

SECTION XIII
Instructional Faculty Personnel Regulations

Changes in regulations affecting the instructional faculty are recommended by the provost to the president after adequate consultation with the faculty and other appropriate constituencies of the University.

1. Authorization of Positions

The provost, with the approval of the president, authorizes all new and replacement full-time faculty positions and approves for each position. The final approval of candidates to fill such position(s) is made by the president and reported to the Board of Visitors.

2. Information on Appointments to the Faculty

a. Non-Discrimination and Equal Opportunity

Christopher Newport University, an equal opportunity employer, is fully committed to access and opportunity for all persons.

b. Types of Instructional Faculty Appointments

The University makes eight types of appointments to the instructional faculty. These are: adjunct; temporary; part-time; sponsored research; restricted; probationary; tenured; and terminal.

The minimum qualifications for all faculty, including adjuncts, who are appointed to the instructional faculty to teach undergraduate and/or graduate courses are:

Undergraduate courses – Faculty should hold an earned doctorate, other appropriate terminal degree, or master’s degree in the discipline taught. Faculty holding an advanced degree in another discipline should have completed at least 18 graduate hours in the discipline taught.

Graduate courses – Faculty should hold an earned doctorate or other appropriate terminal degree in the discipline taught.

Exceptions can be made for persons not meeting the minimum qualifications, but who are considered by the department to possess other demonstrated competencies and achievements that will contribute to effective teaching and student learning outcomes. Exceptions must be authorized by the provost.

Under the Affordable Care Act, part-time and adjunct faculty employment is limited to 75% of the teaching load of a full-time faculty member including time spent in the classroom, office hours and research. In no instance shall part-time or adjunct faculty member work more than 1500 hours in total from the May 1 – April 30 period to include any positions held at CNU. These positions do not include commonwealth of VA benefits.

- 1) Adjunct Appointments are made for one semester at a time to provide for specific defined projects not requiring a full-time appointment. A person holding an adjunct appointment normally teaches one or two courses during a semester. Adjunct appointments have no continuing status but may be renewed if the need exists. Adjunct appointments provide no fringe benefits, and do not carry academic rank.
- 2) Temporary Appointments are those made for periods not exceeding six months to provide for specific, defined projects, for peak workloads, and for short-term replacements of permanent employees on leave of absence when a full-time appointment is not required. Temporary appointments have no continuing status and provide no fringe benefits.

- 3) Part-time Appointments are made for periods not exceeding one academic year to augment the strength or expertise of the faculty. Part-time appointments have no continuing status, but a new appointment may be made at the discretion of the University. Part-time appointments provide no fringe benefits.
- 4) Sponsored Research Appointments are made for specific research projects. The length of the appointment and benefits, if any, are subject to the terms of the research contract.
- 5) Restricted Appointments
 - a) Term Length: Restricted appointments are term appointments of one, two, three, or five academic years in length.
 - b) Titles
 - (1) Restricted faculty on one-year appointments may hold the title instructor; visiting appointment at any rank; or lecturer.
 - (2) Restricted faculty on two-year appointments may hold the title visiting professor, associate professor or assistant professor.
 - (3) Restricted faculty on three-year appointments may hold the title instructor or lecturer.
 - (4) Restricted faculty on five-year appointments may hold the title senior lecturer or master lecturer.
 - c) Degree Qualifications by Title/Rank
 - (1) Instructor: Restricted faculty at the instructor rank generally do not hold terminal degrees.
 - (2) Visiting: The provost will determine the appropriate rank for visiting faculty; the designation “visiting” will be included in the title.
 - (3) Lecturer: Appointments at the lecturer, senior lecturer or master lecturer rank shall be reserved for terminal degree-holding faculty who are hired in positions that are initially approved for this status or who have exceeded the two-year limit on a visiting appointment.
 - d) Reappointment
 - (1) Restricted appointments of one year have no continuing status.
 - (a) A new one-year appointment may be made by the provost upon successful performance review, recommendation of the dean and the department chair, and the continuing need of the University. These appointments are typically made to replace a faculty member on leave; to fill a position of doubtful permanency; to allow for an extended period of recruitment for a probationary appointment; to provide continuity in curricular programs in which probationary appointments are not currently feasible; or to employ visiting faculty and therefore are not normally indefinitely renewed.
 - (b) Restricted faculty holding the rank of instructor or lecturer who have taught full-time at the University for four consecutive semesters may apply for a three-year appointment in accordance with the procedures outlined in Section 2.d. (2.d. Procedures for Multi-Year Contracts: instructor, lecturer, senior lecturer, and master lecturer ranks) below. Up to one semester of leave during this consecutive term is allowable, but the faculty member's dossier must demonstrate a commensurate degree of excellence and promise. These appointments are typically made to fill disciplinary and curricular needs in the department and/or University.
 - (2) Visiting restricted appointments will not exceed two years
 - (3) Restricted appointments of three or five years have no continuing status, but a new three-year or five-year appointment may be made in accordance with the procedures outlined in Section 2.d. below. When the renewal of a three-year or five-year contract is not warranted, a one-year contract may be issued instead if appropriate.
 - e) Conversion of Position to Probationary Status
 - (1) Any position which has been filled by a restricted faculty member or members for any number of years may be reviewed for purposes of appointing a probationary faculty member to the position in accordance with the procedures outlined in Section 2.e. below. When a restricted position is to be converted to probationary status, the conversion will await the

completion of the contract term, barring exceptional circumstances deemed by the provost.

- f) Benefits: Restricted appointments provide fringe benefits.
 - 6) Probationary Appointments are tenure track appointments that terminate automatically at their expiration date. New probationary appointments may be made by the University at its discretion for a total of not more than six (6) years until tenure is granted or denied. Exceptions may be made at the discretion of the Provost. The University is not obligated to show cause when no new appointment is made. Probationary appointments provide fringe benefits.
 - 7) Tenure Appointments entitle the holders of such appointments to be offered each academic year, employment for the succeeding academic year at an academic year salary and academic rank no less than the stipulated academic year salary and academic rank of the preceding academic year, subject to the contractual terms and conditions of employment which exist from period to period. Tenure appointments provide fringe benefits.
 - 8) Terminal Appointments are given to provide adequate notice of termination of employment. Terminal appointments are for no more than one year and are not renewable. Terminal appointments provide fringe benefits.
- c. Procedures for Recruiting and Initial Appointment of Full-time Instructional Faculty
- 1) Establishment of Positions
Requests for new or replacement positions are initiated by the department chair and are reviewed by the dean of the college/school. If the dean concurs there is a need for a new or replacement position, the dean forwards the request to the provost. If the provost agrees and if there are sufficient financial resources to support the position, the new or replacement position will be created.
 - 2) Recruitment Phase
 - e) Initiation of Search Process
Once a position has been established, the department chair secures permission to recruit by completing page 1 of Form AP-15F (Position Information and Recruitment/Advertising), attaching a job advertisement and sending hard copies of these to the appropriate dean. The department chair should also email the job advertisement to the appropriate dean and the director of faculty recruitment. Upon approval of the dean, the AP 15F will be moved to the next level of review. The levels of review would include the following: department chair, dean, provost, chief budget officer, and director of Title IX and equal opportunity.
 - f) Appointment of Search Committee
The department chair recommends for approval of the Dean, a search committee of at least three members, one of whom must be from outside the department that is hiring the position. Committee membership must be finalized prior to the receipt of applications by the committee; new members should not be added after the committee has begun the application review process. The chair of the search committee will communicate with the director of faculty recruitment to discuss the requirements of the position, to review and approve the final version of the advertisement, and to discuss where the placement of the advertisement will be most effective. The director of faculty recruitment will place all advertisements; therefore the search committee must make sure that any necessary contact information for any publication, website, etc. is brought to the director's attention.
 - g) Scope of Search
Unless there are exceptional circumstances, all searches will be national in scope. Searches may be limited to the local area with the prior express approval of the department chair, dean, provost, and director of faculty recruitment. In exceptional circumstances, an appointment may be made without a search. The requestor must fill out the *Request To Modify Instructional and Administrative/Professional Faculty Search Process Form* and attach the following: a

memorandum which provides a detailed explanation as to why the search process should be waived; a current cv/resume from the person to be appointed; and at least three reference checks and/or letters of recommendation for appointees who are not CNU Fellows or CNU employees. This form must then be approved and signed by the dean, university counsel, and provost.

- h) Processing of Applications

All applications will be sent to the director of faculty recruitment who will be responsible for acknowledging receipt of each candidate's application and who will also request voluntary EEO information of each candidate (race, gender, age, and disability status) upon closing date of the position. The director of faculty of recruitment will maintain a database of the EEO data of each candidate. The director of Title IX and equal opportunity will have access to all EEO data none of which will be disclosed to the search committee.
- 3) Screening Phase
 - a) Review of Applications by the Search Committee

The director of faculty recruitment will forward the applications to the search committee once they are all processed and as soon as possible after the date that the application review is to begin as stated in the position advertisement. An *Applicant Flow Log* that lists all of the candidates alphabetically will also be included with the applications. If an application is missing any letters of recommendation or transcripts, it is recommended that the search committee contact the candidate and ask them to forward the missing materials. The search committee should take caution and only talk to the candidates about the missing information and avoid any conversation that would take the form of an interview no matter how informal. Once the applications are received, all members of the search Committee will individually review each one. (Minimum qualifications for each academic rank are listed in Section XI.8.c.3). The search committee will not at any time have direct knowledge of the race, gender, age, or disability status of any candidate. The search committee will then meet to discuss all applications. During this meeting, the search Committee, by consensus if possible, will divide the applications into three categories as noted on the *Applicant Flow Log*: (1) initial non-selection (definite rejections), (2) additional consideration but not selected (possible interviews), and (3) selected for telephone interview (preliminary interviews).
 - b) Selecting Persons for a Preliminary Interview

Once the search committee is in agreement with the selections for each category, the search committee chair will email the appropriate dean with the names of the candidates to be interviewed; the dean may recommend other candidates for consideration. Once the dean has approved the selections, the appropriate column for each candidate will then be marked on the Applicant Flow Log, and the persons who were chosen may be contacted for a preliminary interview. All preliminary interviews should use the same channel for communication, e.g., telephone, Skype, etc. The search committee will then conduct the interviews, using the guidelines provide by the director of faculty recruitment. Committees are encouraged to use a standardized set of interview question, to be supplemented as appropriate with individualized additional questions.
 - c) Selecting Persons for a Campus Interview

Once the search committee has conducted all preliminary interviews, the committee will rank the candidates (typically 4 – 6) for campus interviews and prepare a memo that lists the ranked candidates, along with the rationale for each ranking. The search committee chair will send the memo to the appropriate dean and the director of faculty recruitment. The search committee chair will meet with the dean to discuss the rankings, and the dean will notify the search committee chair and the director of faculty recruitment once the candidates for campus visits are approved. The search committee chair will then arrange travel plans for the candidates, have the prior approval forms signed, and after receiving the signed priors finalize the arrangements. The chair will prepare a campus visit itinerary to include interviews with the search committee, the dean, and the provost; a meeting with human resources; an open teaching demonstration for students; and an open scholarly presentation for faculty (optional for restricted positions). The director for

faculty recruitment may grant exceptions to the prescribed itinerary. The itineraries will be forwarded to the appropriate dean, provost, executive administrative assistant to the provost, and the director of faculty recruitment. The search committee chair will also forward a copy of the completed Applicant Flow Log to the director of faculty recruitment, noting the following when applicable: (1) dean/provost did not approve the candidate for interview; (2) candidate declined the interview offer; (3) candidate withdrew application.

- d) Exceptions to the Preliminary Interviews
With proper authorization, the search committee may forgo the preliminary interviews. Express prior approval of the provost, and director of faculty recruitment is required.
- 4) Interviewing Phase-Search Committee Interviews
The search committee will then conduct the interviews, using the guidelines provided by the director of faculty recruitment. Committees are encouraged to use a standardized set of interview questions, to be supplemented as appropriate with individualized additional questions. After conducting the interviews, the search committee chair will forward a hiring recommendation to the dean, provost, and director of faculty recruitment in the form of a memo that ranks the candidates and provides reasons for the rankings. The director of faculty recruitment will complete the AP-15F Form and obtain the appropriate signatures.
- 5) Offer and Appointment Phase
- a) Extending the Offer
The provost or designee will extend the offer for employment. It will be the responsibility of the provost or the director of faculty recruitment to fill out the last section of the *AP-15F Form Extending the Offer*. The director of faculty recruitment will be responsible for sending the non-selected candidates a letter informing them that the position has been filled once a signed *Letter of Appointment* is received back from the selected candidate. All of the application materials received from each candidate that are in the possession of the search committee will be returned to the director of faculty recruitment. The director of faculty recruitment will place these materials in the search folder and is responsible for its proper storage.
- b) Appointment as a Faculty Member
The successful candidate will be offered a contract. The Board of Visitors has delegated to the president the authority to act on its behalf, as the final authority on the appointment of full-time, salaried members of the teaching/research faculty of the University, regardless of type of appointment status. All actions taken under this authority shall be reported to the board of visitors.
- c) Background Checks
All contracts are contingent upon the completion of a satisfactory background check to be conducted by the University upon receipt of the candidate's authorization as outlined in the Christopher Newport University Criminal History Background Check Policy.
- d. Procedures for the Multi-Year Contracts: Instructor, Lecturer, Senior Lecturer and Master Lecturer Rank
- 1) Eligibility: Faculty members employed on yearly, restricted-status contracts may initiate an administrative review for an initial three-year or five-year restricted-status contract or a renewal of a three-year or five-year restricted-status contract under these conditions.
- a) The faculty member holds the rank of instructor, ~~or~~ lecturer, senior lecturer or master lecturer.
- b) Instructor: The rank of instructor is an initial appointment, typically for a fixed term of one year, which may be renewed at the sole discretion of the University. In the third consecutive year of annual appointments, an instructor may apply for a fixed term contract of three years. Evaluation for a three-year contract is based primarily on teaching; a willingness to accept service roles will also be weighed.
- c) Lecturer: The rank of lecturer is an initial appointment, typically to a fixed term contract of one year, which may be renewed at the sole discretion of the University. In the third consecutive year

of annual appointments, a lecturer may apply for a fixed term contract of three years. Evaluation for a three-year contract is based primarily on teaching; a willingness to accept service roles will also be weighed.

- d) Senior lecturer: The rank of senior lecturer is awarded to a faculty member who has rendered no less than seven years of service to the University, and has demonstrated excellence in teaching and service, while maintaining a relevant basis of scholarly proficiency in their field. A faculty member holding the rank of lecturer may apply for the rank of senior lecturer and a fixed term contract of five years during the first year of their second three-year contract under the rank of lecturer.
 - e) Master lecturer: The rank of master lecturer is awarded to a faculty member who has rendered no less than fourteen years of service to the University, and has demonstrated continued excellence in teaching and service, while maintaining a relevant basis for scholarly proficiency in their field. A faculty member holding the rank of senior lecturer may apply for the rank of master lecturer and a fixed term contract of five years during the second year of their second five-year contract under the rank of senior lecturer.
 - f) It is anticipated that the four consecutive semesters will have just been completed, but they must have been completed within the last three years—allowing room for a return upon a one-year hiatus of employment service.
 - g) Up to one semester of this consecutive term for FMLA leave is allowable, but the faculty member's dossier must demonstrate a commensurate degree of excellence and promise.
- 2) Initiation
- a) The faculty member initiates the request for the administrative review between September 1 and the second Friday in September in an application letter of about one page addressed to the chair and dean, copying the director of graduate studies (when applicable) and the vice provost for undergraduate education.
 - b) The administrative review assumes two major parts: one for instructional need, and one for performance evaluation.
- 3) Review One: Instructional Need
- a) Upon receiving the memo, the dean and chair will consult to determine whether each supports the review to continue.
 - (1) When the faculty member teaches at least 50% of his or her time in the teacher preparation or graduate program, the director of graduate studies will participate in this consultation of chair and dean.
 - b) This decision rests on three primary criteria:
 - (1) There exists clear need for the disciplinary expertise of the faculty member so that the department can fulfill its obligations to its major(s) and/or to the broader curricula of the college and university.
 - (2) A multi-year contract serves the goals of staff-planning for the department and college.
 - (3) The chair, dean, and provost will stagger the number and terms of the multi-year contracts to ensure the flexibility the University needs.
 - c) While years of service and hence institutional loyalty are important considerations, the needs of the curriculum are paramount. The continuation of the multi-year contract plan will depend upon adherence to this principle. In no instance should needed curricular changes be deferred to recognize years of service.
 - d) The dean will notify the faculty member (copying the vice provost for undergraduate education) of the result of this consultation by the first business day in October. If the decision is negative, the review process stops for the current academic year. With continuing employment, the faculty member is eligible to renew the application each successive fall term.
 - e) The decision not to continue with the review does NOT have inherent implication for the short-term or long-term value of the faculty member.

