposes the recommended sanction, the seriousness of all disciplinary cases that result in a recommendation for a major sanction warrants that the President will provide a full explanation of his or her decision.

If the final decision supports the imposition of a major sanction, the President will, in a separate communication, notify the grievant, the respondent, and the Provost, informing him or her of the sanction and the effective date(s). In cases wherein the recommended sanction was termination, the President may impose a lesser sanction. The President’s decision is not subject to further grievance to the FGC, but in the case of termination, is appealable to the Board of Trustees.

Section F3: Procedures Governing Appeals of Negative Recommendations at the School/College Level Regarding Applications for Reappointment, Tenure, or Promotion of Tenured, Probationary Tenure-Track, and Non-Tenured Renewable Term Appointment Faculty Members

Tenured faculty members, probationary tenure-track faculty members, and faculty members who hold non-tenure track renewable term appointments may grieve negative recommendations at the school/college level on applications for reappointment, promotion, and/or tenure.

F3.1 Filing the Appeal

When a school/college completes its final review (including all requests for reconsideration) of an application for reappointment, tenure, or promotion submitted by a faculty member in one of the above-referenced categories and one or both of the recommendations is still negative, the dean will notify the faculty member and the department in writing, explaining fully the reasons for the negative recommendation. The candidate or the primary academic unit, or the candidate and the primary academic unit in concert, may appeal the decision. The written appeal must be submitted in writing to the FGC chair through the office of the Faculty Senate, with a copy to the dean of the school/college, within three (3) academic weeks of receiving notice from the dean of the negative recommendation. The appellant(s) will explain the grounds for the appeal and furnish whatever information is relevant to establishing his or her case.

F3.2 The Formal Review

In its review of such an appeal, the FGC will determine if the negative recommendation:

1) Violates established University, departmental, and/or school/college policies and procedures;

2) Is not supported by the record;
3) Reflects the consideration of factors unrelated to performance of faculty responsibilities; or

4) Violates the candidate’s academic freedom.

Appeals of negative recommendations are heard by the FGC acting as a body. A simple majority will constitute a quorum. Persons from the same primary academic unit as the appellant and those who participated in a school/college APT committee’s review of the application are disqualified from participating in the FGC review.

**F3.2.1 Review Procedures**

The FGC shall recognize the central role of peer judgment in reappointment, tenure, and promotion decisions. Therefore, the FGC cannot substitute its assessment of the appellant’s professional qualifications for those of the department and the experts outside the department who have been asked to submit evaluations. The FGC’s role in judging professional merit shall be limited to determining whether the recommendation of the dean and/or of the school/college APT Committee was arbitrary and capricious or based on improper considerations. In reaching that conclusion, the FGC may reference other similar cases, but each appeal must be evaluated on its own merits, based upon the documentation in the applicant’s file.

**F3.2.2 Recommendation**

Within thirty (30) days of accepting the appeal, the FGC will conclude its review and notify the appellant and the dean in writing of its final recommendation with an appropriate explanation. The chair of the FGC will return the file to the dean. If the FCG does not recommend reconsideration, the dean will forward the original application file and its supporting documentation, along with all correspondence and recommendations associated with requests for reconsideration and the appeal to the FGC, to the Provost to complete the review process. If the FGC recommends reconsideration, the school/college will complete the appropriate review within two (2) academic weeks, and the dean will notify the appellant and the chair of the FGC of the result and forward the complete file to the Provost.

**Section F4: Procedures Governing Grievances Involving Faculty Complaints against Another Faculty Member for Non-Disciplinary Actions**

When a faculty member objects to an action by another faculty member, except for bullying, which is subject to the provisions of Chapter E, the faculty member is advised to seek an informal resolution by bringing the matter before an appropriate administrator and/or the Faculty Ombudsperson. If the informal process does not resolve the matter and the complaint involves allegations of intimidation, an infringement of academic freedom, or an action that adversely affects the terms or conditions of employment, the faculty member may submit a formal, written complaint directly to chair of the FGC (in care of the Office of the Faculty Senate) for review.
Complaints regarding discrimination, harassment, or retaliation must be addressed to the Office of Equal Employment Opportunity and Diversity in the Office of Human Resources. Such matters are not subject to the jurisdiction of the FGC.

**F4.1 Jurisdiction of the FGC and Acceptance of the Complaint**

The FGC’s jurisdiction extends only to cases involving allegations of intimidation, an infringement of academic freedom, or an action that adversely affects the terms or conditions of employment.

Normally within two (2) academic weeks of receiving a written complaint, a simple majority of the FGC will decide whether the FGC has jurisdiction over the grievance and whether it merits investigation. When extenuating circumstances arise, the FGC chair may petition the chair of the Faculty Senate for an extension of this timeline. Following the Senate chair’s timely review of the request, the FGC chair will notify all parties of the outcome.

Upon making this determination, the FGC must inform the parties of its decision, in writing and with supporting justification, to:

1) Decline to accept the grievance and dismiss the complaint; or to

2) Accept the grievance.

**F4.2 The Formal Hearing**

If the FGC accepts the grievance, it will first attempt to resolve the matter through mediation. If both parties agree to mediation, a professionally trained and mutually agreed upon mediator will be retained. If, at the end of thirty (30) calendar days, the mediation does not result in a written agreement memorializing the terms of resolution, the chair of the FGC will move the grievance into the Formal Hearing process.

Procedures for a formal hearing in such cases are similar to those in appeals of recommended major disciplinary sanctions, except that the final recommendation of the Hearing Panel (or the FGC, in cases of appeal) will be communicated to the Provost. The Provost will review the underlying facts of the matter and the recommendation of the FGC, and based upon this review, will make a final determination as to any necessary course of action. This determination is not subject to any further grievance or appeal.

**Section F5: Procedures Governing Grievances Involving Complaints against Certain Administrators**

When a faculty member objects to an action by a department chair, a program director, or a dean (including associate and assistant deans), that does not involve a response to a disciplinary matter initiated according to procedures outlined in Section F2, the faculty member is advised to seek an informal resolution by bringing the matter before that administrator’s supervisor or the Faculty Ombudsperson. If the informal process does not resolve the matter and the complaint involves allegations of: (a) intimidation; (b) disciplinary action imposed without use of or
administered in a manner inconsistent with the procedures stated in this handbook; (c) an infringement of academic freedom; or (d) an action that adversely affects the terms or conditions of employment, the faculty member may submit a written complaint directly to chair of the FGC (in care of the Office of the Faculty Senate) for review.

Complaints regarding discrimination, harassment, or retaliation prohibited by law must be addressed to the Office of Equal Employment Opportunity and Diversity in the Office of Human Resources. Such matters are not subject to the jurisdiction of the FGC.

**F5.1 Jurisdiction of the FGC and Acceptance of the Complaint**

The FGC’s jurisdiction extends only to cases involving allegations of disciplinary action imposed without use of or administered in a manner inconsistent with the procedures stated in this handbook, an infringement of academic freedom, or an action that adversely affects the terms or conditions of employment. The FGC’s jurisdiction does not extend to Board-approved matters regarding academic program closures or Board-approved policies.

Normally within two (2) academic weeks of receiving a written complaint, a simple majority of the FGC will decide whether the FGC has jurisdiction over the grievance and whether it merits investigation.

Upon making this determination, the FGC must inform the parties of its decision, in writing and with supporting justification, to:

1) Decline to accept the grievance and dismiss the complaint; or to

2) Accept the grievance.

**F5.2 The Formal Hearing**

If the FGC accepts the complaint, it will first attempt to resolve the matter through mediation. If both parties agree to mediation, a professionally trained and mutually agreed upon mediator will be retained. If, at the end of thirty (30) calendar days, the mediation does not result in a written agreement memorializing the terms of resolution, the chair of the FGC will move the complaint into the formal hearing process.

Procedures for a formal hearing in such cases are similar to those in appeals of recommended major disciplinary sanctions, except that the final recommendation of the Hearing Panel (or the FGC, in cases of appeal) will be communicated to the Provost. The Provost will review the underlying facts of the matter and the recommendation of the FGC, and based upon this review, will make a final determination as to any necessary course of action. This determination is not subject to any further grievance.

**Section F6: Procedures Governing Grievances Involving Termination of Faculty Due to Financial Exigency**

If the administration issues notice to a particular faculty member of an intention to terminate
the appointment because of financial exigency, the faculty member will have the right to a full hearing before a faculty committee. The hearing need not conform in all respects with a proceeding conducted pursuant to Section F2 [on dismissal for cause], but the essentials of an on-the-record adjudicative hearing will be observed. The issues in this hearing may include the following:

(i) The existence and extent of the condition of financial exigency. The burden will rest on the administration to prove the existence and extent of the condition. The findings of a faculty committee in a previous proceeding involving the same issue may be introduced.

(ii) The validity of the educational judgments and the criteria for identification for termination; but the recommendations of a faculty body on these matters will be considered presumptively valid.

(iii) Whether the criteria are being properly applied in the individual case.
Chapter G: REVISING OR AMENDING THE FACULTY HANDBOOK

Section G1: Revisions to Chapter A and any Appendix

At any time, information contained in Chapter A, except A1.1, A2.2, A2.5, A2.6, A2.7, A3.1, A4.2.1, A4.2.2, A4.3.4, and A4.3.7 may be amended by the President or Board of Trustees or through an administrative update, as needed. However, to the extent that a revision to Chapter A concerns an area related to faculty primary responsibilities [see A2.1 Shared Governance], the President and/or Board of Trustees should consult with the faculty, including through the Faculty Senate.

Section G2: Revisions to Chapters B, C, D, E, F, and G, and Selected Provisions of Chapter A.

The Faculty Handbook revision process addressed herein governs potential revisions and amendments to Sections A2.2, A2.5, A2.6, A2.7, A3.1, A4.2.1, A4.2.2, A4.3.4, and A4.3.7 of Chapter A, and all of Chapters B, C, D, E, F, and G.

The University and Faculty Senate commit to act in good faith in their efforts to amend the Faculty Handbook. Both parties also agree to adhere to the Faculty Handbook revision process outlined below and strive to reach agreement on policy issues affecting faculty employment.

The Faculty Handbook revision process is based on the following three (3) interconnected principles:

1) To address the need for an orderly process that allows all segments of the University to contribute, each in a proper capacity, to the formulation or alteration of University policies and procedures;

2) To improve the effectiveness of the amendment process by allowing all voices to be heard, but also limiting endless debate; and

3) To recognize that the final adoption of University policies and procedures, however formulated or proposed, is among the powers reserved to the Board of Trustees.

Section G3: Process to Revise or Amend Chapters B, C, D, E, F, and G, and Selected Provisions of Chapter A.

Proposals to revise or amend Sections A2.2, A2.5, A2.6, A2.7, A3.1, A4.2.1, A4.2.2, A4.3.4, and A4.3.7 of Chapter A, and all of Chapters B, C, D, E, F and G, may be made by the Board of Trustees, the President, the Provost, the Faculty Senate Faculty Handbook Committee, or any person or committee connected with the University. In addition, the Faculty Handbook will be reviewed a minimum of every five (5) years by a review committee appointed by the Provost. Before constituting the committee, the Provost shall consult with the chair of the Faculty Senate regarding the appointment of faculty members to serve. The committee shall be largely composed of members of the faculty, and shall reflect the shared responsibility for the review..
and revision of the Faculty Handbook. Upon completing their work, the committee shall submit their Faculty Handbook revision recommendations to the Provost. The Provost will submit the proposed revisions, in writing, to the Faculty Handbook Committee as described below.

While the approach to making such proposals is a matter of individual style and custom, the following is expected:

1) Written proposals will be submitted to replace or amend, in whole or in part, any current expression of the Faculty Handbook, including any section or provision covered by this section.

2) If multiple recommendations are submitted in one proposal document, each revision or amendment will receive its own separate and individual evaluation.

3) Each revision or amendment may be accompanied by a brief explanation of the reason(s) for the proposal.

4) Recognized governing bodies or committees may be asked to review proposed amendments by their own procedures or by a simple majority vote of the voting membership.

G3.1 Role of the Faculty Senate

Every Faculty Handbook revision or amendment proposal, regardless of where it originates, will be considered by the Faculty Handbook Committee of the Faculty Senate. Upon receipt of a revision or amendment proposal, this Committee may:

1) Transmit the proposal to the Steering Committee of the Council of the Faculty Senate without change or comment;

2) Endorse the proposal and attach its endorsement to the original proposal;

3) Alter or amend the proposal with the consent of the author before transmitting it to the Steering Committee of the Council; or

4) Object to the proposal and attach its reasons for objecting to the proposal or, in the event that the author and the committee cannot reach a mutually agreeable resolution to the objection, offer an amendment or revision to the proposal and attach this amendment or revision to the proposal before sending it to the Steering Committee of the Council.

The Steering Committee of the Council of the Faculty Senate will receive the proposal as transmitted by the Faculty Handbook Committee.

Upon receipt, the Steering Committee may avail itself of the courses of action outlined above. When the steering committee has completed its work, it will place the proposal, together with
all recommendations (if any), on the agenda of the next meeting of the Council of the Faculty Senate, which will conclude its review in a timely manner.

If any proposed amendment or revision, or any portion of a proposed amendment or revision (other than those submitted by Provost at the conclusion of the five-year review process described above) is not approved by the Council of the Senate, the part that is not approved returns to the Faculty Handbook Committee where it may be revised or ended. Any part that is approved by the Council of the Senate shall be forwarded to the Provost for submission to the President for consideration and review.

If any proposed amendment or revision (or any portion of a proposed amendment or revision) is submitted by the Provost at the conclusion of the five-year review process described above and not approved by the Council of the Senate, the part that is not approved returns to the Faculty Handbook Committee for revision. Any part that is approved by the Council of the Senate shall be forwarded to the Provost for submission to the President for consideration and review.

The revision process for any part of a proposal submitted by the Provost at the conclusion of the five-year review process that is not approved by the Council of the Faculty Senate should involve efforts at cooperation and collaboration with the administration that do not compromise the right of the Council of the Faculty Senate to reject the objectionable part of the original proposal. After the revision process, the Faculty Handbook Committee will re-submit the subject part of the original proposal to the Council of the Faculty Senate for reconsideration. If the subject part of the original proposal is rejected by the Council of the Senate, that part of the original proposal does not move forward for further review and approval, and the Council of the Faculty Senate will provide the Provost with a detailed explanation for the rejection of the subject part of the original proposal.

If the Council of the Faculty Senate approves the proposal, it will be sent forward through the Provost to the President for consideration and review. In cases where the Provost or the President makes any change of a proposal approved by the Council of the Faculty Senate, including changes for legal sufficiency, the change shall be returned to the Council for review and vote while the remainder of the unaltered proposal is forwarded to the Board of Trustees. If the Council approves the substantive change, then the substantive change returns to the Provost and the President for submission to the Board of Trustees. If the Council of the Faculty Senate rejects such a change, then it shall be submitted to the Faculty Handbook Committee for revision and reconsideration. The process for revision and reconsideration of a change that is not approved by the Council of the Faculty Senate is the same as the revision process for a proposal from the Provost at the conclusion of the five-year review process that is not approved by the Council of the Faculty Senate.

G3.2 Role of the Board of Trustees

Faculty Handbook proposals containing revisions or amendments that have been forwarded through the Provost to the President will be submitted to the Board of Trustees in a timely manner according to procedures adopted by the Board. The action of the Board is final.
G3.3 Emergency Revision Procedure

When the Provost, the Faculty Senate Handbook Committee, and the chair of the Faculty Senate agree that it is necessary and within the best interest of Howard University to modify sections of the Faculty Handbook covered by this procedure, they will submit a petition for a special Board review in order to have the specific change reviewed.

The petition will be sent to the President for submission to the Chair of the Board of Trustees with a request that it be placed on the agenda at the next regular or emergency Board of Trustees meeting. It shall be fully at the discretion of the Board to accept or reject such a petition.
Proposed Faculty Handbook Revision

(Approved by Academic Excellence Committee May 13, 2019)

(Approved by Audit and Legal Committee May 23, 2019)
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Introduction

Howard University is committed to education, service, and the development of future leaders. The University is a community of scholars, consisting of faculty, staff, and students, who are dedicated to the search for new knowledge, truth, and justice.

In the conduct of its affairs, the University is also committed to shared, humane and efficient governance in order to act in the best interests of the institution and the society it serves. Likewise, all members of the University community are dedicated to the pursuit of a culture of excellence, to full compliance with the law, and to the unfinished struggle for justice and equality—a struggle that has been at the foundation of the University since its creation in 1867.

This Howard University Faculty Handbook reflects the policies of Howard University in effect as of the date of its adoption by the Board of Trustees. It supersedes all prior versions of the Howard University Faculty Handbook and will govern all members of the Howard University faculty, regardless of the faculty member’s date of hire, except as specifically noted herein. This version of the Faculty Handbook shall remain in effect until amended according to the procedures described herein, and in accordance with the Charter of the University and the Bylaws of the Board of Trustees.

The University was founded by an Act of Congress and, pursuant to the Act, it is governed by a Board of Trustees. The primary governing document of the University is the Bylaws of the Board of Trustees. The Board of Trustees retains authority over all aspects of the University’s business. This faculty handbook describes, in principle and in practice, shared governance among the faculty, the administration, and the Board of Trustees of Howard University. In the event of any inconsistency between the Faculty Handbook and the Bylaws of the Board of Trustees, the provisions of the Bylaws of the Board of Trustees will supersede those of the Faculty Handbook.

The Board of Trustees may delegate certain aspects of its authority to the President, the central administration, the deans and directors, or the faculty for specific purposes. Additionally, the Board of Trustees may invite University constituencies to participate in various aspects of the governance of the University and enjoy certain other benefits.
Chapter A: The University and its Governance

Section A1: About Howard University

A1.1 Mission

Howard University, a culturally diverse, comprehensive, research intensive, and historically Black private University, provides an educational experience of exceptional quality at the undergraduate, graduate, and professional levels to students of high academic standing and potential, with particular emphasis upon educational opportunities for Black students. Moreover, the University is dedicated to attracting and sustaining a cadre of faculty who are, through their teaching, research and service, committed to the development of distinguished, historically aware, and compassionate graduates and to the discovery of solutions to human problems in the United States and throughout the world. With an abiding interest in both domestic and international affairs, the University is committed to continuing to produce leaders for America and the global community.

A1.2 History

In the aftermath of the Civil War, leaders of the First Congregational Church in Washington, D.C., concluded that “the pressing demand of the Southern field” for teachers, ministers, and other professionals warranted establishing an institution of higher learning to address the need. Prominent among them was Civil War hero Major General Oliver Otis Howard, then commissioner of the Freedmen’s Bureau. The vision of the founders became a reality on March 2, 1867, when President Andrew Johnson signed the charter, approved by the 39th Congress of the United States, creating an institution under “the name, style and title of ‘The Howard University.’” The name recognized the general’s service to the nation and his important role in establishing the University.

Starting with four students in the Normal Department on May 1, 1867, the University student body increased to 94 by the end of the first term of enrollment. The Preparatory Department was opened on August 14, 1867, and the Medical Department on April 16, 1868. Other academic departments organized during the University’s first three years of existence included Agriculture, Commerce, Law, Military, Music, and Religion. Of the present academic units, the College of Arts and Sciences (which includes the Fine Arts Division), the College of Medicine, the College of Pharmacy, the School of Law, and the School of Religion had their beginnings prior to 1871. The College of Dentistry, originally a division within the School of Medicine, was organized in 1881, followed by the School of Engineering and Architecture (1907), the School of Architecture and Planning (1911), the School of Engineering (1911), the Graduate School (1934), the School of Social Work (1945), the College of Nursing (1969), the School of Business and Public Administration (1970), the School of Communications (1971), the School of Education (1971), and the College of Allied Health Sciences (1974).
Other years of special significance in the history of Howard University include 1928, when the Substantive Act authorizing an annual Federal appropriation to the University was enacted, and 1955, when programs leading to the doctor of philosophy degree were inaugurated.

Howard University’s academic growth has been accompanied by an expansion of both its physical facilities and its other enterprises. What began as the original two-story frame house has developed into today’s 59-acre main campus, the West Campus, two sites in Northeast Washington, and a research site in Beltsville, Maryland. The University also established the Howard University Press, a radio station (WHUR-FM), and a television station (WHUT). Moreover, Howard operates a university hospital (Howard University Hospital) that not only provides services for a significant segment of the Washington, D.C. metropolitan community, but also provides a clinical setting for training physicians, nurses, and other healthcare providers.

Howard is more than academic programs and physical facilities; the University is a community of people dedicated to the quest for solutions to human and social problems in the United States and throughout the world. The interactions of these people, each contributing in their own way to the education of others, enable Howard to fulfill its mission and provide the kind of environment in which scholarship develops and flourishes. Recognition of students’ high academic achievement has come from many national honor societies, including Phi Beta Kappa. The University is proud that, among its student body, faculty, administrators, and trustees, there are persons of virtually every racial/ethnic group, religion and background.

Traditionally, Howard has had and continues to have the largest gathering of African-American scholars in the world. Alumni and members of the distinguished faculty at Howard have risen to national and international prominence. Among them are Ernest E. Just, Zoology; Ralph Bunche, Political Science; Charles Drew, Medicine; Kelly Miller, Mathematics and Social Sciences; Elizabeth Catlett, Fine Arts; E. Franklin Frazier, Sociology; Carter G. Woodson, History; Zora Neale Hurston, Literature; Charles H. Houston, Law; Howard Thurman, Religion; Percy Julian, Chemistry; John Hope Franklin, History; William Hastie, Law; Lois Mailou Jones, Art; Lorraine A. Williams, Social Sciences; Ronald W. Walters, Political Science, Art; Patricia Bath, Medicine; Patricia Roberts Harris, Law; Sterling Brown, English; and Thurgood Marshall, Law.

**A1.3 Schools and Colleges**

Howard University is organized into various schools and colleges. The University offers a full array of undergraduate degrees, master’s degrees, Ph.D. degrees, other doctorates, professional degrees, and professional certifications. Additionally, the University offers several dual degrees. Howard University is periodically reviewed for affirmation of accreditation by the Middle States Commission on Higher Education. In addition, many specialized programs and professional schools are accredited by the relevant accrediting agencies. Each school/college is governed according to bylaws recommended by its faculty and approved by the Board of Trustees. The bylaws of the schools and colleges supplement the Faculty Handbook. In the event that there is any inconsistency between such bylaws and the Faculty Handbook, the provisions of the Faculty Handbook shall govern and control.
A1.4 Board of Trustees

The ultimate authority and responsibility for both the development of policies and the control and operation of Howard University is vested in a self-perpetuating Board of Trustees as provided in the University’s charter. The Board of Trustees is governed by its bylaws.

A1.5 Academic Administrative Officers

Academic administrative officers of the University include the President, the Provost and Chief Academic Officer, deans, associate deans, department chairs, and directors of academic units. Other members of the President’s cabinet and other persons with advisory or administrative responsibilities whom the President may appoint also help to achieve the University’s mission.

