



**ARKANSAS STATE
UNIVERSITY
FACULTY
HANDBOOK**

ADOPTED BY THE ASU BOARD OF TRUSTEES

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June 4, 2020

This revised Faculty Handbook is long overdue and has been several years in the making. Recall, the plan has been to tackle the 2006 Handbook one section at a time vetting each revised section through the shared governance processes and reassembling the entire Handbook once completed for Board of Trustee approval. This process should culminate in the spring of 2018.

Like the original 2006 edition the current Handbook contains five sections. Content has been edited to eliminate redundancies and relocate some information to other locations which may be accessed easily via links. Specifically, the previous section regarding shared governance has been relocated to the Shared Governance Handbook which will reside in the Chancellor's Office. In addition, an initial attempt has been made to compile all of the existing university committees into categories and achieve them into The Book of Committees which will be located on the web and easily accessed via links from their respective sources and descriptions.

The revised handbook sections include:

- Arkansas State University's (hereinafter referred to as A-State) Mission, Core Values, Priorities, and Goals
- Faculty Personal Policies
- Academic Policies and Procedures
- Promotion, Retention, Tenure, Post-Tenure Review, and Dismissal Policies and Procedures
- Faculty Grievance Procedures

Currently, only one section awaits shared governance approval that being Section II (Faculty Personnel Policies) which is currently under shared governance review. The faculty personnel policies section has been edited to only include policies and information directly regarding faculty. The remaining information applicable to employees has been relocated to the ASU System Staff Handbook. The faculty grievance procedure was vetted through shared governance, but was pulled prior to Trustee approval for a slight modification and is now ready to undergo a final vetting and be sent for Board of Trustee approval. All of the material in sections I, III, IV and V and is unchanged and ready to be approved.

FOREWORD

The Arkansas State University-Jonesboro (hereinafter referred to as A-State) *Faculty Handbook (FH)* is a living and evolving document. For it to have life and meaning, all parties have agreed to act in the spirit of collegiality, good faith, and mutual respect while implementing its provisions. It is the responsibility of the A-State Faculty Handbook Committee to determine if proposed changes to the *FH* are editorial or substantive. All substantive proposed changes to the *Faculty Handbook* will be made through shared governance process and forwarded to the Chancellor for presentation to the Arkansas State University System (hereinafter referred to as the ASU System) Board of Trustees.

The *Faculty Handbook* provides information about A-State for current and prospective faculty members. Other information applicable to members of the faculty may be obtained from the Assistant Vice Chancellor for Human Resources, or accessed on the university website. The official copy of the *Faculty Handbook* is in the custody of the Provost and Vice Chancellor for Academic Affairs and Research and may be accessed on the university website at <http://www.astate.edu/a/academic-affairs-and-research/faculty-info/orientation/index.dot>

This *Faculty Handbook* recognizes that faculty have the responsibility for policy development in such fundamental areas as curriculum, research, scholarship, creative activities, faculty service, faculty status, and those aspects of student life that relate to the education process. This *Faculty Handbook* also recognizes that the administration retains all its prerogatives of constitutional and statutory governance.

This version of the *Faculty Handbook* repeals and supersedes all previous editions. All amendments or revisions will be published following approval by the Board of Trustees with a note indicating the date of approval.

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Section I

Section I covers university principles including mission, core values, vision, priorities and freedoms. Additionally, Section II covers Stake Holders, Administrative Structure, Academic Units, and Councils and Administrative Bodies.

I. A-State Campus's, Mission, Core Values, Institutional Vision, Priorities, Freedoms, Goals, Stake Holders and Governance.

I.A. University Mission Statement

A-State *educates* leaders, *enhances* Intellectual growth, and *enriches* lives. (A-State = e³)

I.B. Core Values

A-State values the following as central to our success:

- A-State does not discriminate on the basis of color, sex, sexual orientation, gender identity, race, age, national origin, veteran status, genetic information or disability in any of its policies or practices. This includes, but is not limited to, employment, admissions, educational services, programs or activities which it operates or financial aid.
- Student-Centered: We are committed to education, inquiry, and service in order to meet students' changing needs. We foster lifelong learning, civic and social responsibility, leadership, and individual and career growth.
- Learning-Centered: We nurture intellectual flexibility, knowledge, and skills by integrating teaching, research/scholarship, assessment, and learning to promote continuous improvement of our scholarly community.

- Excellence: We pursue excellence within the campus community through opportunities for achievement in teaching, research, scholarship, creative activity and service.
- Diversity: We embrace diversity in all its dimensions realizing that mutual respect for individualities and the inclusion of all are vital for both personal and institutional success.
- Service: We support and recognize service at all levels of the university. We strive to contribute to the benefit of the university, the state, the nation and the world.
- Integrity: We hold high standards of character and integrity as the foundations upon which the university is built.

I.C. Vision

A-State aspires to be an academic leader recognized for innovation and quality in teaching and learning, international standing in strategic research areas, and commitment to outreach and service.

I.D. Institutional Priorities

I.D.1. Refine A-State's Mission and Identity as an Emerging

Global Research

Institution.

- Pursue appropriate Carnegie Classification based on role and scope.
- Continue to promote teaching and learning endeavors that are integral to a global research institution.
- Continue to promote the transformation of A-State into a research-intensive institution.

- Promote outcome-based decision making.

I.D.2. Create a service and support culture that is focused on student

learning, retention and academic success.

- Support student learning as the first priority to establish A-State as a premier learning-centered university.
- Review relevancy of general education program.
- Continue to develop a culture of assessment to enhance learning outcomes.
- Enhance student persistence and academic success.
- Provide opportunities to better understand student needs.

I.D.3. Create learning experiences through student engagement, service

to our region and partnerships with our community.

- Increase service-learning and community engagement opportunities.
- Enhance community outreach.
- Promote environmental responsibility and stewardship.

I.D.4. Create a collaborative decision-making environment that is based on effective shared governance, open communication, and mutual respect of all members of our teaching and learning community.

- Develop a sense of campus community.
- Create transparency in planning and decision-making.

I.D.5. Adopt policies and models that continuously promote, grow and reward all modes of effective teaching and learning experiences.

- Support and reward multiple modalities of teaching and learning.
- Refocus on excellence in teaching and learning.

I.D.6. Increase our diversity and expand our globalization.

- Prepare students for global citizenship.
- Develop a service environment that supports the needs of a diverse University community.
- Attract, employ, retain, and advance greater numbers of university faculty and staff from underrepresented groups.

I.D.7. Continually improve our institutional efficacy and alignment of resources with our priorities.

- Enhance recruitment and retention initiatives of faculty and staff.
- Maintain current and strategically plan for future infrastructure needs.
- Expand resources and refine budget procedures.

I.E. Freedoms

I.E.1. Academic Freedom

A-State accepts and supports the principles of academic freedom which include a firm commitment to intellectual honesty, freedom of inquiry and expression, respect for the dignity of each individual and receptiveness to constructive change.

I.E.2. Individual Freedom

The commitment to academic and individual freedom carries with it major responsibilities for each member of the university. In exercising his or her own freedoms, each person must respect the rights of others. In seeking innovation, he or she must recognize that constructive change can be effected at a university only through orderly and rational processes. Intentional acts threatening personal safety, causing destruction of property or creating disruption of university functions have no place in an academic community and will not be tolerated. All members of the academic community should maintain an atmosphere which protects the rights for all persons.

I.F. Stake Holders

I.F.1. Faculty

The faculty of the university includes all persons holding the rank of instructor or above and all professional librarians. The faculty is the intellectual core of the university. They deliver instruction, carry out research, perform service for their respective professions and community, and participate in the management of the university through shared governance. In the areas of intellectual development, research, and instruction, the interest of the faculty is primary. Each member of the faculty has the duty to deliver instruction and maintain a learning environment consistent with the highest standards of the profession. The faculty has a responsibility to set degree requirements, assess when they are met, and establish and maintain curricula that meet professional standards and fulfill the educational goals of the university.