- 4) Review Two: Performance
 - a) When the dean and the chair consultation yield a positive result, the faculty performance evaluation process begins.
 - b) The dean specifies the materials necessary for a DRC review.
 - (1) These materials normally include:
 - (a) the application letter;
 - (b) a current *curriculum vitae*;
 - (c) all EVAL-6 and EVAL-AR forms (including IDEAs) extending to a six-year limit. Data collected for assessment purposes cannot be used for faculty review.
 - (d) any optional documents, such as publications.
 - c) The department chair convenes a DRC, whose membership and chair are approved by the dean. The DRC chair may or may not be the department chair but must be a member of the department. The DRC membership consists of three to five members, all of whom have served the University continuously for six years. The DRC shall consist of:
 - (1) at least two faculty members in the department, one of whom is the DRC chair; and
 - (2) at least one faculty member from outside the department and within the college; and
 - (3) a maximum of two faculty members from outside the department.
 - (4) When the faculty member teaches at least 50% of his or her time for the teacher preparation or graduate program, the director of Graduate Studies nominates a member of the Graduate Council to serve on the DRC (either as a regular member or an additional one).
 - (5) When this composition is not possible, the vice provost for undergraduate education is consulted for resolving the problem.
 - d) Typically, the DRC will be able to consider the qualifications of the candidate in a single meeting, assuming the review materials are reviewed prior to the discussion.
 - (1) The DRC members vote on whether to recommend a multi-year contract and, when applicable, promotion to a higher lecturer rank based upon performance.
 - (a) The primary criterion for a positive review is demonstrated excellence in teaching; however, a willingness to accept service roles and evidence of the ability to maintain one's disciplinary expertise should also be weighed.
 - (b) The DRC chair records the vote and includes it with its recommendation to the dean, copying the department chair (if different) and the vice provost for undergraduate education.
 - e) The recommendation, plus the candidate's review materials, are provided to the dean by the first business day of November.
 - f) The dean forwards the review materials, the DRC recommendation, and his or her own recommendation to the provost by the first business day of December.
- 5) Provost Decision
 - a) The provost completes the review process by writing a memo to the candidate, copying the vice provost for undergraduate education, dean, and department chair, about his or her intention to offer or not offer the multi-year contract when reappointment letters are provided to faculty.
 - (1) The provost conveys this intention by the first business day of February.
 - (2) While this process is expected to guide the provost's decisions, he or she retains discretion and authority in faculty contracts, and must factor in the University's budgetary planning, which is in motion at this time.
- 6) Renewal of multi-year contract.
 - a) The faculty member may apply for a renewal of the multi-year contract in the designated semester as spelled out in Section 2.d.1 above.
 - b) A candidate requests the renewal of a multi-year contract by writing a memo (of no more than 5 pages) justifying the request based on the prior two or four years' work. The candidate should

send the memo to the department chair and dean, copying the vice provost for undergraduate education, by the second Friday in September.

- c) The department chair, dean and provost will review the candidate's performance and consult about the staffing needs of the department.
 - d) The provost will notify the candidate of his/her intent to renew the multi-year contract no later than the first business day of February.
- 7) Deadlines
- a) Second Friday in September: Candidate submits written request for multi-year contract to the chair and dean, copying the vice provost for undergraduate education and the director of graduate studies (when applicable).
 - b) First business day in October: dean, after consultation with chair (and possibly the director of graduate studies) about curricular and staff planning, responds to candidate on whether the process may continue to the performance review stage.
 - c) First business day in November: The DRC completes the review and forwards the vote and recommendation to the dean, copying the department chair (if he or she is not serving on the DRC) and the vice provost for undergraduate education.
 - d) First business day in December: The dean forwards the DRC review to the provost with his or her recommendation, copying the candidate and the department chair.
 - e) First business day in February: The provost notifies the candidate of his or her intention to offer the multi-year contract when contracts are issued.
- e. Procedures for Conversion from Restricted to Tenure-Stream
- Under most circumstances, the University will conduct a national search for a probationary position and thus, conversion is not a routine or expected outcome of a restricted appointment.
- 1) Eligibility
 - a) Conversion applications will be considered only after the candidate has completed one full year as a restricted-contract faculty member.
 - b) The candidate must have acquired her/his current restricted position at CNU through a national search, as determined by the director of faculty recruitment.
 - 2) Initiation
 - a) The conversion candidate initiates the process by making a written request, between September 1 and the second Friday in September, in an application letter of about one page addressed to her or his department chair, dean, and provost.
 - 3) Review One: Instructional Need
 - a) Upon receiving the request, the department chair, dean, and provost will consult to determine whether each supports the review to continue.
 - b) The decision rests on these criteria:
 - (1) the department's curriculum justifies an additional tenure-track position;
 - (2) the department can manage the reduced course load of a tenure-track position; and
 - (3) one would reasonably predict a national search not to be effective in securing a more competent candidate than the incumbent.
 - c) The dean will communicate the result of this consultation to the department chair and faculty member, copying the vice provost for undergraduate education, by the first business day in October. If the decision is negative, the review process stops for the current academic year. With continuing employment, the faculty member is eligible to renew the application each successive fall term.
 - d) The decision not to continue with the review does NOT have inherent implication for the short-term or long-term value of faculty member.
 - 4) Review Two: Performance

- a) When the dean, chair, and provost consultation yield a positive result, the faculty performance evaluation process begins.
 - b) The department chair convenes a DRC consisting of at least 3 tenured faculty members in the department, plus one tenured faculty member in the college but outside of the department, and communicates DRC membership to the dean, copying the vice provost for undergraduate education.
 - c) The DRC creates a job description using the same format employed for national search advertisements, in order to structure future probationary reviews and, upon approval from the dean, shares it with the candidate.
- 5) By October 15th, the candidate provides the DRC with a cover letter describing his or her qualifications for the position; an updated *curriculum vitae*; all previous EVAL-6 and EVAL-AR forms (including IDEAs), extending to a six-year limit; and optional supporting documents such as publications. After reviewing these documents, the committee may interview the candidate. The DRC then determines the extent to which the qualifications of the incumbent candidate meet the needs of the University and department and whether a successful tenure prediction is a reasonable prediction.
 - 6) By November 1st, the DRC submits a report to the dean and provost that is similar in format to a hiring recommendation. The DRC may recommend one of the following three decisions: (1) conversion of the candidate to probationary status; (2) initiation of a national search for a probationary position, for which the candidate is welcome to apply; or (3) continuation of the candidate on a restricted contract. Supporting evidence for the committee's recommendation should be provided.
 - 7) By December 10 the provost notifies the candidate and department chair of the final decision.
 - 8) The conversion will be effective no sooner than the conclusion of the second consecutive year of teaching. Normally, a restricted-contract candidate converted into a probationary position will begin the tenure track review process without years credited toward the tenure clock.
3. Regulatory Responsibilities and Privileges of Academic Rank
 - a. Responsibilities
 - 1) Each faculty member is expected to meet the requirements of rank. (Minimum qualifications for each academic rank are listed in Section XIII.8.c.3).
 - 2) While the major responsibility of each faculty member is teaching, and while it is expected that those faculty members who serve at the rank of instructor, lecturer, senior lecturer, master lecturer, and assistant professor will regard teaching as their overriding primary responsibility, promotion to the ranks of associate professor, professor, and distinguished professor, requires not only sustained excellence in teaching, but also increased involvement in the faculty member's academic discipline, department, college/school, the University, and the community, as outlined in the relevant Department EVAL-4 and University EVAL-4. It is the responsibility of each faculty member to demonstrate continued evidence of carrying out the expectations of the faculty member's rank.
 - b. Privileges
 - 1) Released Time (Also see Workload and Faculty Workload)
Each academic year, the provost will stipulate the amount of release time available for activities such as research, teaching innovation, service, and program direction. Released time for all academic ranks is dependent upon the availability of funding.

Any faculty member (graduate or undergraduate) who has a proposal which advances the University's mission may request release time by submitting a proposal, in consultation with the department chair, to the appropriate academic dean. The dean will forward ranked recommendations to the provost.

2) Sabbatical Leavea) Purpose

Christopher Newport University will offer sabbatical leaves so that faculty may extend teaching abilities and continue professional and intellectual growth. Projects in such areas as research, creative work, professional retraining, and advanced study may be proposed. These activities should result in (1) improved teaching effectiveness, (2) enhanced research and/or artistic activity, (3) new capacity for service to the University or community, and/or (4) an advanced degree or retraining that permits teaching in a new area.

b) Eligibility

Full-time tenured or tenure-track instructional faculty and full-time administrative faculty are eligible to apply after six years of service at CNU, and may reapply after intervals of no less than six years of service after receiving a sabbatical. The applicant must hold the rank of assistant professor or higher at the time of application. The terms of the sabbatical enable a recipient to elect to use one full academic year, nine months, at one-half salary, or one semester (fall or spring) at full salary. If the one-semester option is taken, the remaining semester of the year may not be applied to the accumulation of the six years of service required before becoming eligible for the next sabbatical.

In either option, subject to consistency with applicable state policy, the University continues to contribute its full share of all established fringe benefits.

c) Application and Selection

Applicants should submit proposals to their department chair no later than October 15 of the year preceding the academic year in which the leave is desired. The department chair will then write a statement of support and forward the application package to the appropriate dean by November 1 of that year. (In the case of administrative faculty, they will submit their applications directly to their immediate administrative superiors no later than November 1). The application must be made on the approved forms and include both a detailed description of the proposed activities for the leave period and the manner in which these activities will contribute to the applicant's professional development and to the improvement of the University's academic program. Only those proposals received by the application deadline are eligible for consideration.

The dean (or, in the case of administrative faculty, another appropriate officer) shall rank the proposals from the college/school or unit that have been approved (where appropriate) by the chair, and shall furnish an explanation of what arrangements are contemplated for staffing and what budget adjustments will be required to maintain any affected program(s) during the applicant's absence. The ranked proposals must be forwarded to the Faculty Senate no later than November 15 of the year preceding the academic year in which the leaves are desired. If there is any proposal from a member of the administrative faculty, who is also a member of the instructional faculty, the provost shall appoint a member of the administrative faculty (not an applicant) to serve as a non-voting, *ex officio* member during the Faculty Senate's deliberations on all proposals under consideration at that time. Any member of the Faculty Senate who is a candidate for a sabbatical may not participate in any deliberations pertaining to either that member's own proposal or any other proposal under concurrent consideration.

By December 10 the Faculty Senate shall rank the proposals and indicate in writing which proposals should be approved and which should not. The Faculty Senate's recommendations are not subject to appeal, but the Faculty Senate shall maintain records of its deliberations and, upon written request of an applicant, provide a summary evaluation of the applicant's proposal after the announcement of leave recipients. Leaves will be awarded on the basis of the merit of the proposals. Subject to funding availability, at least ten leaves will be granted each academic year, if there are enough meritorious proposals. All of the awards for a single year may not be given to administrative faculty or to the faculty of a single college/school.

When considering proposals of equal merit, the following should be given additional weight: (1) Seniority; (2) length of time since last sabbatical; and (3) service for six or more consecutive years as a department chair or commensurate leadership role completed within two academic years of the application.

The provost shall act on the Faculty Senate's recommendations and forward the provost's recommendations to the president no later than January 10. The president shall forward the names of those applicants selected for leave approval to the Board of Visitors at its spring meeting.

d) Proposal Format

(1) Application for Sabbatical Leave Form

The application should be made on the approved form and include an abstract of the proposal.

(2) Departmental Recommendation

Appropriate recommendation from the department chair after consultation with the department will accompany each application of the instructional faculty. In the case that a department chair is an applicant, the dean will consult with the department. Administrative faculty shall include a recommendation from the appropriate supervisor.

(3) Narrative

The description of the project is the only demonstration that the Faculty Senate and others subsequently involved in the decision-making process will have of the substance and potential of the project. It is important that the proposer not presume extensive knowledge on the part of the reviewers. Therefore, since members of the review committee may not have a specialized knowledge of the proposer's field, the proposal must be sufficiently detailed to describe the project in plain, non-technical English. There is no required format for the narrative. The following points should be addressed when they are appropriate to the proposal. The narrative should not exceed 1250 words and must include subsections:

(a) Objectives

The proposal should state the objectives of the leave.

(b) Program of Study or Research

The proposal should clearly describe the applicant's specific program of study or research. It should explain the basic ideas, problems, or questions intended to be examined, and illustrate the planned approach or line of thought, to the extent that it has been worked out. The proposal should incorporate statements about the need for and the contribution of the project to teaching and scholarship in the particular field of study. It should include a concise review of the relevant literature or state of affairs.

The proposal should indicate the project's relation to long-range teaching and scholarly objectives and its specific relationship to the University's strategic plan. The proposal should specify the current status and feasibility of the project, and specify where the project will be conducted, and indicate the likelihood of access to archives, collections, or institutions, if pertinent. The proposal should describe the special skills needed for the project (e.g., foreign languages, computer literacy, etc.).

(c) Funding Sources

The proposal should identify all sources of funding in support of the sabbatical.

(d) Deliverables or Expected Activities

The proposal should state what scholarly activities might be expected at the end of the leave.

(4) Professional Resume

The proposer shall provide an up-to-date outline of professional activities and accomplishments, including such items as:

- (a) degrees earned and date of conferral;
- (b) employment record;
- (c) list of academic honors, awards, or fellowships received and dates;
- (d) list of publications and important academic or professional presentations; and
- (e) other pertinent experiences and current activities.

e) Criteria

The Faculty Senate will make recommendations on the basis of the following criteria:

- (1) the concept and organization of the project;
- (2) the enhancement the project will have on the teaching effectiveness and professional development of the applicant;
- (3) the quality or the promise of quality of the applicant's work as a teacher and scholar;
- (4) commitment by the applicant to work full-time on the project to completion;
- (5) the length and quality of the applicant's service to the University; and
- (6) the potential of the project to benefit the University.

f) Governing Policies

- (1) Competition is limited to full-time tenured or tenure track instructional faculty and full-time administrative faculty who have completed six years of service at CNU. The six years must be completed before an initial sabbatical leave award and between successive awards of sabbatical leaves.
- (2) Proposals should be written in a clear, coherent and concise manner.
- (3) Final choices will be based upon recommendations by the Faculty Senate as to the relative merit of each proposal.
- (4) Receiving a sabbatical will not preclude eligibility for a faculty development grant for purposes of supporting the sabbatical project.
- (5) All proposals become the property of the University and will not be returned to the proposer.

g) Terms of Leave

A recipient of a sabbatical leave is expected to return to the service of the University for at least two full academic years after the leave is completed. Failure to meet the requirement may, at the discretion of the University, result in the recipient being required to repay all or part of salary, fringe benefits, and other costs borne by the University in support of the leave.

h) Reports and Acknowledgments

A written report summarizing what was accomplished during the sabbatical must be submitted to the provost, copying the vice provost for research, graduate studies and assessment, and, where applicable, to the faculty member's dean and the department chair within three months of the end of the leave.

In addition to a detailed summary of activities, the report should comment on the extent to which the experiences contributed to the faculty member's teaching effectiveness and professional development.

This report will constitute a major portion of the faculty member's evaluation for the academic year of the sabbatical. After completing the sabbatical leave, the faculty member is encouraged to present all or part of the results of the leave activities to the University community.

Any publication or exhibition resulting from activity assisted by these sabbatical leaves shall carry

the following acknowledgment: "This work was supported by a grant from Christopher Newport University, Newport News, Virginia."

3) Educational Leave Other Than Sabbatical Leave

- a) A full-time faculty member may apply for educational leave, with full or partial salary, according to State regulations and the availability of funds. Educational leave may be granted for the purpose of academic research, study or publication; an exchange professorship; or any other like activity which will enhance the faculty member's academic expertise, experience, and contribution to the institution. One semester of educational leave may be granted to faculty members holding the rank of associate professor after four years of full-time service to the University. Two semesters of leave may be granted to faculty members holding the rank of professor or distinguished professor after each six years of full-time service to the University. Exceptions to these requirements (on rank and time of service) may be made, based on the discretion of and recommendation by the dean and department chair. Application for educational leave is made to the provost through the appropriate department chair and academic dean at least one calendar year before the beginning of the requested leave period. In the application letter the faculty member should state:
 - (1) the date of the leave;
 - (2) the purpose(s);
 - (3) a detailed description of the activity to be pursued during this period;
 - (4) the worth of this activity to the member, the academic department, and the University; and
 - (5) the amount of salary requested.
- b) Other relevant data should be attached to the application letter. The provost may request data from the appropriate dean and chair concerning the impact of granting such leave. The provost recommends action on the application to the president. The decision to authorize educational leave is made by the Board of Visitors upon the recommendation of the president. When accepting full or partial salary from the University during an educational leave, the faculty member will fulfill the faculty member's teaching role at the University at the end of the leave for a period at least two full academic years. Failure to meet the requirement may, at the discretion of the University, result in the recipient being required to repay all or part of salary, fringe benefits, and other costs borne by the University in support of the leave. The designated salary and time commitment will be included in the contract for the educational leave period.
- c) Upon the completion of the leave, the faculty member will file a written report with the provost, copying the vice provost for research, graduate studies and assessment for inclusion in the faculty member's file with copies to the chair and dean concerning the faculty member's accomplishments during the leave.
- d) A full-time faculty member may apply for educational leave without salary under the same guidelines and requirements as listed above. Such application will ordinarily be made by the beginning of the semester previous to the requested leave.