A1.5.1 President

The President is the chief executive of the University and is responsible for implementing the policies established by the Board of Trustees and for making appropriate recommendations to the Board as provided by its bylaws and by this handbook. Such recommendations include those affecting academic policies and programs that originate in the schools and colleges.

The President is the official representative and spokesperson for the university.

A1.5.2 Provost and Chief Academic Officer

The Provost and Chief Academic Officer (the “Provost”) is responsible for the overall supervision of the programs and activities of the schools and colleges, other academic units, and the academic support units of the University. The Provost is largely responsible for the appointment and retention of the faculty members who sustain these programs.

A1.5.3 Deans of Schools and Colleges

Each of the University’s deans is responsible for the administration of the school/college he or she leads. Deans report to the President, through the Provost. Associate and assistant deans report to the dean of their school. Deans have responsibilities that may include, but are not limited to, the following: faculty recruitment and development; faculty evaluation; academic program development and review; student advising; budget development and management; course schedule planning; general supervision of school/college research, teaching, and fundraising; and service and outreach activities, in addition to other duties that may be assigned or required. Deans shall consult with the faculty in matters relevant to the academic programs and administration of the unit and be guided by the principle of shared governance. The administrative functions, titles, and status of deans (including associate and assistant deans) of schools and colleges, shall be distinct from their functions, titles, and status, if any, as holders of academic positions. Deans will normally hold tenure within their academic departments and will retain their departmental seniority and rights to return to a tenured position in their department when they leave the administrative position. While serving in administrative positions, deans (including associate and assistant deans), are ex officio members of the faculty senate.
Deans without faculty status have no retreat rights. A dean who has not been awarded tenure does not have the right to assume a faculty position unless the individual's credentials have been reviewed by the appropriate departmental and college committees and a recommendation for a faculty appointment has been made by both committees and approved by the president and Board of Trustees.

A1.5.4 Department Chairs

Each department chair is responsible for the administration of the academic unit to which he or she is assigned. The department chair’s responsibilities may include, but are not limited to, the following: faculty recruitment, development, and evaluation; program development, review, evaluation and assessment; student advising; departmental budget development and implementation; course schedule planning; and general coordination of the departmental research, teaching, and outreach activities. Department chairs shall consult with the faculty in matters relevant to the academic programs and administration of the unit and be guided by the principle of shared governance. The administrative functions, titles, and status of department chairs shall be distinct from their functions, titles, and status, if any, as holders of academic positions. Department chairs will normally hold tenure within their departments and will retain their departmental seniority and rights to return to a tenured position in their department when they leave their administrative position.

In schools that are not organized into departments, the associate dean for academic affairs or other appropriate academic administrator may fulfill responsibilities associated with chairs of departments.

Department chairs without faculty status have no retreat rights. A chair who has not been awarded tenure does not have the right to assume a faculty position unless the individual's credentials have been reviewed by the appropriate departmental and college committees and a recommendation for a faculty appointment has been made by both committees and approved by the president and Board of Trustees.

A1.5.5 Directors of Academic Units

Directors are responsible for the administration of units that are not schools or colleges, and they may also fulfill responsibilities associated with chairs of departments. Directors shall consult with the faculty in matters relevant to the academic programs and administration of the unit and be guided by the principle of shared governance.

Section A2: Academic Organization and Governance

A2.1 Shared Governance

Shared governance is defined as the right and responsibility of faculty to seek early and meaningful engagement with the administration and the Board of Trustees in the development of policies and decisions that impact university-wide programs and the responsiveness of Howard
University to achieve its unique contemporary mission. In areas where the faculty have primary responsibility, such as the nature and quality of academic programs (including curriculum, subject matter and methods of instruction), faculty welfare (including faculty status), student welfare (including those aspects of student life which relate to the educational process), and research and scholarship, the governing board and president should consider faculty input and clearly communicate the basis for institutional decisions to the faculty. Shared governance ensures the right of faculty to seek change and to participate in the governance of the University through direct interaction and dialogue with the administration and/or the Board of Trustees, as set forth in the Constitution of the Faculty Senate.

A2.2 The Role of the Board of Trustees and the President in Approving Academic Policies and Programs

Academic policies and programs of individual schools and colleges usually emanate from the committee or department level and are submitted for subsequent consideration by the school/college faculty. Following faculty consideration, the dean of the school/college shall prepare a recommendation and submit both the recommendation and the proposal to the Provost. Following the Provost’s review, these and the Provost’s recommendation shall be forwarded to the President for review and approval and for submission to the Board of Trustees for final action. The dean, the Provost and the President shall acknowledge receipt and consult with the appropriate school/college faculty with respect to their recommendations in a timely manner.

The President shall communicate decisions of the Board of Trustees related to academic policies and programs to the faculty and the University community in a timely manner. In areas where the faculty have primary responsibility, the governing board and president should consider faculty input and clearly communicate the basis for institutional decisions to the faculty.

A2.3 Organization of the Schools and Colleges

Schools and colleges may contain the following components: academic departments and support units, a duly appointed faculty, a dean, and associate and/or assistant dean(s) appointed as necessary. Each school/college shall be organized and governed according to bylaws that have been approved by its faculty, the Provost, the President, and the Board of Trustees. In addition to other provisions, the school/college bylaws shall contain the specific criteria for appointments, promotions, and tenure, consistent with those outlined in the Faculty Handbook. Bylaws and appointments, promotions, and tenure criteria shall be reviewed for updating at a minimum of every five years.

In schools that are not organized into departments, certain procedures that otherwise begin with actions at the departmental level begin instead at the school level. In those cases, the associate dean for academic affairs and/or a faculty committee may fulfill the roles comparable to those of the chair or a departmental committee. In such cases, the bylaws of the school will govern.
A2.4 Academic Departments

An academic department shall consist of faculty members appropriately appointed to teach; conduct research; engage in professional development; provide service to the department, school/college, university, and community at large; and perform other duties that may be assigned. The department shall have autonomy consistent with the maintenance of general school/college and University policy. Each department shall have a chair and be organized and governed according to the approved bylaws of the school/college to which it belongs.

A2.5 The Faculty

The faculty of each school/college is comprised of the dean, associate and assistant dean(s) who hold faculty appointments, and the professors, associate professors, assistant professors, instructors, and lecturers, whether full time or part time. The President and Provost of the University are members of the faculty of each school and college.

The Howard University faculty is comprised of all faculty members of the various schools and colleges and shall have such powers and duties as a collective constituency of the University, as set forth in the Board of Trustees-approved Constitution of the Howard University Faculty Senate (hereafter called the “Constitution of the Faculty Senate”).

The faculty shares responsibility with the administration of the University in matters of shared governance including responsibility for academic programs; faculty recruitment and development; faculty evaluation and status; program development and review; student admission and advising; class schedule planning; general supervision of the research, teaching, and outreach activities of the school/college; and the allocation of university resources to support these activities. The mechanism for faculty involvement in these matters shall be outlined in the bylaws of the respective schools and colleges.

A2.6 Faculty Senate

The Faculty Senate is comprised of all faculty members, both tenured and non-tenured, who are currently serving in full-time faculty appointments or positions, and department chairpersons, if they have been appointed with the advice and consent of the faculty of their department. The following general administrative officers of the University [President, Vice President, Provost, Deans of the Schools and Colleges, Dean of Admissions, Director of the University Libraries, and Director of the Center for Academic Reinforcement], whether they hold regular faculty appointments or not, shall be non-voting, ex-officio members of the Faculty Senate, ineligible to serve as officers of the Senate. Ex-officio membership in the Senate is for the exchange of information with the faculty senators concerning the business of the Senate. The functions, membership, and voting rights of the Faculty Senate are set forth in the Constitution of the Faculty Senate, which defines the role of the Faculty Senate in the shared governance of the University.
The Howard University Faculty Handbook and the Constitution of the Faculty Senate are the Board of Trustees-approved documents that coordinately frame a relationship that is based upon mutual respect between the faculty, administration, and Board of Trustees that is the framework of a partnership and collaboration in University governance. The Faculty Senate functions through its Officers (Chairperson, Vice-Chair, and Secretary), the Council of the Faculty Senate, the Steering Committee of the Council, and standing committees. The Faculty Senate meets to hear reports from the President of the University, its officers, and the chairpersons of the Senate Committees. The Faculty Senate also nominates members of the faculty to serve in the two (2) Faculty Trustee positions on the Board of Trustees. The Council of the Faculty Senate is the representative body that acts on behalf of the entire faculty in legislative and advisory capacities. The Council (and its Steering Committee) has the power and the responsibility to consider and propose legislative recommendations to the President and to the Board of Trustees on (a) any matter of academic policy which involves more than one school/college, and (b) any other matters that substantially affect the general interest of the University faculty.

A2.7 Faculty Ombudsperson

The Faculty Ombudsperson operates independently of all institutional reporting responsibilities. The roles and functions of the Faculty Ombudsperson may include, but are not limited to, assisting faculty who have questions, complaints, or disputes concerning University policies and procedures; helping to resolve conflict in the academic unit or between faculty and administrators, including those administrators that are not covered by Chapter F; consultation and informal advising; facilitation and provision of assessments and information to appropriate University officials. The office shall be informal, independent, impartial, and confidential.

Recourse to the Ombuds process shall be at the option of the faculty member, and the faculty Ombudsperson may participate in disciplinary proceedings as described in Chapter E, below.

The Faculty Ombudsperson shall issue annual reports and recommendations to the Provost and the Chair of the Faculty Senate summarizing the activities of the office.

Section A3: Academic Committee Structure

A3.1 University-Wide Committees

From time to time, the President or the Provost may form various University-wide committees or task forces whose roles are distinct from, but do not conflict with, the committees that are part of the regular University governance structure, such as the Faculty Senate and faculties of the schools and colleges. Such committees may have an indefinite duration or they may be limited to a specific task and/or a specific period of time. Before creating such a body, the President or the Provost shall consult with the Faculty Senate such that faculty representatives should be selected by the faculty according to procedures determined by the faculty.
A3.2 School and College Committees

The functions, membership, and organization of all standing and ad hoc committees for each school/college shall be established and set forth in the school/college bylaws or by the dean, except as provided herein.

The following standing committees shall exist in each school/college: an Executive Committee; a Committee on Appointments, Promotions, and Tenure (APT); and a Curriculum Committee. The school/college Executive Committee shall be responsible for those matters delegated to it by the faculty. The school/college APT Committee shall make recommendations to the dean regarding appointments, promotions, and tenure of faculty members. The Curriculum Committee shall periodically review the school’s/college’s curricula and make recommendations to the dean regarding required enhancements. Other standing and ad hoc committees may be established by vote of the school/college faculty, by provisions set forth in the bylaws of the school/college as determined by the faculty of the school/college, or by appointment by the dean.

A3.3 Departmental Committees

Each department shall have, at a minimum, the following committees: an Executive Committee; a Committee on Appointments, Promotions and Tenure (APT); and a Curriculum Committee. The department APT Committee shall make recommendations regarding appointments, promotion, and tenure in accordance with the faculty handbook and the school/college bylaws. Other departmental standing and ad hoc committees may be established by faculty vote, by provisions set forth in the by-laws of the school/college as determined by the faculty of the school/college, or by appointment by the chair.

Section A4: Academic Administrative Policies

A4.1 Faculty Status

The administrative functions, titles, and status of such administrators of academic services as the Provost, vice presidents, deans, associate and assistant deans of schools and colleges, directors, and departmental chairs shall be distinct from their functions, titles, and status, if any, as holders of faculty positions. Academic administrators may hold faculty rank and tenure; however, no academic administrator shall hold faculty tenure solely by virtue of the administrative appointment.

Administrators with faculty tenure retain faculty status within the academic unit of their faculty appointment. They may apply for promotion to higher rank as any other tenured faculty member may. Administrators who have not been awarded tenure prior to receiving an administrative appointment do not receive tenure by virtue of receiving an administrative appointment. While serving in the administrative role, however, such persons may apply for appointment to a vacant faculty position in the manner described below, to include review of credentials by the appropriate faculty committees and administrators and approval by the appropriate decisional authority. Holders of temporary faculty appointments do not have permanent rights to a faculty
position, nor do administrators without a tenured, tenure-track, or non-tenured renewable term faculty appointment.

A4.2 Appointment, Term and Evaluation of Deans

Deans of schools and colleges do not have a definite term of office, but serve at the pleasure of the President. Deans are appointed by the Board of Trustees upon the recommendation of the President. When appointing a new dean, the Provost shall name the chair of the search committee and appoint or arrange for the election of a search committee. The majority of the search committee members shall be from the school/college that the new dean will head, and two members will be selected by the Faculty Senate. The Provost’s recommendation, together with that of the school/college search committee, shall be forwarded to the President for final decision.

A4.2.1 Faculty Participation in Academic Planning

Faculty and administrators are partners in the shared responsibility for the academic and educational enterprise at Howard University. In this regard, there is joint responsibility to engage in ongoing processes that guide important decisions regarding academic priorities, academic restructuring, budget/resource allocation, and planning—including capital expenditures and allocation of physical facilities. Faculty shall participate in the planning process for their school/college to ensure the growth of the educational and scholarly potential of the University. The regular members of the faculty of a school/college shall have an opportunity to make recommendations on proposals concerning such matters. Where the creation, consolidation, or elimination of departments, institutes, or other academic or research units making up a part of that school/college concern primary faculty responsibility, such as curriculum, subject matter and methods of instruction, research, faculty status, and those aspects of student life which relate to the educational process, the governing board and president should consider faculty input and clearly communicate the basis for institutional decisions to the faculty. Deans shall consult with the faculty in matters relevant to the academic programs and administration of the unit and be guided by the principle of shared governance (see Sections A1.5.3 and A2.1).

Faculty shall be informed of decanal priorities, goals, and objectives at the start of the academic year, accompanied by budget summaries and resource allocations associated therewith. Faculty shall have an opportunity to offer advice and recommendations to the proposed plan to the extent that the proposed plan does not concern matters of primary faculty responsibility. Concerning the priorities, goals, objectives, and budgets for matters of primary faculty responsibility, the dean should consider faculty input and clearly communicate the basis for institutional decisions to the faculty. At the conclusion of each academic year, deans shall provide the faculty with a written report of activities, accomplishments, and impediments related to the original proposed goals and objectives.
A4.2.2 Faculty Evaluation of Academic Deans

Deans shall be evaluated by the faculty of their academic units, in writing, at least once every two (2) years. The evaluation shall be developed and coordinated by collaboration between the Office of the Provost and Chief Academic Officer and the Executive Committee of the schoolcollege. Evaluation rubrics will be distributed to faculty within each schoolcollege to provide them the opportunity to give feedback on their decanal leadership. The evaluation rubric will consist of a series of questions in which participating faculty will assign a score and will be given an opportunity for discursive comments. The discursive comments allow faculty to state any reasons they have for believing that the decanal leadership has or has not helped the school or college make progress in meeting its mission and goals. The Executive Committee will tabulate the results of the evaluation and submit a summary report and all completed evaluation rubrics to the Provost. The rubric responses and comments will be anonymous and will not be edited. The Provost will communicate the results of the evaluation to the full-time faculty within the school or college within sixty (60) days of the completion of the evaluation. The results shall be used by the Provost to improve the effectiveness of deans and to make recommendations to the President regarding their continuation or replacement.

A4.3 Appointment, Term, and Evaluation of Department Chairs and Directors of Academic Programs

A4.3.1 Search

When a new department chair position is created, or an existing department chair position is vacated, a departmental search committee shall be established. The size and composition of the search committee shall be determined by the faculty of the department. The dean shall appoint the chair of the committee and notify the department, in writing, of the scope of the search. The search committee shall present a recommendation to the dean, who shall also develop a recommendation. The dean's recommendation, along with that of the departmental search committee, shall be forwarded to the Provost. The Provost will then provide any recommendations and forward all recommendations to the President for final decision.

A4.3.2 Appointment

The President appoints department chairs based on recommendations from the Provost, the dean, and the departmental faculty search committee, as defined above.

A4.3.3 Term

The term of office for department chairs shall be three (3) years, unless a shorter term is stated in the Letter of Appointment, as determined by the President.

A4.3.4 Reappointment and Evaluation

Incumbent chairs shall be eligible for reappointment at the expiration of a term. Chairs shall be subject to performance evaluations by their respective dean at least every two years. In addition,
during the final year of a department chair’s term, the dean shall seek input from the full-time faculty of the department to evaluate the chair's performance by such procedures as the full-time faculty may establish. On the basis of this evaluation, the full-time faculty shall recommend reappointment or replacement of the chair to the dean. The dean’s recommendation, along with that of the faculty, shall be forwarded through the Provost for a recommendation, and then on to the President for final decision.

**A4.3.5 Removal**

Chairs serve at the will and the pleasure of the President, and may be removed by the President at any time prior to the expiration of a term, as described in this section. Removal of a chair may also be initiated by the department upon the vote of two-thirds of the full-time faculty members of the department. The chair will be allowed to present his/her rebuttal to the dean and Provost prior to the President’s final decision regarding removal. The dean or Provost may also recommend the removal of a chair. In each case, the chair may present his/her rebuttal to the next level of authority. Compensation as chair terminates at the point of removal.

**A4.3.6 Directors of Academic Programs**

Procedures guiding the search for and the appointment, reappointment, term, evaluation, and removal of directors of academic programs are the same as those for department chairs.

**A4.3.7 Academic Associate Deans in Schools without Departments**

In schools that are not organized into departments, associate deans for academic affairs who fulfill responsibilities similar to those of department chairs shall be evaluated by their respective deans at least every two years. The dean shall seek input from the full-time faculty of the school by such procedures as the full-time faculty may establish in collaboration with the dean.
Chapter B: Terms and Conditions of Faculty Employment

The Faculty Handbook sets forth the terms and conditions of faculty employment at Howard University. Chapters B, C, D, E, F, and G of the Faculty Handbook are incorporated into the individual contract of employment of each faculty member.

Faculty members are subject to the Faculty Handbook and to the Employee Handbook. If a provision of the Employee Handbook conflicts with a provision of the Faculty Handbook, the provision stated in the Faculty Handbook shall govern.

Faculty members in the colleges that comprise the Health Sciences who are expected to provide clinical patient services are not only subject to the provisions contained here, but shall also be subject to the provisions set forth in the Howard University Medical Staff Bylaws and, where applicable, in a Faculty Practice Plan. The Howard University Medical Staff Bylaws contain rules, policies, and procedures governing patient services.

No individual faculty member’s contract or agreement may supersede the provisions of the Faculty Handbook.

Schools and colleges within the University may promulgate and enforce their own Board-approved bylaws and other policies. Those bylaws and policies will apply only to faculty members within the particular school/college. The bylaws and policies must be consistent with the Faculty Handbook. If provisions of an individual school’s or college’s bylaws or policies conflict with any provision of the Faculty Handbook, the provisions of the Faculty Handbook shall govern.

For faculty members who are members of a collective bargaining unit, the applicable collective bargaining agreement will provide additional terms and conditions of employment. To the extent that the Faculty Handbook and the applicable collective bargaining agreement do not conflict, both the Faculty Handbook and the collective bargaining agreement shall govern. If one or more provisions of a collective bargaining agreement conflict with provisions of the Faculty Handbook, the provisions of the collective bargaining agreement shall govern.

Section B1: Faculty Rights and Responsibilities

Important principles are associated with the appointment of faculty at Howard University. These principles include academic freedom and responsibility, professional ethics, tolerance, and good citizenship.

B1.1 Academic Freedom and Responsibility

Faculty members are entitled to academic freedom in teaching, research, publication, scholarly activity, assembly, service, and in the generation and transmission of new knowledge.

Academic freedom is defined as follows:

1) freedom of inquiry, thought, expression, publication, and peaceable assembly;
2) the unrestricted exploration of subjects (including controversial questions), both on and off the campus, in a professionally responsible manner; and

3) expression and communication of the widest range of viewpoints, in accord with standards of research integrity, scholarly inquiry and professional ethics, free from internal or external interference or coercion.

Academic discourse frequently involves a strong expression of opinions, including discussion, deliberation, and debate.

The exercise of academic freedom entails correlative duties of professional care when teaching, conducting research and scholarship, performing service, or otherwise acting as a member of the faculty.

Academic freedom in research is exercised in the pursuit of new knowledge, the publication of results, and in the generation of new concepts, theories, and hypotheses. In their exercise of academic freedom in research, faculty should be aware that they are subject to policies, regulations, and guidelines governing research that may be required by the University or by external entities such as government agencies or sponsors. Among these are the University's policies regarding sponsored research, intellectual property, research involving human subjects, research involving animals, academic fraud, scientific misconduct, and hazardous materials. The University has policies on the disposition of intellectual property, which are found in the Howard University Intellectual Property Policy. Faculty should be mindful that the University may have, and may assert, ownership of intellectual property developed by faculty, staff and, in some cases, students. Faculty must be careful not to provide University intellectual property, or their associated rights, to third parties without written permission from the Howard University Intellectual Property Committee. In sponsorship agreements, the University will generally try to retain intellectual property rights, or obtain fair consideration for them.

Academic freedom in the classroom, at scholarly assemblies, or in other learning environments involves the discussion and/or transmission of knowledge and information by faculty to foster in students a mature independence of thought and expression. In these contexts, faculty should be careful matters introduced into their teaching have a legitimate educational purpose. Students are entitled to an atmosphere conducive to learning and to fairness and respect in all aspects of the teacher-student relationship. Thus, faculty members must ensure that their treatment of students complies with all University policies, rules and regulations, including those regarding equal opportunity, non-discrimination, harassment and mistreatment, and the University's commitment to promoting the educational aspirations and achievements of all students.

Faculty members also have rights common to all citizens, free from institutional censorship or discipline for private activities, except insofar as such actions affect substantially their responsibilities to the University. At the same time, Howard University faculty members are obligated to be accurate, to exercise appropriate restraint, and to show respect for the opinions of others. Each faculty member has the right to criticize and seek alteration of institutional regulations and policies through appropriate means. However, faculty should remember that
the public may judge their profession and the institution by their utterances and, therefore, should make clear when they are operating as individuals, rather than speaking on behalf of the University.

A faculty member’s exercise of academic freedom shall not affect his or her terms and conditions of employment, including appointment, reappointment, performance evaluations, promotion, and tenure.

**B1.2 Professional Ethics and Conduct**

As members of a learned profession and the University community, faculty members, administrators and supervisors have special ethical obligations. These ethical standards are the repository of what experience has revealed regarding how scholars can live together to the best advantage of the academy and the larger community. All faculty members, administrators and supervisors are required to maintain the highest standards of honesty, integrity, professionalism, and ethical behavior and conduct in carrying out their roles and responsibilities as members of the Howard University faculty.