An important responsibility of each faculty member is to engage in teaching, research, scholarship or creative activity, and service and to further professional development that are in the best interest of the students and community at large. Continuing professional development is highly regarded and is supported by the university.

The faculty also has important roles in the interactions with communities that it serves. When they engage in non-university activities, faculty members are expected to make clear that they act as individuals and not as representing the university.

Faculty employment contracts consist solely of their original signed letters or memoranda of employment along with any specific amendments thereto, including letters or notices of contract renewal and do not include this Faculty Handbook.

I.F.2. Students

Students are encouraged to express their views on issues of institutional policy and on matters of interest to the student body. The university seeks to ensure that students have appropriate input into the making of major policy, program, and budget decisions. The Student Government Association (SGA) serves as the collective voice of the student body.

Students participate in the deliberations of official decision-making bodies at the university. University committees that recommend institutional decisions should include student members. The opinions of students are sought, heard, and considered in major decisions affecting every facet of the university.

I.F.3. Staff

The primary duty of the staff is to provide effective support structures for the university, to provide student and faculty support services, and to complement educational programs. The staff represents their areas of responsibility in shared governance through serving on university committees and Staff Senate. Staff involvement in shared governance includes, but is not limited to, the areas of student affairs, financial services, academic support, research, advancement, physical resources and facilities, and staff/service employment and welfare.

I.F.4. Administrative Officers

The administrative officers are formally responsible for supervising the programs and enforcing the policies of the University, for assessing the effects of policy, and for recommending improvements or changes where appropriate. The primary responsibility of administrators is to serve the other components of the University by articulating a vision for the university while providing strategic leadership and managing its resources, finances, external affairs, and operations. Administrative officers have the authority to make decisions for the day-to-day operation of the university, as delegated by the Chancellor, President of the ASU System, and the Board of Trustees.

I.G. Administration

I.G.1. Board of Trustees

The Board of Trustees is charged by the Constitution of the State of Arkansas to manage and control the university and has ultimate responsibility for the institution. The Board of Trustees sets university policy. Nothing in this *Faculty Handbook* or in any other policy document of the university is intended, nor shall it be construed, to waive or change any of the Board of Trustees' governing board authority. The provisions of this handbook shall not be interpreted to change the rights of the Board of Trustees as an employer under Arkansas employment law. Ordinarily, the trustees do not involve themselves in the day-to-day operations of the university. Rather, operating responsibilities and the authority to act are delegated to the President of the ASU System, who is selected by the Board. It is primarily through the President that the trustees monitor the university activities. The President in turn delegates the chief executive officer duties to the Chancellor. The Board of Trustees retains the right to make any decisions regarding any activities on any campus of the ASU System or to delegate decision-making authority to others who are responsible to the Board of Trustees. The Board of Trustees does not delegate its fiduciary responsibility for the academic integrity and the financial health of the ASU System. Committees of the Board of Trustees are not part of the shared governance system.

I.G.2. Chancellor

The Chancellor is the chief executive officer of the A-State campus and is responsible to the President of the ASU System. The Chancellor is charged with overseeing the day-to-day operations of the campus, including the

provisions, policies, and procedures outlined in this Faculty Handbook. The Chancellor is responsible for the organization and activities of the administrative staff for the campus. The Chancellor also oversees the activities of the faculty, staff, and students of the campus, and represents the university to the external constituencies of the campus. The Chancellor meets with local, state, and national agencies and organizations which relate to the university; participates in discussions among the President and other chancellors in the ASU System; interacts with internal and external constituent groups and individuals related to the campus; and meets with other campus leaders in Arkansas and the nation.

I.G.3. Provost and Vice Chancellor for Academic Affairs and Research

The Provost and Vice Chancellor of Academic Affairs and Research, working under the general direction of the Chancellor, represents the academic interests of the faculty and is responsible for the development and administration of the teaching, research, scholarship and creative activity, and service programs of the university. The Provost and Vice Chancellor for Academic Affairs and Research assists in clarifying the basic aims and objectives of the university, provides educational leadership for the faculty, and recommends faculty members to the Chancellor for employment, retention, promotion, tenure, non-renewal, and dismissal. The Provost and Vice Chancellor for Academic Affairs and Research coordinates development of methods for improving instruction, promotes faculty development programs, and has ultimate responsibility for the

publication of the university catalogues and class schedules. The Provost and Vice Chancellor for Academic Affairs and Research also is the chief oversight officer for the research activities of the university. All colleges and academic units report to the Provost and Vice Chancellor for Academic Affairs and Research. The Provost and Vice Chancellor for Academic Affairs and Research is expected to serve as appointed to various state committees for the study and recommendation of changes affecting higher education and is expected to attend various state functions such as meetings of the Arkansas Higher Education Coordinating Board.

I.G.4. Vice Chancellor for Finance and Administration

The Vice Chancellor for Finance and Administration, working under the general direction of the Chancellor, is responsible for the financial and administrative operations of the university. Specific duties include the overall fiscal management of the university's resources, development and management of the university's budgeting process, assuring compliance with governing board policies, accounting to the Arkansas Division of Legislative Audit for compliance with all state fiscal rules and regulations, and monitoring university income and expenditures. The Vice Chancellor works closely with the Arkansas Department of Higher Education and the Arkansas Department of Finance and Administration regarding reporting requirements for state institutions. The Vice Chancellor is expected to serve on various state committees for the study and recommendation of changes affecting higher education, and is also expected to attend various

state functions, such as meetings of the Arkansas Higher Education Coordinating Board. The Vice Chancellor for Finance and Administration holds a joint appointment as Vice President for Finance and Administration of the ASU System.

I.G.5. Vice Chancellor for Student Affairs

The Vice Chancellor for Student Affairs, working under the general direction of the Chancellor, is responsible for the development, supervision, and coordination of student service programs. Service areas assigned by the Chancellor include Admissions, Career Services, Counseling, Dining, Disability Services, Financial Aid and Scholarships, Student Life, Student Health Center, Student Union, Residence Life, Testing, Parking, and University Police.

I.G.6. Vice Chancellor for University Advancement

The Vice Chancellor for University Advancement, working under the general direction of the Chancellor, provides coordination and support to enhance the university's relationships with its key internal and external publics. Service areas of the Office of University Advancement as assigned by the Chancellor include Alumni Relations, Development, News and Information Services, and Publications and Creative Services. In addition to supervising the above areas, the Vice Chancellor organizes university-wide special events. The Vice Chancellor for University Advancement also serves as President of the Arkansas State University Foundation, and holds a joint

appointment as Vice President for University Advancement with the ASU System.

I.G.6. Academic Deans

Deans of the various colleges are responsible to the Provost and Vice Chancellor for Academic Affairs and Research for representing their college, departments, and faculty to the administration. Deans organize administrative activities, scholarly and instructional programs, and the service activities of their respective colleges and departments, including administration of all instructional and clerical personnel. They provide leadership for and support of faculty within their colleges, give academic direction to their respective colleges, and oversee development of college curricula. They administer the course offerings, prepare and administer budgets, and maintain equipment and supplies for their colleges. They evaluate and recommend employment decisions pertaining to faculty members and department chairs to the Provost and Vice Chancellor for Academic Affairs and Research, and they supervise department chairs and other personnel within their colleges.

I.G.7. Department Chairs

Department Chairs are responsible to their respective deans for the general management and operation of their academic areas. They represent their departments to the deans and university administrators, support faculty in their professional development, and work with faculty to improve instructional programs and to develop programs that are responsive to changing needs of students. They are responsible for

evaluating and recommending faculty members to the dean of their college for employment, retention, promotion, tenure, non-renewal, and dismissal; for the preparation and administration of budgets for the departments; for the recommendation of course offerings to the dean; for the supervision of the academic advisement of students majoring in the department; and for the acquisition, use and care of departmental equipment. Department Chairs play a particularly important role in encouraging and sustaining scholarship, research, and participation in professional activities by members of their faculty. They also supervise other personnel in the department.