4) Leaves of Absence for Other Than Educational Purpose

Leaves of absence without pay may be granted to a faculty member for other than educational purposes. Such leaves unrelated to teaching responsibilities may not count for purposes of promotion or tenure. Leaves of absence of this type must be approved by the provost, and all terms and conditions of the leave must be stated in writing in advance of the leave.

5) Part-time Status of Regular Faculty

From time to time, for reasons of health or leave of absence, regular faculty members may wish to change their full-time workload to part-time status. A number of State personnel guidelines apply to such changes, and faculty members contemplating a change of status should discuss their plans with

the appropriate academic dean and the personnel officer. Changes in status, including all terms and conditions of reduced status, must be approved by the provost in advance of the change.

- 6) Information on Faculty Development Grants
The objectives of the faculty development program are to improve instructional effectiveness and promote the professional development of faculty members.
- a) Faculty members may apply for faculty development grants (one year in length).
 - b) Development Categories
 - (1) Professional Development
Activities to be supported in this category are those designed to expand the academic expertise of full-time faculty. This category includes such activities as: research and/or creative activity, preparation of a product of this research and/or creative activity, the presentation of this research and/or creative activity, writing, delivering academic papers, additional training, retraining to serve the University in a new area, supplemental funds for academic activities, and support of course reductions from the University to allow for research and/or creative activity time.
 - (2) Instructional Development
Activities to be supported in this category are those designed to increase teaching effectiveness and improve course content. This category includes such activities as innovations in pedagogy, application of Information Technology to course content, and activities directed at improving course content.
 - (3) Dissertation Grants
Grants may be awarded to help offset the expenses incurred in preparing doctoral dissertations.
 - c) Grant Priorities
Grants will be considered first taking into account the following priorities:
 - (1) professional development;
 - (2) instructional development; and
 - (3) dissertation grants.
 - d) Guidelines for Levels of Support
 - (1) The level of support for faculty development grants will be determined by:
 - (a) the financial sources allocated to this activity for the relevant budget period; and
 - (b) the substance of the application.
 - e) Procedures
 - (1) The Faculty Senate is responsible for initial University-wide review of faculty development, and dissertation grants. The provost will supply the Faculty Senate with a list of faculty who are not eligible for grants due to non-compliance with (6) below.
 - (2) Applications for grant support are made on the appropriate form that is on the provost's website. (<http://www.cnu.edu/facultyresources/development/>)
 - (3) Normally, the Faculty Senate will schedule fall and spring application periods.
 - (4) The faculty member submits the application to the department chair, who will complete the appropriate section on page 2 of the application form and forward the application package directly to the college dean. The college dean will complete the appropriate section on page 2 of the application form and forward the application package to the Faculty Senate. The Faculty Senate will complete the appropriate section on page 2 of the application form and forward the application package to the provost who has the final discretionary authority over the disposition of applications and the amounts of awards.
 - (5) Dissertation grant awards may be subject to further requirements.

- (6) Each recipient of a Faculty Development Grant is required to submit a written report on the progress of the project or research within 30 days of the grant period to the provost with copies to the academic department chair, the appropriate college/school dean, the vice provost for research, graduate studies and assessment and the Faculty Senate president. Future grant applications will not be considered from faculty members who fail to file a report regarding a previous grant.

7) Other Support

Traveling to Potential Sponsors (Deadlines: submit at any time) Meeting sponsors face to face can provide valuable insights into the goals, focus and interpretation of program announcements for potential Principal Investigators. CNU recognizes the importance of these meetings and will provide travel assistance to potential Principal Investigators. Working with the Office of Sponsored Programs, faculty may request funding to meet with a program officer once a relationship has been defined. There are limited funds available for this opportunity.

8) Retraining of Faculty

a) Rationale

During a period in which the University must undergo curricular change to meet student needs within the context of limited resources, a plan must be implemented by which personnel, as well as material resources, may be reallocated. This reallocation must be effected in an academically sound and efficient manner and should take cognizance of the unique relationship which exists in higher education between a tenured faculty member and an institution.

b) Overall Objective of Retraining

Retraining utilizes the services of full-time faculty members to the best advantage of the students, institution, and the individual.

c) Specific Objectives

- (1) To prepare a faculty member to teach a course(s) in another academic department when the faculty member's own department is overstaffed and the latter department is understaffed.
- (2) To prepare a faculty member to make a permanent change to another department, part-time or full-time.
- (3) To prepare a faculty member to assume an administrative faculty position within University.

d) Guidelines

- (1) Retraining is implemented only when one academic department is overstaffed with tenured faculty, or when another academic department is understaffed, or both.
- (2) The concept of retraining encompasses activities ranging from a relatively informal process to an academic degree program.
- (3) Academic integrity is of overriding importance.
- (4) The expertise of the retrained faculty member must be appropriate to the new duties to be assumed as determined by the academic dean; or, in the case of inter-college/school retraining, by the provost; or in the case of retraining for administrative faculty duties, by the appropriate vice president, chief of staff or president.
- (5) During the decision-making process relative to retraining, the participation of the following constituencies is to be solicited:
 - (a) the faculty member;
 - (b) the department whose member is a candidate for retraining, the overstaffed department;
 - (c) the department, either academic or administrative, which will utilize services of the retrainee, the receiving department;
 - (d) appropriate dean(s); and
 - (e) appropriate vice president(s) provost or chief of staff.

- e) Retraining begins only after a "retraining statement" has been approved by the appropriate vice president(s) after consultation with all concerned parties. This statement stipulates the following:
 - (1) person to be retrained, present affiliation, reason for retraining;
 - (2) specific competencies and level of skill attainment to be reached, particularly when an applied skill, as well as knowledge, is involved;
 - (3) specific retraining tasks to be performed include formal courses, degrees to be earned, informal learning, apprenticeships;
 - (4) a time schedule;
 - (5) location(s) of the retraining;
 - (6) compensation mode for the retraining process; i.e., payment of tuition, textbooks, relevant fees, services, or retainers;
 - (7) the financial obligation of the retrainee to CNU;
 - (8) released time and/or compensation to the retrainee during the period of the retraining; (In turn, the statement specifies the obligation of the receiving department, subject to the retrainee's completion of the required retraining.)
 - (9) the general duties for which the retrainee will be responsible in post-retraining assignment; and;
 - (10) the status of the retrainee in the receiving department upon completion of the requirements of their training will be specified, i.e., joint appointment, full-time, or less than full-time appointment.

f) Documentation

To ensure academic integrity or professional qualification, the retrainee is responsible for documenting formal retraining and expertise to the satisfaction of the appropriate vice president or provost.

4. Academic Freedom

Since a vital role of a college or university is to examine intelligently and carefully ideologies and institutions, it is essential that faculty members be able to express their views without fear of unlawful censorship or penalty. This statement is embodied in the Board Policy on Academic Freedom and Responsibility.

5. Faculty Workload Responsibilities

a. General Requirements

The workload of full-time instructional faculty requires teaching, an ongoing program of professional development, student advising, and service to the department, college, university and professional and civic communities. The full-time teaching load for probationary and tenured faculty may consist of twelve (12) lecture hours or the equivalent per week in either the fall or spring term, and nine (9) lecture hours or the equivalent per week in the remaining semester, for a total of twenty-one (21) lecture hours per academic year. For restricted faculty, the full-time teaching load may consist of twelve (12) lecture hours or the equivalent per week, for a total of twenty-four (24) lecture hours per academic year. Teaching loads may be adjusted, however, when circumstances warrant including during the retirement year.

b. Specific Requirements

In the fulfillment of their duties faculty members must participate in a number of activities:

1) Meeting of Classes

- a) Each faculty member's teaching assignment is determined by the academic dean upon the recommendation of the appropriate department chair(s).
- b) Faculty members are required to meet their assigned classes at the times and places designated by the academic dean. Changes in established schedules must be approved by the department chair and the appropriate academic dean. If an emergency should prevent a member of the faculty from teaching a class, the faculty member must notify, at the earliest possible time, the department chair or the appropriate academic dean and must make every effort to arrange for a colleague to meet the class. In the case of a prolonged illness, the department chair is responsible for preserving the

continuity of the class. Temporary adjustments may be made by the instructor with the knowledge and agreement of the class, so long as the department chair is informed.

2) Program Accessibility for Qualified Disabled Students

Program accessibility for qualified disabled students is described herein, the *University Handbook*, the *Student Handbook*, and on the CNU website. The *Student Handbook* is available through the Office of Student Life.

3) Residence During the Academic Calendar

The provost sets the date which faculty report to campus in late summer. The regular academic year concludes with spring commencement. Faculty members are in residence during the academic calendar of orientation, registration, classes, and examinations. They are, therefore, to be available to students and colleagues during this period.

The beginning and end of each semester are especially critical times when student advising, registration, grade reporting, and decisions on academic or degree status may necessitate the ready availability of a faculty member. Requests for absences from required activities are made to the provost.

4) Office Hours

It is required that each member of the faculty be regularly available to students for consultation during the academic calendar of registration, classes, and examinations. As a convenience to students and colleagues, specific office hours will be posted by each faculty member on the door of the office. A copy of these office hours must be submitted each semester prior to the first day of classes to the department chair and the dean of the appropriate college/school.

5) Submission of Grades: Third-Week, Mid-Term and Final Grades

All grades must be submitted by the deadlines established by the registrar. Third-Week grades must be submitted for freshman students during the fall semester. Mid-term grades must be submitted for all freshmen in all classes. Mid-term grades must be submitted for all other students who have a course grade of *D+* or below at the time of submission.

6) IDEA Student Ratings of Instruction (IDEA)

Faculty members are required to administer the *IDEA Student Ratings of Instruction* instrument to class sections, and according to procedures, as specified by the provost.

7) Overload Teaching

a) Overload teaching is a means of meeting student needs, serving the professional development of faculty, and supplementing faculty salaries. As such it is an important element in the academic scheduling and program development at Christopher Newport University. The possibility of some negative results from excessive hours of teaching must, however, be carefully guarded against. Teaching "burn-out" and inability because of lack of time or energy to meet daily responsibilities such as office hours and committee work are only the most obvious potential problems.

b) The following policy guidelines will be observed by the academic deans in approving requests for approval of overload teaching.

(1) No instructional faculty member will be assigned more than four lecture hour equivalents (LHE) of overload courses per semester at Christopher Newport University.

(2) In addition, one course per academic year at another institution may be approved if the kind of teaching opportunity is not available at CNU (e.g., doctoral level courses, distinctive subject areas), or meets a need for a subject matter expert at that institution and is viewed by the dean of the college/school as being in the University's best interest to provide the instructor. This kind of possibility must be demonstrated to be a means of professional development. The

chair of the department in which the faculty member is a member will also submit a report of the impact of such an overload on the department and on the individual faculty member.

- (3) In no case shall overload teaching be considered to relieve a faculty member of involvement in areas other than teaching. Professional development in one's discipline, departmental and University responsibilities, and community service remain important in the evaluation process.
- (4) In semesters when a full-time, salaried member of the instructional faculty has a regular-load teaching assignment of fewer than 12 LHE's (i.e., a teaching assignment of fewer than 12 LHE's under the faculty member's contract of salaried employment), overload teaching for additional compensation for that faculty member is prohibited. Exceptions may be granted only by the provost and only when they serve pressing University needs.

8) Commencement Ceremonies

The University holds commencement ceremonies in the course of the academic year. Full-time faculty members are required to attend each of these ceremonies unless their absence has been authorized in advance by the provost. Academic regalia is prescribed for the occasion. The Office of the Provost assists the faculty with the purchase, loan, or rental of academic regalia.

c. Regulations Pertaining to Professional Activity

1) Consultation, Research, and Public Service Requiring University Facilities, Services, or Personnel

- a) Faculty members wishing to use University facilities, services, or personnel to provide consultation, conduct research or to sponsor public service conferences must have the approval of the appropriate dean.
- b) Participating faculty members have the right to publish and copyright the results of these studies. Reference to the University, including names of faculty members, for commercial advertising purposes is prohibited unless approved in advance by the dean; reference made in research publications is allowed.

2) Grants, Contracts, and Fellowships

a) Philosophy

Faculty members are encouraged to seek support for professional development, research or public service projects from sources outside the University; federal agencies; state and local governmental agencies; nonprofit foundations and agencies; businesses and industries. The Office of Sponsored Programs assists faculty in these efforts and provides guidance in the preparation, submission, negotiation, and administration of proposals and awards.

b) Definitions

Grants are a type of financial assistance awarded to an organization for the conduct of research or other program as specified in an approved proposal. A grant, as opposed to a cooperative agreement, is used whenever the awarding office anticipates no substantial programmatic involvement with the recipient during the performance of the activities.

Contracts are a mechanism for procurement of a product or service with specific obligations for both sponsor and recipient. Typically, a research topic and the methods for conducting the research are specified in detail by the sponsor, although some sponsors award contracts in response to unsolicited proposals.

Fellowships are a mechanism that provide faculty support for scholarship aligned with the focus of a sponsoring agency. Most Fellowships are typically distributed in one of two ways: (1) directly to the faculty member, or (2) to the institution for distribution. Regardless of how the funds are distributed, fellowships provide support for wages, travel, lodging, etc. Fellowships may be sought to augment a sabbatical or as an independent proposal.

c) Institutional Approval and Certification

All proposals for grants, contracts, or fellowships require institutional approval prior to submission to the sponsor. The Office of Sponsored Programs (OSP) assists with this process using the Proposal Summary Form (PSF). The PSF contains an abstract of the proposed project, budget, information regarding compliance, cost sharing, release time and Conflict of Interest.

Faculty members may be released for externally sponsored activities otherwise approved by the University for up to 50% of their time as a normally acceptable limit. Faculty members desiring to be released from their regularly assigned university duties for over 50% of their total time for engagement in externally sponsored activities must specifically justify in writing the benefits of released time of over 50% on the PSF.

Once a faculty member has completed the PSF with the assistance of OSP, the following approvals are required: 1) Faculty member/s; 2) OSP; 3) Chair/s; 4) Dean/s; 5) Vice Provost for Research, Assessment and Graduate Studies; and if necessary 6) the Provost. These signatures indicate the proposed project is feasible and can be carried out within the scope of the University's mission and the faculty member's responsibilities. The internal approval form (PSF) is located on the Office of Sponsored Programs' (OSP) website.

d) Responsibilities

The project director is responsible for any duplicating and postage required for delivery of proposals to the sponsor. Once the project is funded, the director is responsible for performing the proposed activity within the guidelines of the award, including the approved budget. The director is to meet with the Office of Sponsored Programs at the outset of the approved projects, periodically during, and prior to closing out the account in order to prevent complications.

The Office of Sponsored Programs assists the project director in the preparation of forms required by the Commonwealth of Virginia; the Business Office prepares reports of expenditures and requests for funds to the funding agency. The Office of Sponsored Programs serves as the liaison between the project director and the Business Office.

e) Fiscal Management

Grants and contracts awarded to the University are usually made on a cost reimbursement basis. Expenditures charged to grant accounts are disbursed from the Business Office. Any salary and accompanying fringe benefits to be paid from such awards are included in the grant or contract budget and must be paid through routine University procedures. With the exception of summer salary, grants pay a percentage of a faculty member's academic-year salary, equivalent to the effort that is applied to the funded project. The principal investigator (PI) is assigned a Banner grant number for each award. The Office of Sponsored Programs creates a password protected, interactive spreadsheet to facilitate the PI's ability to track fiscal activity on his/her award. OSP reconciles the spreadsheet monthly to banner, providing the PI with timely information.

f) Indirect Cost Recovery, Fund 0303

- (1) Indirect cost Recovery Funds, Fund 0303, are generated by the University's collection of 70 percent of indirect costs for grants programmed under Program 110-04, Sponsored Research.
- (2) The State mandates 100 percent recovery of indirect costs for grants awarded to the University. Prior to the transfer of funds to Fund 0303, the State collects a 30 percent share of indirect costs, as support to Educational and General Services.
- (3) During the current biennium, institutions of higher education may retain 100 percent of the indirect cost recoveries related to research grants and contract levels in excess of actual recoveries in the second year of the previous biennium. This provision is included as an additional incentive for increasing externally funded research activities.

(4) Revenues to Fund 0303 are allocated to the following expenditure budgets:

(a) Grant Administration (20 percent)

Funds are used to support the work of the Office of Sponsored Programs. Requests for expenditures from this category are initiated by the director of sponsored programs with fund availability certified in accordance with University procedures.

(b) Departmental Research (25 percent)

Funds are used to support departmentally sponsored research. Requests for expenditures from this category are initiated by the department chair. The department chair will verify availability of funds in 0303 with the Grants Accountant and forward a recommendation to the appropriate dean. The dean will approve or disapprove the request. The dean will forward an approved request to the provost for final approval. The budget office will certify fund availability within the allocation percentages above.