Faculty members, administrators and supervisors are required to adhere to all local, state, and federal laws and regulations, as well as Howard University policies and procedures. Federal laws relevant to higher education include, but are not limited to, Family Educational Rights and Privacy Act (FERPA), the Americans with Disabilities Act (ADA), the Rehabilitation Act, the Civil Rights Act of 1964, Title IX of the Education Amendments Act of 1972 (Title IX), the Family and Medical Leave Act of 1993, and the National Labor Relations Act. Applicable University policies include, but are not limited to, the Employee Handbook, the Code of Ethics and Conduct, the Equal Employment Opportunity (EEO) policy, the Title VII policy, the Title IX policy, and all other applicable policies listed on the University’s policy website. Faculty members, administrators and supervisors must also comply with any codes of conduct or ethics of professional associations or societies to which they belong. These include, but are not limited to, any established code regulated by the Department of Health for those licensed as health professionals in the District of Columbia and any other jurisdiction in which they hold a professional license.

The University will provide appropriate training and educational opportunities regarding compliance with applicable laws, rules, and regulations. Certain training may be mandatory.

Faculty are encouraged, and in some cases required, to report suspected violations of federal laws. Retaliation against faculty who report unlawful conduct is strictly prohibited.

Disciplinary actions against faculty members for alleged violations of applicable laws, regulations, and policies must adhere to the grounds and procedures outlined in Chapter E of this Handbook. Actions that aim to adversely affect faculty for matters outside of those specified in this Handbook are prohibited. In addition, actions that sanction faculty through means outside of the guidelines prescribed in Chapter E or that adversely affect a faculty member’s terms or conditions of employment, teaching, research, or service are prohibited. Such actions are prohibited because they may penalize faculty for considerations not outlined within this handbook and fail
to provide sufficient notice to faculty of the basis for action, avenues for effective communication of concerns and goals, and timely resolution of conflict. Faculty members who are subjected to such actions are advised to seek informal resolution through normal administrative channels or through the Office of the Faculty Ombudsperson. If such steps do not resolve the matter, faculty members with access to the Faculty Grievance process may file a complaint according to the provisions of Sections F4 and F5 of this handbook.

**B1.3 Tolerance**

To maintain a community and campus environment in which all members are treated with respect and decency, Howard University aims to do more than take action against all forms of intolerance specified under applicable laws and regulations. The University desires to maintain an inclusive environment in which the invidious stigmatizing of any member of the University community is discouraged. The University will affirm the dignity of persons with diverse identities, statuses, conditions, and circumstances. To that end, the University will increase awareness and provide educational opportunities to prevent the spread of intolerance and stigmatization and to affirm the value of diversity.

Any member of the community who engages in any form of prohibited discrimination or harassment based on race, color, religion, national origin, sex/gender, sexual orientation, disability, age, gender identity, gender expression, non-conformance with gender stereotypes, appearance, political beliefs, veteran status, family status and responsibilities, marital status, genetic information, unemployment status, or any other characteristic protected by Federal and/or District of Columbia law will be subject to discipline according to applicable University policies. Any person who retaliates against a person who reports an alleged violation or otherwise participates in any investigation regarding an alleged violation, will also be subject to discipline.

**B1.4 Good Citizenship**

Participation in departmental, school/college, and University activities is vital to the achievement of the educational and research mission of the University. Therefore, faculty members are expected to serve on various University, school/college, and departmental committees and are encouraged to engage in other designated activities where their expertise is needed.

Faculty members are strongly encouraged to attend the University’s Opening Convocation, Charter Day, and Commencement Convocations. Faculty members are also encouraged to participate in other departmental, school/college, and University programs and activities.

**Section B2: Core Responsibilities: Teaching, Scholarship, and Service**

Appointment to the faculty of Howard University carries with it responsibilities for excellence in teaching, research, and service. Additionally, faculty members have a responsibility to participate in the life and operation of the University and, particularly, the department and school/college of their appointment. Although the final authority for the conduct of University
affairs is vested in the Board of Trustees, the academic judgments, recommendations, and policies of the faculty are central to the University's general educational policy and critical in determining the shape and character of the University as an educational institution.

The mission of Howard University includes the provision of quality education for any student, but especially those students who may not otherwise have an opportunity to acquire an education of the type provided at Howard.

**B2.1 Teaching and Related Responsibilities**

Faculty members' pursuit of teaching excellence is a life-long commitment and includes the following specific responsibilities:

1) To have a firm command of their subjects and keep abreast of new developments in their discipline.

2) To employ teaching strategies that promote the learning process and communicate their subjects effectively.

3) To instruct classes, conduct clinical sessions, and fulfill other instructional responsibilities with students and patients at the scheduled time and place, in a manner consistent with curricular objectives. When an emergency prevents the faculty member from fulfilling these responsibilities, the faculty member must follow the notification procedures applicable to the department and the school/college. When the fulfillment of other approved professional responsibilities (for instance, participating in a professional meeting) creates a conflict, the faculty member should notify students or other affected parties in advance, and make arrangements for substitute instruction or conduct an appropriate make-up session in accordance with the procedures applicable to the department and the school/college.

4) To receive appropriate University-approved certification and training and receive approval from the appropriate department chair and/or dean prior to offering or teaching on-line or distance-learning courses.

5) To provide each student with a written or electronic copy of the course syllabus or a course guide summarizing the objectives and requirements of the course, the required textbooks or other sources to be used, and the applicable attendance and grading rules.

6) To comply with any and all reasonable accommodations provided to students as determined by appropriate University officials in accordance with applicable laws and regulations, including, but not limited to, the ADA, the Rehabilitation Act and Title IX.

7) To evaluate all student work with impartiality and complete and submit grades in a timely manner in accordance with the schedule of due dates announced by the Office of the Registrar.
8) To avoid discrimination based on race, color, religion, national origin, sex/gender, sexual orientation, disability, age, gender identity, gender expression, non-conformance with gender stereotypes, appearance, political beliefs, veteran status, family status and responsibilities, marital status, genetic information, unemployment status, or any other characteristic protected by Federal and/or District of Columbia law. Faculty members must be sensitive to the harmful consequences of professorial or student conduct that perpetuates stereotypes or prejudices. Failure to abide by and uphold these specific responsibilities may result in disciplinary action including, but not limited to, suspension or termination.

B2.1.1 Student Advising

An important component of each faculty member’s instructional responsibilities is that of advisor to students, both in the narrow sense of mentor for their class performance and research projects at the undergraduate or graduate levels and more broadly as a mentor for career plans and larger educational or career goals.

Faculty advisors assist students with virtually all aspects of the academic experience and provide information regarding campus resources as needed. Some of the responsibilities of academic advisors include, but are not limited to, assistance with goal setting, assistance with personal growth and career development (including preparing letters of recommendation), selection of educational program (major, minor, course of study, etc.), monitoring academic progress, clarification of academic and institutional policies, assistance with other academic issues, navigation within the campus environment, and assistance with campus resource identification and utilization.

In performing this advising function, faculty members should make every reasonable effort to ensure that the information they transmit is timely and accurate.

B2.1.2 Office Hours and Availability

Faculty members are required to be available to advise students throughout the academic year. While faculty members should take full advantage of available technology for purposes of advising students, they must also make themselves available on campus for in-person student advising. Faculty members are required to maintain regular offices hours throughout the semester, and to list their in-office conference hours on every course syllabus and inform the appropriate staff members of the academic unit of their availability.

Faculty members must also be reasonably available to colleagues for purposes of discussing teaching methods, content of courses, possible topics of scholarship, scholarly work in progress, and other related matters.
B2.1.3 Summer Employment of Faculty Members on Nine-Month Contracts

Members of the faculty who are on nine-month contracts may participate in the University’s summer instructional program with the approval of the department chair, the dean, and the Provost. Faculty members on nine-month contracts may also receive compensation from both internally funded and externally sponsored research projects during the summer under applicable guidelines of the University and the respective sponsoring agencies. Compensation from externally sponsored projects is governed by the university’s Institutional Base Salary Policy and the faculty member’s annual Institutional Base Salary letter. Nothing in this section intends to suggest that faculty members on nine-month contracts must be employed by the University during the summer, or serves as any form of guarantee or offer of summer employment by the University. Non-appointment or non-assignment during the summer term is not grievable.

B2.2 Scholarship

As members of learned disciplines, faculty members at Howard University have a responsibility to produce original scholarship that advances knowledge. Scholarship may take different forms, depending on the conventions of the various academic disciplines. In most fields, books, monographs, articles in academic journals, proceedings, and other written communications, with varying conventions regarding style, format, attribution of authorship, and peer review, constitute the chief form of scholarly communication. In certain fields, however, particularly those that focus on design or artistic expression, the products of the intellectual work and the venues in which they are displayed and juried take different forms. Similarly, the advance of knowledge in certain disciplines depends heavily on external sponsorship, in which case scholarship may include submitting grant proposals, fulfilling the terms of sponsored agreements, and communicating the findings in appropriate research publications.

Proper stewardship of the academic disciplines also requires participation in preparing succeeding generations of scholars, both through dissemination of research results (in the classroom as well as in other appropriate venues) and mentoring future researchers at both the undergraduate and graduate levels.

B2.3 Service

Although many duties within the University are assumed by professional administrators, members of the University faculty retain substantial collective responsibility and authority to provide institutional leadership. Thus, individual faculty members have a responsibility to assume a fair share of that leadership, including participation in departmental and school/college faculty meetings and service on departmental, school/college, and University committees. Faculty members are expected to fulfill their faculty duties in a professional, timely, and responsible manner. Also, faculty members are expected to serve the academic, professional, and civic communities with their expertise.
Faculty members are encouraged to serve as advisors and/or resource persons for student organizations that offer academic, cultural, religious, social and athletic opportunities for experiential learning.

**B2.4 Evaluation of Faculty Performance**

Faculty are evaluated using a variety of criteria in the areas of teaching, research, and service, as determined by the nature of the faculty appointment, the school/college bylaws, the Faculty Handbook, the President and the Board of Trustees. Each school/college must adopt criteria and guidelines that are used to conduct a regular performance review of all full-time and part-time faculty members. These performance reviews are intended to promote faculty development. In addition, such performance reviews may be used to provide guidance when determining whether a faculty member will be recommended for reappointment, promotion, and/or tenure, but they may not substitute for the procedures described in Sections C2.3 and D2 below.

Faculty members whose terms and conditions of employment are covered by a collective bargaining agreement will be evaluated according to the provisions of the agreement.

Besides receiving on-going, informal mentoring, every full-time faculty member holding a tenured, tenure-track, non-tenured renewable term, or temporary appointment will be formally evaluated at a minimum of every two (2) years. However, most schools and colleges conduct such evaluations on an annual basis so that faculty members may regularly receive feedback on their performance. These faculty evaluations are designed to:

1) provide a basis for counseling and advisement with respect to faculty development;
2) establish a comprehensive record regarding areas of growth and development over time;
3) establish goals and objectives for the succeeding evaluation period; and
4) provide a basis for awarding faculty compensation increases.

Before the start of each academic year, the department chair will meet with each faculty member and agree to the workload distribution and related goals and objectives that will be used during the evaluation period. In schools and colleges without departments, the dean will meet with the faculty member.

In preparation for the end-of-year evaluation, the department chair (or dean), will review the faculty member’s performance with the performance evaluation rubric that has been approved by the school or college. Upon completion of his/her review, the chair (or dean) will meet with the faculty member to discuss the evaluation results. The faculty member will be required to sign the evaluation to indicate that he/she has received and examined it; if the faculty member is unavailable to sign, then a suitable acknowledgement of receipt, such as an email communication, will suffice. When a faculty member disagrees with the evaluation results in part or whole, he/she may provide a written statement of rebuttal, explaining his/her agreement or
disagreement with one or more parts of the evaluation results. This written statement will be added to the faculty member's personnel file.

**B2.5 Outside Commitments and Conflicts**

The University recognizes that limited consulting and other outside activities of a professional nature are desirable. Such activities are encouraged as a way to give the faculty member experience and knowledge valuable to professional growth and development or help the individual to contribute to the University or community. The University also recognizes that a system of precise time accounting is incompatible with the inherent character of the work of a faculty member, since the various functions performed are closely interrelated and do not conform to any meaningful division of a standard work week.

To avoid potential or perceived conflicts of interest and/or commitment and to protect against the risk of conflicting obligations or interests, consulting and other outside activity shall, in the aggregate, not exceed the equivalent of one (1) day per week.

Before the start of each academic year, full-time faculty members who have outside consulting, employment, or business interests must disclose such outside consulting, employment, or business interests.

Part-time faculty members who are engaged in externally sponsored research projects on behalf of the University are required to disclose any potential conflicts of commitment, obligation, or interest resulting from any non-University employment, consulting, or business interests.

Faculty members will submit their disclosure statements to the department chair (or, in schools that do not contain departments, to the academic associate dean) who will communicate any questions or concerns to the submitter. If these questions are not resolved, the matter is to be submitted to the dean, who, in turn, may refer the matter to the Provost and, if necessary, to the Chief Financial Officer or the General Counsel. In cases where the University deems that a disclosed external activity constitutes a conflict of interest or a conflict of commitment, an appropriate administrative officer will communicate that finding to the faculty member in writing in a timely manner.

Responsibility for preventing conflicts lies, primarily, with individual faculty members. Thus, faculty members whose situations materially change during the academic year or who believe they face actual or potential conflicts of interest or commitment are required to initiate discussion of the circumstances with an appropriate administrator as soon as they know or have reason to believe such a conflict exists.

A faculty member should not use University resources, such as support services, students, or supplies, for the gain or benefit of an outside enterprise. Limited use of these resources, however, may be made for service to professional societies in one’s discipline and in connection with nonpartisan public service. In addition, faculty may use office space and equipment assigned for their individual use, but they must avoid using their office in a manner that could
suggest University affiliation with their outside enterprise. For the same reason, faculty are not to use University letterhead for communications connected with their outside employment, consulting, or other business interests. All faculty members are subject to the University’s Financial Conflict of Interest in Research Policy.

All faculty members are subject to Section 9.05 of the Employee Handbook (and any future revisions or amendments thereto) regarding employment of relatives.

A faculty member’s failure to provide the required information or otherwise abide by the conditions of this portion of the Faculty Handbook, including taking action required by the Provost or other University official to eliminate a conflict of commitment, obligation or financial interest, may result in disciplinary action, up to and including termination.

**B2.5.1 Political Activity**

The Internal Revenue Code imposes limitations on tax-exempt organizations, such as Howard University, relating to any attempt to influence legislation or to participate or intervene in political campaigns on behalf of candidates seeking public office.

Although every member of the academic community has a right to participate in the political process as he or she sees fit, no member of the community should speak or act in the name of the institution in a political campaign.

Faculty members shall observe the following principles when planning and engaging in political activities that might either directly or indirectly involve the University:

1) Faculty speaking at University sponsored events and in official University publications may make comments regarding candidates for public office, provided it is clear that any such comments represent their personal views and are not the views of the University.

2) Faculty who wish to participate in campaign activities may do so in their individual capacities outside the course of their regular work and responsibilities for the University and in a manner that does not interfere with the fulfillment of these responsibilities.

3) Faculty may not utilize University resources in support of one or more candidates for public office. University resources include, but are not limited to:

- The Howard University name, seal or marks
- University files, directories, databases, mailing lists or donor rolls
- University buildings and facilities, including offices and University addresses
- University students or employees, such as administrative staff
- University funds
• University website, email addresses, social media accounts, listservs and campus mail

• University-provided office supplies and equipment, such as letterhead, printers and copiers

• University publications.

4) Faculty should use their Howard University title or position only for identification purposes.

5) Faculty who participate in campaigns for candidates for public office should do so off-campus, should not use the University name in connection with such activity, and should not state or suggest support from or sponsorship by the University.

6) Faculty who wish to make or solicit contributions to candidates should do so outside the course of their regular work and responsibilities for the University, without using University resources, and without using the University name or suggesting any support or endorsement by the University.

7) Faculty should refrain from soliciting contributions or other support for candidates from students or employees whom they supervise.

8) With respect to campus appearances of political candidates:

• Faculty may not provide any candidate or his/her representative with an on-campus forum to promote his or her candidacy unless an equal opportunity is provided to other candidates.

• Faculty may invite several candidates for the same office to speak on a broad range of issues at a public forum, but must explicitly state that the University does not endorse or oppose any particular candidate, and provide an unbiased forum for the exchange of ideas between candidates.

• Faculty should take care to avoid the appearance of partisan support with respect to any invitations they may extend to candidates to speak at the University.

More elaborate guidelines, which were developed under the auspices of the American Council on Education to assist universities in complying with the applicable provisions of the Internal Revenue Code, may be found on the American Council of Education’s website.

Questions about the application of these guidelines should be addressed through the Provost to the Office of the General Counsel.
B2.5.2 Nepotism

Faculty members may not serve as administrators or supervisors of their immediate family members or participate in decisions providing a direct benefit to these persons. Decisions in which familial relationship precludes participation include initial appointment, reappointment, promotion, award of tenure, termination, salary, merit pay, and leave of absence. (Immediate family member shall mean spouse, sibling, parent, grandparent, child, and grandchild. All relationships are included, whether full-, half-, step-, foster, adopted, or in-law.)

There may be other situations in which familial relationship could interfere with objectivity or cast doubt on the objectivity of a decision. Faculty members are expected to recognize such situations and discuss them with the appropriate dean, who will determine what action is necessary, if any, to resolve the matter and inform the interested parties in writing.

B2.6 Obligation to Report Known or Suspected Violations

In cases where reporting is required by law or applicable professional or ethics rules, proper reporting is required by this handbook. In other cases, faculty members are encouraged to report violations of any law or policy that has the potential to affect the University adversely to an appropriate administrator. The reporting obligation also extends to violations of regulations designed to ensure the health and safety of the University community. As employees, faculty members are protected by the University’s Whistleblower Policy articulated in the Employee Handbook. It is especially incumbent on faculty members who serve in administrative capacities to report such suspected violations.

Section B3: Faculty Salary, Benefits, and Leave

B3.1 Salary

At the point of hire, and each year thereafter, each faculty member is informed of his or her annual salary, which is the compensation that Howard University pays for his or her professional services during the year. Additional details may be found in the University’s Institutional Base Salary Policy.

B3.2 Benefits

Like other universities, Howard University offers an array of benefits designed to attract and retain faculty members and staff who assure the integrity and high quality of academic programs at every level: undergraduate, graduate, and graduate-professional. These benefits typically fall into three categories: (1) those that are mandated by national or local law or government regulations, which may include workers’ compensation and unemployment compensation; (2) those for which the University contracts with third-party vendors, which may include health insurance, short-term and long-term disability benefits, life and accidental death and dismemberment insurance, long-term care insurance, a group legal services plan, and retirements plans; and (3) those provided and administered directly by the University, which may
include flexible spending accounts, an employee assistance program, parking, and tuition remission. Specific information about benefits plans and options is available from the Office of Human Resources.

**B3.2.1 Tuition Remission**

The University offers remission for University tuition to all eligible employees, including faculty members. Tuition remission is offered to faculty members consistent with the terms and conditions of the Board-approved Tuition Remission Policy and the Employee Handbook. Further details respecting eligibility, benefits, and application procedures may be obtained from the Office of Human Resources.

**B3.3 Faculty Leave and Procedures Associated with Various Types of Leave**

A leave is a negotiated agreement whereby a faculty member or a member of the administration who holds faculty rank is granted approval to be absent from his/her regular duties. A leave with pay means that the University pays all or a part of the person’s salary and fringe benefits; a leave without pay means that the University does not pay any part of the faculty member’s regular salary or fringe benefits. If and when a faculty member returns from leave, previously earned benefits and seniority are not lost.

**B3.3.1 Sabbatical Leave**

Howard University recognizes the need for faculty members to acquire new experiences to enrich their teaching or to secure uninterrupted time for research and writing, and, therefore, supports the principle of sabbatical leave. The University desires to encourage professional growth and increased competence and productivity among faculty members by subsidizing significant research, creative work, or other worthy projects.

**B3.3.1.1 Eligibility**

Any tenured faculty member, including one serving in an administrative position, who has served full time for six (6) or more years at Howard University, is eligible for consideration for a sabbatical leave. Subsequent sabbatical leaves may be applied for after each six (6) year interval of full-time service.

**B3.3.1.2 Term and Compensation**

The normal level of salary support shall be one half of full salary for one (1) academic year; in exceptional cases, full salary for one semester may be provided. Salary raises and benefits, if any, will not be withheld by reason of the sabbatical leave, and both the University and the faculty member will continue to pay the normal full share toward retirement, group life insurance, health and disability insurance, and tuition remission benefits according to applicable University policy.

A faculty member receiving a sabbatical leave may also apply for an additional fellowship or grant from an appropriate source for the sabbatical period. If the net of those monies shall total more
than the faculty member’s normal salary, when such monies are added to the sabbatical salary minus all reasonable expenses related to the sabbatical project, the faculty member’s salary from the University shall be reduced by the amount that exceeds the normal salary.

B3.3.1.3 Application Procedures

To initiate a request for sabbatical leave, a faculty member must submit a formal written application. For academic units with departments, the application is submitted to the department chair. Since the regular full-time departmental faculty may be expected to assume the teaching load of the individual on sabbatical leave, the department chair, in consultation with the departmental Executive Committee, will forward to the dean a recommendation that includes a statement of departmental plans in this regard.

For academic units without departments, the application is submitted to the dean (or the dean’s designee) or to the committee designated by the school’s bylaws. The committee will forward to the dean a recommendation that includes a statement of the academic unit’s plans to cover the teaching responsibilities of the individual on sabbatical leave.

The dean, upon receipt of the sabbatical leave application, shall evaluate the proposal for its professional worth and its overall value to the faculty member and the University. The dean shall forward his/her recommendation to the Provost, who shall in turn make a recommendation to the President in light of the total needs and financial situation, curriculum and business needs of the University. The decision of the President is final.

Applications for sabbatical leave commencing with the fall semester must be submitted on or before March 1; and applications for sabbatical leave commencing with the spring semester must be submitted on or before September 1. The deadlines permit the application file to be considered by the department, dean, Provost and President and arrangements to be made to cover the faculty member’s courses and other duties.

A sabbatical leave is not an automatic right upon completion of the required period of service. The project for which leave is requested must be beneficial both to the faculty member and the University. Sabbatical leave requests to permit a faculty member to pursue an academic degree will not be approved.

B3.3.1.4 Obligations of Sabbatical Leave Recipients

The recipient of a sabbatical leave is required to:

1) Make every reasonable effort to fulfill the terms of the sabbatical leave.

2) Return to the University for a minimum of one (1) academic year following completion of the sabbatical leave. If the faculty member does not return to the University for at least one academic year after completing the sabbatical leave, he or she is required to repay the salary paid by the University during the time of sabbatical leave.
3) File a report on the results of the sabbatical leave project with the department chair, Sabbatical Leave Review Committee, dean, and the Provost within 30 days of the beginning of the semester in which the faculty member returns to the University.