I.H. Councils and Administrative Bodies

I.H.1. Executive Council

The Executive Council of the university consists of the Chancellor, as chair, the Provost and Vice Chancellor for Academic Affairs and Research, the Vice Chancellor for Finance and Administration, the Vice Chancellor for Student Affairs, the Vice Chancellor for University Advancement, the Assistant to the Chancellor for Diversity Initiatives, and the Director of the Intercollegiate Athletics. This council meets weekly or otherwise upon the call of the Chancellor to make and report upon administrative decisions affecting the university as that group is delegated these responsibilities by the Chancellor.

I.H.2 Academic Affairs and Research Council

The Academic Affairs and Research Council consists of the Provost and Vice Chancellor for Academic Affairs and Research, Associate Vice

Chancellors for Academic Affairs and Research, the Deans of Colleges, Dean of the Graduate School, Director of the Honors College, Dean of the Library and Information Resources, representative of the Chairs Council, the Professor of Military Science, the Registrar, the Executive Assistant to the Provost and Vice Chancellor for Academic Affairs and Research , the Director of Delta Heritage Initiatives, the Director of Institutional Research, the Director of the Museum, the Assessment Coordinator, the Advising Coordinator, the President of the Faculty Senate, the President of the Graduate Student Council, and the President of the Student Government Association.

The Council has advisory responsibility for supervising and coordinating all academic programs and activities of the university. It also develops and reviews academic policies and procedures. The Provost and Vice Chancellor for Academic Affairs and Research chairs the Council.

I.H.3. Academic Deans Council

The Academic Deans Council consists of the deans and associate deans of the academic colleges, Graduate School Dean, Dean of the Library and Information Resources, Dean of Continuing Education and Community Outreach, and Director of the Honors College. The council meets regularly with the Provost and Vice Chancellor for Academic Affairs and Research to address academic issues and makes recommendations regarding those issues. The Academic Deans Council selects its chair annually.

I.H.4. Chair's Council

The purpose of the Chairs Council is to provide leadership development experiences and activities for Department Chairs, to provide opportunities for dialogue with the Provost and Vice Chancellor for Academic Affairs and Research, including discussion and feedback, and to promote the sharing of ideas, information, and skills among the chairs of various academic departments. Membership of the Chairs Council will consist of the chairs of academic departments, program directors where that responsibility is acknowledged in the contract, and the Director of the Center for Educational Excellence. Members are eligible for ad hoc committees at the discretion of the Council and the Council officers.

Officers of the Chairs Council will consist of a three-member committee comprised of a committee chair/facilitator and two members, all to be elected annually by the membership at the final meeting during the spring semester. The committee chair/facilitator and committee members shall be responsible for carrying out the tasks necessary to achieve the purposes of the Chairs Council.

I.H.5. Faculty Association

The Faculty Association of the university includes all persons holding the rank of instructor or above and all professional librarians. Under the Constitution of the Faculty Association (see Appendix A of this *Handbook*) a Faculty Senate is elected, with the membership apportioned among the colleges on the basis of the number of faculty members within those units, to carry out the functions and responsibilities assigned to it by the Faculty Association.

Section II

Section II covers academic policies and procedures including academic freedom, faculty workload, reassignment of time, supervision of practicums/internships, advisement, responsibilities, faculty evaluations, student grievances, performance evaluations, schedules, office hours, curriculum changes, computing ethics, intellectual property, misconduct in research, conflict of interest and sponsored research. For information regarding harassment, sexual harassment and nepotism faculty are directed to the ASU System Handbook located on the System Office website.

II. Academic Policies & Procedures

II.A. Academic Freedom and Responsibility

A-State recognizes academic freedom as an essential component to the development of knowledge and understanding. The university encourages and protects freedom of inquiry in research, publication, teaching, learning and the free exchange of ideas. Academic freedom does not protect all speech and faculty members are expected to recognize that accuracy, forthrightness, integrity, dignity and civility are required as university employees and as men and women of learning. They should not represent themselves, with authorization, as speaking for A-State.

The university acknowledges the principles set out in the "Statement of Professional Ethics" (1987) and the "Statement on Academic Freedom" (1940) as adopted by the American Association of University Professors.

II.B. Faculty Workload

A faculty workload may include teaching, research, service and associated activities.

II.B.1. Teaching Load

Teaching load of the faculty is normally twelve hours per semester. Faculty work load also includes research, creative activity and service. When financial or other circumstances allow, a reassignment of teach load may be approved by the chair of the department, program director, and/or dean of the college. A primary purpose of such reassignment is to support research and creative activities, but reassignment also may be granted to allow extra time for graduate teaching; department, college and university committee service; supervision of theses, independent study and practicum/internships; team teaching; new technology assisted course development; student advisement; program director/coordinator assignments; and other professional duties. To meet specific professional accreditation requirements, a program, department or college may be authorized to develop exceptions to the normal teaching-load policy. Tenured faculty may also elect, in negotiation with their program director, department chair or dean, to teach additional courses in lieu of research, creative activity or service.

Faculty and chairs who are appointed for twelve months generally are expected to teach during both summer terms or to perform other duties related to their assignments. Teaching load for chairs is normally six credit hours each regular semester and three credit hours each summer term. In some cases, responsibilities may be adjusted to provide the opportunity for taking accumulated leave during the summer months.

Teaching load for deans is normally six credit hours per academic year, but may vary according to other duties of the deanship.

Issues and contexts such as accreditation, discipline-specific demands of the course content, the amount of student/instructor interaction, graduate or undergraduate course level, laboratory and field/clinical settings and instructional environments and platforms (face-to-face or online) are among the variables that should be considered when setting enrollment caps on classes. The maximum number of students assigned to course sections is to be determined by the department chair or director in consultation with the faculty and the college dean.

II.B.2. Overloads

II.B.2.a) On-campus Overloads

Occasionally, because of scheduling conflicts or unexpected extended faculty vacancies, overload teaching assignments may become necessary. On those occasions when a faculty overload becomes necessary, a faculty member may need to teach a load that is more than their customary stated load for their college or disciplines. An overload teaching assignment occurs only when a pre-tenure or tenured faculty member is assigned a teaching load of more than twelve hours per semester or a non-tenured faculty member is assigned a teaching load of more than fifteen credit hours per semester, or when a chair is assigned a teaching load of more than six hours per semester, or when a dean is assigned a teaching load of more than three credit hours per semester.

When an overload teaching assignment occurs, arrangements should be made by the department chair or dean to provide for extra compensation (according to the Extra Compensation Policy), reassignment time at a future time or other compensation, as appropriate. Care should be taken to limit overload teaching, particularly for pre-tenured faculty.

Teaching overloads should be considered in annual merit review.

II.B.2.b) Off-campus Overloads

Faculty may choose to teach overloads off campus for extra compensation. These additional teaching assignments must not conflict with regular on-campus responsibilities. A faculty member may not receive extra compensation for overload teaching of credit courses to exceed the monthly line item maximum in A-State's appropriation act.

II.B.3. Reassignment of Faculty Workload-Research, Creative Projects & Service

It is an objective of the university to foster research, creative activities, and public service of its faculty by providing faculty members an opportunity for reassignment of workload.