(c) Faculty Development (30 percent)

Funds are used to support faculty research and development. The provost determines the allocation of monies included in this category. The majority of funds will be used to support research and scholarship in accordance with criteria established by the University. The provost will consult with the Budget Office to determine available budget allocation for this purpose. Fund availability will be certified prior to grant award.

(d) Administrative Overhead (15 percent)

The University's administrative offices are responsible for the receipting, disbursing, accounting and financial reporting for all University sponsored programs. Offices providing administrative support include, but are not limited to, the Comptroller's Office, Human Resources, Office of Planning and Budget, and the Office of Materiel Management. This allocation assists in defraying the costs to process Sponsored program related transactions and the audit of these funds, as required by CFR Title 2: Grants and Agreements Part 200. All expenditures will be approved by the executive vice president or comptroller.

(e) Principal Investigator Research (10 percent)

Funds are used to support research and developmental-research activities of the principal investigator. Requests for expenditures from this category are initiated by the principal investigator with fund availability certified in accordance with University procedures.

(5) Budget Allocation Procedures

Unexpended budget balances within the percentage allocations reflected above shall carry forward at the end of each fiscal year. On July 1, of each year the revenue collected during the previous fiscal year will be allocated in accordance with established percentages and added to each carry forward balance. The comptroller will notify the budget director of the revenue allocation each fiscal year and the expenditure budgets will be adjusted accordingly. When the combined total of the beginning fund balances and revenues to Fund 0303 exceed the appropriated expenditure plan, a request for an additional appropriation and allotment will be processed through the Office of Planning and Budget.

g) Conflict of Interest Policy

Some federal agencies require grantees employing more than fifty persons to maintain an appropriate written and enforced policy on conflict of interest. The University's conflict of interest policy is the State and Local Government Conflict of Interest Act of the *Virginia Code*. Questions concerning this policy should be forwarded to the provost, who will refer them to the University counsel.

3) Research Involving Human Subjects

The University safeguards the rights and welfare of subjects at risk in research activities conducted through the University. Where research involving human subjects is to be supported by a grant or

contract, the Institutional Review Board for the Protection of Human Subjects (IRB) reviews, approves, and certifies that research benefits clearly outweigh risks to subjects and legal risks to the University, that the rights and welfare of subjects are adequately protected, and that the proposed project is in full compliance with all applicable laws. In undertaking this process, the Review Board for the Protection of Human Subjects will consult with the University counsel regarding legal issues and potential liability to the University.

To submit a request for approval of research proposals, surveys, etc. please follow these described procedures:

- a) Follow submission procedures described on the IRB webpage; submission is electronic.
- b) Write a proposal that includes the following:
 - (1) Name of faculty member sponsoring the research.
 - (2) Name of department and departmental approval of research proposal.
- c) Proposal also should explicitly address the IRB principles:
 - (1) Respect for subjects.
 - (2) Protection of subjects from danger.
 - (3) Research has some beneficial prospect.
 - (4) Researcher is just and impartial.
- d) Proposal should also describe how the specific research proposal meets the 7 RBPHS requirements:
 - (1) Fair selection of subjects
 - (2) Informed consent
 - (3) Confidentiality & Anonymity
 - (4) No coercion or exploitation
 - (5) Protection from physical & mental stress
 - (6) Project benefits
 - (7) Post research debriefing

4) Research Involving Animal Subjects

The University safeguards the humane use and treatment of animal subjects in teaching and research activities conducted through the University. The Institutional Animal Care and Use Committee (IACUC) is charged with the specific responsibility of regulating the humane use and treatment of animals used in teaching and research by the University as mandated by the Animal Welfare Act (AWA, 1966, and as subsequently amended 1970, 1976, 1985, 1990), and other relevant federal, state, and local authorities. Where research involving animal subjects is to be supported by a grant or contract, the IACUC reviews, approves, and certifies that the treatment of the animal subjects is in accordance with the mandates of the AWA.

To submit a request for approval of research proposals using animal subjects, please contact the IACUC chair or the associate provost.

5) Misconduct in Research

Christopher Newport University is committed to actions and policies that support the responsible conduct of research, that provide for prompt and fair investigations of alleged misconduct, and that appropriately protect the work and reputations of any faculty, staff, or students involved in such allegations or investigations. The policy for allegations of misconduct in research is located in the *Office of Sponsored Programs Handbook* located on the OSP website.

6. Administrative Leaves and Reduced Loads for Non-Academic Reasons

a. Sick Leave with Full Pay and Benefits

- 1) Sick Leave Generally – The University, upon approval of the provost, grants Sick Leave with Full Pay and Benefits when this becomes necessary during the period covered by the faculty member’s contract. Prior to approving such a request, the provost may require the submission of medical records and/or a

physical examination by a physician mutually agreed upon by the University and the faculty member. The maximum period of such leave is the remainder of the current semester and one additional semester during a seven-year period. When employee takes Sick Leave with Full Pay and Benefits for a period in excess of twelve weeks, the employee is not entitled to Family and Medical Leave (described below). When a faculty member takes sick leave with full pay and benefits, please contact the Human Resources Office for additional information on benefit provisions for leave without pay status.

- 2) Reduced Load when Returning from Sick Leave - A full-time faculty member who returns from sick leave *may* be given a one-course reduction in teaching load, while still maintaining full-time employment status (and therefore, in particular, full benefits), either for one full academic year or for one semester. Such reduction, if awarded, must commence in the semester immediately following the leave.

Such reduction must be approved by the provost upon the recommendation of the appropriate dean. Prior to approving such a request, the provost may require the submission of medical records and/or a physical examination by a physician mutually agreed upon by the University and the faculty member.

No faculty member shall be granted more than four full semesters of reduced load when returning from sick leave in a lifetime, regardless of the number of years the person is in the employ of Christopher Newport University.

b. Family and Medical Leave

- 1) The University, in accordance with the federal Family and Medical Leave Act, grants Family and Medical Leave to eligible full time faculty members for up to 12 weeks in the period from August 1 to July 31. Although federal law does not require that the University provide full pay and benefits, the University may choose to grant full pay and benefits during the period of Family and Medical Leave. Pursuant to federal law, Family and Medical Leave is used for the birth of a child or placement of a child with the employee for adoption or foster care, because the employee is needed to care for a family member (child, spouse, or parent) with a serious health condition, or because the employee's own serious health condition makes him or her unable to do his or her job. However, when an employee is taking Sick Leave with Full Pay and Benefits (described above), the employee is not entitled to Family and Medical Leave. The use of Family and Medical Leave has no effect on matter of retention, promotion, or completion of the probationary period of service except as provided in (2) below.
- 2) A faculty member requesting Family and Medical Leave submits such a request to the provost at the earliest possible time and provides such documentation as may be required by the University. The faculty member may include in the request that the probationary period of service be extended by a year and that a new review schedule to be set. Such arrangements must be determined by the provost, who will normally seek input from the faculty member's chair and dean. Mandatory tenure review may not be delayed by the faculty member for more than two years under this policy. If approved by provost, the appropriate academic dean then creates contingency plans to assure that all assigned classes and other pertinent responsibilities of the requesting faculty member are met as scheduled and forwards this information to the provost.

c. Leave without Pay and Benefits

A full or partial leave of absence for illness, disability, family, or educational and/or research purposes without pay may be granted by the provost on request. Please contact the Human Resources Office for additional information on benefit provisions for leave without pay status. Please visit the Office of Human Resources website at <https://interweb.cnu.edu/hr/benefits/leave/>

d. Parental Leave

- 1) Purpose: CNU faculty are expected to provide high quality teaching and produce high quality scholarship in the same years that they may be or wish to be starting families. Professional success as a CNU faculty member, however, is not expected to be at the expense of family life. Indeed, CNU is a community that celebrates and supports family. Consistent with that overarching value, this policy is adopted to support faculty parents as they adjust to the arrival of new children into their families, whether by birth or adoption, by providing them with paid leave for that purpose.
 - 2) Eligibility
 - (a) This policy applies to all full time faculty members who have been employed by the university for at least one year, who have a contract for the academic year in which the leave will be taken, and who are assuming substantial and sustained responsibility for the care of a newborn or newly adopted child.
 - (b) To use this policy a faculty member must be the sole caregiver of the newborn or newly adopted child for at least twenty hours during the work-week between the hours of 8 a.m. and 7 p.m., Monday through Friday. This policy is not intended for parents whose newborn or newly adopted child is cared for more than half time by either a spouse/partner and/or a childcare provider.
 - 3) Terms of Leave
 - (a) An eligible faculty member is entitled to paid relief (parental leave) from all teaching, research and administrative responsibilities during one semester. Any change in externally funded research responsibilities should be negotiated with the appropriate sponsor through the office of sponsored programs.
 - (b) Parental leave will normally be taken during the semester of the birth or adoption, or the semester immediately following (see Sec. 4 - Process, below).
 - (c) A faculty member taking parental leave under this policy is entitled to an automatic one-year extension of his or her current contract. Ordinarily, if an appointment is extended by a year due to leave under this policy, any promotion review will be automatically postponed by a year as well. However, if leave is taken pursuant to this policy after a review is already underway, the review will not be postponed. A review also will not be postponed if a postponement would move the review into the final year of an appointment.
 - 4) Process
 - (a) Parental leave will normally be taken during the semester of the birth or adoption. For expected delivery or adoption dates after November 1 or after April 1, parental leave may be taken during the following semester. For expected delivery or adoption dates during the summer parental leave will normally be taken during the following fall semester.
 - (b) To enable planning for parental leave, it is essential that sufficient notice be provided to the department chair to allow for teaching duties to be covered. Therefore, a faculty member who intends to take parental leave must provide notice of that intent at least 3 months in advance of the semester during which the leave will begin.
 - (c) The federal Family & Medical Leave Act provides for up to 12 weeks of unpaid job protected leave (to be taken and completed during a 12 month period) to care for a child within 12 months of birth, adoption or the initiation of foster care. For the purposes of this parental leave policy, the period of FMLA will run concurrently with the semester in which paid parental leave is taken.
 - (d) An individual faculty member is limited to two semesters of semester-long paid parental leave during any six-year period. Note that FMLA leave may be taken for additional births or adoptions.
7. Administrative Actions for Inappropriate Conduct on the Part of Instructional Faculty Members
- a. Purposes
 - 1) These sanctions are designed to protect the rights of faculty members and to assure compliance with University rules and policy and public law.
 - 2) The sanctions provide chair, deans, and the provost with a process to follow when it is deemed that a faculty member's conduct is inappropriate or in violation of the policies of the University.

- 3) This process also defines the measures which are appropriate in relation to the offense.
- b. Sanctions
- 1) Introduction
There are four types of sanctions short of dismissal. These do not represent a process wherein one must always begin with an admonition. The seriousness of the offense(s) will determine the sanction, which is initiated. Dismissal, furthermore, need not be preceded by any of these sanctions.
 - 2) Examples of Unsatisfactory Behavior
 - a) Excessive tardiness to required activities to include assigned classes;
 - b) Repeated absence from class, repeated failure to meet classes at assigned times, or repeated early release of classes;
 - c) Unauthorized use of University/State equipment or facilities; and
 - d) Failing to comply with established policy.
 - 3) Admonition
 - a) An admonition is warranted when a faculty member's behavior is of such a nature that is likely to or does reflect unfavorably upon the department or the University or on the faculty member's professional status.
 - b) The departmental chairman, dean or provost is responsible for orally admonishing the faculty member and keeping a memorandum of the substance and date of the discussion.
 - 4) Written Warning
 - a) A written warning is issued when unacceptable behavior continues after admonition or when a faculty member's misbehavior is of a more serious nature to such a degree that a written warning is appropriate.
 - b) The chair, dean, or provost is authorized to issue written warnings.
 - c) An appeal is permitted to the next higher level.
 - d) The written warning will include descriptions of the unacceptable behavior and those actions necessary to correct or eliminate the problem, a reasonable time within which those actions must be taken, and the consequences of failure to take those actions.
 - 5) Suspension
 - a) Suspension, with or without loss of pay, occurs when a faculty member's misconduct continues after written warnings or when the conduct is of such a nature that immediate suspension is warranted to protect the interests of the University, the faculty members, students, or other members of the University community.
 - b) The dean or provost is authorized to impose this sanction.
 - c) An appeal is permitted to the next higher level.
 - d) The president has the final authority.
 - e) Suspension with loss of pay is a sanction that may be imposed only with the approval of the president. No loss of pay will be incurred until the faculty member has had an opportunity for a hearing.
8. Evaluation, Process for Promotion, Tenure and Reappointment of Probationary Faculty, and for Unscheduled and Annual Reviews
- a. Introduction
 - 1) The University requires review of faculty performance for the purposes of granting promotion, awarding tenure, reappointing probationary faculty, and determining merit salary increases. The University considers promotion, tenure, and reappointment to be privileges to be sought by the evaluatee. Reviews are of the following types:
 - a) annual,
 - b) unscheduled,
 - c) reappointment of probationary faculty,

- d) tenure, and
- e) promotion.

Promotion, tenure, and reappointment of probationary faculty reviews determine an individual's contractual relationship with the University. Annual reviews evaluate a year's worth of work for the primary purpose of determining merit pay. Unscheduled reviews of tenured faculty occur following unsatisfactory annual review scores in any two of three consecutive years as outlined in Section XII.8.c. The unscheduled review is designed to be a helpful process aimed at faculty development and improvement, although this review also has the potential to lead to sanctions. All reviews are intended to provide evidence of sustained commitment to and ability to support the University's fundamental mission.

- 2) The University adheres to the principle that peers have first-hand familiarity with a candidate's record, performance, and potential. Peer review is thus an integral part of the administrative decision in cases of promotion, tenure, reappointment of probationary faculty, and when necessary, unscheduled reviews in the years following tenure.
- 3) An annual evaluation of all full-time faculty members will be conducted by their respective chair and their dean. This annual evaluation may lead to a full-scale peer review (called an unscheduled review) in the case of a tenured faculty member when the faculty member's performance is considered to be unsatisfactory as defined in Section XIII.8.c. in any two of three consecutive years.
- 4) The general process for all reviews is department-based, college-based, and provost-based. Promotion and tenure decisions require approval of the president and the Board of Visitors. All reviews excluding the annual review utilize the peer review process. The annual review is an administrative review.
- 5) It is a condition of the evaluative process that the recommendations or decisions of DRCs, committees, and administrative officers be accepted by the evaluatee unless the evaluatee can demonstrate that the recommendation or decision has been rendered in a fashion that violates applicable policy, regulations, or law. Candidates have the right to respond in writing to each level of peer review recommendations and to have that response included in the record prior to the next level of review. Annual Review assessments may be appealed as described in section XIII.8.b.1.
- 6) Evaluation Criteria and Procedures
 - a) The general criteria for all reviews are effectiveness in teaching, professional development, and service. At Christopher Newport University the first, teaching, is of paramount importance, and poor teaching cannot be redeemed by superiority in the other two areas. The University standard for weights of the three activities may be found on the provost's website: <https://interweb.cnu.edu/facultyresources/>. The weighting formula may be adjusted to recognize specialized roles, e.g. department chair, program director, or grant principal investigator. Such reweighing must be completed prior to the start of the review year, with the approval of the department chair, college dean, and provost; it must be done in writing and signed by the faculty member. While the opportunity for reweighing is intended primarily for tenured faculty, the weighting formula may also be adjusted for probationary faculty in special circumstances. Weights of restricted faculty activities are to be determined in advance by the department and the college.
 - b) University promotion qualifications and evaluative standards may be found at XIII.8.f.3); tenure qualifications and evaluative standards may be found at XIII.8.e.2). The University Eval-4 available on the Office of the Provost webpage, <https://interweb.cnu.edu/facultyresources/> provides evaluative standards for all reviews. The Departmental EVAL-4 provides additional guidance.

Consistent with the general standards described in XIII.8.e.2) and XIII.8.f.3) and in the University EVAL-4, each department delineates the specific criteria and procedures it will use in evaluating

its members. The criteria are submitted to the appropriate dean for review of the initial statement or amendments thereto. In the absence of departmental action, the dean writes the departmental criteria. Such departmental criteria supplements the evaluation criteria contained in this *University Handbook* or in the University EVAL-4.

- 7) By the end of January, the provost publishes the EVAL-1 PEER REVIEW AND ANNUAL EVALUATION CALENDARS of deadlines for each step of the peer review and annual evaluation process. All evaluation forms, including this calendar, are available on the provost's website.
- 8) Except as required elsewhere in this section, evaluation of faculty members holding restricted or part-time appointments is conducted entirely within the department by a committee appointed by the chair, or, if circumstances prevent this, by a committee appointed by the appropriate dean. Such evaluation provides information for the chair or the dean for future decisions; it does not constitute an intention to renew these restricted or part-time appointments.

b. The Annual Review

The Annual Review is required of all continuing full-time faculty members. Its annual activities report, the EVAL-6, prepared by the evaluatee, provides the foundation for other reviews. The EVAL-AR records the assessments of the department chair and the dean; the provost renders a judgement on appeals of these assessments by the date specified on the EVAL-1AR Calendar. The primary purpose of the EVAL-AR is to determine any merit salary increases, and it then becomes part of the faculty member's personnel record. An unscheduled review is initiated when in any two of three consecutive years, a faculty member receives one or more of the following (see Section XIII.8.c): (1) an unsatisfactory rating in the area of teaching for the year under review; (2) unsatisfactory ratings in any two areas for the year under review; and (3) an overall unsatisfactory rating for the year under review. Distinguished professors and faculty who will retire at the end of the evaluation period may elect to waive the Annual Review by so indicating in writing on an annual basis to their respective department chair, their dean, and the provost.