Faculty are not expected to attend departmental, school, or college committee meetings while on sabbatical leave; however, attendance at meetings is at the discretion of the faculty member on sabbatical leave.

**B3.3.2 Medical, Family, or Disability Leave**

Faculty members are eligible to participate in the medical and/or disability leave programs offered to University employees. This leave may include D.C. FMLA or federal FMLA. Further details respecting eligibility, benefits, and application procedures are contained in the Employee Handbook, or may be obtained from the Office of Human Resources.

**B3.3.2.1 Short-Term Medical Leave**

Normally, absences due to illness (up to 1 week) are handled informally within the academic units. The faculty member is expected to notify the department chair (or dean) in advance, if possible, and assist in arranging for a temporary replacement. Medical documentation may be required as stated in the Employee Handbook.

**B3.3.2.2 Extended Medical or Family Leave with Pay**

Faculty members may be eligible for unpaid medical or family leave under the D.C. FMLA or federal FMLA. Requests for leave with pay beyond one week and up to one month may be authorized by the dean. Requests for leave with pay beyond one month must be recommended by the dean and approved by the Provost. Such approval is contingent upon review of the relevant medical documentation by the Office of Human Resources and the dean’s assessment of relevant circumstances, such as the instructional unit’s ability to make reasonable accommodations.

**B3.3.2.3 Long-Term Leave**

If a full-time tenured or probationary tenure-track faculty member or a faculty member in one of the Board-approved categories of non-tenured renewable term appointments is unable to perform all or a substantial part of the faculty member’s duties for a significant period of time because of a documented medical disability for which there is not an effective reasonable accommodation (which does not impose an undue hardship on the University) to permit the faculty member to perform the duties, the faculty member may request leave according to the existing benefits plan available to University employees concerning long term medical disability. This may, upon the approval of the dean and, when required, the Provost, include extended medical leave as provided for in Section B3.3.2.2. In addition to the University-wide benefits and extended medical leave, such a faculty member may also request leave without pay a) for up to two (2) academic years or b) until such time as the faculty member may be able to resume normal duties, whichever period is shortest.
If the faculty member does not request leave or if any approved period of leave has expired and the faculty member continues to be unable to perform his/her regular duties, the appropriate dean will initiate a recommendation to terminate the faculty member’s employment, after taking the following steps: The dean will consult with the faculty member and inform him/her of the basis for the proposed action. The faculty member will be afforded an opportunity to respond and present his/her position. The dean shall forward any recommendation for termination on medical disability grounds to the Provost, who, in turn, shall forward the file, together with his/her own recommendation, to the President and Board for final action. Before the Provost forwards the case to the President, faculty members who have access to the Faculty Grievance process may grieve the recommendation for termination due to medical disability using the procedures provided in Section F2 related to other types of termination.

In the event that a faculty member who is not eligible for the above benefit is unable to perform all or a substantial part of his/her duties for a significant period because of medical disability, despite reasonable accommodation, the University may terminate the appointment prior to the end of the contract period. The decision to terminate will be reached only after the faculty member has been informed in writing of the basis for the proposed action and allowed an opportunity to respond.

**B3.3.4 Family Medical Leave**

Faculty members may be eligible for leave under the ADA, FMLA, DCFMLA and/or to short-term, extended, or long-term benefits as required by law and as provided by University plans. Additional information on family medical leave is available in the Employee Handbook and from the Office of Human Resources.

**B3.3.5 National Service Leave**

Faculty members are provided with national service leave consistent with the terms of the Employee Handbook. Additional information regarding national service leave is available from the Office of Human Resources.

**B3.3.6 Civic Duty Leave**

Faculty members are provided with leave for the performance of civic duties consistent with the terms of the Employee Handbook. Additional information regarding leave for performance of civic duties is available from the Office of Human Resources.

**B3.3.7 Unpaid Leave of Absence**

A full-time faculty member may submit a written application for leave without pay. The application must be made in advance of taking such leave, preferably by April 1 for a leave commencing the following fall semester or by September 1 for a leave commencing the following spring semester. In schools with departments, leave applications require a recommendation from the department chair. Before making a recommendation, the department chair may consider the following:
1) whether the individual contributed to the department and the University in such a positive way that the department wishes to encourage his/her return as a faculty member after completion of the leave period; and

2) whether it is possible to obtain an effective teaching replacement for the period of the leave without pay.

The chair will make a written recommendation in light of these considerations and forward it, together with the faculty member's application, to the appropriate dean who will in turn transmit the package, along with his/her own recommendation, to the Provost. The Provost will then make a recommendation and submit the entire package to the President for final decision.

In schools without departments, the initial application is made to the dean for recommendation or in accordance with school bylaws. If the dean’s recommendation is negative, the Provost will give the applicant an opportunity to justify the request before forwarding the matter to the President.

The term of such leave usually will not exceed two (2) consecutive years.

The University will not pay fringe benefits to faculty members while they are on unpaid leave. However, the faculty members may arrange to maintain coverage through personal contributions by making arrangements with the Office of Human Resources. When faculty members return from unpaid leave, their salaries may be adjusted to include general salary increases that may have been given during the time of the leave.
Chapter C: Types of Faculty Appointments, Appointment and Reappointment Procedures, Resignation, Retirement, and Separation of Faculty Due to Financial Exigency

Section C1: Types of Faculty Appointments

Faculty members at Howard University hold appointments in one of three broad categories: (1) tenured and probationary tenure-track faculty; (2) faculty serving on non-tenured renewable term appointments; and (3) temporary faculty.

Certain academic ranks (or titles) apply in each of these categories. The tenured faculty of the various academic units of the university must develop criteria for evaluating candidates who seek appointment to faculty positions at each of the ranks. The dean of the school/college in which the unit is administratively located will certify to the Provost that these criteria are consistent with the bylaws and the appointment, promotion, and tenure (APT) criteria that the Board of Trustees has approved for the school/college. Where applicable, a program may require national professional board certification for initial appointment or promotion to any rank.

Certain appointment terms apply in each of the three categories as well. For example, probationary tenure-track initial appointments are for three (3) years at the rank of Assistant Professor and four (4) years at the rank of Associate Professor, with term limits of seven (7) years at the rank of Assistant Professor and five (5) years at the rank of Associate Professor. Appointments in a non-tenured renewable term faculty track range from one (1) to five (5) years, depending on the rank and the school/college of the appointment. Temporary faculty members, including part-time (or adjunct) faculty, are appointed on terms not to exceed one (1) year.

A detailed description of the tenured and probationary tenure-track faculty category is given in Section C1.1, the non-tenured renewable term track category is described in Section C1.2, and the temporary track (full-time and part-time/adjunct) category is described in Section C1.3. Specifically, these sections describe the ranks, qualifications, term, and, where applicable, other provisions for the three categories in which faculty members at the University hold appointments. Finally, special academic titles that may be awarded are described in Section C1.4 and the administrative location of faculty appointments is described in Section C1.5.

C1.1 Tenured and Probationary Tenure-Track Faculty

Tenured faculty are senior faculty members whose records of achievement in their fields, as determined by peers, administrators, and external reviewers, have merited the award of indefinite tenure by the Board of Trustees of the University. Tenured faculty members typically hold the rank of Associate Professor or Professor. Although persons may be awarded tenure upon initial appointments at either of these two ranks, the award of tenure typically results from career advancement, whereby a probationary Assistant Professor is promoted to Associate Professor with tenure.
A faculty member who has been awarded indefinite tenure has a continuous appointment made by the Board of Trustees that extends to retirement, death, or resignation, subject only to termination for just cause or for financial exigency and then only according to the guidelines specified in the Faculty Handbook. Tenure is awarded only by the Board of Trustees of the University, upon the recommendation of the President, who is guided by the judgment of the faculty review committees and administrators in the prior levels of review. No faculty member shall receive tenure by default or by merely serving in a position for the maximum probationary period.

Probationary tenure-track appointments have term limits that vary by rank: for probationary Assistant Professors on the tenure track, seven (7) years, and, for probationary Associate Professors on the tenure track, five (5) years. Probationary faculty members holding those ranks are generally appointed to initial terms of three (3) years for Assistant Professors and four (4) years for Associate Professors. Probationary Assistant Professors may be appointed to a second three-year term prior to the required sixth-year review for tenure and promotion. The terms of this Handbook shall become effective immediately upon adoption.

Certain types of leave, such as leaves of absence for professional development, shall be included in the total time counted towards the probationary period. However, other types of leave, as described in section D2.3 below, enable the tenure clock to stop for up to one year, with a corresponding extension of the probationary period.

**C1.1.1 Professor**

**C1.1.1.1 Qualifications**

Professor is the University’s highest academic rank. The holder of this faculty rank is a recognized scholar who has a cumulative and sustained record of excellence in teaching, scholarship (including peer-reviewed research publications or peer-reviewed exhibits of creative work in disciplines where this type of peer-reviewed scholarship is the norm), and service appropriate to the discipline.

**C1.1.1.2 Term**

Tenured Professors hold indefinite tenure.

**C1.1.2 Professor (Probationary)**

**C1.1.2.1 Qualifications**

Appointment to the faculty rank of Professor (probationary) is made to a person who meets nearly all criteria in his or her discipline for an appointment as Professor with tenure, and who is expected to meet all criteria over a short probationary period.
C1.1.2.2 Term

Initial appointments at the rank of probationary Professor are three (3) years. A probationary Professor is to be reviewed for tenure during the second year of probationary status. In the event that tenure is not awarded, the third year is the terminal year.

C1.1.3 Associate Professor (Tenured)

C1.1.3.1 Qualifications

Appointment to the faculty rank of tenured Associate Professor is made only to a person whose past record of professional accomplishment in the areas of teaching, scholarship, and service merits the award of indefinite tenure and whose continuing work in those areas is expected to lead to appointment to the faculty rank of Professor.

C1.1.3.2 Term

Tenured Associate Professors hold indefinite tenure.

C1.1.4 Associate Professor (Probationary)

C1.1.4.1 Qualifications

Appointment to the faculty rank of Associate Professor (probationary) is made to a person whose professional credentials meet certain, but not all, criteria in his or her discipline for an appointment as Associate Professor with tenure, but whose record of achievement demonstrates the personal and intellectual qualities that, with increased development are expected to meet the minimum requirements for an award of tenure and, at an appropriate later date, to appointment as full Professor.

C1.1.4.2 Term

Initial appointments at the rank of probationary Associate Professor are usually made for four (4) years. A probationary tenure-track appointment at the rank of Associate Professor may not exceed five (5) years. A probationary Associate Professor is to be reviewed for tenure during (if not before) the fourth year of probationary status. In the event that tenure is not awarded, the fifth year is the terminal year.

C1.1.5 Assistant Professor (Probationary)

C1.1.5.1 Qualifications

Appointment to the faculty rank of Assistant Professor is made to a person who has completed the final earned degree and other professional certification(s) relevant to the discipline, and who has demonstrated potential for achieving promotion to higher faculty ranks. Appointment to this rank provides a period during which the faculty member has an opportunity to confirm his or her
interest in the broad scope of faculty responsibilities and one during which tenured faculty may assess the promise of the faculty member to fulfill those responsibilities.

### C1.1.5.2 Term

Initial appointments at the rank of probationary Assistant Professor are usually made for three years. During the third year, the faculty member is to undergo a pre-tenure review as part of the process of reappointment for a second three-year term. The pre-tenure review follows the same procedure as that outlined below for the tenure review, but with a special emphasis on identifying what aspects of expected performance require strengthening prior to the mandatory sixth-year tenure and promotion review and without the requirement for external reviewers. Under normal circumstances, the probationary period for Assistant Professors will include appointment to a second three-year term. However, in instances where the faculty member fails to satisfy even the minimum performance requirements of progress toward tenure, reappointment may be denied. The maximum probationary period for tenure-track Assistant Professors is seven (7) years. In the event that promotion and tenure are not awarded at the end of the sixth year, the unsuccessful candidate is given a terminal one-year appointment as Assistant Professor, after which unsuccessful candidates may not be reappointed to a full-time faculty position at the university.

### C1.2 Non-Tenured Renewable Term Track

The Board of Trustees has approved recommendations submitted by the deans and faculties of various schools and colleges to create categories of faculty appointments to accommodate specific instructional needs. Non-tenured renewable term faculty appointments do not grant, and they are not eligible for, tenure. Moreover, they also differ in nature from both tenured and temporary faculty appointments. These appointments complement, but do not supplant, tenured and tenure-track faculty lines in the affected academic units and programs. Subject to the provisions of the Board-approved recommendations for the respective schools and colleges, faculty members may be recommended for initial appointment to one of the approved categories of non-tenured renewable appointments. A school or college may initiate or seek modification to these recommendations through the procedures described in Section A2.2.

The terms of appointment for the respective categories range from one (1) to five (5) years. At the expiration of each term and upon satisfactory fulfillment of his or her responsibilities, the faculty member may be recommended for reappointment until retirement, resignation or death. Faculty members holding non-tenured renewable term appointments may be terminated during the term of their appointment for just cause or financial exigency, with the same rights of access to the Faculty Grievance process that tenured and probationary tenure-track faculty members enjoy. Copies of the Board-approved authorizing documents for schools and colleges with non-tenured renewable term appointments are available from the respective deans.
C1.2.1 Clinical Educator Track (Colleges of Medicine, Dentistry, Pharmacy, Nursing and Allied Health Sciences, and Communications)

C1.2.1.1 Ranks

Qualified persons may be appointed to the ranks of Clinical Professor, Clinical Associate Professor, Clinical Assistant Professor, and Clinical Instructor.

C1.2.1.2 Qualifications

Qualifications for these ranks mirror those for comparable tenured and probationary tenure-track faculty ranks, with one important exception. By virtue of the fact that this variety of appointment is intended to facilitate the delivery of high-quality instruction and patient care in clinical settings, the requirement to produce original scholarship is not as stringent as it is for faculty members on the tenure track. The Board-approved authorizing documents for the respective colleges contain specific details regarding the expected qualifications for each rank.

C1.2.1.3 Terms

Terms of appointment may vary by rank and by college between one (1) year and five (5) years.

C1.2.1.4 Other Provisions

The Board-approved authorizing documents for the respective colleges contain additional details regarding each rank, such as probationary periods, service on departmental and college-level committees and in administrative roles, and the option to switch from the tenure track to the Clinical Educator Track in certain circumstances.

C1.2.2 Research Track (College of Medicine)

C1.2.2.1 Ranks

Qualified persons may be appointed to the ranks of Biomedical Research Professor, Research Associate Professor, and Research Assistant Professor.

C1.2.2.2 Qualifications

These appointments are intended for faculty members whose primary purpose is to conduct research, preferably with the salary support of an external sponsor. Evaluations for reappointment and/or promotion will rely heavily on demonstrated research competence.

C1.2.2.3 Term

The term of appointment may vary from one (1) year to multiple years.
C1.2.2.4 Other Provisions

Research-track professors may participate in teaching and clinical activities, but that is not required. They may also, in certain circumstances, participate on college committees and serve in administrative positions. The Board-approved authorizing document for this category of faculty appointments contains additional details.

C1.2.3 Career Status

Faculty members whose academic responsibilities chiefly consist of classroom instruction may be recommended for appointment as Instructors, and upon satisfactory completion of a probationary period, as Instructors with career status. Career status is awarded only by the Board of Trustees of the university upon the recommendation of the president who is guided by the judgment of those persons and committees in the prior levels of review. A faculty member who is granted career status will be evaluated according to criteria developed by the school or college of which he/she is a member every three years. Persons who meet the criteria may be recommended for reappointment. Faculty members who hold career status may be reappointed until they leave the university voluntarily (e.g., through retirement or resignation) unless terminated for medical reasons (see Section B3.3.2.3), just cause, financial exigency, program elimination, or a recommendation for nonrenewal by the APT committees, department chair, and the dean. There shall be no career status by default, or by the mere serving of the maximum probationary period.

C1.2.3.1 Instructor

C1.2.3.1.1 Qualifications

An Instructor holds appropriate academic or professional qualifications and gives promise of excellent teaching. An Instructor is expected to be able to plan and conduct courses with little or no supervision. The Instructor’s chief responsibility consists of classroom instruction.

C1.2.3.1.2 Term

Probationary Instructors may be appointed for one (1), two (2), or three (3) years. After three years of service, an Instructor who meets the criteria for career status established by the school or college in which he/she is a member of the faculty may be recommended for such an appointment. Probationary Instructors who earn career status are Career-Status Instructors (as distinguished from Master Instructors described below). The home department will initiate the recommendation and forward it through the conventional review and approval process involving the school or college, the Provost, the President, and, ultimately, the Board of Trustees. Instructors who are not approved for career status may not serve more than seven (7) years in full-time status. Instructors are who are awarded career status may be reappointed on three-year contracts subject to the conditions noted in Section C1.2.3, above.
C1.2.3.1.3 Other Provisions

The standards for the notice of non-reappointment of probationary tenure track, temporary, and career status appointments are given in section C2.4. Instructors may apply for and be recommended for appointment to any position in the Tenured and Probationary Tenure Track or the Non-Tenured Renewable Term Track (including Master Instructor) for which a search has been initiated as described in Section C2.1, below, and for which they are qualified.

C1.2.3.2 Master Instructor (College of Arts and Sciences and School of Communications)

C1.2.3.2.1 Qualifications

Career-status Master Instructors are persons with special teaching abilities or talents whose primary responsibility is instruction. While not obliged to conduct original research and disseminate their findings in peer-reviewed publications, Master Instructors are expected to engage in the scholarship of teaching and learning. Master Instructors are expected to help students enrolled in foundational academic disciplines to acquire the skills necessary for future academic success.

C1.2.3.2.2 Term

The term of appointment is three (3) years, renewable according to the provisions of Section C1.2.3 above.

C1.2.3.2.3 Other Provisions

The Board-approved authorizing documents for this category of faculty appointments contain additional details.

C1.2.4 Legal Writing Instructor (School of Law)

C1.2.4.1 Qualifications

Legal Writing Instructors are persons responsible for instructing students in the skills of legal reasoning and research writing. They are appointed (and reappointed) based on their demonstrated success in preparing students to conduct legal research and draft legal documents applicable to various legislative, judicial, and practical settings.

C1.2.4.2 Term

The term of appointment varies from one (1) to three (3) years.
C1.2.4.3 Other Provisions

The Board-approved authorizing document for this category of faculty appointments contains additional details.

C1.3 Temporary Track (Full-time and Part-time/Adjunct)

Temporary faculty members are appointed for one (1) year (or for one semester) and may work full-time or part-time. Most temporary faculty members serve in instructional capacities only, with minimal, if any, expectation of conducting research and producing scholarship or creative work or of performing service. The terms and conditions of employment of faculty members who are members of a collective bargaining unit are determined by the current collective bargaining agreement.

Temporary faculty members are not eligible for tenure, nor may they serve more than seven (7) years in full-time status.

Temporary faculty members may apply for and be recommended for appointment to any position in the Tenured and Probationary Tenure Track or the Non-Tenured Renewable Term Track (including Master Instructor) for which a search has been initiated as described in Section C2.1, below, and for which they are qualified.

C1.3.1 Lecturer

A lecturer is a person whose primary responsibilities consist largely, if not entirely, of teaching. Although the lecturer position may be used for persons who do not possess the credentials for appointment to one of the two other tracks, it may also be used for credentialed persons who are to be employed for a limited time, not to exceed seven (7) years in full-time status.

C1.3.1.1 Qualifications

The qualifications of lecturers vary by school/college.

C1.3.1.2 Term

Lecturers are appointed for one year or, when employed for only one semester, for a single semester.

C1.3.1.3 Other Provisions

Like temporary faculty members of other academic ranks, Lecturers may apply for and be recommended for appointment to any position in the Tenured and Probationary Tenure Track or the Non-Tenured Renewable Term Track (including Instructor or Master Instructor) for which a search has been initiated as described in Section C2.1, below, and for which they are qualified.
C1.4 Special Academic Titles of Faculty

Special titles may be awarded to certain individuals. In addition to the above listed faculty ranks, the following special titles may be awarded, subject to approval of the dean and of the Provost (and, in the case of those in which the word “Professor” appears as part of the title, subject to approval of the President):

1) Distinguished Professor
2) University Professor
3) Research Professor
4) Artist-in-Residence and Writer-in-Residence
5) Graduate Faculty
6) Visiting Faculty
7) Endowed Chair
8) Emeritus

The sections below describe the qualifications for each special academic title.

C1.4.1 Distinguished Professor

C1.4.1.1 Faculty Rank

Faculty members designated as Distinguished Professors shall either hold the rank of Professor or shall meet all the qualifications for the faculty rank of Professor and have achieved extraordinary distinction in scholarship, research, and/or professional performance.

C1.4.1.2 Tenure Status

Distinguished Professor is a tenured position.

C1.4.1.3 Qualifications

A candidate for Distinguished Professor shall be a person with national and/or international recognition in the academic field or area of performance, a sustained record of achievement at the highest professional and scholarly levels, and a record of service to the University or to the wider community that the University serves. The candidate shall have achieved distinction in scholarship, research, and/or professional performance, as evidenced by:

1) Outstanding publications or other public demonstrations of professional or academic excellence that provide significant new knowledge in the candidate’s field of
specialization, new and useful techniques for the constructive utilization of existing knowledge in the field, or a revision or reinterpretation of data in a given field that engenders new perspectives for thought and action.

2) Recognition by professional societies or recognized experts in the candidate's field or medium. This recognition may take such forms as invitations to serve as advisor, consultant, or organizer for programs related to the field, to present professional papers, or to appear in the most selective auditoria or galleries; special awards and honors, including membership in highly selective academies and honorary societies; or inclusion in highly respected and exclusive exhibitions, performance series, or publications.

3) Recognition, based on professional merit, by groups other than professional societies, such as foundations, government bodies, and community groups.

4) A record of significant research funded by outside agencies as a result of recognition in the candidate's field of specialization. The scholarship and professional achievements of the candidate shall be attested to by reputable professionals in the field; these professionals must be outside the University.

C1.4.1.4 Appointment Procedure

Recommendations involving Distinguished Professors shall be initiated by the Faculty Senate’s Committee on Appointments, Promotions and Tenure. The Committee may receive nominations from any source within or outside of the University. Upon receipt of a nomination, the Committee shall request from the nominating person or body a complete file documenting the nominee’s qualifications. The Faculty Senate’s APT Committee will then forward the nomination and the file to the APT Committee of the department most closely related to the candidate's field of specialization for evaluation and comment.