To implement this objective, colleges should file statements of operational procedures with the Provost and Vice Chancellor for Academic Affairs and Research. Such statements should define eligibility requirements, proposal guidelines, the proposal review process, submission and decision

time lines and reporting requirements. Each statement should include the following provisions:

- Three semester hours is the normal reassignment from teaching for any faculty member in any semester.
- Reassignments may be approved by the department chair or dean when 1) the reduction in course offering will still permit student needs to be met, or 2) when uncommitted funds can be used to permit the appointment of a part-time instructor to cover the section from which the full-time faculty member is to be reassigned.
- Criteria should be established for awarding the reassignments to the most deserving applicants in an equitable, but clearly strategic manner.
- A system of departmental and/or college committees may be established to process applications and make recommendations to the chair and dean for reassignments.
- Proposals for reassignment should be received and acted on in time to allow orderly scheduling and staffing decisions prior to the semester in which the reassignment is requested.
- Faculty members who receive reassignments shall be required to submit reports to the chair and dean after completing the assignment, summarizing his/her achievements, and these reports should be considered in making future reassignments.

At the end of each reassignment period, deans should collect and retain the reports and provide a copy to the Provost and Vice Chancellor for Academic Affairs and Research with their summary evaluation of each reassignment.

The Provost and Vice Chancellor for Academic Affairs and Research must receive timely notification of all approved reassignments from each college to facilitate correct account reassignment.

These procedures do not preclude other types of reassignments (such as “soft money” assignments or administrative assignments) which are considered on a case by case basis.

II.B.4. Reassigned Time for Masters and

Specialist Theses

Faculty members who chair masters and specialist theses are eligible for one three-hour reassignment after the completion of three (3) theses.

II.B.5. Supervision of Practicums/Internships

An “internship” or a “practicum” is a supervised practical experience for which the university awards academic credit. Practicums are more often associated with classes or groups engaged in an experiential learning environment, while internships are more often associated with the assignments of individuals. While this is true in general, there are exceptions to this proposition, and the terminology may differ from discipline to discipline within the same college.

The general requirements for experiences gained in these activities are very similar and include:

- Identifying and setting up the experience opportunity;
- Monitoring the actual experience; and
- Evaluating the student and assigning a grade.

The following combinations and limits serve as the norm for determining workload credit to be awarded for supervising practicum and internships.

Students and Credit Hours Supervised	Workload Earned
<u>During a Given Enrollment Period</u>	
<u>Credit Hours</u>	
• Fewer than <u>three</u> students or fewer than <u>nine</u> credit hours.....	zero
• At least <u>three</u> students and at least <u>nine</u> credit hours.....	one
• At least <u>five</u> students and at least <u>fifteen</u> credit hours.....	two
• At least <u>seven</u> students and at least <u>twenty-one</u> credit hours.....	three

As in theses, the student credit hours will be allowed to accumulate and be applied to individual faculty workload, with the exception that workload hours during summer sessions may either be accumulated by the supervising faculty member or be paid at prorated regular summer school rates, so long as all compensation for supervision of practicum or internships is paid during the fiscal year the faculty performs this service.

II.B.6. Faculty Academic Advisement

Responsibilities

Advising is a shared responsibility between the student, advisor and college community designed to help students grow individually, succeed academically and to develop an appropriate educational plan leading to graduation with a focus on their life beyond the University. The University acknowledges its obligation to provide students with accurate and timely

academic advising, delivered through its academic departments, colleges and other units devoted to specific student populations.

Each student has an academic adviser who assists in planning courses of study. Students who select an area of major interest will be assigned to an adviser in the area selected.

Students who do not select a major upon enrolling will be assigned to a general adviser. At any enrollment period after the major has been selected, a student may be assigned to an adviser in the area selected.

If a student desires a change of adviser within a college or department, the dean of the college or chair of the department may assign a new adviser.

Pursuant to Arkansas Act 1014 of 2005, the academic advisor must provide a copy of the guaranteed 8-semester degree completion plan to each first-time freshman student who has declared a major upon initial advising.

II.B.7. Faculty Advisement of Student Activities

Co-curricular activities at A-State involve learning experiences that are valuable to every student; therefore, faculty members are urged to give their cooperation and support to the student activity program.

Each student organization of the university must have a faculty member or other person approved by the Vice Chancellor for Student Affairs as a regular adviser. Faculty Members who become advisers to student organizations should advise their dean or department chair of the new responsibility. Serving as an adviser involves attendance at meetings and

social affairs of an organization and participation in planning the activities of the organization. The Vice Chancellor for Student Affairs will be available to confer with faculty members or others who have been asked to serve as advisers regarding responsibilities they accept in sponsoring a campus organization.

II.B.8. Attendance of Faculty at Faculty Meetings

Faculty members are expected to be present at all pre-session faculty meetings scheduled prior to the beginning of fall semester classes, all general faculty meetings, college and/or department meetings, meetings of committees to which faculty members have been elected or assigned, academic counseling meetings and other group meetings of a specific nature to which faculty members may be assigned.

II.B.9. Course Outlines/Syllabi

Faculty members are required to prepare and provide to their department or college as appropriate a syllabus of each course taught. These syllabi will be kept on file for at least seven years and be available to accreditation examining teams. A current course syllabus must be distributed to each enrolled student during the first week of a regular term and no later than the second day of a summer term.

II.B.9.a) Textbooks

Pursuant to Act 175 of 2007

(§ 6-60-601. Adoption of textbooks and course materials)

(1) For each full semester and collectively for summer sessions, a state-supported institution of higher education in this state shall

distribute a list of all textbooks and course materials required or assigned for an undergraduate course by:

- (A) Publication on its website; and
- (B) Posting at its bookstore.

(2) The list shall be distributed no later than 12:00 noon on:

- (A) April 1 for the following fall semester;
 - (B) November 1 for the following spring semester; and
 - (C) April 1 for all following summer sessions.
- (D) For each textbook or course material the list shall include:

- (1) A brief description of the textbook or course material;
- (2) The author or authors;
- (3) The title and edition; and
- (4) Any special instructions or circumstances for the purchase or use of the textbook or course material.

(3) A textbook or course material for an undergraduate course may be adopted after the time specified in subsection (a) of this section for distributing the list if:

- (A) The adoption is approved by the department chair and the dean or division head of the affected college; and
- (B) The dean or division head of the college forwards to the chief academic officer of the affected state-supported institution of higher education the following information:
 - (1) A list of each late adoption;
 - (2) The names of the person or persons responsible for each late adoption; and
 - (3) A written statement explaining why each adoption was late.

II.B.10. Grading and Changes of Grades

Final grades will be submitted to the registrar before the specified deadline. After a final grade has been reported to the registrar's office, it may only be changed by: (1) a written request by the instructor that has

the approval of the department chair and college dean, or (2) a successful grade appeal that has followed procedures established in the Student Handbook.

II.C. Student Evaluation of Faculty

Student evaluation of faculty is conducted as a part of the continuing process of faculty development. Procedures for student evaluation of faculty are established by the department and/or college under university guidelines. Student evaluations are a component of the annual faculty performance review, merit salary recommendations and promotion, retention and tenure. Student evaluations will be administered by deans, department chairs, program directors, faculty other than the one teaching the course, or departmental administrative staff. Graduate or under-graduate students will not administer these evaluations.

II.D. Student Grievance

In the event a student files a grievance, the faculty member has rights and responsibilities to provide written documentation and/or testimony (see student grievance procedures in the Student Handbook).

II.E. Summer School Appointments

Summer school enrollment is not as large in some departments as the enrollment during the academic year; therefore, employment on the summer school faculty is not available to all faculty members who may wish to teach. The tentative number of faculty members to be employed during the summer session is determined by the estimated student demand in each department.

Guidelines for choosing who will be given preference in summer school teaching assignments will be developed by each college and forwarded for approval to the Provost and Vice Chancellor for Academic Affairs and Research.

Tentative appointments for summer work are usually made prior to February 15, in order that faculty members whose services are not needed during the summer will have an opportunity to seek summer employment elsewhere, but actual employment is dependent upon sufficient enrollment to schedule classes.