1) Step-by-Step Procedure for Annual Evaluation of Faculty Members and Evidence to be Considered

By the end of January, the provost publishes the PEER REVIEW AND ANNUAL EVALUATION CALENDAR with deadlines for each step of the evaluation process.

- a) Each faculty member shall submit an annual activities report (EVAL-6) to the department chair in accordance with the calendar. Copies of the IDEA Student Ratings of Instruction for the past year shall be included with the EVAL-6 as well as any other standard dossier materials for the review period specified by the chair, dean, or provost. The department chair's evaluation is recorded on the EVAL-AR and is forwarded to the dean.
- b) The dean reviews the chair's recommendation and supporting materials, rendering his or her evaluation on EVAL-AR, and sends a copy of the completed EVAL-AR form to the candidate and the provost's office.
- c) Faculty members may appeal their assessments by the dean and/or department chair by submitting an appeal in writing to the Office of the Provost by the deadline specified on the EVAL-1 calendar. The provost's decision will include consideration of any appeal materials submitted. The provost's decision on the appeal is final.
- d) If the faculty member fails to submit the evidence referenced in a) above, the department chair and dean will complete the EVAL-AR on the basis of such information as is available to them.
- e) Possible results of the evaluation process include:
 - (1) judgments of satisfactory performance, and
 - (2) judgments of unsatisfactory performance.

- f) Judgments of unsatisfactory performance for any two of three consecutive years may place tenured faculty into an unscheduled peer evaluation track, as explained in Section XIII.8.c, “The Unscheduled Review.”
- 2) Evaluation Standards
The University EVAL-4 and Department EVAL-4 provide a list of activities to be considered in this review.
- c. The Unscheduled Review
An unscheduled review is initiated when in any two of three consecutive years a faculty member receives one or more of the following: (1) an unsatisfactory rating in the area of Teaching for the year under review; (2) unsatisfactory ratings in any two areas for the year under review; and (3) an overall unsatisfactory rating for the year under review. This process is a performance review process conducted in the peer group format according to the applicable parts of section XIII.8.g.; it is not a dismissal process. The unscheduled review process has the potential to lead to sanctions but it is designed to be a helpful process aimed at improvement. The process will not impinge upon academic freedom. The outcome of the first phase of this process will be a judgment of satisfactory or unsatisfactory offered by a peer group and will include a summary statement explaining its judgment. Subsequent judgments will be rendered by the dean, the Faculty Review Committee, the provost, and the president. If the final judgment is unsatisfactory, administrative sanctions may follow, possibly including initiating the dismissal process.
- 1) Evaluation under the peer group format required as a result of an unsatisfactory Annual Evaluation will take place in the next (spring) evaluation cycle immediately following the Annual Evaluation. What follows outlines the procedures and general schedule leading to and including an unscheduled review. The EVAL-1-U UNSCHEDULED PEER REVIEW EVALUATION CALENDAR prepared by the provost’s office indicates the schedule for these reviews.
- a) Tenured faculty receiving unsatisfactory ratings as described in XIII.8.c. above will precipitate a recommendation on the EVAL-AR from the dean to the provost to begin an unscheduled review. The dean will include specific reasons for this recommendation. The provost may choose against an unscheduled review. If the provost decides that an unscheduled review is appropriate, the dean and Faculty Review Committee are notified and an unscheduled review takes place the following spring semester according to the steps of section XIII.8.g. and the timetable for the spring peer evaluation cycle specified on form EVAL-1-U. In addition to the other materials specified in step XII.8.h.2), the dossier must include a draft performance improvement plan prepared by the evaluatee.
- b) The Departmental Review Committee(DRC) for the unscheduled spring review will judge the faculty member’s performance as either satisfactory or unsatisfactory and will provide a summary statement on form EVAL-7 explaining its judgment. Judgments by the dean, the Faculty Review Committee, the provost and the president are subsequently rendered on the appropriate EVAL-8 form.
- c) If the final judgment on the performance review is “satisfactory,” the unscheduled peer review process ends.
- d) If the final judgment on the performance review is “unsatisfactory,” the unscheduled review process continues into the next academic year and the DRC remains intact. The intention is that this peer group will retain the same membership throughout this process although individual members may find it necessary to leave the peer group. If that occurs, replacements will be named by the same procedures that established the original peer group.

- e) Following the spring performance review (during the latter part of the spring semester), a Faculty Development Committee (FDC) will be constituted and will meet with the evaluatee to review the DRC's findings and the evaluatee's draft performance improvement plan. Ideally, the FDC shall consist of the evaluatee's department chair, one tenured department member of equal or higher rank than the evaluatee selected by the evaluatee, and one tenured member of the evaluatee's college of equal or higher rank selected by the provost in consultation with the appropriate college dean. When the evaluatee is the department chair, the appropriate college dean shall serve on the FDC. Working with the evaluatee, the FDC will create a two-year plan for professional growth and improvement. This plan shall include specific goals designed to address identifiable problems, specific recommendations for improvement, and mechanisms for measuring success. The plan will be submitted to the college dean (or the provost, if the dean served on the FDC) for evaluation in accordance with the performance expectations of the college and University. The dean (or provost) should sign the plan to acknowledge receipt and return it to the evaluatee along with any comments.
 - f) The faculty member will next undergo an annual review as usual the following fall semester. The faculty member will submit an EVAL-6 with the standard documentation and the performance improvement plan created by the FDC in step d), carrying the dean's acknowledgement. Progress made on the performance improvement plan in the interim may be indicated on the EVAL-6. The EVAL-AR that the faculty member receives as a result of this review serves as interim feedback.
 - g) The unscheduled review process continues into the fall semester review cycle of the next academic year. At that time, the faculty member is required to undergo a peer evaluation in the fall cycle according to the steps in section XIII.8.g. with his/her DRC. The review dossier should include the performance improvement plan created in step d) and an explanation of how well the goals of the plan have been met, with reference to specific indicators of success.
 - h) The DRC will judge the faculty member's performance as either satisfactory or unsatisfactory, and will provide a summary statement explaining its judgment. Subsequent judgments will be rendered by the dean, the Faculty Review Committee, the provost and the president.
 - i) A final judgment of unsatisfactory or satisfactory will end the unscheduled peer review process. However, a final judgment of unsatisfactory may lead to administrative sanctions, possibly including initiating the dismissal process.
- 2) Evaluation Standards
The University EVAL-4 and Departmental EVAL-4 provide a list of activities to be considered in this review.
- d. Reappointment Reviews of Probationary Faculty
- 1) Evaluation Schedule
 - a) Probationary faculty receive an initial appointment letter that provides employment through their third year and specifies that a review for reappointment will be scheduled in the second year. In the spring of the first year, and during the fall or spring of the third and fifth years probationary faculty meet with the department chair to receive verbal formative assessment and share any concerns. Chairs assign probationary faculty members a faculty peer mentor during the first year.
 - b) Probationary faculty are evaluated in the peer group format in the fall of their second year for reappointment to a new three-year probationary contract for years three, four, and five starting in the fall of the third year (the third year of the first probationary appointment is thus superseded). Possible outcomes of this peer review include:
 - (1) recommendation to reappoint to a third, fourth and fifth year, and
 - (2) recommendation not to reappoint to a fourth year.

- c) Probationary faculty members are evaluated in the peer group format in the fall of their fourth year for reappointment to a new three year probationary contract for years five, six and seven starting in the fall of the fifth year (the fifth year of the second probationary appointment is thus superseded). Possible outcomes of this peer review include:
- (1) recommendation to reappoint to a fifth, sixth, and seventh year, and
 - (2) recommendation not to reappoint to a sixth year.
- d) Probationary faculty are evaluated in the peer group format in the fall of their sixth year for promotion (if applicable) and reappointment with tenure. Possible outcomes of this peer review include:
- (1) recommendation to reappoint with tenure and promote (if applicable), effective the following fall term, and
 - (2) recommendation to offer a terminal contract in year seven.

2) Evaluation Standards

The University EVAL-4 provides evaluative standards for this review. Each department also delineates the specific criteria in its Departmental EVAL-4 that it will use in evaluating its members. Such departmental criteria supplement but do not supersede evaluation criteria contained in this *University Handbook* or in the University EVAL-4. The University EVAL-4 is available on the Office of the Provost website: <https://interweb.cnu.edu/facultyresources/>

e. Tenure Decisions

1) Introduction

- a) Christopher Newport University accepts the principle of tenure as stated in the Policies of the Board of Visitors. No reference to other documents is intended or implied. An appointment with tenure may be terminated by the University as provided by Board policy and university regulations.
- b) An appointment with tenure is granted to a faculty member only after the grantee has demonstrated excellence of professional performance during a probationary period and only upon clear and compelling demonstration of a continuing need by the University for the faculty member's services. For assistant professors, the tenure and promotion review will occur at the same time and as part of a single process. These reviews are conducted in the peer group format.

2) Standards for Awarding Tenure

a) Minimum Qualifications

(1) Type of Service

Tenure is granted only to full-time faculty who hold rank in an academic department. Part-time positions and T&R administrative positions do not, in themselves, qualify the holder for tenure. However, a faculty member who earns tenure in an academic department does not relinquish tenure because of the acceptance of an administrative position on a part- or full-time basis. Faculty on restricted, term, visiting or research contracts are not eligible for tenure consideration.

(2) Years of Service

- (a) The normal probationary period at CNU is six years, and can be extended for exceptional circumstances only by the provost.

Service at one or more other academic institutions will ordinarily be counted as satisfying no more than two years of the CNU probationary period. If such credit is granted to assistant professors, the tenure and promotion reviews will occur

simultaneously. Faculty joining CNU with two years credit will undergo the fourth-year review in their second year with the tenure review scheduled in their fourth year. When one year of credit is given or when faculty begin their contracts in the spring term, the faculty member will undergo evaluation in the second and third years, with the tenure evaluation scheduled in the fifth year. Faculty hired on a probationary basis at the rank of associate or full professor are normally reviewed for tenure in their third year of a four-year contract. Exceptions to this schedule can be approved only by the provost. Tenure of an associate professor does not assume promotion in rank.

(b) One-year leaves of absence delay the tenure decision by one year; one-semester leaves do not pause the tenure clock. Exceptions to this practice are arranged in writing with the provost, who will seek advice and recommendations from the department chair and the dean.

(3) Candidates for tenure are normally required to hold the terminal degree in their field. Exceptions must be justified on the basis of the standards in XIII.8.e.2)b) and XIII.8.f.2).

b) Evaluation Standards

A decision on tenure is based on two judgments: the long-range needs of the department and the University, and the overall performance of the candidate as determined by fulfillment of evaluation standards set forth in the University EVAL-4 and the Departmental EVAL-4, departmental criteria supplement but do not supersede evaluation criteria contained in this *University Handbook* or in the University EVAL-4. These judgments of long-range need and overall performance are independent and tenure is awarded only if both judgments are positive. Since a tenure decision carries long-range implications for all concerned, this decision is made with great care. The DRC, dean, FRC, and provost consider all previous recommendations and supporting evidence, as well as information for the current year. Particular attention is given to the long-term needs of the department, college/school, and University, and to the need for the candidate in fulfilling the mission of the University.

f. Promotion Decisions

1) Academic Rank

The faculty is arranged in a hierarchical system of academic ranks, representing successively higher experience, accomplishments, expectations and recognition. For faculty members holding other than adjunct appointment, these ranks in ascending order are: instructor, lecturer, senior lecturer, master lecturer, assistant professor, associate professor, professor and distinguished professor. Within each rank are listed first the minimum qualifications that a person in that rank must possess and second (where appropriate) the evaluation standards that must be satisfied before promotion to that rank will be considered. The University EVAL-4 available on the Office of the provost website, along with the Departmental EVAL-4s, provides amplification of the evaluation standards listed in this section. Promotion reviews are conducted in the peer group format.

2) Terminal Degree

The expression "terminal degree" is defined to mean an earned doctorate other than a first professional degree that is acceptable to the University as being suitable for the position held by the holder of the degree. Examples of terminal degrees are Ph.D., Ed.D., D.B.A., D.A., Sc.D., D.S.W.; examples of doctorates that are not terminal are J.D., M.D., D.D.S., D.M.D., V.M.D. Non-terminal doctorates may be considered terminal if held in conjunction with certain master's degrees. Such exceptions must be individually authorized by the provost.

3) Rank Qualification and Evaluation Standards for Retention and Promotion

These standards apply to rank qualification, retention and promotion only, not annual review for the purpose of merit pay. Academic rank is bestowed by the Board of Visitors, consistent with the following requirements:

a) Instructor

(1) Minimum Qualifications

An instructor normally holds at least the master's degree with a minimum of 18 hours of graduate level work in the academic discipline in which service is rendered, preferably having completed work toward the accepted terminal degree in this discipline.

(2) Evaluative Standards

A university instructor will be evaluated according to standards found in the University EVAL-4 and Departmental EVAL-4 which include relevant activities recognized by the University as indicative of exemplary performance. Faculty should demonstrate achievement with evidence of valued, highly valued, and highest valued activities. Instructors are evaluated first as teachers where they must show competence and promise. Scholarship and service are expected of faculty at the rank of instructor.

b) Lecturer

(1) Minimum Qualifications

A lecturer normally holds the terminal degree in the academic discipline in which service is rendered.

(2) Evaluative Standards

A University Lecturer will be evaluated according to standards found in the University EVAL-4 and Departmental EVAL-4 which include relevant activities recognized by the University as indicative of exemplary performance. Faculty should demonstrate achievement with evidence of valued, highly valued, and highest valued activities. Lecturers are evaluated first as teachers where they must show competence and promise. Scholarship and service are expected of faculty at the rank of lecturer.

c) Senior Lecturer

(1) Minimum Qualifications

A senior lecturer normally holds the terminal degree in the academic discipline in which service is rendered, and has rendered no less than seven years of service to the University.

(2) Evaluation Standards

A senior lecturer will be evaluated according to standards found in the University EVAL-4 and Departmental EVAL-4 that include relevant activities recognized by the University as indicative of exemplary performance. Faculty should demonstrate achievement with evidence of valued, highly valued, and highest valued activities. Senior lecturers should have demonstrated excellence in teaching and service, while maintaining a relevant basis of scholarly proficiency in their field.

d) Master Lecturer

(1) Minimum Qualifications

A master lecturer normally holds the terminal degree in the academic discipline in which service is rendered, and has rendered no less than fourteen years of service to the University.

(2) Evaluation Standards

A master lecturer will be evaluated according to standards found in the University EVAL-4 and Departmental EVAL-4 that include relevant activities recognized by the University as indicative of exemplary performance. Faculty should demonstrate achievement with evidence of valued, highly valued, and highest valued activities. Master lecturers should have demonstrated excellence in teaching and service, while maintaining a relevant basis of scholarly proficiency in their field.

e) Assistant Professor

- (1) Minimum Qualifications
An assistant professor normally holds the terminal degree in the appropriate field of expertise.
 - (2) Evaluative Standards
A candidacy for appointment to assistant professor will be judged according to:
 - (a) evidence of or clear promise for exemplary performance in teaching;
 - (b) evidence of or clear promise for professional development;
 - (c) evidence of or clear promise for academic service;
 - (d) evidence of or clear promise for a history of predominantly positive evaluations;
 - (e) educational level;
 - (f) length of relevant professional experience, both academic and non-academic; and
 - (g) length of service to CNU.
- f) Associate Professor
- (1) Minimum Qualifications
An associate professor must have:
 - (a) a terminal degree in the appropriate field of expertise, or the functional equivalent authorized by the provost;
 - (b) at least four years of college/university teaching and/or relevant research/creative activity experience at the rank of assistant professor;
 - (c) at least two years of service at CNU; and
 - (d) a total of five years college or university teaching and/or relevant experience.
 - (2) Evaluation Standards
A candidacy for promotion to associate professor will be evaluated according to standards found in the University EVAL-4 and Departmental EVAL-4 which include relevant activities recognized by the University as indicative of exemplary performance. Faculty should demonstrate achievement by showing evidence of valued, highly valued, and highest valued activities spread across the three areas of teaching, professional development, and service in accordance with weights established by the University provost. The University understands the above evaluation standards as minimal qualifications for promotion with the understanding that candidates should expect to exceed these benchmarks in one or more areas:
 - (a) evidence of successful compliance with the expectations of the rank of assistant professor;
 - (b) evidence of exemplary performance in teaching;
 - (c) evidence of continuing professional development;
 - (d) evidence of outstanding academic service;
 - (e) history and promise of being a strongly contributing member of the department, college or school, university and academic discipline; and
 - (f) evidence of a history of predominantly positive evaluations.
- g) Professor
- (1) Minimum Qualifications
To earn the rank of Professor, faculty members will have attained exemplary and enduring achievement as teacher-scholars in addition to making major contributions to the University community.
 - (a) the terminal degree in the appropriate field of expertise;
 - (b) at least seven years of teaching and/or relevant research experience at the rank of associate professor;
 - (c) **at least** twelve years of teaching and/or relevant research experience; and
 - (d) at least four years of service to Christopher Newport University;
 - (e) faculty members holding administrative-professional positions are eligible candidates.