Following the departmental APT Committee’s review, the entire file will be forwarded to the appropriate school/college APT Committee for evaluation and comment. Following review at the school/college level, the nominee’s file, and all accompanying comments and documentation, will be sent back to the Faculty Senate APT Committee for consideration and review. The Faculty Senate APT Committee will then develop a recommendation. If the recommendation is positive, the Committee will send it to the Council of the Faculty Senate for endorsement. If the Council of the Faculty Senate endorses it, the recommendation and the nominee’s file shall be forwarded by the chair of the Faculty Senate to the Provost, who will present a recommendation to the President. The President, in turn, will present a recommendation to the Board of Trustees for final action. In cases where the nominee is from outside the university, the Provost will forward the nominee’s file back to the department to begin the process of peer evaluation of candidates for tenured faculty appointments described in Section D2.5, before preparing the recommendation to the President.
C1.4.2 University Professor

C1.4.2.1 Faculty Rank

Faculty members designated as University Professors shall hold the faculty rank of Professor, shall have achieved distinction in scholarship, research, and/or professional performance, and shall be jointly appointed to more than one academic unit.

C1.4.2.2 Tenure Status

University Professor is a tenured position.

C1.4.2.3 Qualifications

Professors holding this title will be individuals of high academic, scholarly, and/or professional distinction who have the competence to teach and perform other academic services in more than one of the University’s schools/colleges.

1) Academic Preparation. The candidate shall hold an earned doctoral degree or its foreign equivalent. This requirement may be waived in instances where the candidate has gained prominence through creative and productive activity in his or her field of specialization.

2) Teaching Competence. The candidate shall have appropriate teaching experience at the school/college or university level or equivalent experience in his/her field of specialization. The candidate's teaching competence shall be judged by persons who teach in the candidate's field. Student evaluations shall also be taken into consideration.

3) Research and Creative Productivity. The candidate shall present evidence of excellence in research or creative activity through the publication of books, monographs, and articles, or through the production of creative works.

C1.4.1.4 Appointment Procedures

Recommendations to appoint a person as University Professor shall follow the same procedure for appointment as Distinguished Professor, with the following exception. Because the University Professor appointment is a joint appointment, the candidate’s file must be forwarded for evaluation and comment to the APT committee in each of the academic units in which he or she will serve. Following review at the school/college level, the nominee’s file and all accompanying comments and documentation will be sent to the Faculty Senate APT Committee for consideration and review. The Faculty Senate APT Committee will develop a recommendation. If the recommendation is positive, the Committee will send it to the Council of the Faculty Senate for endorsement. If the Council of the Faculty Senate endorses it, the recommendation, and the nominee’s file shall be forwarded by the chair of the Faculty Senate through the Provost to the President, who will present a recommendation to the Board of Trustees for final action. In cases where the nominee is from outside the university, the Provost will forward the nominee’s file back to each of the academic units in which the faculty member will serve to begin the process.
of peer evaluation of candidates for tenured faculty appointments described in Section D2.5, before preparing the recommendation to the President.

C1.4.3 Research Professor

C1.4.3.1 Faculty Rank

Faculty members designated as Research Professors shall hold the faculty rank of tenured Professor or meet the qualifications for the faculty rank of Professor and have achieved national distinction in research.

C1.4.3.2 Tenure Status

Research Professor is a tenured position.

C1.4.3.3 Qualifications

Persons holding this title will be individuals of nationally recognized research competence in a given academic field. Their principal function shall be conducting research.

1) Teaching Competence. The candidate shall have appropriate teaching experience at the school/college or university level or equivalent experience in the professional field. The candidate's teaching competence shall be judged by persons who teach in the candidate's field. Student evaluations shall also be taken into consideration.

2) Research Competence. The candidate shall demonstrate evidence of research competence as attested by appropriate honors and awards for scholarship. This recognition may take the form of juried prizes for books, monographs, articles, or creative productions, or, in disciplines where externally sponsored research awards constitute primary evidence of research competence, it may take the form of appropriate recognition of impact of research findings on the candidate’s field. Evaluations of research competence shall be secured from at least two (2) competent persons outside of the University.

C1.4.3.4 Appointment Procedures

The appointment procedures are the same as for Distinguished Professor.

C1.4.4 Artist-in-Residence and Writer-in-Residence

C1.4.4.1 Qualifications

These titles may be offered to outstanding professional artists or writers who render a specific service to the University, such as lectures, performances, demonstrations, master classes, and consultations. Academic degrees are not required for an appointment as Artists-in-Residence or Writers-in-Residence. Individuals are appointed on the basis of outstanding professional attainments, creative accomplishments, and recognition in their specified fields.
C1.4.4.2 Term

Such appointments are for a fixed, definite-term not to exceed five (5) years.

C1.4.4.3 Appointment Procedures

Appointment procedures are the same as for other temporary faculty appointments.

C1.4.5 Graduate Faculty

The Graduate Faculty consists of those full-time members of the University’s regular and probationary tenure-track faculty who are charged with delivering graduate student teaching, supervision and advising. All tenured and tenure-track faculty at the faculty ranks of Assistant Professor, Associate Professor, and full Professor are automatically designated as Regular Graduate Faculty by virtue of their appointment.

C1.4.5.1 Regular Graduate Faculty

Other qualified persons may be appointed as Regular Graduate Faculty by the dean of the Graduate School, on the recommendation of the relevant academic program. These individuals may be non-tenure track faculty who possess the requisite research experience needed to mentor graduate students and who hold a terminal degree appropriate to the discipline. The department may establish criteria applicable to its field for Regular Graduate Faculty membership.

C1.4.5.2 Fixed Term Graduate Faculty

Fixed Term Graduate Faculty members are individuals appointed for a fixed term length of service on graduate student committees. Fixed Term Graduate Faculty may include Emeritus faculty, Clinical Educator Track or Research Track faculty, scholars from other institutions, and independent scholars and practitioners. Fixed Term Graduate Faculty status confers no rights or responsibilities on its faculty members, except the right to serve on thesis or dissertation committees.

C1.4.6 Visiting Faculty Appointment

A visiting faculty member is an individual who holds or has held a faculty position at another institution or whose professional qualifications show promise of enhancing a program’s instructional offerings. Visiting faculty members hold temporary appointments, renewable annually, for a maximum of three (3) years. If a visiting faculty member, upon the recommendation of the dean and the approval of the Provost is subsequently given a probationary appointment, the time spent as a visiting faculty member may be counted towards the probationary period.

C1.4.6.1 Term

Such appointments are renewable annually for a maximum of three (3) years.
C1.4.6.2 Appointment Procedures

Appointment procedures are the same as for other temporary faculty appointments.

C1.4.7 Endowed Chair

When a gift is made to the University to support the endowment of a chair, specific criteria may be stipulated by the donor. However, the donor may not appoint a particular faculty member or individual to occupy the chair. Current faculty and individuals external to the University may be nominated or may apply for the endowed chair position. The procedures governing recommendations for appointment to any tenured faculty position govern appointments to the rank of endowed chair.

C1.4.8 Emeritus Status

Upon retirement, tenured faculty members and administrators who hold tenure as faculty members with at least ten (10) years of full-time service at the University shall automatically attain emeritus status in their faculty rank. Other faculty members retiring from the University may be granted emeritus status only by specific action of the Board of Trustees.

Section C4, below, specifies the Retirement and Related Rights that all faculty members enjoy.

C1.5 Administrative Location of Faculty Appointments

A faculty member’s appointment is generally made to a specific academic department or, in the case of schools that are not organized into departments, to a specific school. Full-time faculty members may also hold appointments in more than one academic unit and are entitled to all rights and privileges of full-time faculty in each such unit including, but not limited to, committee membership and voting rights as prescribed in the respective school/college bylaws. The faculty member shall hold the same faculty rank and tenure status in all such units regardless of the percentage of effort and funding he/she receives from each individual unit. Professional duties, responsibilities, and assignments may be distributed between two (2) or more units in any proportion of full-time service that may be mutually agreed upon by the administrators of the units and the faculty member.

If one unit provides at least 51 percent of the funding for the faculty position, that unit shall be responsible for processing the faculty member’s personnel actions including, but not limited to, appointment, reappointment, promotion and tenure (where applicable), with concurrence of the other unit(s). Where units share equally in funding the position, recommendations including, but not limited to, reappointment and promotion shall be initiated by the units acting concurrently, with each submitting a separate recommendation.

Section C2: Appointment, Reappointment and Search Procedures

An outstanding faculty is critical to developing and maintaining academic excellence. The faculty is at the core of a University environment that demands the best from all of its participants.
Additionally, a well-qualified and productive faculty helps attract other individuals, faculty members, students, staff and administrators to the University who will assist the University in achieving its mission.

The faculty has the responsibility for appropriate action on such matters as faculty appointments, reappointments, promotions, the granting of tenure, and dismissals. The faculty’s primary responsibility for appointment, reappointment, and search procedures affecting the nature and quality of the academic program, faculty welfare, student welfare, and research and scholarship are based on the fact that the faculty’s judgment is central to general educational policy. Furthermore, scholars in a particular field or activity are expected to have the chief competence for judging the work of their colleagues. Such competence should be exercised before either adverse or favorable judgments are made. Consideration of these matters is to be by faculty action through established procedures. These actions shall be reviewed by the dean, the Provost and the President, and shall be submitted to the Board of Trustees for final action, when necessary. The governing board and president should consider faculty input and clearly communicate the basis for institutional decisions to the faculty.

When the designated decisional authority regarding initial faculty appointments (the Provost for all temporary appointments and the President for all tenured, probationary tenure-track, and non-tenured renewable term appointments) approves the appointment, the decisional authority will notify the applicant of the approval and enclose the employment contract specifying the rank and type of appointment (i.e. temporary, probationary, tenured, non-tenured renewable term), salary, full- or part-time status, term of the appointment, and academic unit(s) to which the person is assigned, and referencing the Faculty Handbook (including instructions for accessing it electronically). As noted below, in the course of recruiting new faculty members to the university, deans and other administrators may send offer letters to prospective faculty members that, besides the particulars noted above, make reference to such additional considerations as release from certain workload responsibilities, access to facilities and equipment, and financial support for travel or research assistance. All such offers of employment are contingent on final approval. Following final approval, the department chair or dean must also inform persons newly appointed to probationary tenure-track positions of the timeline for the pre-tenure review (where applicable) and the promotion and tenure review, as well as the criteria and procedures that will be observed in evaluating him or her for reappointment, tenure, and/or promotion. Persons appointed to non-tenured renewable term appointments must similarly be informed of the timelines, procedures, and criteria that will govern recommendations for their reappointment or (where applicable) promotion.

C2.1 Search Procedures

In principle, the University's commitment to excellence is best expressed by careful and extensive searches designed to find the best qualified persons to fill faculty positions. A diversity of background, experiences, and viewpoints is considered to be an element of strength in a faculty.

Search processes may vary depending on whether the school or college contains departments. In schools and colleges with departments, the processes generally follow the guidelines below.
In schools that do not contain departments, these processes are as specified in the school’s bylaws or other approved procedural document.

C2.1.1 Tenured and Probationary Tenure-Track Faculty Positions

The search process for filling a tenured or probationary tenure-track faculty position shall be as follows:

1) The department’s chair and tenured faculty agree on the need to fill a vacant position or to create a new position. They identify key qualifications of the person they wish to hire, specifically with regard to rank and teaching/research specializations.

2) The department chair requests written authorization from the school/college dean, who reviews the request and, if in agreement, seeks written authorization from the Provost to initiate the search. The dean may decline the request altogether or consult with the chair to develop a different set of qualifications, rank, or teaching/research responsibilities. When the authorization is received, the chair notifies the department faculty that a search has been authorized.

3) The department establishes a search committee and a chair is selected in the manner prescribed by school/college guidelines.

4) The dean charges the committee with the scope of the search.

5) The committee finalizes the description of the position and facilitates its being advertised. Searches should be advertised nationally in appropriate general and discipline-specific venues.

6) In every search, individuals shall be recruited and recommended for appointment without regard to race, color, religion, national origin, sex/gender, sexual orientation, disability, age, gender identity, gender expression, non-conformance with gender stereotypes, appearance, political beliefs, veteran status, family status and responsibilities, marital status, genetic information, unemployment status, or any other characteristic protected by Federal and/or District of Columbia law.

7) The search committee reviews the applications and identifies a short list of prospective finalists for interviews. These interviews should be open. The department chair and the dean also interview the candidates. Depending on school or college bylaws or the practice in individual academic units, the APT committee may have a role at this stage of the search process.

8) The search committee makes its recommendations to the dean consistent with the dean’s charge.

9) The dean makes a written offer to the finalist setting forth the terms and conditions of the faculty appointment, to include rank, tenure status, term of appointment, salary,
information about pre-tenure review, and any start-up considerations such as laboratory space and/or equipment, travel funds, summer salary, student research assistants, and the like. Such offers are conditional, pending approval by the President at the conclusion of the appointment recommendation process described in Section C2.2.1. The decisions of the dean and President regarding initial appointments are final, and are not subject to any grievance procedure.

10) The finalist accepts the offer.

C2.1.2 Non-Tenured Renewable Term Faculty Positions

The search process for an individual to fill a non-tenured renewable term faculty position shall follow the guidelines specified in the Board-approved recommendation creating the category of the position. Absent such guidelines, recommendations for initial appointments to clinical educator positions will follow the guidelines for tenured and probationary tenure-track openings in the Board-approved recommendation creating the position and described above. Recommendations for initial appointments to master instructor, legal writing instructor, and research faculty may dispense with the formality of a search committee in favor of concurrent recommendations by the APT committee and the administrator of the academic unit to appoint a qualified individual.

C2.1.3 Temporary Faculty Positions

The search process for an individual to fill a temporary faculty position shall be as follows:

1) When the department chair sees the need to fill a vacant temporary position or to create a new temporary position, the chair requests authorization from the appropriate dean to initiate the search.

2) The chair, usually assisted by members of the faculty, identifies one or more individuals who possess the key qualifications to fill the position, specifically with regard to specialization and teaching ability and experience. These individuals are interviewed by the chair and members of the APT committee, and a decision is made to hire the person best qualified to fill the position.

3) In every search, individuals shall be recruited and recommended for appointment without regard to race, color, religion, national origin, sex/gender, sexual orientation, disability, age, gender identity, gender expression, non-conformance with gender stereotypes, appearance, political beliefs, veteran status, family status and responsibilities, marital status, genetic information, unemployment status, or any other characteristic protected by Federal and/or District of Columbia law.

4) The chair makes a written offer to the person setting forth the terms and conditions of the faculty appointment. Such offers are conditional, pending approval by the Provost at the conclusion of the appointment recommendation process described in Section C2.2.3.
The decisions of the chair and Provost regarding initial appointments are final, and are not subject to any grievance procedure.

5) The person accepts the offer.

C2.2 Initial Appointment Procedures

C2.2.1 Initial Appointment Procedures for Tenured or Probationary Tenure-Track Faculty Positions

The appointment of an individual to a tenured or probationary tenure-track faculty position shall be as follows:

1) The candidate who has accepted the offer from the dean completes the “Faculty Application for Appointment, Promotion and/or Tenure” form, accompanied by a current curriculum vitae and supporting documentation as specified in section D2.4, below.

2) The review and approval process is the same as what is described in section D2.5, below, except that the candidate has no right to request reconsideration of negative recommendations or to appeal to the Faculty Grievance Commission.

3) Following final approval, the President will notify the applicant of the appointment, enclosing the faculty member’s employment contract.

C2.2.2 Appointment Procedures for Non-Tenured Renewable Term Faculty Positions

The appointment of an individual to a non-tenured renewable term faculty position shall follow the guidelines specified in the Board-approved recommendation creating the category of the position. Final approval of candidates to such positions rests with the President. Following final approval, the President will notify the applicant of the appointment, enclosing the faculty member’s employment contract specifying the rank, salary, category of non-tenured renewable term appointment, term of the appointment, and academic unit(s) to which the person is assigned.

C2.2.3 Appointment Procedures for Temporary Faculty Positions

The appointment of an individual to a temporary faculty position shall be as follows:

1) The department chair requests a vote from the APT Committee to hire the person who has been identified. The APT committee submits the results of the vote and its written evaluation of the candidate’s qualifications.

2) The department chair evaluates the candidate’s application file and develops a separate recommendation.
3) The written recommendations, together with the prospective faculty member’s application file, are forwarded to the appropriate dean.

4) The dean seeks the recommendation of the school/college APT Committee. The dean’s recommendation, together with all prior recommendations and the prospective faculty member’s application file, is forwarded to the Provost for review and final decision.

5) Following final approval, the Provost will notify the applicant of the appointment, enclosing the faculty member’s employment contract.

In schools without departments, the school-wide APT committee initiates the recommendation to appoint which is then forwarded to the dean, unless otherwise specified in the school’s bylaws. If the recommendation is not to appoint and the dean concurs, the matter is closed. In all other cases, the dean will prepare a recommendation to accompany the APT committee’s recommendation to the Provost for final decision.

In all of these categories of faculty appointments, when the rank, the tenure status, or the type of appointment change, the final approval authority (the Provost for temporary appointments, and the President for all other appointments) will issue a new faculty employment contract to the faculty member.

C2.3 Reappointments

Faculty members may be considered for reappointment at the expiration of their current term, except when such reappointment would extend the appointment beyond the maximum allowable time in a probationary tenure-track or temporary status.

The employment of a faculty member who is denied tenure and who has an active appeal before the Faculty Grievance Commission will be extended by temporary appointment until the appeal process is complete, or up to one year from the denial of tenure, whichever is shorter.

C2.3.1 Reappointment of Probationary Tenure-Track and Faculty on Non-tenured Renewable Term Appointments

The procedures, timetable, criteria, and right to appeal a negative recommendation for reappointment involving faculty members on a probationary tenure-track or a non-tenured renewable term appointment track are the same as those outlined for a recommendation for tenure, sections D2.4 and D2.5, below, except that the requirement for external reviewers does not apply in cases of reappointment.

C2.3.2 Reappointment of Temporary Faculty

Reappointment recommendations are usually initiated by the department chair, after consulting with the department APT Committee. If both the department chair and the department APT Committee decide not to recommend reappointment, no written recommendation will be generated and the matter is closed (subject to the notice of non-reappointment proviso in
Section C2.4, immediately below). If either the chair or the department APT Committee recommends reappointment, both the chair’s recommendation and the department APT Committee’s recommendation are forwarded to the dean with appropriate documentation. The dean then obtains a recommendation from the school/college APT Committee, adds the dean’s recommendation, and forwards the entire file to the Provost, whose decision is final.

In schools without departments, the school-wide APT committee initiates the recommendation to reappoint which is then forwarded to the dean, unless otherwise specified in the school’s bylaws. If the recommendation is not to reappoint and the dean concurs, the matter is closed, provided that the applicant was timely notified of the decision not to reappoint. In all other cases, the dean will prepare a recommendation to accompany the APT committee’s recommendation to the Provost for final decision.

**C2.4 Standards for Notice of Non-Reappointment of Non-Tenured Faculty Members**

Notice of non-reappointment of non-tenured faculty members must be provided as follows:

1) For probationary tenure-track faculty members, at least 12 months (365 calendar days) prior to the expiration date of the current appointment.

2) For non-tenured renewable term faculty members, at least 12 months (365 calendar days) prior to the expiration date of the current appointment.

3) For full-time temporary faculty members, not later than six months prior to the end of the current appointment.

Failure on the part of the University to provide timely notification of non-reappointment shall entitle the faculty member to a temporary appointment limited to one (1) academic year for probationary tenure-track and non-tenured renewable term faculty members and to (1) one semester for full-time temporary faculty members.

Late notice does not entitle the faculty member to tenure by default or to continued employment beyond what is necessary to observe the relevant notification requirement.

**C2.5 Administrative Appointments**

The functions, titles, and status of such academic administrators as the Provost, vice presidents, deans, associate and assistant deans of schools and colleges, directors, and departmental chairs shall be distinct from their functions, titles, and status, if any, as members of the faculty. Academic administrators may hold faculty rank and tenure; however, appointment to an academic administrative position does not, by itself, convey either tenure or faculty status, and no academic administrator holds tenure as an administrator.

Deans, associate deans, and department chairs normally hold tenure within a department or other academic unit, and they retain their faculty status while serving in the administrative role. Although their administrative responsibilities preclude them from participating in all the
responsibilities of faculty members, they may continue to teach, and they may also apply for promotion just as any other qualified faculty member may. Upon leaving an administrative position, they may resume full-time faculty responsibilities at their tenured rank in an appropriate academic unit. Academic administrators in the colleges of the health sciences who hold appointments as Clinical Educators retain their faculty status while serving in the administrative role and may resume full-time faculty responsibilities at their Clinical Educator rank in an appropriate academic unit upon leaving an administrative position.

An academic administrator without faculty status at the time of the initial administrative appointment may be appointed to a faculty position only after having been reviewed by the appropriate departmental and school/college committees and administrators according to the procedures described in Section C2.2, above, and approved by the Provost or by the President and Board of Trustees, as the case may be.

Section C3: Resignation

Resignation is a permanent action in which a faculty member voluntarily seeks to be released from employment at the University. Except in unusual circumstances, resignations from the faculty become effective at the end of the academic year. To allow the academic unit to prepare for the loss of the faculty member, the faculty member should notify the department chair or the director of the unit that the faculty member intends to resign, in writing, as early as possible.

Section C4: Retirement and Related Rights

The customary retirement date for eligible retirees at Howard University is June 30. Early retirement may be requested at least 30 days in advance of the proposed retirement date, provided that the sum of one’s age (figured to the nearest one-twelfth of a year) plus the number of years of credited service equals or exceeds 70.

There shall be no presumption of reappointment after retirement, and any such reappointment shall be on a temporary basis for renewable terms not to exceed one (1) year at a time.

Although no faculty member will acquire new rights or privileges within the University upon retirement, certain rights and privileges to which the faculty member was entitled prior to retirement are extended as follows:

1) When a retired faculty member is actively engaged in productive scholarship, the University will use reasonable efforts to furnish the faculty member office space as well as assistance from the department administrative staff. However, such space and/or assistance will be granted only if it is available; priority consideration will always be given to the University’s full-time and part-time faculty.

2) Retired faculty members may file research or travel grant applications. Consent from the appropriate department chair or dean must be obtained prior to submission of any such application. An application will be transmitted further only if the Provost determines that
the proposed research project or travel has merit, has the potential to be completed, and that the University has available office and laboratory space for the applicant to utilize. In the event the University is experiencing a shortage of such space, priority will be given to the University’s full-time and part-time faculty.

3) Upon express invitation from the dean, retired faculty members may attend meetings of their former departments and schools/colleges and/or participate in the work of the department or school/college committees. However, only those individuals with active faculty status, as identified by current temporary appointment, may vote in these meetings. These individuals can only vote in accordance with the voting rights attendant to that status, as provided by the school/college bylaws. Retired faculty members may participate in University convocations with appropriate academic attire.

4) Retired faculty members may attend Faculty Senate meetings.

5) Retired faculty members may continue to avail themselves of library use privileges enjoyed by members of the full-time and part-time faculty. They may also apply for access to library space for purposes of conducting research.

6) Retired faculty will be listed in the University telephone directory, if they so desire.

7) Retired faculty will continue to receive the Howard Magazine and special reports from the University.