Summer term salary is computed at the rate of 13.888 percent of the preceding nine months' salary for a full load (six credit hours) during a five week term. A qualified faculty member may teach full-time both summer terms. Faculty members paid from research grants, etc., may be employed up to three months in summer.

II.F. Continuing Performance Evaluation

Faculty, department chairs and deans are subject to continuing performance evaluations. If at any time, the employee's immediate supervisor determines that the employee is not meeting performance expectations, the employee may be counseled regarding the unacceptable performance. Documentation of the conference will be placed in the employment file.

II.G. Annual Performance Evaluation

II.G.1. Faculty

Department chairs and/or appropriate supervisors (such as unit heads, deans or directors) will conduct an annual performance evaluation of all faculty members in their respective areas, which will include appropriate

evaluation of teaching, research and service. These evaluations will be used to determine recommendations for merit pay when authorized by the university. Departments may vary the weight and/or expectations in the areas of teaching, research/scholarship, creative activities and service so long as the mission of the area concerned is met. Criteria, procedures or instruments will be determined by each department/area.

Chairs will provide each member of the faculty with a written summary of the performance evaluation.

Each faculty member will initial a copy of the chair's evaluation to indicate the faculty member has received it.

If the faculty member does not agree with the performance evaluation, the faculty member may provide a written rebuttal, which will be initialed by the chair and attached to the performance evaluation sheet to indicate the chair has received it.

A copy of the initialed performance evaluation sheet (and rebuttal) will be placed in the faculty member's employment file at both the department and college level.

II.G.2. Deans and Department Chairs

Deans and department chairs will meet annually with the person to whom they report for a discussion and evaluation of their performance, career goals and objectives. The Office of the Provost/Academic Affairs and Research will conduct an annual review of deans by all full-time faculty in their respective colleges.

II.G.3. Chancellor

The Chancellor of A-State shall be evaluated on an annual basis, except during those times that a comprehensive evaluation is conducted in accordance with the schedule below. The purpose of these evaluations is to provide instructive guidance to the Chancellor in order to improve his/her leadership to A-State.

II.G.3.a) Annual Review

In keeping with the recommendations of the Association of Governing Boards, the annual review will include:

- The Chancellor's self-evaluation, based on goals mutually agreed-upon with the President of the ASU System. This self-evaluation will be communicated in writing to the President.
- The President's evaluation of the Chancellor's performance in meeting mutually agreed-upon goals. This evaluation will be communicated in writing to the Chancellor.
- The President of the ASU System shall solicit input from A-State's Vice Chancellors, Academic Deans, Faculty Senate President, Student Government President, Graduate Student Council President, Staff Senate President, and Chair of the Chairs Council and others as appropriate.

- A letter or memorandum from the President to the Chancellor will describe the process and the general results of the review.

II.G.3.b) Comprehensive Review

At the conclusion of the Chancellor's second year of service to A-State, the President of the ASU System shall cause a comprehensive evaluation, commonly referred to as a 360-review, to be conducted. This evaluation will be coordinated through an external consulting firm with a thorough understanding of the complexities of Chancellor leadership and demonstrated qualifications to conduct such reviews. The consultant assigned by the firm will be an individual without any present or former affiliation with the ASU System or member institutions. After the initial comprehensive evaluation, such evaluations will be conducted every three years.

Any evaluation instrument to be used should be reviewed and endorsed by the President of the ASU System. The Chancellor shall prepare a self-evaluation using the approved evaluation instrument. The firm conducting the review will solicit input from the following constituent groups:

- Students
- Faculty

- Staff
- Administrators
- Alumni
- Community Representatives
- Public policy makers
- Peer chancellors/presidents

A representative of the firm shall make a verbal report on the evaluation to the President of the ASU System and submit a summary written report on the process.

II.H. Schedules of Classes

Department chairs prepare schedules of classes after consultation with faculty members and with the approval of the deans of the colleges. Schedules are coordinated in the Registrar's Office and are published well in advance of the beginning of each semester and summer session.

II.I. Assignments of Classrooms and Office Space

Assignments of Classroom and office space shall be made by the department chairs or deans as appropriate. Space management software will assist in efficient utilization of classroom space across campus, particularly large and specialized classrooms.

II.J. Office Hours

Administrative offices are normally open from 8:00 a.m. to 5:00 p.m. Faculty members are responsible to their respective department chairs and deans for posting and keeping office hours for advising and assisting students.

II.K. Attendance of Faculty at Commencement

It is the faculty's professional responsibility to help make commencement a rewarding and memorable experience for A-State graduates and their families. Faculty participation in the commencement exercise of his or her college is expected. If a faculty member is unable to attend, he or she should contact the chair of the department.

II.L. Textbooks and Instructional Supplies

The decision as to which text and supplemental materials will be used in a course will rest with the faculty member and will be coordinated by the department chair. Course costs should be kept as reasonable as possible. For change of textbooks must be approved two weeks before the beginning of the preceding semester.

II.M. Curriculum Changes

Academic program curriculum changes originate in the departments and colleges. Undergraduate program curriculum changes require approval by the department curriculum committee, department chair/program director, college curriculum committee, college dean and the Undergraduate Curriculum Council (UCC) and the Provost and Vice Chancellor for Academic Affairs and Research grants final approval.

Curriculum changes for graduate programs require approval of the department graduate committee, department chair, college graduate committee, dean of the college, the Graduate Council and the Provost and Vice Chancellor for Academic Affairs and Research.

The role of the departmental curriculum committee is to work with the department chair in developing the curriculum. Changes to the curriculum once approved by the department and chair will be presented to the college curriculum committee. The role of the college curriculum committee or the college graduate committee is to evaluate proposed changes submitted by the departmental committees and recommend curriculum changes to the dean. The dean has the responsibility of approving or disapproving recommendations forwarded to him/her by the college curriculum committee or the college graduate committee. Changes to the college undergraduate curriculum approved by the dean will be submitted to the UCC. Those pertaining to graduate curriculum will be sent to the Graduate Council (GC).

The UCC or GC will evaluate proposed changes and make a recommendation to the Provost and Vice Chancellor for Academic Affairs and Research.

Advance planning is required to permit the orderly preparation of the university bulletins and class schedules. Regular courses may not be taught until they have been published in the university bulletins. Special courses and non-degree credit courses may be taught without inclusion in the bulletins if assigned a special (900 series) course number and approved by the UCC/Graduate Council and the Provost and Vice Chancellor for Academic Affairs and Research. Such courses may be repeated upon approval of the Provost and Vice Chancellor for Academic Affairs and Research.

II.N. Computing Ethics

A-State invests substantial and sufficient resources to acquire and operate information technology (IT) assets, such as hardware, software, and Internet

connections. The university has a responsibility to manage its resources in the most efficient and effective manner possible and in compliance with all laws, regulations, and sound business practices. Effective management of information technology resources will assure students, faculty and staff adequate access to information and technology over the long term. The Arkansas State University Appropriate Use of Information and Technology Resources policy is published on the University's website. These regulations apply to any individual accessing the Arkansas State University information technology infrastructure and associated resources.

Because Arkansas State University is an agency of the State of Arkansas, all information produced by or stored on university owned computers is subject to a request for disclosure under the Arkansas Freedom of Information Act. Arkansas State University is the owner of all information stored on university owned computers and has the legal right and obligation to access any and all computer information. A university employee should have no expectation of privacy regarding any information stored on a university computer.

II.O. Recording Ethics

Arkansas State University does not permit the recording of conversation surreptitiously. The concealed recording of conversations among administrators, faculty, students or staff constitutes grounds for dismissal.

II.P. Intellectual Property Policy

The creativity of human beings is manifested in fields as diverse as science and technology, literature and the humanities and the fine and applied arts. Creators of intellectual property utilize legal vehicles that make possible the ownership and

control of some of the fruits of this creativity, providing an incentive to be creative and to make such fruits public. As a result of the increased cooperation in research and development between universities and businesses, the volume of intellectual property being created in universities has increased significantly. This increase has made apparent the complexity of the issues related to the ownership, control and use of such property. The Arkansas State University Intellectual Property Policy is published on the university's website.