(2) Evaluation Standards

A candidacy for promotion to professor will be evaluated according to standards found in the University EVAL-4 and Departmental EVAL-4 which include relevant activities recognized by the University as indicative of exemplary performance. Faculty should demonstrate achievement by showing evidence of valued, highly valued, and highest valued activities spread across the three areas of teaching, professional development, and service in accordance with weights established by the University provost:

- (a) evidence of successful compliance with the expectations of the rank of associate professor;
- (b) **evidence of consistently** outstanding teaching effectiveness;
- (c) **evidence of a continuing program of professional development leading to widely respected peer reviewed products of scholarship;**
- (d) **evidence of continuing** leadership and high achievement in academic service;
- (e) **evidence** of great stature as a member of the department, college/school, university, and academic discipline; and
- (f) **the extent to which minimum qualifications are exceeded.**

h) Distinguished Professor –The provost publishes the Eval-1-D Distinguished Professor Calendar by the end of January.

(1) Criteria and Eligibility

The academic rank of distinguished professor is an extraordinary honor that may be accorded only those few teacher-scholars who have attained the rank of professor and who have excelled to an exceptional degree in the areas of teaching, scholarship/creative activity and service. In exceptional circumstances, extraordinary administrative service may be considered as a criterion for award of this rank. It is the intent of the University that promotion to the rank of distinguished professor will be a rare event and that it will be a capstone of recognition for a highly distinguished academic career. Specific criteria for this rank include a record characterized by:

- (a) superior teaching skills of recognized breadth and depth in the discipline;
- (b) creative and extensive scholarly publication or creative activity, establishing the nominee as a scholar of exemplary national or international reputation; and
- (c) distinguished public service, typically, but not exclusively, exemplified by the application of scholarship and/or creative and artistic endeavors in addressing the needs of the University, local, regional, or national communities.

(2) Only full-time, salaried members of the faculty holding rank in one of the University's academic departments may hold the rank of distinguished professor. No more than three percent of such faculty may hold the rank of distinguished professor at any given time. No more than one member of any department may hold the rank of distinguished professor at any given time. Because the professional record of a distinguished professor must be one of extraordinary achievement sustained over time, any person recommended to hold this rank shall have first held the rank of professor for at least seven years at CNU.

(3) Review Procedures and Protocols(a) Initiation and Departmental Action

- i. The person initiating a nomination for promotion to the rank of distinguished professor will inform the nominee and submit to the department chair of the nominee's department a letter of nomination accompanied by the nominee's current *vita*. The department chair will share the nomination, in confidence, with all full-time, salaried members of the department. Self-nominations will not be considered.
- ii. The department will review the letter of nomination and the *vita*, and will request supporting materials from the nominee. The nominee shall compile these materials into an orderly, organized dossier.

- iii. If the department supports the nomination, the department chair will write a letter of support and forward this along with the nominee's dossier to the Faculty Senate. The Faculty Senate may establish and promulgate deadlines each academic year for receipt of all nominations to be considered in that academic year.
 - iv. If the nominee is the department chair, then the dean of the nominee's college or school replaces the department chair in the processes described in this section.
 - (b) Peer Committee Action
 - i. The Faculty Senate will form a peer committee and designate its chair. This committee will be composed of five sitting distinguished professors. If insufficient numbers of distinguished professors are available, individuals holding the rank of professor will complete the committee.
 - ii. The peer committee will meet and consider the merits of the nomination. In the course of this consideration, the peer committee will seek written commentary from the nominee's dean and from the Faculty Senate. The peer committee shall make such commentary a part of the dossier.
 - iii. If the peer committee affirms that the rank of distinguished professor should be awarded, it will forward that recommendation, with the dossier, to the provost. Each academic year, any such recommendation must be received in the office of the provost no later than March 1, so as to make possible action by the Board of Visitors at its April meeting. Recommendations received after this deadline will be considered in the following academic year.
 - (c) Administrative and Board of Visitors Action

The provost will consult as he or she might deem appropriate and make a recommendation to the president. The president, in turn, will make his or her recommendation to the Board of Visitors. If approved, the promotion becomes effective at the date specified by the Board of Visitors.

When extraordinary University administrative service serves as a criterion for appointment, the process begins with the Office of the President or the Board of Visitors and involves consultation with the department chair, college dean, Faculty Senate Executive Committee, provost and president (modified if any member of the process is the candidate).

If at any point (department, DRC, provost, or president) the action of the reviewing body or office is not supportive of promotion, then the review process will cease, and the nominee and those who have previously reviewed the candidacy will be so notified. In such an event, the nominee may not be considered again for promotion to the rank of distinguished professor until at least two complete (August to May) academic years have passed.

g. Step-by-Step Procedure for a Peer Review for Probationary and Tenured Faculty

All questions of interpretation or consistency that may arise concerning these procedures are decided by the provost. The vice provost for undergraduate education has responsibility for guiding the peer review process as described in this section. Faculty members with concerns about the process should contact the vice provost for undergraduate education immediately upon their recognition.

The provost publishes the EVAL-1-R PEER REVIEW EVALUATION CALENDAR for the next academic year by the end of January, with deadlines for each step.

Step 1

The vice-provost for undergraduate education generates and provides to the deans the initial EVAL-2 FACULTY PEER REVIEW LIST and notifies candidates, chairs, and deans of upcoming review. Each dean requests the names of eligible faculty wishing to be considered for promotion to full professor from the department chairs.

Step 2

The department chair requests the names of eligible faculty wishing to be considered for promotion to full professor. The department chair submits to the dean a list of faculty requesting consideration for promotion along with any other changes to the EVAL-2.

Step 3

The dean notifies the vice provost for undergraduate education of any changes to the EVAL-2. The vice provost for undergraduate education prepares and distributes the final EVAL-2 list of candidates for peer review to the FRC and the deans; deans distribute the final EVAL-2 to chairs by department. The vice provost for undergraduate education notifies all faculty scheduled for peer review.

Step 4

The department chair (or, in the event that the evaluatee is a department chair, the dean) in consultation with the vice provost for undergraduate education organizes the Department Review Committee (DRC). The DRC should be composed of at least four and no more than seven members. The department chair submits the appropriately completed EVAL-5 CONSTITUTION OF DEPARTMENT REVIEW COMMITTEE FOR INSTRUCTIONAL FACULTY EVALUATION to the vice provost for undergraduate education for review, who may consult with the dean. General guidelines regarding DRC formation:

- a) The department chair is a member of the DRC (except the chair's own), and acts as chair of the DRC or appoints a chair. The chair of the DRC for the department chair is appointed by the vice provost for undergraduate education. When the requirements, provisions, or restrictions of this paragraph (Steps 4 b – g) conflict with the requirement or provision that the department chair serve as a member or chair of the DRC, the requirement for the department chair membership on the DRC or service as DRC chair always takes precedence.
- b) For tenure and promotion decisions and any decisions involving tenured members of the faculty, all DRC members are tenured; for promotion decisions, DRC members are also of the same or higher rank as that sought by the evaluatee. For reappointment decisions, ideally all DRC members are members of the tenured faculty. For unscheduled reviews of tenured faculty, all members are tenured and ideally of the same or higher rank as the evaluatee.
- c) When the number of tenured faculty in a department is four or fewer, it is expected that all such members will serve on the DRC. When the number is greater than four, the chair will work with the vice provost for undergraduate education to determine the DRC membership. When the number is fewer than three, additional DRC members will be selected according to the procedure outlined in paragraph d), below.
- d) The DRC will include one member from outside the department, selected as follows: The evaluatee generates a list of at least four tenured faculty members who are in the evaluatee's college but not in the evaluatee's department. The evaluatee may not approach colleagues to serve on his/her DRC. The department chair consults with the vice provost for undergraduate education to prioritize this list of nominees; consensus is to be sought but the vice provost's decision carries forward. The vice provost for undergraduate education contacts the nominees in the order of approved preference. While non-departmental DRC members ideally are chosen from within the department's academic college/school, the vice provost for undergraduate education can approve a

faculty member outside the college/school when circumstances warrant and with the permission of the evaluatee. In the event that no members of the evaluatee's generated list are able or willing to serve, the evaluatee will be asked to generate more nominees until a DRC member is appointed (thus identification of outside members must always begin with the evaluatee's nomination).

- e) Departments may approach the review process in a number of ways. For example, they can create a review committee that is expected to follow the candidate through the tenure/promotion reviews, or they can create a standing DRC for all reviews that year in the department.
- f) Members of the FRC shall not participate in any review of a member of their own academic departments or of any faculty members on whose DRC peer evaluation group they have served during that academic year. FRC members are obliged not to participate in any review in which they have a conflict of interest (see index: Faculty Review Committee).
- g) Each member of the DRC must be a full-time member of the instructional faculty serving in an instructional capacity at the time of the formation of, and throughout the life of, the DRC.

Step 5

The provost reviews the EVAL-5 for consistency with university-wide requirements, effects any necessary changes (including appointing the non-departmental member as described in d) above), certifies the membership, and forwards copies of the completed EVAL-5 to the evaluatee, the dean, the FRC chair, and all DRC members. The final membership of each DRC must be certified by the provost before any subsequent steps occur.

Step 6

The DRC holds its first (organizational) meeting and establishes timetables and procedures for the conduct of its business.

Step 7

The evaluatee submits his or her required EVAL-6 PROFESSIONAL ACTIVITIES REPORT and updated dossier to the DRC chair.

- a) The DRC will use the University EVAL-4 and the Department EVAL-a4 guidelines for evaluation.
- b) Consistent with University and departmental standards and procedures, the DRC may solicit and accept for consideration written, signed, dated information from the academic dean and other sources, including DRC members' firsthand knowledge about the evaluatee and any information from other members of the department not serving on the DRC. Such information may be added to the dossier as long as the faculty member has, at the same time, the opportunity to include a written response to the new information prior to the next step in the review process period. Examples of information to be considered are classroom visitation reports, discussions with students and colleagues, and information from chairs of committees on which the evaluatee has served. In the special case of information from a source requesting anonymity, the evaluatee may request verification of the source, without revealing the identity, by a third party mutually acceptable to the evaluatee and the DRC. If agreement cannot be reached, the third party is selected by the FRC. The DRC may recommend to the evaluatee the inclusion of additional information or clarification concerning any submissions.
- c) In its deliberations the DRC may call upon other members of the academic community to contribute written statements concerning the evaluatee and/or to participate in part or all of the deliberations. However, the decisions are those of the DRC.
- d) The DRC meets to combine the individual findings of each member. On a form furnished by the

provost, the DRC reports its recommendation, along with an accompanying statement justifying that decision.

- e) Each member signs the EVAL-7 to certify that the decision of the committee as a whole has been accurately conveyed. Members dissenting from the EVAL-7 recommendation of the committee or the summary statement may attach signed minority reports to this document.

Step 8

The DRC submits its signed EVAL-7 PEER GROUP RECOMMENDATION AND SUMMARY STATEMENT to the evaluatee for review and acknowledgment.

- a) The signed recommendations are presented to the evaluatee for signature. This signature confirms that the evaluatee has read them.
- b) If in disagreement with the recommendation or with any minority statement, the evaluatee may forward a signed statement concerning the areas of disagreement.

Step 9

The DRC submits its completed EVAL-7, signed by all committee members to indicate the accuracy of the recommendation and bearing the evaluatee's acknowledgment; the EVAL-6; and the dossier to the Office of the provost. The dossier is stored securely but made accessible to all subsequent reviewers in the process.

The vice provost for undergraduate education acts as custodian of the dossier during the period it resides within the Provost's Office. Thus any materials added to the dossier after it is received in the Provost's Office must have the authorization of the vice provost for undergraduate education, who will consult with the DRC chair. The vice provost for undergraduate education will ensure that the faculty member has the opportunity to respond to such additions, that any such written response is included with the new information, and that the written response is available to subsequent reviewers in the process.

Step 10

The Office of the Provost provides the EVAL-8/FRC and the EVAL-8/Dean in the front of each dossier for independent reviews of the materials in Step 13 by the FRC and the dean. The Office of the Provost will schedule separate and independent access to the secure room for the FRC and deans. The FRC and deans will use the University EVAL-4 and the Departmental EVAL-4 as guidelines for evaluation. Completed EVAL-8 forms will include 1) a recommendation and 2) brief comments as appropriate; a written explanation is required when the dean's and/or FRC's recommendation differs from the DRC's. The completed forms will be placed in a confidential location, designated by and accessible only to the Office of the Provost. In case of questions during the review, the FRC chair and the dean may consult with the DRC chair, department chair and authors of any minority report. No other DRC or FRC committee members are authorized to consult or to be consulted. Members of the FRC shall not participate in any review of a member of their own academic department or of any faculty members on whose DRC peer evaluation group they have served during that academic year. FRC members are obliged not to participate in any review in which they have a conflict of interest (see index: Faculty Review Committee).

Step 11

The Office of the Provost will copy the EVAL-8/FRC and the EVAL-8/Dean and send to the candidate in a confidential envelope without attending letter or comment. Candidates may not personally retrieve their forms. Candidates may submit written responses to the provost, copying the FRC chair and/or dean, within the timeframe specified on the EVAL-1.

Step 12

The provost reviews the dossier and associated documents, including comments submitted regarding FRC and dean recommendations. The provost will use the University EVAL-4 and the Departmental EVAL-4 as guidelines for evaluation. The provost forms a final recommendation, completes the appropriate section of the EVAL-8/provost. In case of questions, the provost may consult with the vice and associate provosts, the deans, the FRC and the DRC chair, the department chair, and authors of any minority report. Should there be any failure to act in Steps 1-15 in any required peer review, the dean, upon the request of the faculty member(s) to be reviewed, proceeds to develop a file and a recommendation for timely presentation to the provost.

Step 13

The provost makes available to the president the completed EVAL-8 forms.

Step 14

The president makes the University decision by completing the EVAL-8/President.

Step 15

The Office of the Provost will mail to the candidate, in a confidential envelope, a copy of the completed EVAL-8/provost and EVAL-8/president, without any attending letter or comment. The provost may also present these copies directly to the evaluatee during a scheduled meeting. The completed EVAL-6, EVAL-7 and EVAL-8 are placed in the evaluatee's official file. Copies of the EVAL-8 are sent to the department chair(who will share the results with the DRC chair, when different) and the dean. A copy of the EVAL-8 will be shared with the FRC chair as part of a permanent folder for the FRC that the Office of the Provost maintains. The EVAL-6s, EVAL-7s, EVAL-8s and dossiers are returned to the custody of the department chair.

Step 16

The Board of Visitors acts on the resolution in Step 15.

Step 17

The University EVAL-4 for the following academic year is approved by Faculty Senate and provost.

Step 18

Each department chair submits for the review of the appropriate dean a completed EVAL-4 DEPARTMENTAL STANDARDS AND PROCEDURES FOR FACULTY EVALUATIONS for the following academic year. Departments shall base their EVAL-4 criteria in teaching, professional development, and service on the broad values articulated in the University EVAL-4 and on expectations appropriate to the discipline.

Step 19

The deans and chairs work together to insure that Department EVAL-4s are consistent with University wide standards and procedures, resolve outstanding questions and issues and notify the department of any changes.

h. Evidence to be Considered in Promotion, Tenure, Reappointment, and Unscheduled Reviews

1) Annual Activities Report (EVAL-6)

Each probationary and tenured faculty member prepares an annual activities report for the preceding academic year highlighting activities for the three major areas of evaluation--teaching, professional development and service. The report should provide guidance for the DRC and the chair to areas the member considers of primary importance. It provides the starting point for the evaluation at the departmental level for those members being evaluated that year and provides information from each member for the Departmental Annual Report.

2) Dossier

Those charged with rendering judgments on faculty candidacies undertaken in the course of the University peer evaluation process (DRC, dean, FRC, provost, and president) must rely heavily on the dossier offered in support of such a candidacy for information used in rendering those judgments. It is therefore essential that dossiers have a uniform organization.

Each dossier submitted in support of such a candidacy must have a label on its spine identifying the candidate and must be arranged in the order given below with appropriately-labeled tabs as dividers between sections. The evaluatee and the DRC chair must verify that the following *required* items are in the dossier in the order indicated.

Those who review the dossier are responsible for preserving this organization before sending it on to the next level of consideration.