8) After retirement, a faculty member will be issued a new Howard University identification card upon request, identifying the faculty member as a retiree. The retired faculty member will retain access to a variety of events, facilities, and services that require the card for admission or access.

9) Faculty tuition remission benefits are continued to those eligible for such benefits at the time of retirement consistent with University tuition remission policies. If a dependent is pursuing a degree program under the tuition remission plan currently in force at the time of retirement, such benefits will continue in accordance with the policies governing this plan and will be subject to the plan's limitations.

Section C5: Separation of Faculty Due to Financial Exigency

A financial exigency is defined as an imminent fiscal crisis that will result in grave or irreparable harm to the quality of educational or research programs at the university, and which requires termination of faculty appointments to alleviate it. A financial exigency should not be declared merely as an opportunity to engage in academic reform.
C5.1 Declaration of a State of Financial Exigency

A financial exigency will be declared by a majority of the members of the Board of Trustees of the University, in accordance with the policies and procedures recommended by the President and approved by the Board of Trustees.

C5.2 Development of a Plan of Action

Upon the Board's declaration of a financial exigency, the President will appoint a financial exigency advisory committee, which will include members selected by the Faculty Senate, to assist with the development of a plan of action to address the exigency. The President shall determine the composition and specific charge of the committee after consultation with the Faculty Senate such that faculty representatives should be selected by the faculty according to procedures determined by the faculty.

The following principles will be adhered to in the development of the financial exigency plan of action:

1) The responsibility of the faculty in matters of general educational policy will be recognized and consideration will be given to faculty judgments regarding the best response to the exigency.

2) No faculty member with tenure will be terminated unless all faculty members without tenure in the academic department, unit or program designated for retrenchment have been terminated.

The President shall present a plan of action to the University community, the Faculty Senate, and the Board of Trustees in a timely manner.

C5.3 Notification to Faculty Members

All tenured faculty members terminated for reasons of financial exigency will be terminated at the end of the academic year in which termination notice is given. To the extent that termination notice of less than 120 calendar days is given, compensation will be paid in order to ensure that the terminated faculty member shall receive a total of 120 days’ pay after receipt of the notice of termination. The written notice of termination must include a statement of the faculty member’s right to respond and/or to present his or her case to the Faculty Grievance Commission.

C5.4 Rights of Tenured Faculty Members in the Event of Financial Exigency

Before terminating the appointment of a tenured faculty member for reasons of financial exigency, every reasonable effort shall be made to find another suitable position for the faculty member within the University. Departmental transfers may be made, if mutually acceptable, and the President (or the President’s designee) will work with the affected parties to achieve an agreeable accommodation. Faculty retraining may be provided if such retraining will prepare the
faculty member to perform duties associated with another University position within a reasonable period of time. Faculty members meeting age and service requirements, as determined by the Board of Trustees, will be given the option to retire early.

A tenured faculty member terminated for reasons of financial exigency shall receive 120 days’ pay, retain university e-mail privileges for one (1) year, and will be allowed to participate in the University group health insurance program, consistent with the University’s insurance plan, for up to 18 calendar months following the date of termination, unless a different period is required by law. The faculty member is entitled to other rights and benefits of terminated employees as may be specified by the Board of Trustees.

**C5.5 Other Rights Pertaining to All Faculty in the Event of Financial Exigency**

Faculty members terminated for reasons of financial exigency will have the opportunity to receive counseling services regarding employment opportunities outside the University. If a program that has undergone significant reduction or elimination as a result of financial exigency is reinstated or strengthened by reinstating full-time employees within three (3) years after termination of the state of financial exigency, tenured faculty terminated as a result of said reduction or termination will have the right to be reinstated, if positions are available, before new faculty are hired.

Under established policies and procedures, a faculty member whose appointment is terminated for reasons of financial exigency has the right to appeal to the FGC.

**C5.6 Financial Exigency Sunset Provisions**

A declaration of financial exigency is valid for a period fixed by the Board of Trustees. In any case, after a period of one (1) year from the date of declaration of a financial exigency, the status of the University should be reviewed by both the President and the financial exigency advisory committee, and a report should be issued to the Board of Trustees containing recommendations for appropriate action.
Chapter D: Faculty Tenure, Promotion and Evaluation

Section D1 Purpose and Definition of Academic Tenure

The tenure system consists of rules, policies and procedures that enable an academic institution’s scholars to enjoy a continuity of existence to pursue knowledge and to disseminate their findings among students, colleagues, and other interested groups both inside and outside of the institution. It is through these pursuits that tenured faculty members (and persons on probationary tenure-track appointments) uphold the principle of academic freedom that all other members of the University community enjoy. The tenured and tenure-track members of the faculty are the heirs and custodians of the institution’s academic and research programs, maintaining and enriching the past legacy for the future benefit of students, faculty members, Howard University, and society at-large.

The tenure system enables Howard University and other similar institutions of higher learning to maintain a permanent faculty that helps to fulfill the following obligations of the academy to contemporary society:

1) The discovery and dissemination of new knowledge;

2) The communication of that knowledge to students and the cultivation of the understanding and skills needed to enable them to engage productively in the further pursuit of knowledge;

3) The preparation of students for entry into professions that require a systematic body of specialized knowledge; and

4) The performance of service to the larger community—locally, nationally, and internationally.

In intellectual matters, a university faculty is not merely an assemblage of individual scientists, teachers, and scholars; it must possess a collective presence and create an atmosphere that stimulates the work of colleagues and students. Faculty members depend on the University’s provision of a tenure system for the effective fulfillment of their responsibilities in the areas of research, teaching, and service. The tenure system ensures the presence and continuity of a distinguished core of faculty members (tenure recipients) whose proven records of fulfilling those responsibilities at the highest level helps to sustain the intellectual community of the University.

D1.1 Basic Principles of the Tenure System

A faculty member who has received tenure has a continuous appointment, made by the Board of Trustees, that extends until resignation, retirement or death, subject only to termination for just cause or financial exigency. In the event of termination for just cause or financial exigency, tenure entitles a faculty member to a grievance proceeding as provided herein. Tenure ends at retirement. Appointments to the faculty after retirement are on a temporary basis and are
The choices the University makes in granting tenure are crucial to its goals of maintaining academic excellence. A decision to grant tenure must reflect an assessment of high academic and professional competence and performance measured against University and external standards. The award of tenure is based on a thorough evaluation of the candidate’s total contribution to the University. In the same spirit, tenure shall not be granted by default or simply by virtue of an individual’s having served to the limit of the probationary period prescribed for his or her rank.

The decision to grant tenure is a deliberate action indicating that the candidate has been selected as a member of the permanent faculty because of demonstrated high-quality performance and relative merit. An award of tenure is based on a thorough evaluation of the candidate’s total contribution to the University. Basic competence or mere satisfactory performance in itself is not sufficient to justify granting tenure.

In addition to the candidate’s professional qualifications, other considerations, including the particular needs of the department and the changed circumstances of the University, may be taken into account in recommendations to award tenure. Therefore, a decision not to grant tenure does not necessarily reflect an unfavorable judgment of the candidate. A probationary tenure-track faculty member has no contractual right to receive tenure.

D1.2 Authority to Award Tenure

Tenure is awarded only by the Board of Trustees of the University, upon the recommendation of the President, who is guided by the judgment of the faculty committees and the responsible officials in the prior levels of review.

D2.1 General Criteria for Appointment, Promotion, and Tenure (APT Criteria)

In the interest of maintaining quality, every academic unit is required to re-evaluate, and, as necessary, to revise the criteria for faculty appointments, tenure, and promotion at a minimum of every five years. Faculty members on probationary tenure-track appointments will be evaluated for promotion and tenure according to the criteria communicated to them at their initial appointment. While specific responsibilities of faculty members may vary because of special assignments or the particular mission of an academic department or unit, all evaluations shall address each candidate’s performance in the broad areas of teaching, scholarship, and service.
D2.2 Criteria for Tenure

Tenure is awarded to faculty members who have achieved excellence in carrying out their faculty responsibilities and demonstrated promise for continued achievement. The responsibilities of a faculty member fall into three major categories: teaching, scholarship, and service.

The faculty, in cooperation with the department chair and the dean, will develop the criteria for appointment, promotion, and tenure that are specific to and appropriate for the varied and diverse academic units of the University. The criteria must be consistent with the Faculty Handbook and the bylaws of the respective schools/colleges. The school/college criteria for the award of tenure are subject to review by the Provost and the President, and approval by the Board of Trustees.

D2.3 Tenure Clock Extensions

Under normal circumstances, the maximum probationary period for Assistant Professors is seven years (7) from the start of the tenure-track appointment, with the pre-tenure review in the third year and the mandatory review for tenure and promotion occurring in the sixth year. The maximum probationary period for Associate Professors is five (5) years, with the mandatory review for tenure in the fourth year. In certain circumstances, however, the tenure clock may be stopped and an extension may be granted beyond the customary maximum probationary periods.

Probationary tenure-track faculty members may request a one-year stoppage of the tenure clock for life events that may significantly interfere with their ability to achieve promotion and/or tenure within the conventional time frames. Such life events include, but are not limited to, the following:

1) The addition of a child into the faculty member’s household. If both parents are probationary faculty members, each is eligible for a one-year tenure-clock extension;

2) A serious health condition (as defined in the Federal and District of Columbia Family and Medical Leave Acts) of the faculty member, or of a domestic partner or family member for whom the faculty member acts as the primary caregiver;

3) The death of a parent, child, spouse, or domestic partner;

4) Active military service during the period of deployment;

5) Unforeseen circumstances that adversely affect the faculty member’s ability to conduct scholarly work or fulfill other faculty responsibilities.

The procedure for requesting the extension is as follows. Interested persons must submit a written request to the chair of their department (or dean of their school/college) explaining the underlying circumstances. The department chair shall forward a recommendation to the dean, who shall forward a recommendation, with that of the department chair, to the Provost for final
decision. In cases of unforeseen circumstances, the applicant may request that the chair seek input from the APT committee, in which case the chair will reference that input in the recommendation that goes forward. Such requests for tenure clock extensions must be made as soon as practicable once the impact of the relevant circumstance(s) has been identified. The Provost will decide the merits of the case within two (2) weeks of receiving the request and the accompanying recommendations. Seeking a tenure clock extension does not obligate the faculty member to exhaust the duration of the probationary period before requesting tenure review.

If a faculty member experiences a life event during the first two years of a probationary tenure-track appointment, those circumstances should be taken into consideration during the pre-tenure review, but the pre-tenure review is not delayed except upon recommendation of the dean and the approval of the Provost.

Each faculty member is limited to two (2) one-year extensions during his or her probationary period, except as required by law. No more than one year of tenure-clock extension will be approved per person for any single life event. Tenure clock extensions will not be granted to faculty members who have already been notified that they will not be recommended for reappointment, promotion, or tenure.

The request for, and granting or denial of, a tenure-clock extension is independent from any requests for leave made by the faculty member for the same life event(s).

The granting of a tenure clock extension does not imply any guarantee of reappointment, promotion, or tenure. The existence of this policy does not preclude or prevent a faculty member from being terminated before the end of her/his term consistent with the Faculty Handbook and/or any Federal or District of Columbia laws.

D2.4 The Application for Tenure

The Provost shall announce the annual timeline for the tenure review process well in advance of the application submission deadline to enable candidates to assemble their portfolios. The timeline shall include deadlines for actions at the respective levels of review, with clear specifications of the points at which candidates may request reconsideration of negative recommendations and appeal to the Faculty Grievance Commission. As a general principle, no individual may participate in the review of or vote on an application at more than one level.

Each candidate for tenure will assemble a portfolio of supporting documentation and submit it to the department chair (or the dean in the Schools of Divinity, Law, and Social Work) by the announced deadline. The portfolio shall contain a completed “Faculty Application for Appointment, Promotion and/or Tenure” form, available from the Office of the Provost and a current curriculum vitae. Following the section headings of the application form, each portfolio will document the candidate’s record in the areas of teaching, scholarship, and service. While different information may be relevant or appropriate to various fields, in general this documentation should address the applicant’s:
1) Educational and professional qualifications: besides a complete and current curriculum vitae containing information of past educational and professional experience, this documentation may include copies of relevant certificates and awards, copies of performance evaluations given to the applicant since his or her last change in faculty rank or tenure status, and any other relevant professional material that the candidate wishes to be considered in the tenure review process;

2) Teaching experience: this should include copies of course syllabi and other materials, as well as descriptions of courses taught; results of student course evaluations are required; evaluations of the applicant’s classroom performance, conducted by faculty colleagues and department chairperson should also be included;

3) Scholarship: copies of research publications or evidence of creative work appropriate to the applicant’s academic field or discipline; evidence of externally sponsored research grants, contracts, or awards; copies of presentations at conferences, seminars or symposia; and status reports on any work that is under review for publication or presentation should be included;

4) Service: evidence of service to the department, the school/college, the University, and the wider community should be included, as should evidence of leadership in professional associations and participation in other professional activities such as serving on editorial boards and reviewing manuscripts and grant applications.

Each candidate for tenure will include with the application the names of two external reviewers, who are experts in the applicant’s area of research or creative production and who are affiliated with a research university (or comparable institution) other than Howard University. Each reviewer should hold the academic rank of Associate Professor (or its equivalent) or higher.

After completing the application form and assembling the supporting documentation, the applicant submits the entire portfolio in electronic form to the administrator of the local academic unit (department chair or dean).

D2.5 The Review Process

Upon receipt of the application for tenure, the chair of the department will contact four (4) external reviewers (two recommended by the candidate and two by the department) to determine their ability to participate in the evaluation process on the prescribed timeline. The reviewers must be persons external to the University, who are experts in the applicant’s discipline and who are affiliated with research universities or comparable institutions. The chief purpose of these letters is to obtain an objective evaluation of the applicant’s scholarship.

The department chair will then forward the applicant’s curriculum vitae and copies of research publications or facsimiles of creative productions to each external reviewer for evaluation, along with a statement of the relevant criteria for tenure and/or promotion to the faculty rank the applicant is seeking.
Given their central importance to the overall process, faculty committees and administrators at every level of review must take the external evaluations into account before formulating their recommendations regarding the application.

**D2.5.1 Department Level Review, Recommendation and Reconsideration**

Since the decision to award tenure has far-reaching importance to the individual faculty member, the department, school/college, and the University, the first level of review (usually at the department level, but in schools without departments, at the school level) must be thorough. The first step in the process is a review of the candidate’s file by the tenured members, who comprise the APT Committee. In the event a department does not have at least three (3) faculty members eligible to vote, the dean, in consultation with the faculty, will establish an ad-hoc APT Committee of faculty in the same or related field as the applicant; the ad-hoc committee members may be from the same or from a different school/college as the candidate.

The departmental review will observe the following procedures, completing the review within three (3) weeks of having assembled the full application file:

1. The department chair informs the members of the APT Committee that the completed file of an applicant for promotion with tenure is available for their review.

2. Following review of the applicant’s file by the department’s APT Committee, the department’s APT Committee chair will call a meeting of the APT Committee, excluding the department chair, for the announced purposes of evaluating the applicant’s performance in the three areas of teaching, scholarship, and service and voting whether or not to recommend tenure and promotion.

3. The department’s APT Committee chair will record the vote and transmit the results and the required evaluative statement of the candidate’s performance, along with the application file to the department chair.

4. The department chair will perform an independent evaluation of the candidate in the three areas, recommend to the dean whether or not the candidate merits tenure (and promotion), and include an evaluative statement of the candidate’s performance.

Within one (1) academic week of completing the departmental review, the department chair will communicate to the applicant in writing the results of the evaluation. In cases where either of the recommendations (the APT Committee’s or the chair’s) is negative, the communication will explain—within the limits required to preserve confidentiality—the reasoning behind the negative recommendation(s) and inform the applicant that he or she may request reconsideration.

If the applicant wishes to have any negative department recommendation reconsidered, the applicant shall respond to the department chair, in writing, within two (2) academic weeks of receiving this explanation. In the written request for reconsideration, the applicant may address
any issue that he or she deems appropriate and may also present new information in support of the request for reconsideration.

The department has two (2) academic weeks to reconsider. In cases where the APT Committee’s original recommendation was negative, after reviewing the request for reconsideration, it will conduct a second vote. By the end of the two-week period, the department chair will communicate the results of the reconsideration with an appropriate explanation to the applicant.

Upon completion of the departmental review, including any requests for reconsideration, the chair of the department shall forward to the dean the original application file with its supporting documentation (including the letters of external reviewers), the recommendations of the department APT Committee and the chair, as well as all correspondence and recommendations resulting from a request for reconsideration by the deadline stipulated in the Provost’s annual review calendar.

In schools that are not organized into departments, the school-wide APT committee conducts the first-level review and forwards its evaluation statement of the candidate’s performance along with the results of its vote to the dean. The dean’s review as well as the process and timeline governing requests for reconsideration are the same as those described in Section D2.5.2, below.

**D2.5.2 School/College Level Review, Recommendation and Reconsideration**

After the department’s initial review, recommendation, and reconsideration (if any) are completed, the recommendations are reviewed by the school/college dean and APT Committee. The school/college APT Committee is typically comprised of tenured faculty members holding the faculty rank of Professor or Associate Professor, however each school/college may further restrict the membership through its bylaws, subject only to approval by the Board of Trustees. The school/college APT Committee will not include department chairs, directors of academic programs, deans (assistant, associate, and full), or any faculty member from the applicant’s home department. After review, the school/college APT Committee will submit its recommendation to the dean. The dean will then conduct a review of the application file and all accompanying recommendations and render an independent recommendation. Within six (6) academic weeks of receiving the application file from the department, the dean will notify the candidate and the department of the results of the school/college level of review in writing. If the recommendation of the APT Committee or the dean is negative, the dean’s notice will also include a detailed explanation for the negative recommendation and notice of the right to request reconsideration. Within two (2) weeks of receipt of the dean’s notice, a candidate who wishes to request reconsideration will do so in writing, setting forth in detail the grounds for the appeal. Within two (2) weeks of receiving the request, the dean and/or the school/college APT committee will consider the evidence, conduct a new vote (if necessary), and the dean will inform the applicant and the department of the final recommendation. In the case of a negative decision, the dean shall advise both the applicant and the department of their right to appeal to the Faculty Grievance Commission.
D2.5.3 Appeal to the Faculty Grievance Commission (FGC)

If the final recommendation of either the dean or the school/college APT Committee is negative, the applicant, the department, or the applicant and the department in concert, may file an appeal to the Faculty Grievance Commission before the recommendation is forwarded to the Provost for review. Final action by the Provost will be held in abeyance until the FGC appeal process is concluded, or up to one year from the date of the dean or the school/college APT Committee recommendation, whichever is shorter.

The grounds for such an appeal and the procedures for the FGC’s review are detailed in Section F3 below.

D2.5.4 University Level Review and Recommendation

Following the school/college review and the conclusion of all requests for reconsideration and appeals, the dean will forward the complete application file, as well as all recommendations produced at the departmental and the school/college levels, along with all other documents pertinent to the case, to the Provost. The Provost will review and evaluate the application file and submit a recommendation to the President.

Within seven (7) academic weeks of receiving the applicant’s completed file, the Provost will notify the dean of the President’s final decision.

The President will present to the Board of Trustees for approval the candidates recommended for tenure and promotion. Following the Board’s approval, the President will notify the applicant and the dean. In cases where the President does not recommend an applicant to the Board for approval, the President or his/her designee will explain, within the limits set by the need to preserve confidentiality, to the applicant and the dean the reasons for the negative recommendation.

D2.5.5 Procedures for Promotion to Professor and Initial Appointments at the Rank of Professor

The criteria for promotion from the faculty rank of Associate Professor with tenure to Professor include excellence in teaching, a sustained record of scholarship appropriate to the discipline, substantial service appropriate to the discipline, and an assessment of whether the individual has fulfilled the promise on which tenure was originally granted.

The procedures, timetable, criteria and right to request reconsideration of a negative decision regarding promotion to full Professor are the same as those outlined for the recommendation for tenure; the only procedural difference involves the composition of the department and the school/college APT committees.

The department APT Committee reviewing applications for promotion to full Professor shall consist of at least two (2) full Professors and all tenured faculty members in the department. In the event a department does not have at least three (3) faculty members eligible to vote, the
dean, in consultation with the faculty, may establish an ad-hoc committee of faculty in the same or related area as the applicant; the ad-hoc committee members from outside the department may be from the same or a different school/college as the applicant, but each must hold the rank of full Professor.

The school/college APT Committee reviewing full Professor promotions shall consist of full Professors only, and will not include department chairs, directors of academic programs, deans (assistant and associate), and members of the applicant’s department. In the event a school/college APT Committee does not have at least three (3) faculty members eligible to vote, the dean, in consultation with the faculty, will establish an ad-hoc committee of faculty in the same or related area as the applicant; the ad-hoc committee members may be from the same or from a different school/college as the applicant.

Recommendations for initial appointment at the rank of Professor (whether tenured or probationary) will follow the same procedures at the departmental and school/college levels as described above for candidates who seek promotion from the rank of tenured Associate Professor, except that candidates for initial appointment at the rank of Professor may not request reconsideration of a negative recommendation.
Chapter E: Disciplinary Matters

The provisions of this chapter of the Faculty Handbook enumerate the grounds and procedures for disciplining faculty, including administrators who hold faculty positions. They provide notice to members of the University community of the basis for disciplining faculty and a process for resolving such matters that is intended to facilitate clear communication and graduated opportunities for correction and improvement. These provisions also provide a system for the timely resolution of disciplinary matters in order to facilitate the work and community of the University.

When an administrator receives information alleging that a faculty member, who the administrators supervises, failed to perform assigned duties, violated a University policy, or engaged in conduct that interferes with the effective operation of the unit or the university, the administrator should first speak with the faculty member to determine the veracity of the charge and its seriousness. However, in cases that involve alleged violations of the University’s Title VII (Employee) Policy Against Sexual Harassment in the Workplace, Title IX (Student) Policy on Prohibited Sexual Harassment and Gender-Based Discrimination in Education Programs and Activities, and/or the Equal Opportunity in Employment and Education Policy, the procedures for disciplinary action stated in those policies, up to and including suspension or termination, are followed instead of the procedures described in this section. The administrator is required to make the appropriate referral of such cases in a manner specified in the relevant policy.

If the administrator determines that the allegation lacks substance, the complainant may refer the matter to the next higher administrative level. Otherwise, no further action is required.

If, in the judgment of the administrator, the allegation has merit but it involves a minor infraction of faculty responsibilities or University policy, the administrator will seek to identify a mutually agreed upon resolution, which may include a verbal warning. In this and in all similar conversations between the faculty member and an administrator, the faculty member may choose to be accompanied by another faculty member or by the Faculty Ombudsperson. The appropriate resolution of disciplinary matters requires that all participants must be guided by the principles of confidentiality.