<http://www.asusystem.edu/dotAsset/ac06f233-bfa4-4eab-860d-b16200c0c45B>

II.Q. Misconduct in Research

In recent years, well-publicized cases of misconduct in university research, including fabrication of results, plagiarism, and misrepresentation of findings have aroused concern among research institutions, individual investigators and sponsors of research, professional societies and the general public. Although verified instances of such dishonest behavior are relatively rare, they raise serious questions about the integrity of the research process and the stewardship of public and private research funds. Institutions of higher education, in particular, enjoy a centuries-old tradition of integrity and objectivity, and cases of dishonesty in research by members of the university community must be dealt with carefully and thoroughly if the institution is to merit continued public confidence and trust. Certain federal agencies have issued directives requiring awarding institutions to establish procedures for inquiry into, and investigation of, alleged or apparent misconduct in scientific research conducted, funded, or regulated by these agencies. Misconduct in research outside scientific field is equally serious.

Accordingly, the following policy is established to apply to all instances of alleged or apparent misconduct in research conducted at Arkansas State University.

This policy applies to all research conducted by faculty, staff members or students of the ASU System.

Definition: For the purpose of this policy, the following definitions will be employed:

- Misconduct. Misconduct will be defined in accordance with the definition required or provided by the agency funding the research. In the event that the funding agency does not require or provide a definition of misconduct, or in the event that the research is not funded by an agency, misconduct is defined as: (1) fabrication, falsification, plagiarism or other serious deviation from accepted practices in proposing, conducting, or reporting the results of research; (2) material failure to comply with university or sponsoring agency requirements affecting the conduct of research; or (3) failure to meet other material legal requirements governing research activities.
- An inquiry is an informal review of an allegation of misconduct in research for the purpose of determining whether there is reasonable cause to believe that a university employee or student has engaged in such misconduct.
- An investigation is an in-depth review of an allegation of misconduct in research for the purpose of determining whether or not a university employee or student has engaged in such misconduct.

II.Q.1. Actions by the University

The ASU System will act vigorously to discourage and detect misconduct in research; will take appropriate disciplinary action against any of its employees or students who engage in such misconduct, as revealed by a careful investigation; and will inform and cooperate with those agencies sponsoring research that appears likely to have been affected by such misconduct.

Any individual who believes that he or she has knowledge of an act of misconduct in research by an Arkansas State University employee or student is responsible for communicating this information to the coordinator of organized research for that campus or the Office of the Chancellor. The coordinator of organized research for that campus or the Chancellor's designee, shall conduct an inquiry and, if warranted, an investigation into the allegation in accordance with that campus's operating procedure. Each campus within the ASU System shall create, utilize, and enforce an operating procedure for inquiry into and investigation of allegations of research misconduct.

II.R. Human Research

Persons conducting research at Arkansas State University are required to maintain high ethical standards in their treatment of human subjects. All researchers must abide by the basic ethical principles specified in the Belmont Report, including (a) equitable selection of subjects; (b) voluntary, informed consent from subjects; (c) minimization of acceptable risk; and (d) confidentiality in maintaining and reporting research data. Individual researchers are also required to follow the

ethical standards established for human research in their respective academic disciplines.

Under the terms of this policy, any systematic activity involving the collection and/or analysis of data on human subjects for the purpose of advancing general knowledge qualifies as human research, unless this activity is specifically exempted by current federal regulations. Collection of information on students for routine educational or administrative purposes does not constitute human research, nor does course work assigned to students for the sole purpose of demonstrating established methodologies.

Arkansas State University will maintain an Institutional Review Board for the Protection of Human Subjects (IRB). The IRB has the authority to review any research project involving human subjects that is associated with the university in any way. Based upon ethical considerations, the IRB can approve, require modification, suspend or terminate any research project under its jurisdiction. The final determination of whether or not any research project constitutes human research, and whether research procedures are ethical, will be made by the RB.

II.S. Conflict of Interest

University faculty members need to be sensitive to the possibility that outside obligations, financial interests or employment may affect their responsibilities and decisions as members of the university community. Involvement of university employees in outside activities, both public and private, often serves the interests of the individual, university and general public. Participation of individuals in activities outside the university is encouraged to the extent that it does not

interfere with the employment duties of the individual or the mission of the university in preserving, generating and disseminating knowledge.

Faculty are required to comply with the university's Conflict of Interest Policy and will be required to sign a disclosure form annually as required by Arkansas State law.

II.T. Sponsored Research

Among the responsibilities of the faculty of A-State are teaching, engaging in scholarly activities and offering professional services. The university encourages scholarly activity as essential to the maintenance of skills and the mastery of the area in which the faculty member teaches, as well as to the development of new knowledge.

Furthermore, it is the policy of the university to encourage scholarly activity in the form of basic and applied research on the part of faculty and staff. This includes the endorsement and support of proposals for on-campus and off-campus grants, contracts or cooperative agreements. It is anticipated that such research activities may result in patentable discoveries, inventions or copyrightable materials.

Arkansas State University retains an interest in discoveries, inventions, including patents thereon and copyrightable materials resulting from:

- Research or investigation conducted on premises owned, operated or managed by Arkansas State University.
- The use of equipment and/or materials owned or paid for by or through Arkansas State University.
- Reassigned workload for research.
- Compensated off-campus assignment.

Faculty members are encouraged to conduct research in their fields, to participate in departmental research and to develop proposals for funded projects and programs.

If a faculty member wishes to seek support from an outside source for study or a research project that is to be undertaken when he/she is not under contract (in the summer, for example), and which will in no way require the use of university resources, no approval is necessary from any level of the university.

Projects that are negotiated by faculty members on an individual basis and do not require university administration of funds should follow the guidelines set forth in the section on outside employment and, accordingly, need the approval of the department chair and the dean.

Any research project or grant proposal which requires university administration of funds, or which in any way proposes use of university resources, requires the approval of the department chair, the dean and the Associate Vice Chancellor for Research and Technology Transfer. Cost sharing may require additional signatures.

II.U. Categories of Funded Projects

Funded projects fall into two categories: (1) those supported from institutional funds, and (2) those supported from outside sources.

II.U.1. From Institutional Funds

For projects supported from university funds, faculty members submit their requests to the Faculty Research Committee, which studies the proposals and makes recommendations for funding. Such proposals must have the approval of the department chair, the dean and the Associate

Vice Chancellor for Research and Technology Transfer before submission to the Faculty Research Committee.

Faculty who undertake projects with university support may be required to agree to share any income from royalties arising from copyrights or patents which result from such projects, according to the University's Intellectual Property Policy.

An acknowledgment of university support should be made when publication or other creative work results from university-sponsored research.

II.U.2. From External Funds

When a faculty member wishes to submit a proposal for outside funding, the office of the Associate Vice Chancellor for Research and Technology Transfer should be contacted early in the planning process for advice on proposal budgets and other assistance with proposal preparation. If guidelines require a large in-kind contribution or institution matching funds, the proposal will receive careful scrutiny before it is approved. Any research or project grant administered through the university is subject to all the state regulations for purchasing, consultant contracting and auditing under which the university operates.

When notices of grant awards are received, the Office of Sponsored Programs Accounting will set up an account for administering the grant budget and keep the Office of Finance and Administration informed when and if financial reports are due. At the end of the grant period, it is the

responsibility of the project director to make all necessary reports and project evaluations to the awarding agency.

When notice is received that a proposal submitted to off-campus sources will not be funded, the faculty member should notify the Office of Research and Technology Transfer and/or the Office of Sponsored Programs Accounting.

Further information and guidance on research and grant proposals are available on the university's website.