- (a) Current form EVAL-7 (including DRC summary statement) and EVAL-6 (in that order). These items are to be either clipped to the inside front cover of the dossier or placed in the pocket of the inside front cover. When form EVAL-8 is completed by the dean, it is to be placed on top of the form EVAL-7 in the same location.
- (b) The dossier checklist (form EVAL-10, available on the Office of the Provost website) of dossier contents, as the very first page of the dossier. This document must be executed by both the evaluatee and the DRC chair, certifying that all required components of the dossier are present and in the proper order.
- (c) **A current *curriculum vitae* for the candidate.**
- (d) **All previous annual activities reports (form EVAL-6) from the candidate's entire evaluation history at CNU (not to exceed six years, although candidates for professor or distinguished professor may choose to do so), arranged in descending order by year (most recent year first).**
- (e) Copies of *all* summary statements, recommendations and decisions generated by previous evaluations (forms EVAL-7 and EVAL-8). These materials are to be grouped together *by academic year*, with EVAL-8 preceding EVAL-7 for each year, and then arranged in descending order by academic year (most recent year first).
- (f) For tenured faculty, all IDEA reports, including student comments gathered as part of the IDEA survey, *for individual class sections* for the period of the *six most recent complete academic years and preceding summer sessions* prior to the evaluation. (For example, an evaluation taking place in 2008-2009 would require these reports for all classes in which IDEA was administered in the 2002-2003, 2003-2004, 2004-2005, 2005-2006, 2006-2007, 2007-2008 academic years.)

For non-tenured faculty, all IDEA reports, including student comments gathered as part of the IDEA survey, *for individual class sections* generated since the date of initial appointment. These reports are to be arranged in reverse chronological order (most recent first).
- (g) Documentation related to *teaching*, such as course syllabi and examinations, for the same period and in the same order as in item (f). Data collected for assessment purposes cannot be used for faculty review.
- (h) Documentation related to *professional development*. **Tenured faculty are to include such materials for the most recent six years, and may also include materials from the period**

since the last successful evaluation. All other faculty are to include such material for the period since their initial appointment. Preprints or reprints of published papers, papers presented at academic meetings, copies of manuscripts in progress, or other evidence of scholarly activity (e.g., jury reports on exhibitions or performances) *must be included* if the activity is claimed on a form EVAL-6 or any other relevant document present in the dossier.

- (i) Appropriate documentation pertaining to the nature and quality of *service* for the same period as in (h). "Service," as the term is used here, pertains to service to the University, to the profession, to the candidate's discipline, or to the region, the Commonwealth, or the nation. Service that is external to the University should be of such a nature as to clearly be related to one's status as a professional in the faculty member's discipline and/or one's status as a member of the faculty of the University.
- (j) Other materials may be included, but they should be grouped separately *and not integrated into the materials referenced above*. If other materials are included, their role in supporting the candidacy should be clearly identified and their bulk should be kept to a minimum.

3) Departmental Enrollment Patterns and Projections

For decisions involving retention of a faculty member or the award of tenure to a faculty member, the recommendation or decision which is made at each level (DRC, dean, FRC, provost, president) of consideration must take cognizance of the continuing need that the University will have for the evaluatee's services. Recommendations for retention or tenure must be compatible with the long-term instructional needs of the University.

i. Evaluation Areas

The evaluatee supports the statements in the EVAL-6 Annual Activities Report through inclusion of relevant materials in the dossier. These relate to the three major areas of evaluation, which the peer group considers in reaching its recommendation.

1) Teaching Effectiveness

Teaching effectiveness is the most important element in the evaluation process. Consistent with the University EVAL-4, teaching effectiveness includes meeting classes regularly and keeping posted office hours. Materials included should provide evidence of course planning, selection of course materials, and other indicators of effectiveness as a teacher. Documentation may include examples of course syllabi, tests, handouts, self-description of teaching methods, statement of colleagues following class visitation, or other statements by colleagues. IDEA Reports for class sections rated using the *Student Rating of Instruction* are included in this section of the dossier. Data collected for assessment purposes cannot be used for faculty review.

2) Professional Development

Professional development includes participation in professional societies, including presentations; formal and informal interaction with university peers in professional matters; participation in short courses and additional course work in professionally related areas; completion of additional degrees; research in progress and publications; attainment of honors and awards.

Faculty members serving on probationary appointments are expected to either already hold a terminal degree acceptable to the University for the position held or else to be making satisfactory progress toward the completion of such a degree according to a timetable that can realistically (in the judgment of the University) result in the actual conferring of such a degree upon the faculty member in advance of tenure considerations, if any.

The professional development of every faculty member is expected to include contributions to the fund of knowledge in the appropriate discipline. Such contributions will ordinarily take the form of scholarly publications in the refereed literature of the faculty member's discipline but may, in certain

disciplines (for example, the visual or performing arts), take the form of exhibitions, performances, etc. that are subject to critical and scholarly review. This area of evaluation will be given special emphasis in evaluations of members of the graduate faculty.

Documentation includes copies of transcripts, certificates, or diplomas; copies of research proposals and awards of research grants; preprints or reprints of scholarly publications; reports of referees or reviewers; and summaries of citations of the faculty member's scholarly work. A current vita is included in this section of the dossier.

3) Service

Service includes service in the department, including advising, carrying out departmental assignments, meeting deadlines, and interpersonal effectiveness with colleagues; to the University, including attendance at faculty meetings, performance on committees, cooperation with university policies and meeting deadlines; and to the community in providing professional expertise in any way that makes the community aware of the presence and concern of the University. Documentation of the above may be in the form of statements by department chair, administrative personnel, community people or a self-report.

4) Other Considerations

In addition to evaluating a faculty member's performance, the DRC considers those departmental trends which are likely to change the expectation of a continuing need for the member's service. These trends are enrollment patterns, especially within the faculty member's areas of specialization, and projections of need for services.

j. Student Rating of Instruction

1) Student Rating of Instruction serves two distinct functions: providing data to help evaluate teaching effectiveness and providing guidance for improving instruction. The former function is served by the IDEA Student Ratings of Instruction survey, which is administered University-wide in each class section as directed by the provost. Note that, the IDEA is not the sole instrument for evaluating faculty teaching effectiveness.

2) IDEA Student Rating of Instruction are carried out by each department at a time specified by the provost, after mid-terms and before the last two weeks of each semester. Other evaluations of teaching will be carried out by the departments at a time specified by the provost. IDEA Student Comments are returned to the instructor with the IDEA reports.

3) IDEA Survey Review Procedures

Step 1:

A faculty member who wishes to challenge the accuracy of any part of an IDEA report shall file a written request for review with the chair of the Faculty Review Committee. Any such request should state with reasonable specificity the nature of the alleged discrepancy. All such requests must be received by the committee chair within thirty days of the first day of classes of the next regular semester. No action need be taken on requests filed after that date.

Step 2:

The chair of the Faculty Review Committee shall within seven days of the deadline prescribed in item Step 1 above:

- a) notify the appropriate department chair, the appropriate academic dean, and the provost that the challenged IDEA survey results should not be used as a basis for any action or decision concerning that faculty member's welfare until notification has been received regarding the disposition of the challenge; and

- b) appoint three (3) members of the committee to serve as a review team for the particular request. The members of the review team appointed by the chair shall be selected from departments other than the department of the requester; and
- c) acknowledge in writing to the faculty member concerned of the receipt of the request; and advise the faculty member of the membership of the review committee. Notice sent by campus mail to the requester shall be sufficient for this purpose.

In no event shall the requester serve on the committee appointed to review the request.

Step 3:

The review team shall schedule a meeting date with the requester to review any alleged discrepancies within fourteen (14) days of its appointment. At least ten (10) days advance notice shall be given the requester of the meeting date. Notice sent to the requester by campus mail shall be sufficient for this purpose. At the meeting so scheduled, the review team shall be available to answer any questions regarding the formulation of the report.

Step 4:

It will then be the responsibility of the review team to investigate the accuracy of the IDEA report. Should any discrepancy be discovered it shall be the responsibility of the review team to determine the effect, if any, that said discrepancy has or might have upon the requester's report.

Step 5:

It shall be the responsibility of the review team to prepare and submit to the chair of the Faculty Review Committee, within fourteen (14) days of the review meeting, a statement of the finding and any recommended action to be taken. A copy of this report shall be sent simultaneously to the requester. If the opinion of the review team states that a discrepancy does exist, the team's findings shall include therein a statement regarding the effect that said discrepancy has or might have upon the particular evaluation together with the recommended action to be taken.

Step 6:

The Faculty Review Committee shall, by majority vote, either accept or reject the team's findings no sooner than seven (7) days and no later than fourteen (14) days after its submission to the chair. A copy of the committee's decision shall be sent to the requester, the appropriate department chair and dean, and the provost. Should the committee conclude that a discrepancy does exist, it shall specify in its decision the means by which to correct said discrepancy.

Step 7:

Should the requester be dissatisfied with the decision of the Faculty Review Committee, the faculty member may file a written appeal, to the provost. Should an appeal reach this stage, it will be with the understanding that in no event shall the requester have access to any original data. The provost will act on any such appeal within thirty (30) days of its receipt.

Step 8:

Should the FRC, its chair, and/or Review Team fail to meet the responsibilities detailed above, the provost shall, by such means as the provost deems most appropriate to the circumstances, decide and rule upon all aspects of the challenge in question - such decision to be rendered within ninety (90) days of the date on which the provost determines in writing that the responsibility has not been met.

- 4) The IDEA Student Ratings of Instruction report and the original electronic comments of participating students shall be kept for five years by the Office of the Provost as they have potential relevance to an appeals process:

- Step 1. Written challenge initiated by faculty member.*
- Step 2. The chair of FRC appoints review team with seven days. Requester notified by the chair of FRC of membership of Review teams.*
- Step 3. Review Team schedules meeting with requester within fourteen days, with ten days' notice of meeting.*
- Step 4. Review Team investigates accuracy of report.
- Step 5. Review Team reports to the chair of FRC within fourteen days.*
- Step 6. FRC votes by majority on acceptance or rejection of Review Team's Report no sooner than seven days and no later than fourteen days of its submission to the chair.*
- Step 7. Written Appeal to the provost is initiated by requester.

*Dated copy sent at same time to (1) chair of the Faculty Review Committee and (2) provost.

k. Policy for Adjunct Observation and Evaluation

Adjunct faculty are reviewed by department chairs or graduate program coordinators (GPCs) at least once per academic year using the following procedure.

- 1) Each adjunct faculty member who is the instructor of record for a CNU course must undergo peer observation of at least one class session annually. Such observation must take place during the first semester of employment, and then annually thereafter.
- 2) The department chair or GPC may elect to conduct the peer observation or appoint a departmental colleague. Ideally the peer observer would be a tenured or long-term faculty member. Since expertise and instructional skill is of paramount importance, a renewable-term faculty member may conduct peer observations if he or she has five years of teaching experience, at least two of which have been served at CNU.
- 3) The peer observer and the adjunct faculty member must agree upon the date of the classroom visit in advance.
- 4) Following the visit, the observer fills out the *Adjunct Classroom Evaluation Form* maintained by the relevant college or, for a graduate program, by the director of graduate studies (facultyresources.cnu.edu). The observer submits the form to the department chair or GPC.
- 5) The department chair or GPC uses the completed *Adjunct Classroom Evaluation Form* and the results of the IDEA student survey to compose a brief (one- or two-paragraph) evaluation of the adjunct's overall work. This evaluation should be informed by the observation and other metrics and should include a copy of the relevant IDEA report. The department retains a copy of the evaluation and sends a copy to the Dean's or Graduate Studies' Office by the first week of the following semester.
- 6) The dean's or graduate studies' office will be the main repository for purposes of audit. Upon request, deans may be required to provide such forms to the Provost's Office for SACSCOC reaccreditation reports.
- 7) The chair or GPC reviews the evaluation completed in step 5 with the adjunct faculty member, who may be continuing with the University. The chair may share all, part, or none of the initial observation with the adjunct. The evaluation and review should be formative. However, the review also confirms that instruction is occurring at a high level of quality.
- 8) While preparing an adjunct contract in subsequent semesters, the dean or director of graduate studies will review the employee's file and notify the chair or GPC if a review is needed during the contract period.

9. Termination of Appointmentsa. Tenured Faculty Appointments

The employment of a faculty member with a tenured appointment may be terminated at any time as a consequence of:

- 1) retirement;
- 2) resignation;
- 3) failure of the faculty member to execute and return a new employment contract within the time period specified by the University, such failure to be deemed a voluntary resignation;
- 4) physical or mental incapacity;
- 5) financial exigency as declared by the Board of Visitors;
- 6) non continuance of positions compensated by wages;
- 7) elimination or reduction of a program, department, or college/school;
- 8) declaration of an emergency, as made by specified Board resolution;
- 9) dismissal for one or more of the following causes:
 - a) incompetence in one or more areas of assigned responsibilities;
 - b) continuing neglect of duty in one or more areas of assigned job responsibilities;
 - c) academic misconduct in one or more areas of teaching, research, public service, or administration;
 - d) physical or mental incapacity in one or more areas of assigned job responsibilities;
 - e) fraud or falsification of official documents, credentials, or experience;
 - f) violation of Board policies;
 - g) violation of the terms of the employment contract;
 - h) violation of the rights and freedom of students, Board members, or employees of the University; and
 - i) conviction of a felony after initial employment.

b. Non-Tenured Faculty Appointments1) General

There are seven (7) types of instructional faculty appointments other than tenured appointments:

- a) part-time;
- b) temporary;
- c) restricted;
- d) probationary;
- e) terminal;
- f) adjunct; and
- g) sponsored research.

Each of these instructional faculty appointments is for the term specified in the employment contract and terminates automatically at its expiration date, subject to the right of tenured faculty members only to be offered new employment contracts for the succeeding academic year and the right of faculty members holding probationary appointment to receive reasonable notice in the event they are not to be offered new employment contracts. The University is not obligated to show cause when a nontenured faculty member is not offered a new employment contract.

2) Probationary Faculty Appointments- Reasonable Notice

Although a new appointment may be made for probationary faculty members in writing at the University's discretion, the University is not obliged to show cause or state reasons when no new appointment is made. When hired at the assistant professor rank, all probationary faculty are offered three-year contracts that include a terminal year in case of non-reappointment. When hired at the associate or professor rank, probationary faculty are offered a single four-year contract, with the tenure review scheduled in the third year. The fourth year serves as a terminal year in a negative tenure decision; a positive decision voids the fourth year as the faculty member begins tenured status in the fourth year.

3) Termination within a term of employment

Employment of a faculty member with a nontenured faculty appointment may be terminated at any time as a consequence of the circumstances under which a tenured faculty member may be terminated at any time (see index: termination of non-tenured appointments).

c. Procedures for Termination Due to Financial Exigency and Elimination or Reduction of a Program, Department, or College/School

For faculty members with tenured faculty appointments and for faculty members with other than faculty tenured appointments within the term of their contract, terminations may be made as a result of financial exigency or elimination or reduction of a program, department, or college/school. For such terminations the following procedures are to be followed whenever reasonably possible and with reasonable timetables established for steps (1) through (7) as determined by the provost. In the event a step is not completed on schedule, that step is omitted and the next step is begun.

- 1) The Faculty Hearing Committee (FHC) is notified by the president or the president's designee that one or more terminations are being considered in accordance with the provisions of this subsection.
- 2) Within two calendar weeks of the date of the presidential notification, the provost presents to and discusses with the FHC all information pertinent to the possible termination(s).
- 3) The FHC considers the information, formulates written recommendations concerning the proposed termination(s), and forwards its recommendations to the provost within four calendar weeks of the presidential notification. In formulating its recommendations, the FHC may request additional relevant information and call upon other members of the University for advice.
- 4) If, after reviewing the FHC's recommendation, the provost decides to continue the termination process, then the provost notifies, in writing, within seven calendar weeks of the presidential notification, those individuals immediately affected, specifying the reason(s) for the termination. A copy of the FHC's written recommendations accompanies this notification. Should the provost decide not to continue the termination process, those individuals who would have been affected are notified and the process terminates at this point.
- 5) Following receipt of the provost's recommendation, the president decides whether the termination(s) being considered will be carried out. If the president's decision is not to recommend termination to the Board of Visitors, the termination procedure ends. If the decision is to proceed with the termination(s), the president prepares a resolution of termination for presentation to the Board of Visitors. Termination results from passage of the resolution by the Board and becomes operative on the date specified in the resolution. Notification by certified mail is made by the president or the president's designee to the last known address of the terminated faculty member.
- 6) The Board of Visitors, at its discretion, may hold a hearing upon the written request of the affected faculty member(s). A request for a hearing must be filed within ten (10) calendar days of the certified mailing date of the president's notification of intent to present a resolution of termination to the Board. Absent such written request, all hearing rights are waived.
- 7) The University's grievance procedures do not apply to decisions concerning or resulting in termination under this section.
- 8) Order of Consideration of Positions
 - a) The order in which positions are normally considered for termination is:
 - (1) part-time;
 - (2) temporary;
 - (3) terminal;
 - (4) restricted in order of rank: instructor, lecturer, senior lecturer, master lecturer;

- (5) probationary; and
- (6) tenured.