The following sections outline procedures for disciplinary actions involving either a written reprimand or a recommendation to impose a major sanction. Only faculty members who are tenured or probationary tenure-track, or who hold a non-tenured renewable term appointment, may appeal a recommended major sanction to the Faculty Grievance Commission. When a temporary faculty member (including all full-time faculty on appointments of one-year or less, as well as part-time adjunct faculty who are not covered by a collective bargaining agreement) is recommended for a written reprimand or a major sanction, the procedures governing the administration of a written reprimand described in Section E2 below will apply; however, those faculty members may not appeal to the Faculty Grievance Commission. Disciplinary procedures regarding faculty members in a collective bargaining unit are covered by the applicable collective bargaining agreement.
Faculty members who have been subjected to (a) disciplinary action imposed without use of or administered in a manner inconsistent with the procedures stated in this handbook, (b) an infringement of academic freedom, or (c) other action that adversely affects the terms or conditions of their employment may avail themselves of the grievance procedures as stated in Chapter F.

**Section E1: Types of Disciplinary Sanctions**

Disciplinary actions against a faculty member may include written reprimands, which may also require satisfying the terms of a corrective action plan, and the major sanctions of reduction in pay or rank, removal of teaching responsibilities, revocation of tenure, suspension (with or without pay), and termination for just cause.

As a general rule, the principle of graduated discipline shall apply, with the disciplinary action commensurate with the behavior. Written reprimands attempt to correct objectionable behavior without otherwise affecting the faculty member’s rank, status, or the terms and conditions of employment. Major sanctions involve actions that may affect the faculty member’s rank, status, or the terms and conditions of employment.

A single incident involving a serious violation of University policies or procedures, a violation of local, state, or federal law, or behavior that suggests the faculty member may pose a risk to persons or property or which may expose the University to immediate legal liability, may warrant an immediate suspension pending further investigation and a formal recommendation. In these cases, the suspension may be with pay.

**Section E2: Written Reprimands**

If the allegation brought to the attention of the administrator of an academic unit involves neglect of faculty responsibilities or violation of university policies or one that was the subject of previous charges, the administrator may issue a written reprimand. The administrator will notify the faculty member of the charge(s) and the proposed sanction and provide an opportunity for discussion and, if possible, resolution. The faculty member may, but is not required to, request that the Executive Committee of the academic unit involved [department, school/college] review the matter and make a recommendation to the administrator before the reprimand is issued. If the sanction involves a corrective action plan, requiring participation in workshops or other appropriate professional development activities to achieve specifically stated goals and objectives, the notice will specify a timeline for completion and any other terms and conditions that apply. At the faculty member’s request, the administrator will meet to discuss the proposed plan. The faculty member may be accompanied by another faculty member or by the Faculty Ombudsperson. If the sanction involves a letter of reprimand, the administrator will meet with the faculty member to discuss its contents before issuing it.

A faculty member who receives a written reprimand may, within two (2) weeks from receipt of the communication, submit a written request for reconsideration which also will be incorporated into the file. If the faculty member has not previously sought review of that matter by the
Executive Committee, the faculty member may, but is not required to, request that the Executive Committee review the matter and include a recommendation to be considered by the administrator. If the administrator decides to let the reprimand stand, the faculty member may request review by the next higher administrative authority, who will have two (2) weeks to make a decision and inform the faculty member and the relevant administrator in writing. The decision of the administrator who hears the appeal is final, and is not subject to grievance to the Faculty Grievance Commission.

**Section E3: Major Sanctions**

In light of the professional consequences, a recommendation to impose a major sanction is initiated by a dean or by the Provost. Except in the serious cases that justify immediate suspension, a recommendation to impose a major sanction shall be preceded by discussions between the faculty member and the appropriate academic administrator(s) looking toward a resolution. The faculty member may be accompanied by another faculty member or by the Faculty Ombudsperson. The President is the final decisional authority regarding the imposition of a major sanction.

The following grounds may lead to a recommendation for a major sanction if they are related, directly and substantially, to the fitness of faculty members in their professional capacities as teachers or researchers.

1) Continued neglect of academic duties, despite oral and written warnings;

2) Falsification or misrepresentation of credentials or professional experience;

3) Professional misconduct or loss of required professional certification or licensure;

4) Serious personal misconduct;

5) Deliberate and serious violations of the rights and freedom of fellow faculty members, administrators, or students;

6) Serious violation of the Faculty Handbook, the Employee Handbook, and other University policies, typically after oral and/or written warning;

7) Retaliation;

8) Bullying; and

9) Admission or conviction of a felony or misdemeanor involving moral turpitude.

The University policy on retaliation is no faculty member should be treated differently, demoted, harassed or retaliated against in any way for filing a charge of discrimination, participating in a discrimination proceeding, or otherwise opposing any practice they believe to be illegal or improper.
Academic discourse frequently involves a strong expression of opinions, including discussion, deliberation, and debate. However, bullying is unwanted, aggressive physical or verbal behavior conducted by one or more persons against another or others, at the place of work and/or in the course of employment that may involve a real or perceived power imbalance. The behavior may be repeated, or may have the potential to be repeated, over time.

The following procedures shall be observed:

1) A recommendation to impose a major sanction will normally be initiated by the dean of the unit in which the faculty member’s primary appointment resides, after consultation with the department chair and the department Executive Committee. In schools that do not contain departments, the recommendation may be initiated by the dean of the unit in which the faculty member’s primary appointment resides, after consultation with the associate dean for academic affairs (or other appropriate administrator) and an appropriate faculty committee. However, the Provost or other appropriate administrator may initiate the recommendation. In cases involving allegations of bullying or retaliation by an administrator who is also a member of the faculty, the complaining faculty member may initiate a complaint to the next level supervisor of the administrator against whom the allegations are made. In any case involving a major sanction, the burden of proof that just cause exists shall be on the administration. Proof shall be by a preponderance of the evidence on the record as a whole.

2) The administrator who initiates the recommendation will communicate the charges, a summary of supporting evidence, and the recommended sanction to the faculty member in writing and provide the faculty member with an opportunity to meet and present a defense. The faculty member may be accompanied by another faculty member or by the Faculty Ombudsperson.

3) If the matter is not resolved as a result of that meeting, the dean or other administrator will forward the recommendation to the Provost.

4) If the faculty of a school/college has, by resolution, requested the dean to investigate whether a colleague merits suspension or termination, the dean has two (2) months from the date of the resolution to reply. If, at that point, the dean has not reported back on the matter, has not initiated proceedings for suspension or termination, or has declined to initiate such proceedings for reasons that the faculty deems inadequate, the faculty may forward such a recommendation directly to the Provost for further action.

5) Upon receipt of a recommendation to impose a major sanction, the Provost will review any documentation submitted and conduct any additional meetings or interviews for purposes of gathering additional information or seeking a resolution. Prior to reaching a final decision, the Provost will offer the faculty member an opportunity to meet with the Provost, the dean or recommending administrator, and, where applicable, the department chair or other appropriate administrator. The faculty member may be accompanied by another faculty member or by the Faculty Ombudsperson. If, after
reviewing the case, the Provost concurs with the administrator’s recommendation, the Provost will inform the faculty member in writing of his or her intent to recommend the imposition of a major sanction to the President. The Provost’s communication to the faculty member will specify the recommended sanction; identify the policy, rule or procedure that has allegedly been violated; summarize the evidence supporting the recommended sanction; and notify the person that he or she has two (2) weeks from receipt of the communication to appeal to the Faculty Grievance Commission. If the faculty member does not submit an appeal with the Faculty Grievance Commission (FGC) within two (2) weeks, the faculty member waives the right of appeal, and the Provost forwards the recommendation along with the case file of related information to the President for final action. If a grievance is not timely filed with the FGC, the President will receive the recommendation and case file from the Provost, and will determine the final action. The President will inform the Provost of this final action, and the Provost will communicate this final action to the faculty member within three (3) weeks of receipt by the President of the Provost’s recommendation.

6) If the faculty member chooses to file a grievance, the Provost will forward the recommendation for the sanction, as well as the case file, to the Office of the Faculty Senate to the attention of the FGC Chair, at which point the procedures described below in Section F2 apply. If the recommended sanction is either suspension or termination, the faculty member may be suspended with or without pay during the pendency of the appeal.
Chapter F: Faculty Grievances, the Faculty Grievance Commission (FGC), and FGC Procedures

Section F1: Grievable Matters

A grievance is a complaint alleging that a disciplinary action (or other adverse action) has been taken that has the potential to affect the faculty member's appointment status or the terms and conditions of employment or to abridge another right that all faculty members enjoy. The processes described below address four kinds of grievances: (1) appeals of recommended major disciplinary sanctions; (2) appeals of negative recommendations for reappointment, tenure, and/or promotion; (3) grievances against another faculty member; and (4) grievances against administrators in cases that do not involve disciplinary actions.

F1.1 Eligibility of Faculty Members to Initiate Grievances

The grievance process described here is available to full-time tenured and probationary tenure-track faculty members and faculty in one of the Board-approved categories of non-tenured renewable term appointments.

1. Administrative officers who wish to contest actions affecting the terms and conditions of their administrative positions may not participate in the University's faculty grievance process. However, faculty members serving as administrative officers may utilize the grievance procedures if an action arises while they are serving as a regular member of the faculty and their position as a regular member of the faculty is affected by the action they seek to grieve.

2. Temporary faculty (whether full-time or part-time)

For allegations that a faculty member has violated the University's Title VII (Employee) Policy Against Sexual Harassment in the Workplace, Title IX (Student) Policy on Prohibited Sexual Harassment and Gender-Based Discrimination in Education Programs and Activities, or the Equal Opportunity in Employment and Education Policy, the procedures in those policies for disciplinary action, up to and including suspension or termination, are followed instead of the procedures described in this section.

Sanctions imposed as a result of falsification or misrepresentation of credentials or experience, or admission or conviction of a felony shall be grievable as a major sanction.

F1.2 The Faculty Grievance Commission (FGC)

The Faculty Grievance Commission (FGC) consists of one representative from each of the schools and colleges (except the Graduate School), elected at-large by the faculty of the respective schools and colleges. No faculty member can serve on the FGC for more than two consecutive 2-year terms, although subsequent reelection is permitted. No administrative officer, department chair, or assistant or associate dean may serve on the FGC. The FGC will conduct
business during the summer months as well as during the academic year, with a simple majority constituting a quorum.

The FGC shall annually elect a chair from among its current members. The chair shall serve as the presiding officer of meetings of the FGC.

Failure of FGC members to fulfill their responsibilities and duties may result in their removal from the FGC. One or more members of the FGC may submit a recommendation to the Council of the Faculty Senate, with appropriate justification for the removal of a member of the FGC, including the chairperson. After giving the individual an opportunity to respond to the removal recommendation, the Council shall decide, by majority vote, whether to accept the recommendation. Replacement of FGC members shall be guided by the school/college provisions for elections.

**F1.2.1 The FGC’s Authority**

The Faculty Grievance Commission has authority in four varieties of cases: (1) when an administrator recommends a major disciplinary sanction against a faculty member; (2) when a faculty member receives a negative recommendation for reappointment, promotion, and/or tenure at the school/college level; (3) when an action by another faculty member involves intimidation, infringement of academic freedom, or matters affecting terms or conditions of a faculty member’s employment; or (4) when an administrator takes an action that adversely affects a faculty member’s terms or conditions of employment without having invoked the disciplinary process.

The procedure for resolving each is somewhat different as described below.

**F1.2.2 Hearing Lists**

Each school/college (except the Graduate School) will elect three (3) tenured faculty to serve as members of the Hearing List. The members of the Hearing List will, as selected, serve as members of Formal Hearing Panels as described in Section F2.3. Members of the Hearing List shall be elected for three-year terms, staggered so that the terms of approximately one-third of the members shall expire each year. Members of the Hearing List may be re-elected to a second three-year term, but no person shall serve more than two (2) terms consecutively. Persons elected to serve on the FGC may not serve simultaneously as a member of the Hearing List.

Members of the FGC and of the Hearing List shall receive appropriate training regarding the proper procedures for conducting hearings.

An independent legal officer shall assist the FGC in its operations. The legal officer’s professional responsibility shall be to the Senate, and the terms and conditions of employment shall be determined by the Senate.
F1.2.3 Principles of Confidentiality and Preponderance of Evidence

All parties concerned in grievance matters will maintain confidentiality both during the process and following its conclusion. Decisions and resulting recommendations will be based on the preponderance of evidence.

Section F2: Procedures Governing Appeals of Recommendations to Impose Major Disciplinary Sanctions or Termination

F2.1 Appeals of Major Disciplinary Sanctions or Termination

A major sanction is one that, if implemented, will have significant impact on the person’s professional standing or reputation. Eligible faculty members who are recommended to receive one or more of the following seven (7) major sanctions, for which the President is the final decisional authority, may appeal to the Faculty Grievance Commission (FGC):

1) Dismissal for just cause or termination;
2) Suspension;
3) Demotion or reduction in rank;
4) Revocation of tenure;
5) Removal of teaching or research or clinical responsibilities for disciplinary reasons;
6) Salary reduction;
7) Terminations pursuant to Section B3.3.2.3; and
8) Any other action that may seriously affect a person’s professional standing or reputation; however, this does not include any form of oral or written warning.

F2.2 Filing a Complaint

When a faculty member who has been recommended for a major sanction informs the Provost of his or her intention to appeal to the FGC, the Provost notifies the chair of the FGC and forwards the recommendation to impose the major sanction with the case file of supporting documentation. The chair of the FGC forwards copies of the recommendation and the case file to the grievant with instructions that he or she has thirty (30) days to file the complaint. The complaint must:

1) Identify the recommended major sanction that is being challenged and the alleged action(s) specified in support of the recommendation;

2) Provide any relevant information and supporting documentation to rebut the charges; and
3) Identify the redress or relief sought.

Upon receiving the complaint submitted by the grievant, the chair of the FGC will: (a) acknowledge receipt to the grievant and to the respondent; (b) notify the Provost and the chair of the Faculty Senate that the grievance has been received; and (c) inquire if the parties wish to submit the matter to mediation. If the grievant and respondent agree to mediation, a professionally trained and mutually agreed upon mediator will be retained. If, at the end of thirty (30) calendar days, the mediation does not result in a written agreement memorializing the terms of resolution, the chair of the FGC will move the complaint into the Formal Hearing process. If the grievant and respondent do not agree to mediation, the complaint is referred to a Hearing Panel, subject to the procedures described below. In either case, the Formal Hearing process is considered initiated at this time.

F2.3 The Formal Hearing

F2.3.1 The Hearing Panel

Within three (3) academic weeks of when the chair of FGC initiates the formal hearing process, the FGC chair will constitute a Hearing Panel as follows: The grievant and respondent shall each select two candidates respectively from the elected Hearing List. The FGC chair shall select a fifth who shall act as chair. Members of the Hearing List who have a personal bias or conflict of interest will remove themselves from consideration, either at the request of the grievant or respondent, or on their own initiative. If, at any time during the deliberations a conflict of interest arises or is discovered, the chair of the Hearing Panel will take action to eliminate the conflict. Additionally, members of the Hearing List with current and pending complaints against the University may not serve, nor may members of the same department (or, in cases wherein the grievant is affiliated with a school without departments, from the same school) as the grievant or the respondent. The final decision with respect to whether a member should hear the grievance rests with the remaining panel members. Once the Hearing Panel is constituted, the FGC chair will forward all materials in the case to the Hearing Panel chair.

F2.3.2 Hearing Procedures

After the Hearing Panel is constituted, the Hearing Panel chair will notify all parties in writing, within two (2) academic weeks, that formal proceedings will be initiated and of the time and place of the hearing. The Hearing Panel chair will also send to the Provost a summary statement of the evidence proposed to be presented by the grievant, a list of witnesses to be called, and copies of relevant documents.

Grievance hearings are not formal judicial proceedings; they are internal University proceedings. Their purpose is to provide a fair and neutral evaluation of the allegations listed in the complaint.

During the Formal Hearing, the Hearing Panel may receive and review any relevant evidence supporting the positions of both sides, as long as the documentation is not subject to attorney-client and/or work-product legal privilege, and provided that the privacy rights protected by law
of third parties are maintained. Oral arguments, written evidence, and witnesses may be presented by the grievant, the respondent, and the Hearing Panel. The University will make a reasonable effort to facilitate the appearances of witnesses, when appropriate. The grievant may be assisted by one or more advisors and/or counselors in preparing the case for the Hearing Panel, but no such advisor or counselor may present argument, evidence, or witnesses at the hearing on behalf of the grievant or respondent. A transcript of each hearing will be prepared and a copy will be made available, upon request, to both parties without cost.

The Hearing Panel must complete its hearings and reach its final decision within eight (8) academic weeks of the notice. The grievant may request an extension of time if a hearing is scheduled for the summer and the grievant or the grievant’s witnesses are unavailable. In such circumstances, or any extraordinary circumstances that may justify an extension, the Hearing Panel chair will communicate in writing to the chair of the Faculty Senate a request to extend the completion deadline for a stipulated period. If approved, the Hearing Panel chair will inform the grievant, the respondent, and the Provost in writing.

F2.3.3 Recommendation

The Hearing Panel’s final recommendation shall be based solely on the preponderance of evidence presented during the hearing. No later than thirty (30) business days after the conclusion of the hearing, the Hearing Panel chair will transmit the recommendation and the case file to the FGC chair, and the FGC chair will forward a copy of the recommendation to the grievant, the respondent, and to the Provost. The Hearing Panel may request a time extension from the Faculty Senate Chair; if granted, such an extension may not to exceed ten (10) business days.

F2.3.4 Appeal

If either the grievant or the respondent wishes to appeal, the request for an appeal must be submitted in writing to the FGC chair through the Office of the Faculty Senate within fifteen (15) business days of receiving the Hearing Panel’s recommendation. Upon receipt of an appeal, the chair will convene the FGC. Members of the commission who have a personal bias or conflict of interest will remove themselves from consideration either at the request of the grievant or the respondent, or on their own initiative. Additionally, members of the FGC with current and pending complaints against the University may not serve, nor may members of the same department as the grievant. New evidence material to the case that was not previously available through the exercise of reasonable due diligence may be considered during the appeal at the discretion of the FGC. Within thirty (30) business days of receiving the notice of appeal, the FGC members hearing the appeal will decide, by majority vote, whether to sustain, modify or remand the Hearing Panel recommendation and notify all the parties of the decision. In cases that are remanded, the Hearing Panel has ten (10) business days to report back to the FGC. After the FGC concludes the appeal process, the case is returned to the Provost for reconsideration. Within ten (10) business days of receiving the report, the Provost will forward the recommendation and the entire case file to the President for review and final decision.
If neither the grievant nor the respondent chooses to appeal the findings of the Hearing Panel, the chair of the FGC will forward the case file to the Provost, who, in turn, will forward the entire case file to the President for final decision.

F2.3.5 Final Decision

The President's decision will be communicated, in writing, to the FGC Chair, the Provost, the grievant, and the respondent within thirty (30) business days of receiving the recommendation from the FGC. Whether or not the President imposes the recommended sanction, the seriousness of all disciplinary cases that result in a recommendation for a major sanction warrants that the President will provide a full explanation of his or her decision.

If the final decision supports the imposition of a major sanction, the President will, in a separate communication, notify the grievant, the respondent, and the Provost, informing him or her of the sanction and the effective date(s). In cases wherein the recommended sanction was termination, the President may impose a lesser sanction. The President’s decision is not subject to further grievance to the FGC.

Section F3: Procedures Governing Appeals of Negative Recommendations at the School/College Level Regarding Applications for Reappointment, Tenure, or Promotion of Tenured, Probationary Tenure-Track, and Non-Tenured Renewable Term Appointment Faculty Members

Tenured faculty members, probationary tenure-track faculty members, and faculty members who hold non-tenure track renewable term appointments may grieve negative recommendations at the school/college level on applications for reappointment, promotion, and/or tenure.

F3.1 Filing the Appeal

When a school/college completes its final review (including all requests for reconsideration) of an application for reappointment, tenure, or promotion submitted by a faculty member in one of the above-referenced categories and one or both of the recommendations is still negative, the dean will notify the faculty member and the department in writing, explaining fully the reasons for the negative recommendation. The candidate or the primary academic unit, or the candidate and the primary academic unit in concert, may appeal the decision. The written appeal must be submitted in writing to the FGC chair through the office of the Faculty Senate, with a copy to the dean of the school/college, within three (3) academic weeks of receiving notice from the dean of the negative recommendation. The appellant(s) will explain the grounds for the appeal and furnish whatever information is relevant to establishing his or her case.
F3.2 The Formal Review

In its review of such an appeal, the FGC will determine if the negative recommendation:

1) Violates established University, departmental, and/or school/college policies and procedures;

2) Is not supported by the record;

3) Reflects the consideration of factors unrelated to performance of faculty responsibilities; or

4) Violates the candidate’s academic freedom.

Appeals of negative recommendations are heard by the FGC acting as a body. A simple majority will constitute a quorum. Persons from the same primary academic unit as the appellant and those who participated in a school/college APT committee’s review of the application are disqualified from participating in the FGC review.

F3.2.1 Review Procedures

The FGC shall recognize the central role of peer judgment in reappointment, tenure, and promotion decisions. Therefore, the FGC cannot substitute its assessment of the appellant’s professional qualifications for those of the department and the experts outside the department who have been asked to submit evaluations. The FGC’s role in judging professional merit shall be limited to determining whether the recommendation of the dean and/or of the school/college APT Committee was arbitrary and capricious or based on improper considerations. In reaching that conclusion, the FGC may reference other similar cases, but each appeal must be evaluated on its own merits, based upon the documentation in the applicant’s file.

F3.2.2 Recommendation

Within thirty (30) days of accepting the appeal, the FGC will conclude its review and notify the appellant and the dean in writing of its final recommendation with an appropriate explanation. The chair of the FGC will return the file to the dean. If the FCG does not recommend reconsideration, the dean will forward the original application file and its supporting documentation, along with all correspondence and recommendations associated with requests for reconsideration and the appeal to the FGC, to the Provost to complete the review process. If the FGC recommends reconsideration, the school/college will complete the appropriate review within two (2) academic weeks, and the dean will notify the appellant and the chair of the FGC of the result and forward the complete file to the Provost.
Section F4: Procedures Governing Grievances Involving Faculty Complaints against Another Faculty Member for Non-Disciplinary Actions

When a faculty member objects to an action by another faculty member, except for bullying, which is subject to the provisions of Chapter E, the faculty member is advised to seek an informal resolution by bringing the matter before an appropriate administrator and/or the Faculty Ombudsperson. If the informal process does not resolve the matter and the complaint involves allegations of intimidation, an infringement of academic freedom, or an action that adversely affects the terms or conditions of employment, the faculty member may submit a formal, written complaint directly to chair of the FGC (in care of the Office of the Faculty Senate) for review.

Complaints regarding discrimination, harassment, or retaliation must be addressed to the Office of Equal Employment Opportunity and Diversity in the Office of Human Resources. Such matters are not subject to the jurisdiction of the FGC.