Section III

This section pertains to faculty and includes ranks, designations, promotion, retention, tenure and post-tenure review

The faculty of the unity includes all persons holding the rank of instructor or above and all professional librarians. The faculty is the intellectual core of the university. They deliver instruction, carry out research, perform service for their respective professions and community and participate in the management of the university through shared governance. In the areas of intellectual development, research and instruction, the interest of the faculty is primary. Each member of the faculty has the duty to deliver instruction and maintain a learning environment consistent with the highest standards of the profession.

The faculty has a responsibility to set degree requirements, assess when they are met and establish and maintain curricula that meet professional standards and fulfill the educational goals of the university.

An important responsibility of each faculty member is to engage in teaching, research, scholarship or creative activity and service to further professional development that is in the best interest of the students and community at large. Continuing professional development is highly regarded and is supported by the university.

The faculty also has important roles in the interactions with community that it serves. When they engage in non-university activities, faculty members are expected to make clear that they act as individuals and not as representatives of the university.

Faculty employment contracts consist solely of their original signed letters or memoranda of employment along with any specific amendments thereto, including letters or notices of contract renewal and do not include this Faculty Handbook.

The Faculty Association of the university includes all persons holding the rank of instructor or above and all professional librarians. Under the Constitution of the Faculty Association (see Appendix A of this *Handbook*), a Faculty Senate is elected, with the membership apportioned among the colleges on the basis of the number of faculty members within those units, to carry out the functions and responsibilities assigned to it by the Faculty Association.

III. Promotion, Retention, Tenure, Post-Tenure Review, and Dismissal Policies and Procedures

III.A. Academic Ranks

(Note: These ranks and their specific definitions may vary from college to college.

The following are given as traditional examples).

III.A.1. Adjunct Faculty

The title of Adjunct Faculty may be conferred upon an individual if the individual meets departmental qualifications for a regular faculty appointment and/or the individual actively contributes to the strengthening and advance of the academic mission of the department, the school/college and university as a whole. Appointments to the faculty with an adjunct title may be with or without pay and shall be for a stated period of time not to exceed one academic year. An individual approved for Adjunct Faculty status shall be granted only those privileges commensurate with the individual's contribution to the university as determined by the Provost and Chancellor.

III.A.2. Lecturer/Instructor

The designation of Lecturer or Instructor refers to other faculty who are not on a tenure track who may teach full-time or have some administrative duties, but typically have no research obligations.

III.A.3. Assistant Professor

The title of Assistant Professor is typically an entry level designation for individuals employed in a tenure-track line.

III.A.4. Associate Professor

The title of Associate Professor typically comes after promotion from those hired at the rank of Assistant Professors on a traditional tenure track line.

III.A.5. Professor

The title of Professor or Full Professor is the highest rank attained by a senior faculty member whose research or scholarly activity demonstrates a wide range achievement.

III.B. Tenure

Tenure is a status granted in the academic community to faculty members who have proven themselves over time. Tenured faculty may expect to continue in their academic positions unless adequate cause for dismissal is demonstrated in a fair, objective hearing, according to the procedures of due process.

Promotions, reappointments, and tenure are awarded by the Board of Trustees.

Recommendations for promotion, retention, and tenure originate at the department level. Only full-time faculty and administrative personnel holding academic rank above the instructor level may gain tenure. Notice of tenure will be given through the office of the Chancellor.

III.B.1. Tenure Procedure and Schedule

The procedure for granting tenure is as follows:

- Persons initially given pre-tenure appointments as professors, associate professors or assistant professors must be reviewed for tenure not later than the completion of their sixth year of service at A-State, and tenure will be granted or denied at the

beginning of their seventh year of service at A-State. If the mandatory review results in a failure to gain tenure by the completion of the sixth year of service, the seventh year appointment will be a terminal appointment. In referring to a “year,” it is the policy of the university that a full semester of service under pre-tenure-status appointment, which begins on or before the first day of the spring semester in an academic year, counts as a full year. Non-compensated leave time of a full semester or more will not count as time toward tenure.

- A prospective faculty member (with the exception of presidential or chancellor candidates whose terms of appointment are defined by the Board of Trustees) may negotiate the terms of initial employment with regard to tenure status and academic rank based on the professional productivity earned in previous employment settings. Any such terms must be approved by the Chancellor and be based on the thorough review and positive recommendations of the departmental PRT Committee within the academic unit in which tenure and rank will be held. Documentation of negotiated terms authorizing application for early tenure and/or promotion must be included with the PRT application.

III.B.2. Application for Early Tenure

Since it is unusual for a faculty member to amass a record of performance that reflects exemplary productivity in less time than the

standard probationary period, accelerated tenure is rare. However, any faculty member has the right to submit an application seeking tenure during any application period in which they can clearly demonstrate meeting the performance criteria that would be expected during the mandatory review. If a faculty member fails to earn tenure in this accelerated review cycle, he/she may apply for tenure again only after two years or in the sixth year of the pre-tenure cycle.

III.B.2.a) Extension for Extenuating Circumstances

Upon the occurrence of extenuating circumstances, faculty members on tenure-track may apply for an extension of time in which to meet tenure requirements.

Extenuating circumstances may include, but are not limited to, childbirth, adoption, foster care of a child, care for a family member, illness and public/university service.

As soon as extenuating circumstances arise, the faculty member should contact the appropriate department chair (or dean if no department exists) and submit a formal written request for an extension for extenuating circumstances with all supporting documentation. The request, with documentation, will follow the normal PRT chain of review: DPRTC, Chair, CPRTC, Dean, UPRTC and Provost and Vice Chancellor for Academic Affairs and Research. All tenure extensions under this policy will be granted in one year time periods. All extensions will be noted in the

faculty member's PRT file and on each subsequent application to the PRT process.

III.B.2.b) Instructor Tenure Exclusions

Persons holding the rank of instructor are not eligible for the award of tenure, and the time spent as instructor will not be credited to the pre-tenure probationary period required by those ranks in which tenure may be earned.

III.B.2.c) Provisional Employment Exclusions

Employment in assignments that will be discontinued when external or other special funds are exhausted and the assignments terminated will only be considered as part of the probationary period in meeting requirements for tenure if approved in writing prior to the commencement of an assignment. In all other instances such assignments funded by soft money are considered to be non-tenured positions.

III.B.3. Promotion, Retention and Tenure

Operational Procedures

During the fall semester, the University Promotion, Retention and Tenure Committee (UPRTC) will distribute for comments the current university statement on *Criteria for Promotion and Tenure*. Comments from the Chancellor, the Provost and Vice Chancellor for Academic Affairs and Research, the Academic Deans Council, the Chairs Council, the Faculty Senate, and the faculty will be used to make necessary revisions in criteria

to be used the following year. Criteria will include, but are not limited to, the following:

In disciplines and fields in which the earned doctorate is the terminal degree, the earned doctorate appropriate to the college, department and assignment is required; in disciplines and fields in which another earned degree is the terminal degree, the other earned terminal degree appropriate to the college, department and assignment is required. The requirement for possession of the terminal degree for tenure or promotion may be waived in the exceptional instances when a faculty member has had employment and performance experiences that constitute a generally accepted substitute for the terminal degree. In these rare instances the academic department must establish criteria, subject to approval of the dean of the college and the Provost and Vice Chancellor for Academic Affairs and Research, for the substitution of appropriate experiences. The department must also document that it is a widely used and respected academic practice to accept the kind of substitution that is being requested. The University PRT Committee will prepare a guide for the recommendations to be submitted by the department and committees. It will ask the department and college committees to provide evidence on areas including, but not limited to:

- teaching

- research, scholarship and other creative professional activities
- department, college university, professional and community service

Department and college PRT Committees may choose to weight the criteria for post-tenure promotion (teaching, scholarship and service) as appropriate to the discipline and mission. No area can be weighted at zero; there must be some contribution in all three areas. Faculty need not be outstanding in all three areas. In making judgments, the university, college and department PRT Committees and administrators will be aware of the diversity of disciplines.