However, in all cases, the order of termination must be consistent with the academic needs of the department(s) in which reduction is made as determined by the provost, with the approval of the president.

- b) If a decision involves more faculty members holding like appointment that are to be considered for termination, discrimination among such members is based upon the results of the evaluations of these members for the past six years and other relevant documented evidence.
- d. Procedures for Termination Due to Physical or Mental Incapacity
Termination for physical incapacity under section XII.9.a.4) or section XII.9.a.9)d) is based upon evidence that the faculty member will be unable to meet the faculty member's responsibilities for a period exceeding that covered by existing university regulations on leaves of absence for illness or other disability. Appropriate evidence of physical or mental incapacity is required. In considering termination of a faculty member under this subsection, the University will comply with applicable law(s) protecting the employment interests of handicapped individuals. If medical evidence establishes that the incapacity is likely to be temporary in nature, the University, as an alternative to termination, may, at its discretion, extend the leave period, with or without pay, for a reasonable period of time beyond its normal expiration. If the University initiates termination proceedings for physical or mental incapacity, the faculty member has access to the procedures for dismissal due to termination for cause set forth herein.
- e. Procedures for Termination due to Dismissal for Cause

- 1) Preliminary Proceedings

When reason arises to question the fitness of a tenured faculty member or one whose nontenured appointment has not expired, the provost of the University, in consultation with the faculty member's dean, decides whether formal dismissal proceedings shall be initiated or whether some lesser sanction shall be imposed. If the provost concludes that formal dismissal proceedings are appropriate, the provost shall prepare and communicate to the faculty member a statement of charges, with reasonable particulars. This communication shall also advise the faculty member that, if the faculty member so requests, a hearing shall be conducted by a faculty committee. If within seven (7) calendar days of receipt of the statement of charges, the faculty member does not so request in writing to the provost or the provost's designee, the hearing is waived.

If the faculty member does wish a hearing, the faculty member's written response to the provost's notification should include an answer to the charges upon which the hearing will proceed. The hearing shall be conducted in accordance with the procedure outlined in Sec. XII. 9.e.2.b-f. If the faculty member waives a hearing, the provost shall forward a recommendation to the president that the faculty member be dismissed. The faculty member may submit objections to this recommendation within five (5) calendar days. The president shall decide whether dismissal is appropriate in accordance with the Sec. XII. 9.e.2.f.

(Note: In this and all other steps in the formal dismissal procedure, if the day on which an act is to be done falls on a Saturday, Sunday, or University holiday, the next regular business day becomes the operative date.)

- 2) Formal Dismissal Procedures and Information

- a) Faculty Dismissal Hearing Panel (DHP)

The Faculty Dismissal Hearing Panel (DHP) hears dismissal cases and advises the president on dismissals. The DHP consists of five (5) members of the Faculty Hearing Committee not previously concerned with the case who are selected by lot by the FHC chair. The provost and the faculty member are each allowed one preemptory challenge to the resulting membership on the

DHP, and each is allowed one additional challenge for cause. Rulings on challenges for cause are made by the unchallenged members of the DHP, a majority being required to sustain a challenge for cause. Replacement of any member of the DHP excluded from service is by lot from among the remaining members of the FHC. If this process does not yield five (5) members eligible to serve on the DHP, the remaining places on the panel shall be filled by tenured faculty members not previously concerned with the case selected randomly from the roster of full-time instructional faculty. Once empaneled, the DHP elects one of its members as chair.

b) Notice of Hearing

If the faculty member has made a timely request for a hearing, the DHP, within three (3) working days of being empaneled, establishes a time, date, and place for the hearing and so notifies the faculty member, the president, and the provost at least ten (10) calendar days before the hearing date.

c) Pre-Hearing Conferences

The DHP chair may initiate pre-hearing conferences with the DHP, the provost, and the faculty member for the purpose(s) of:

- (1) establishing relevant facts which are not in dispute;
- (2) exchanging and providing to the DHP copies of documentary or other evidence;
- (3) clarifying the grounds upon which dismissal is being sought and the responsive answer of the faculty member; and
- (4) achieving such other objectives as will make the hearing fair, effective, and expeditious.

d) Hearing

- (1) The formal hearing shall commence within twenty (20) calendar days from the date the DHP is empaneled. However, this period may be extended for a reasonable additional time at the discretion of the president if, in the president's judgment, commencing the hearing within this period would create undue hardship for a party to the proceeding or a member of the DHP or unreasonably interfere with the ordinary operation of the University.
- (2) The faculty member has the right to be present at the hearing to present arguments and evidence against the charges and/or may submit written documentation in the faculty member's defense. During the hearing procedures, the faculty member and the provost will be permitted to have an academic adviser and/or counsel present.
- (3) At the request of either party, one representative of each of one or more educational/professional associations may attend the proceedings as observers.
- (4) A record of the hearing will be made and a copy made available to the faculty member at no charge.
- (5) The recommendation of the DHP will be limited to addressing the charges which have been brought against the faculty member and will be based upon evidence presented.
- (6) The faculty member and the provost (including their counsels and advisers) have the right to confront and cross-examine all witnesses present. If a witness cannot or will not appear, the DHP may consider a written, notarized statement for whatever probative value it might have in the absence of an opportunity for cross-examination. The DHP chair will assure in general that witnesses are treated with an order of respect appropriate to an academic hearing and will assure, in particular, that witnesses are not subjected to intimidation through hostile questioning or other means.

- (7) The University administration will cooperate to the extent reasonable under the circumstances with the available documentary and other evidence. Although all witnesses and evidence should be available at the time set for the hearing, in extraordinary circumstances, the chair of the DHP may grant brief and reasonable adjournments, not to exceed two (2) working days, to prevent substantial prejudice to either party.
 - (8) In a hearing on charges of incompetence, the testimony may include that of qualified faculty members from this or other institutions of higher learning.
 - (9) The DHP is not bound by strict legal rules of evidence, discovery, or procedure and may consider any evidence, which is of probative value in formulating its recommendation concerning the dismissal. Deviation from these procedures is not grounds for reconsideration or reversal of the DHP's recommendation so long as the faculty member has received a fundamentally fair hearing and neither the faculty member nor the University has been unduly prejudiced as a result of technical error in the proceedings.
 - (10) The chair of the DHP rules on all questions of procedure and is responsible for conducting the hearing as expeditiously as possible without undue prejudice to the parties.
 - (11) When the DHP has heard the testimony and received the evidence on the dismissal charges, the hearing terminates. Deliberations of the DHP after the close of the hearing are in private conference.
- e) Recommendation of the DHP
- (1) The DHP submits its judgment on each specific charge and its recommendation of dismissal or no dismissal to the president within thirty (30) days of being empaneled, unless the president, at the president's discretion, extends the time period for good cause. For the recommendation of the DHP to be considered by the president, it must be submitted within the authorized time. The DHP is dissolved at the end of the time or at the end of submission of its recommendation, whichever comes first. The hearing record and all evidence are forwarded to the president.
 - (2) The recommendation of the DHP must be supported by a majority of its members. Any member of the DHP who disagrees with the majority recommendation may prepare a minority report, which will be attached to the DHP recommendation submitted to the president.
 - (3) The president sends a copy of the DHP's recommendation and minority report, if any, to the faculty member and to the provost. Any claim that the DHP recommendation or any previous aspect of the dismissal proceedings has been affected by prejudicial impropriety or unlawful discrimination must be presented in writing with specificity for the president's consideration within five (5) calendar days of receipt from the president of a copy of the DHP recommendation.
- f) Decision by the President
- If the president decides that dismissal is appropriate, the president prepares a letter of dismissal and notifies the faculty member or the faculty member's representative of the president's decision by sending this letter by certified mail to the last known address. This letter will advise the dismissed faculty member of the faculty member's right to appeal, the dismissal by requesting of the president, in writing within thirty (30) days of the date of posting of the president's letter of dismissal, a hearing by the Board of Visitors. If no timely request for a Board hearing is made, the hearing right is waived.
- g) Appeal to the Board of Visitors

In the event that a timely request for a Board hearing is made, the president shall so notify the rector of the board; and the rector will establish the time, date, and place for the hearing and will notify the appropriate parties accordingly. The Board may proceed in whatever manner it deems appropriate to provide the dismissed faculty member a reasonable review of the dismissal action.

h) Status of the Faculty Member During Dismissal Proceedings

During dismissal proceedings a faculty member may be suspended or assigned other duties in lieu of suspension at the discretion of the president. Such suspension or reassignment may occur at any time after reason has arisen to question the fitness of the faculty member. If, in the opinion of the president, the presence of a suspended faculty member on campus would present a threat to property or persons or disrupt any of the University's operations, the president may bar the faculty member from all or part of the University buildings and grounds. Any person so barred may request permission to return to campus to retrieve personal property while accompanied by a University official designated by the president. Salary continues during the period of suspension; however, no salary will be paid for periods of time during which a suspended faculty member is employed elsewhere or is self-employed in a substantially full-time capacity.

i) Confidentiality

Dismissal proceedings are considered confidential, and publicity or public statements are avoided unless authorized by the Dismissal Hearing Panel in order to gather information before or during its hearing.

J) Discontinuance of Compensation

The compensation of any faculty member, tenured or non tenured, who is dismissed under this section will be discontinued as of the date of posting of the president's letter of dismissal. If the faculty member timely requests a Board hearing, and as a result of such hearing the dismissal decision is reversed, the faculty member will be compensated for the time period between posting of the president's letter of dismissal and any subsequent reversal of the dismissal decision.

k) Suspension of Notice of Termination/Employment Schedules

The schedules for notice of termination or intent to offer new employment contracts are not applicable to the affected faculty member during dismissal proceedings.

If, during the course of dismissal proceedings, an operative notification date passes without the University's offering an employment contract or giving notice that no employment contract will be offered for the following academic year, the affected faculty member does not thereby automatically become entitled to be offered further employment or compensation.

If the proceedings result in a decision not to dismiss, the faculty member will be entitled to whatever employment considerations the faculty member would have received in the absence of the dismissal proceedings.

l) Caveat to Nontenured Faculty Members

The procedural due process described in this section applies only to tenured faculty members and to non tenured faculty members whose dismissal is sought for stated cause during the term of a non tenured appointment. The existence of these procedures should not be construed by non tenured faculty members as limitation on the University's right to decline, without stating reasons, to offer new employment beyond the expiration of the non tenured appointment.

m) The grievance procedures provided below are neither applicable to the dismissal process nor available to faculty who have been dismissed.

10. Faculty Grievance Procedures

A grievance is an allegation by a faculty member that the faculty member has suffered direct material or professional injury as a result of a decision or action by an administrative officer of the University or a colleague that either misinterprets or misapplies existing policy, regulation, or law. The redress sought must be of a nature the University has the authority to provide. The grievance process is not intended to provide a means for challenging the merits of a lawfully promulgated policy or regulation or for reviewing the merits of a decision or action without substantial evidence that applicable policy, regulation, or law has been violated to the detriment of the grievant. For a grievance to be properly considered, therefore, the grievant must clearly identify: 1) the decision or action in question; 2) the policy, regulation, or law allegedly misinterpreted or misapplied; 3) the facts supporting the allegation; and 4) the redress sought.

Termination of appointments and questions concerning salary, wages or other compensation are not grievable matters under this section (Faculty Grievances Procedures).

a. Informal Grievance Procedures

The grievant presents to the person who made the decision or took the action in question a written request for reconsideration in light of the criteria for a proper grievance as set forth above. This request must be made within fifteen (15) calendar days of notification of the decision or action.

b. Formal Grievance Procedures

- 1) If the grievance has not been resolved through the informal procedures to the satisfaction of the grievant, the grievant may petition the Faculty Grievance and Hearing Committee for consideration of the grievance. If a petition is not filed with the Faculty Grievance and Hearing Committee (FGHC) within fifteen (15) calendar days after notification of failure of the grievance to be resolved informally, the grievance is terminated without recourse. The petition is directed to the chair of the FGHC and must clearly identify, in writing: 1) the decision or action in question and the person against whom the grievance is being filed; 2) the policy, regulation, or law allegedly misinterpreted or misapplied; 3) the facts supporting the allegation; and 4) the redress sought.
- 2) The chair of the FGHC acknowledges in writing to the grievant and the person against whom the grievance has been filed receipt of the petition within three (3) working days of receipt.
- 3) The chair of the FGHC may then call upon other members of the FGHC or the University community to assure that the petition has been timely filed and contains grievable matters and that the Informal Grievance Procedures have been completed.

Only if these requirements are met is a grievance properly before the FGHC. The chair of the FGHC notifies the petitioner of the acceptance or rejection of the petition; this determination should normally be determined within one week. If the grievance petition is rejected, the reason for rejection is stated in the notification, which is also reported to the Committee members at that time.

- 4) If the grievance is properly before the FGHC and remains unresolved, the chair selects, by lot from among the membership of the FGHC, a Faculty Grievance Panel (FGP) consisting of three members. If any member of the FGP is a member of the department of the faculty member filing the grievance or if the FGP member feels that he or she has a conflict of interest, that member must state that and be removed from the panel and another committee member will be chosen by lot. The party defending against the grievance and the grievant are, in turn, allowed one (1) peremptory challenge to the membership of the panel, and each party is allowed one (1) additional challenge for cause. Challenges for cause are decided by the unchallenged members of the FGHC, and replacement of any member excluded from the panel is by lot from among the remaining members of the FGHC. The FGP elects one of its empaneled members to chair the panel.
- 5) The chair of the FGP arranges with the concerned parties the time(s), date(s), and place(s) of meetings(s) to consider the matters alleged in the grievance. The panel seeks initially, through

informal discussions, to assist the parties in reaching a resolution. If, however, resolution cannot be reached through informal discussions, the panel may examine written statements and documents submitted by both parties and interview individuals that may possess information relevant to the grievance. If at any time during its consideration of the grievance a majority of the panel concludes that the petition does not meet the requirement for proper consideration by the FGHC, the panel may recommend to the full FGHC and its chair that acceptance be revoked. Alternatively, the FGP may state such conclusion in its final report.

- 6) The FGP shall complete its operations within thirty (30) calendar days of the date the grievance petition was filed with the FGHC unless the time period is extended under the provisions of subsection 7) below. Within this time period, the FGP submits its signed report and recommendations to the grievant and the party against whom the grievance is directed. The FGP report is also transmitted to the administrative officer immediately above that against whom the grievance was directed or, in the case of a grievance against the president, to the Board of Visitors. The officer receiving the recommendation (or the Board, as appropriate) takes final action and notifies all concerned of that action. Failure by the FGP to transmit its report within the 30-day limit (or extended time period if applicable) dissolves the FGP and refers the case to the president for disposition.
- 7) The time periods set forth in the informal and formal grievance procedures may be extended at the discretion of the president in extraordinary circumstances where adequate consideration of the grievance would be impaired if limited to the time periods established in this section.
- 8) Independent of these grievance procedures, the Board of Visitors may hear appeals, of full-time faculty on decisions of the president on matters of initial employment, promotions, tenure, or terminations other than dismissal at its discretion. In order to request a discretionary Board hearing, a written petition containing the particulars of the grievance and the grounds for seeking reversal of the president's decision must be delivered to the president not later than five (5) working days from the date of notification of the president's decision. The president will promptly transmit the petition to the Board.
- 9) The grievance procedures described in this section are available to a faculty member with regard to a particular decision, action, or recommendation only once. Once the opportunity for recourse through these procedures has passed, or once the processes of this section have been initiated, they cannot be initiated again relative to the same decision, action, or recommendation. Further decisions, actions, or recommendations taken under the provisions of this section are not themselves grievable in any fashion.

11. Emeritus Status

Upon retirement, a faculty member who has served with distinction and with at least ten (10) years of service at Christopher Newport University (or seven years at Christopher Newport University if the faculty member has at least 20 years of teaching/research service to academe or professional service and has attained the academic rank of professor) may be awarded the rank of professor emeritus upon nomination and supporting statement of the faculty member's department and dean, the recommendation of the Faculty Senate, the recommendation of the provost and the president, and the approval of the Board of Visitors. Emeritus faculty enjoy many of the rights and privileges of full-time, salaried instructional faculty. Emeritus faculty will be issued an ***Emeritus Faculty CNU identification card*** that will enable them to access certain services available to full-time salaried faculty. These include faculty library privileges, access to the Freeman Center and Trieshmann Fitness Center, a cost-free CNU email account, a one-course-per-semester tuition waiver, and standard faculty discounts at the Captain's Locker, Ferguson Center for the Arts, and athletic events, and a cost-free parking decal for on-campus parking.

12. Personnel File

Every faculty member has the right to access and review his or her permanent personnel file during normal

business hours. If any document is placed in this file that has the potential to do harm to the faculty member's personal or professional reputation, including but not limited to letters of complaint, reprimand or admonition, the faculty member will be notified in writing. The faculty member has the right to respond in writing and have the response placed in the personnel file. Unsubstantiated complaints or accusations will be removed.