F4.1 Jurisdiction of the FGC and Acceptance of the Complaint

The FGC’s jurisdiction extends only to cases involving allegations of intimidation, an infringement of academic freedom, or an action that adversely affects the terms or conditions of employment.

Normally within two (2) academic weeks of receiving a written complaint, a simple majority of the FGC will decide whether the FGC has jurisdiction over the grievance and whether it merits investigation. When extenuating circumstances arise, the FGC chair may petition the chair of the Faculty Senate for an extension of this timeline. Following the Senate chair’s timely review of the request, the FGC chair will notify all parties of the outcome.

Upon making this determination, the FGC must inform the parties of its decision, in writing and with supporting justification, to:

1) Decline to accept the grievance and dismiss the complaint; or to

2) Accept the grievance.

F4.2 The Formal Hearing

If the FGC accepts the grievance, it will first attempt to resolve the matter through mediation. If both parties agree to mediation, a professionally trained and mutually agreed upon mediator will be retained. If, at the end of thirty (30) calendar days, the mediation does not result in a written agreement memorializing the terms of resolution, the chair of the FGC will move the grievance into the Formal Hearing process.

Procedures for a formal hearing in such cases are similar to those in appeals of recommended major disciplinary sanctions, except that the final recommendation of the Hearing Panel (or the FGC, in cases of appeal) will be communicated to the Provost. The Provost will review the underlying facts of the matter and the recommendation of the FGC, and based upon this review,
Section F5: Procedures Governing Grievances Involving Complaints against Certain Administrators

When a faculty member objects to an action by a department chair, a program director, or a dean (including associate and assistant deans), that does not involve a response to a disciplinary matter initiated according to procedures outlined in Section F2, the faculty member is advised to seek an informal resolution by bringing the matter before that administrator’s supervisor or the Faculty Ombudsperson. If the informal process does not resolve the matter and the complaint involves allegations of: (a) intimidation; (b) disciplinary action imposed without use of or administered in a manner inconsistent with the procedures stated in this handbook; (c) an infringement of academic freedom; or (d) an action that adversely affects the terms or conditions of employment, the faculty member may submit a written complaint directly to chair of the FGC (in care of the Office of the Faculty Senate) for review.

Complaints regarding discrimination, harassment, or retaliation prohibited by law must be addressed to the Office of Equal Employment Opportunity and Diversity in the Office of Human Resources. Such matters are not subject to the jurisdiction of the FGC.

F5.1 Jurisdiction of the FGC and Acceptance of the Complaint

The FGC’s jurisdiction extends only to cases involving allegations of disciplinary action imposed without use of or administered in a manner inconsistent with the procedures stated in this handbook, an infringement of academic freedom, or an action that adversely affects the terms or conditions of employment. The FGC’s jurisdiction does not extend to Board-approved matters regarding academic program closures or Board-approved policies.

Normally within two (2) academic weeks of receiving a written complaint, a simple majority of the FGC will decide whether the FGC has jurisdiction over the grievance and whether it merits investigation.

Upon making this determination, the FGC must inform the parties of its decision, in writing and with supporting justification, to:

1) Decline to accept the grievance and dismiss the complaint; or to

2) Accept the grievance.

F5.2 The Formal Hearing

If the FGC accepts the complaint, it will first attempt to resolve the matter through mediation. If both parties agree to mediation, a professionally trained and mutually agreed upon mediator will be retained. If, at the end of thirty (30) calendar days, the mediation does not result in a written agreement memorializing the terms of resolution, the chair of the FGC will move the
complaint into the formal hearing process.

Procedures for a formal hearing in such cases are similar to those in appeals of recommended major disciplinary sanctions, except that the final recommendation of the Hearing Panel (or the FGC, in cases of appeal) will be communicated to the Provost. The Provost will review the underlying facts of the matter and the recommendation of the FGC, and based upon this review, will make a final determination as to any necessary course of action. This determination is not subject to any further grievance.
Chapter G: REVISING OR AMENDING THE FACULTY HANDBOOK

Section G1: Revisions to Chapter A and any Appendix

At any time, information contained in Chapter A, except A1.1, A2.2, A2.5, A2.6, A2.7, A3.1, A4.2.1, A4.2.2, A4.3.4, and A4.3.7 may be amended by the President or Board of Trustees or through an administrative update, as needed. However, to the extent that a revision to Chapter A concerns an area related to faculty primary responsibilities [see A2.1 Shared Governance], the President and/or Board of Trustees should consult with the faculty, including through the Faculty Senate.

Section G2: Revisions to Chapters B, C, D, E, F, and G, and Selected Provisions of Chapter A.

The Faculty Handbook revision process addressed herein governs potential revisions and amendments to Sections A2.2, A2.5, A2.6, A2.7, A3.1, A4.2.1, A4.2.2, A4.3.4, and A4.3.7 of Chapter A, and all of Chapters B, C, D, E, F, and G.

The University and Faculty Senate commit to act in good faith in their efforts to amend the Faculty Handbook. Both parties also agree to adhere to the Faculty Handbook revision process outlined below and strive to reach agreement on policy issues affecting faculty employment.

The Faculty Handbook revision process is based on the following three (3) interconnected principles:

1) It attempts to satisfy the need for an orderly process that allows all segments of the University to contribute, each in a proper capacity, to the formulation or alteration of policy statements

2) It attempts to make the process of revision effective by introducing into it the principle of self-limitation, which prevents endless debate and allows particular issues to be brought to decisive action.

3) It recognizes the fact that the adoption of policy, however formulated or proposed, is among the powers reserved to the Board of Trustees.

Section G3: Process to Revise or Amend Chapters B, C, D, E, F, and G, and Selected Provisions of Chapter A.

Proposals to revise or amend Sections A2.2, A2.5, A2.6, A2.7, A3.1, A4.2.1, A4.2.2, A4.3.4, and A4.3.7 of Chapter A, and all of Chapters B, C, D, E, F and G, may be made by the Board of Trustees, the President, the Provost, the Faculty Senate Faculty Handbook Committee, or any person or committee connected with the University. In addition, the Faculty Handbook will be reviewed a minimum of every five (5) years by a review committee appointed by the Provost. Before constituting the committee, the Provost shall consult with the chair of the Faculty Senate.
regarding the appointment of faculty members to serve. While the approach to making such proposals is a matter of individual style and custom, the following is expected:

1) Proposals will be made in the form of texts intended to replace in whole or in part some current expressions in the handbook.

2) A particular proposal will contain no more than one alteration of substance.

3) A brief explanation of the reason(s) for proposing the revision will accompany the proposal.

4) Recognized governing bodies or committees will pass upon such proposed amendments by their own procedures or by a simple majority vote of the voting membership.

G3.1 Role of the Faculty Senate

Wherever proposals originate, they will be considered by the Faculty Handbook Committee of the Faculty Senate. Without prejudice to its procedures, this committee, upon receipt of a revision proposal, may choose a course of action, such as the following:

(a) The committee may receive and transmit it to the Steering Committee of the Council of the Faculty Senate without change or comment.

(b) The committee may endorse it and attach its endorsement to the original proposal.

(c) The committee, with the consent of the submitter, may either alter or amend the proposal before transmitting it to the steering committee.

(d) If the submitter does not agree to such alterations or amendments, the Faculty Handbook Committee may object to the proposal and attach its objections or an amendment before sending the proposal to the steering committee.

The Steering Committee of the Council of the Senate will receive the proposal as transmitted by the Faculty Handbook Committee. It has the same courses of action open to it as those listed above for the Faculty Handbook Committee before placing the proposal, together with all recommendations (if any) of the Faculty Handbook Committee and the Steering Committee, on the agenda of the next meeting of the Council of the Faculty Senate. If the proposal is rejected in all forms by the Council of the Senate, the matter is ended. If the proposal in original form or in amended form is approved by the Council of the Senate, it is sent forward to the President.

G3.2 Role of the Board of Trustees

Proposals forwarded to the president for consideration by the board shall be submitted by the president to the Board of Trustees in a timely manner according to procedures adopted by the board. The action of the board is final.
G3.3 Emergency Revision Procedure

When the president, the Faculty Handbook Committee, and the chair of the Faculty Senate agree that in the best interests of Howard University a modification in the sections of the *Faculty Handbook* covered by this procedure is necessary, they may petition through the president and the chair of the Board of Trustees for a special board review of a specific change at the next regular or emergency meeting of the Board of Trustees. It shall be fully at the discretion of the board to accept or reject such a petition.
TO: Stacey Mobley, Esq.
Chairman, Howard University Board of Trustees

FROM: Sonya K. Sobrian, Ph.D.
Chair, Faculty Senate

RE: Concerns Regarding Academic Excellence Committee and Legal Sufficiency Committee Revisions to the January 31st, 2019 [with March 7th, 2019 Faculty Changes] Proposed Draft HU Faculty Handbook

DATE: June 7th, 2019

Below please find the responses of the Council of the Faculty Senate to the changes made to the above referenced document by Committees of the Board of Trustees. We appreciate the opportunity to present our concerns to individual issues and would be happy to discuss them with the Board.

A 2.6, Faculty Senate, page 12, paragraph one: Deletion of the phrase, “...or appears on the ballot for the faculty trustees”, which appears in the Senate-endorsed version of the Proposed Revision (March 7, 2019 version) presents a problem. This deletion ignores the possibility of a conflict of commitment (between administrative duty/allegiance and faculty rights/concerns) when associate and assistant deans serve as trustees.

B1.1, Academic Freedom and Responsibility, page 19, paragraph two: The statement, “The responsibility for defining the particulars of academic freedom primarily lies with the faculty as a body, guided by national norms, such as the “1940 Statement of Principles on Academic Freedom and Tenure” issued by the American Association of University Professors.” has been removed. These AAUP standards of academic freedom reflect a primary aspect of shared governance and is consistent with national norms that recognized, respected, and implemented in shared governance at major universities and by the American Association of Governing Boards.

B1.3, Tolerance, page 22, paragraph two: The statement, “Any person who retaliates against a person who reports an alleged violation or otherwise participates in any investigation regarding an alleged violation....”, is unclear and is likely confusing to readers.

Suggested revised language: “Any person(s) that retaliates against an individual who: a) reports an alleged violation and/or b) participates in any investigation regarding an alleged violation, will also be subject to discipline.”
B2.4, Evaluation of Faculty Performance, page 26, paragraph five: The original statement, “...Subsequently, the chair (or dean) will inform the faculty member of the right to appeal the decision. The faculty member may submit a written request to the dean of the school/college for reconsideration and, if the matter is not satisfactorily resolved, the faculty member may appeal to the Provost.”, has been deleted. **This language should be reinstated.** Faculty members should have a right to appeal a negative performance evaluation through the chain of administrative hierarchy. Availing the faculty this option will better ensure impartiality, transparency, and accountability regarding the evaluation process.

B3.3.2.3, Long Term Leave, page 32, paragraph one: Insertion of the parenthetical phrase, “(which does not impose an undue hardship on the University)” in the first sentence introduced an undefined term: “undue hardship”. This ambiguity permits arbitrary and capricious activity on the part of administrators to act decisively and harshly, which can result in disfranchisement of the faculty.

C1.5, Administrative Location of Faculty Appointments, page 45, paragraph one: The original language of this section read as follows: “A faculty member’s appointment is generally made to a specific academic department or, in the case of schools that are not organized into departments, to a specific school; however, for tenured faculty members, tenure resides in the university.”

The deletion of the phrase, “…however, for tenured faculty members, tenure resides in the university.” is unacceptable. This issue has received significant debate and discussion amongst the Provost Working Group (which included membership of three senior level administrators), the Faculty Handbook Committee, Faculty Senate Steering Committee and Faculty Senate Council. Faculty are hired/employed by the University, which is the legal entity that is recognized by the Internal Revenue Service. The Board of Trustees is charged with awarding tenure to the faculty. Thus, there should be unambiguous language, which states that faculty tenure resides with the University.

C5, Separation of Faculty Due to Financial Exigency, page 56: Inclusion of faculty expertise and participation in the Declaration of a State of Financial Exigency (Section C5.1) is a matter of importance to the Faculty, in that such action will likely result in the termination of faculty appointments. Declaration of exigency and the development of a plan of action must involve significant, meaningful, dialogue and deliberation with faculty across multiple schools and colleges across ranks. The AAUP recommendations of Best Practices state that:
“A duly constituted faculty body should participate in reaching the determination that a condition of financial exigency exists or is about to exist and that all feasible alternatives to terminating appointments have been exhausted. The faculty should also play a primary role in determining, based on educational considerations, where appointments will be terminated and in developing the criteria for identifying whose appointments will be terminated.” (Recommended Institutional Regulations 4c(2)).

Ensuring that faculty are significantly informed and involved in the declaration of financial exigency and plan of action are major steps that establish good faith negotiation, dialogue, deliberation, transparency and accountability amid a difficult process.

C5.3, Notification to Faculty Members, page 57: Deletion of the Senate’s recommendation for one year (12 months) of severance pay and insertion of language designating “four months (120 days)” (compensation) is not acceptable.

Important standards of Best Practices, in according to AAUP Regulation 8 of the Recommended Institutional Regulations indicate:

“If the appointment is terminated, the faculty member will receive salary or notice in accordance with the following schedule: at least three months, if the final decision is reached by March 1 (or three months prior to the expiration) of the first year of probationary service; at least six months [of salary or notice], if the decision is reached by December 15 of the second year (or after nine months but prior to eighteen months) of probationary service; at least one year, if the decision is reached after eighteen months of probationary service or if the faculty member has tenure. . . . On the recommendation of the faculty hearing committee or the president, the governing board, in determining what, if any, payments will be made beyond the effective date of [termination], may take into account the length and quality of service of the faculty member.

The institutionalization of a four month (120 days) compensation period after termination does not allow sufficient time for terminated faculty members to identify, apply, interview and obtain a faculty position (or employment in one or more alternative professional fields), most importantly in a limited, competitive academic market such as the DC Metro area. Thus, a four-month period of compensation increases the likelihood of imposing a severe financial hardship which will negatively impact faculty and their families, particularly those who head single income households.

It is imperative that severance compensation comport with contemporary standards that are fair and equitable.
C5.4, Rights of Tenured Faculty Members in the Event of Financial Exigency, paragraph two, page 58: The change of language from one year (12 months) of severance (compensation) to “four months (120 days)” for terminated faculty members is unacceptable. Please see explanation above under C5.3.

D1.1 Basic Principles of the Tenure System, page 59, paragraph one: The deleted language proposed in the Senate-approved Handbook Revision that stated, “A faculty member’s tenure resides in the University as a whole, but, in recognition of varying disciplinary cultures and for purposes of governance, tenure-track and tenured faculty members are appointed specifically to one or more local academic units.”, should be restored. The original language addressed important matters regarding the locale of tenured faculty. Similar concerns have been expressed in our response to deleted material in C1.5 Administrative Location of Faculty Appointments (see above).

E1. Types of Disciplinary Sanctions, page 69: In paragraph 3, the phrase, “...the suspension may be with pay.”, employs the permissive verb “may”. This phrase should restore the original verb of “shall”. Under US law, a person is innocent until proven guilty and this maxim should apply at the university.

E3: Major Sanctions page 71, paragraph five (procedures, #1): With respect to the replacement of “clear and convincing’ with ‘preponderance operational definitions of all terms used with respect to evidence are needed.

F1: Grievable Matters, page 73, paragraph one: The Board has removed language that listed a grievable matter #5, “appeals of termination due to financial exigency.”. This language should be re-instated because it is listed as a grievable matter in the current 1993 Faculty Handbook. Recognition and continuation of this precedent/policy should not be ignored. The Senate also strongly recommends that the entirety of Section F6, Procedures Governing Grievances Involving Termination of Faculty Due to Financial Exigency, be re-instated.

F1.1 Eligibility of Faculty Members to Initiate Grievances, page 73, paragraph one: Please remove the phrase “part-time” from #2; by virtue of their part-time status, they are not members of the Faculty Senate, as recognized by the (Board-approved) Constitution of the Faculty Senate.
F1.2.1 The FGC's Authority, page 74, paragraph one: Please re-instate the phrase “professional standing or reputation” as these factors are crucial aspects of a faculty members academic credentials and credibility within and outside the University.

F6: Procedures Governing Grievances Involving Termination of Faculty Due to Financial Exigency, pages 81-82: Termination due to financial exigency is a legitimate matter, and its iteration as such represents best practices of the AAUP’s Recommended Institutional Regulations (https://www.aaup.org/report/recommended-institutional-regulations-academic-freedom-and-tenure)

Chapter G: REVISING OR AMENDING THE FACULTY HANDBOOK, pages 83-84:
As written, this section reflects the language on the 1993 Faculty Handbook. That language has been confusing, contradictory and open to misinterpretation. We, therefore, strongly recommend that the language approved by the Council in the January 31st, 2019 [with March 7th, 2019 Faculty Changes] Proposed Draft HU Faculty Handbook be accepted in place of the new language, as it improves clarity as well as articulates the ability to submit individual revisions or revision of the document as a whole. The council approved language also addresses areas that appear to be in conflict with one another in the current form.

cc: Benaree P. Wiley, Vice Chair, Howard University Board of Trustees
Mark A. Mason, Vice Chair, Howard University Board of Trustees
Florence W. Prioleau, Esq., General Counsel and Secretary
Anthony K. Wutoh, Ph.D., R.Ph., Provost and Chief Academic Officer
Council of the Faculty Senate
APPENDICES 7-9

(Letters of Correspondence to and from the Chair of the Board of Trustees)
June 7, 2019

Sonya K. Sobrian, Ph.D.
Chair, Howard University Faculty Senate
525 Bryant Street, NW, Room C-119
Washington, DC 20059

Dear Dr. Sobrian:

I write to you, as the Chair of the Board of Trustees, to inform you that the Board voted at its
meeting today to approve the Proposed Faculty Handbook Revision as previously approved by the
Academic Excellence Committee and the Audit and Legal Committee.

During consideration of the Proposed Faculty Handbook Revision, the Board noted your
communication to me, received by email early this morning. Of particular note in your
communication to me this morning, was the matter regarding the situs of tenure. Please be aware
that the Board of Trustees had previously reaffirmed, during the January 20, 1996 meeting, the
University’s position that tenure resides in the department or program. As a previously adjudicated
matter, the Board will not approve a contrary position to be advanced in the revised Handbook.

In light of all the previous engagement with the Faculty Senate, and faculty as a whole, regarding
the revisions to the Faculty Handbook, and in light of the timing of the on-going reaccreditation
process, the Board elected to move forward with consideration and a vote regarding the Proposed
Faculty Handbook Revision. The result of that vote was unanimous approval by the Board of the
Proposed Faculty Handbook Revision. The Proposed Faculty Handbook Revision became
effective upon the vote of the Board of the Trustees, and it will shortly be published to the
University’s website as the Howard University Faculty Handbook.

Sincerely,

Stacey J. Mmobley, Esq.
Chairman
Howard University Board of Trustees

cc: Wayne A. I. Frederick, MD, MBA, President
Mrs. Benaree P. Wiley, Vice Chair, Howard University Board of Trustees
Mr. Mark A.L. Mason, Vice Chair, Howard University Board of Trustees
Anthony K. Wutoh, Ph.D., R.Ph., Provost and Chief Academic Officer
Florence W. Prioleau, Esq., General Counsel and Secretary
July 21st, 2019

Stacey J. Mobley, Esq.
Chairman
Howard University
Washington, DC 20059

Dear Chairman Mobley:

Thank you for your letter of July 19th, 2019. The timing of the response of Council of the Faculty Senate to the version of the new Handbook reflected the fact that a copy of this document was received in the late afternoon of Friday, May 31st, 2019. This document was sent to the Senate without any track changes, which necessitated the tedious task of identifying significant changes and consulting with the Council before crafting a formal response. The objective of the Senate’s correspondence was to have an opportunity to discuss the document before a vote of the Board.

It is important to be clear regarding the “extraordinary ten-year process” involving the revision timeline. For the record, passage of a new handbook was interrupted twice: a) in 2014 when President Frederick made significant changes to a previous revision that was approved by the Faculty (that was developed by the University-wide committee, headed by Dr. Alvin Thornton), and b) in November 2016 when Provost Wutoh presented another version with changes that differed from the original document that was previously approved by the Faculty. In both cases, these actions violated the protocol outlined in Section 2.9 of the 1993 Faculty Handbook for its revision. These actions resulted in significant delay to adopt a new handbook and compromised the shared governance process.

The new Handbook, which was adopted by the Board of Trustees on June 7th, 2019, contains changes by the Academic Excellence Committee and the Legal and Audit Committee that were not in the consensus document of January 31st, 2019 [with March 7th, 2019 Faculty Senate Changes] that was approved by the Senate.

While we understand the vagaries of meeting during the summer months, the Council still requests a meeting with the Board to discuss the 17 points outlined in its Memo of June 7th, 2019, which we feel negatively impact the academic life of the Faculty. The July request for meeting is an effort to schedule a meeting before classes begin in the Health Sciences and before the July 31st, 2019 transition in Senate leadership. However, its imperative that a
meeting be scheduled as a soon as possible, as important matters regarding the Board’s changes need to be addressed.

Thank you.

Sincerely,

Sonya K. Sobrian

Sonya K. Sobrian, Ph.D.
Chair, HU Faculty Senate

cc: Benaree P. Wiley, Vice Chair, Howard University Board of Trustees
Mark A. Mason, Vice Chair, Howard University Board of Trustees
Florence W. Prioleau, Esq., General Counsel and Secretary
Wayne A. I. Frederick, MD, MBA, President, Howard University
Anthony K. Wutoh, Ph.D., R.Ph., Provost and Chief Academic Officer
Rosalyn E. Jones, Esq. Deputy Secretary and Senior Counsel-Special Projects
Council of the Faculty Senate
July 3, 2019

VIA ELECTRONIC MAIL

Dr. Sonya K. Sobrian  
Chair, Howard University Faculty Senate  
525 Bryant Street, NW Rm. C-119  
Washington, DC 20059

Dear Dr. Sobrian:

Thank you for your letter dated June 21, 2019. The Board has approved the Faculty Handbook and now wishes to move forward. Per his letter to you dated June 17, 2019, Dr. Anthony Wutoh is happy to discuss with you any potential errors in the document that you wish to share. As I noted in my last letter, a meeting during the requested time unfortunately is not possible.

I hope that you have an enjoyable Fourth of July.

Sincerely,

Stacey J. Mobley, Esq.  
Chairman  
Howard University Board of Trustees

cc: Wayne A. I. Frederick, M. D., MBA, President  
Dr. Laurence Morse, Vice Chair, Howard University Board of Trustees  
Mr. Mark A. L. Mason, Vice Chair, Howard University Board of Trustees  
Florence W. Frioletou, Esq. General Counsel and Secretary  
Dr. Anthony Wutoh, Provost and Chief Academic Officer  
Rosalyn E. Jones, Esq. Deputy Secretary and Senior Counsel-Special Projects