Pre-tenured faculty will be evaluated for tenure and promotion based on the department, college and university criteria in place during their third year of employment on a pre-tenure appointment. This will coincide with the comprehensive pre-tenure review completed during the third year of employment at A-State. Tenured faculty applying for promotion will use the PRT criteria that have been in place for five years or less.

PRT discussions, votes, and recommendations are confidential at all levels; members will not share any individual information outside the committee. Voting at all levels will be by secret ballot and tallied by the committee chair. At each step in the review process for promotion or tenure (department, college and

university committees) applicants will be notified in writing of the recommendations and rationale. Applicants who wish to withdraw an application must do so by the close of the third business day following receipt of these notifications. Persons who withdraw an application for promotion and/or tenure at any stage of the process may not resubmit an application during that review cycle and may not grieve. On withdrawal of an application, review of that application, at all levels, will cease.

After the review process has been completed, applicants for promotion and tenure will receive a letter from the Provost and Vice Chancellor for Academic Affairs and Research copied to the chair and dean, informing them of the recommendation that will be made to the Chancellor. Applicants will be notified of the Provost and Vice Chancellor for Academic Affairs and Research's recommendation no later than the day that the final recommendation will be presented by the Chancellor and President to the ASU Board of Trustees for action.

Faculty applying for promotion will submit applications in accordance with the promotion and tenure schedule provided by the Office of the Provost/Academic Affairs and Research each year. Promotion recommendations will originate at the department level, move to the college level, then to the University Promotion, Retention and Tenure Committee (UPRTC). The UPRTC will submit its recommendation to the Provost and Vice

Chancellor for Academic Affairs and Research. Promotion and/or tenure may be granted by the Board of Trustees following recommendation by the Chancellor and the President of the University.

If the department PRT Committee has ranked its recommendations for promotion in order of preference, the college and university committees should give consideration to such ranking.

A PRT Committee member at any level (department, college or university) will not review any faculty application for tenure or promotion or make a recommendation for tenure or promotion if the faculty applicant has filed a past grievance that involved the PRT committee member. Similarly, a PRT member at any level will not review any faculty applications for tenure or promotion or make a recommendation for tenure or promotion if they have previously filed a grievance against an applicant.

In the interest of making effective decisions regarding promotion, retention and tenure, deans and/or department chairs have the responsibility of counseling with each faculty member at least once a year concerning the individual's performance in teaching, working with students, research, scholarship and creative activity, and professional involvement. A comprehensive pre-tenure review will be completed in the third year of employment at A-State for all pre-tenured faculty, regardless of rank.

In line with regular evaluation of the faculty, academic administrators will meet annually with the person to whom they report for a discussion and evaluation of their performance, career goals and objectives.

III.B.4. Promotion, Retention & Tenure Committees: Composition & Procedure

III.B.4.a) Department:

Each academic department will maintain a standing committee on promotion, retention and tenure [hereinafter PRT].

Departmental PRT committees will have a minimum of five tenured faculty members representing all areas within the department. Tenured and tenure-track faculty of each department will elect the committee with committee members serving staggered three-year terms, if possible. If the department cannot form a committee of five, the department chair, after consultation with the faculty in his/her department, will select faculty from other departments in the college to make up the committee. The chair of the department may serve on the committee as a nonvoting member.

If a department chooses by majority vote at the initial faculty meeting in the fall not to maintain a committee on promotion, retention and tenure, it shall develop criteria on promotion and tenure, which it shall submit to the college and university committees on promotion and tenure. That department shall

permit each faculty member to apply directly to the college committee for promotion and/or tenure. In addition, the college committee shall make recommendations to the chair regarding reappointment of faculty in that department. Each department that does not have a PRT committee will elect a representative to the college committee.

Using the university statement on criteria for promotion and tenure as a guide, each department will establish criteria for promotion and tenure. These criteria will be submitted to the UPRTC for approval. It is the responsibility of the department PRT committee to ensure that departmental PRT criteria are compatible and current with university and college PRT criteria and to provide department members with the department's PRT criteria. Departmental criteria may be more stringent than college or university criteria. Early in the first semester of a pre-tenure appointment, the department chair and the chair of the department PRT committee will meet with each new faculty member. At this meeting, the official promotion, retention and tenure documents will be discussed and explained. The new appointee will receive a copy of the departmental and college documents, and will sign a statement acknowledging receipt and understanding of the documents. If and when either the department or college PRT documents are revised, all faculty members will receive such revisions.

The department PRT Committee will review annually the progress towards tenure of pre-tenured faculty and will prepare written recommendations regarding retention that will be forwarded to the department chair. The chair will review the retention recommendations, add his or her own recommendations, and send them to the college PRT Committee or to the dean as determined by college procedures.

III.B.4.b) Third-Year Pre-tenure Review:

A comprehensive Pre-Tenure Review will be completed in the third year of employment at A-State for all pre-tenured faculty members regardless of rank. This review will require that all third-year pre-tenured faculty members submit documentation of performance in the areas of teaching, scholarly activities and service using the tenure application format. The departmental PRT Committee, the department chair and the dean will formally review this documentation and provide appropriate feedback to each third-year, pre-tenure faculty member regarding his/her progress toward tenure.

III.B.4.c) Review of Tenure/Promotion Applications

The department PRT Committee will consider the applications for promotion and/or tenure. Faculty eligible for promotion or tenure will have the opportunity to provide the committee with written supportive material with their application for promotion or tenure. The department committee will prepare written

recommendations with rationale that will be forwarded to each of the applicants. Each applicant who wishes to withdraw from further consideration for promotion and/or tenure must notify the chair of the department PRT Committee by the close of the third business day following receipt of the written recommendations of the committee. Persons who withdraw an application for promotion and/or tenure may not resubmit an application during that review cycle and may not grieve. Failure to successfully complete the tenure process in the sixth year of a pre-tenure appointment will result in issuance of a terminal appointment. For those applicants who continue in the process, the department PRT Committee recommendations will be forwarded, with all supporting material, to the chair of the department who will review the PRT applications and recommendations. The chair will add his/her written recommendations and rationale, and send them to each applicant. Each applicant who wishes to withdraw from further consideration must notify the chair by the close of the third business day following receipt of the written recommendations of the chair. For those applicants who continue with the process, the chair will send his or her recommendations and all supporting material to the college PRT Committee.

III.B.4.d) College

Each department committee on promotion, retention and tenure will elect annually one representative to serve on the college committee on promotion, retention and tenure (CPRT). Committee members will serve staggered two year terms. If the college cannot form a committee consisting of tenured faculty, the dean should consult informally with department chairs and the senior faculty members to form the committee. To ensure continuity at the university level, colleges should elect their representative to the UPRTC (college committee chair) for a two-year term under the following schedule:

College of Agriculture, Engineering and Technology,
Business and Education and Behavioral Science elect in
even years.

College of Liberal Arts and Communication, Nursing and
Health Professions and Sciences and Mathematics elect in
odd years.

Each college faculty may increase or decrease the
membership of its college committee, subject to the
required minimum of one from each department, as long
as members are equitably allocated among departments.

For faculty members having a teacher education
component, the chair of the Professional Education
Faculty Review Committee will be included as a non-
voting member.

Using the University statement on criteria for promotion and tenure, each college will establish criteria for promotion. College criteria must meet and may exceed university criteria. These criteria will be submitted to the UPRTC for approval.

III.B.4.e) Review of Tenure/Promotion Applications

The college committee will have at least ten working days for consideration of the recommendations and supportive documents provided by the department committee and chair related to promotion, retention, and tenure and will prepare written recommendations that will be forwarded to the applicants. Each applicant who wishes to withdraw from further consideration must notify the chair of the college committee by the close of the third business day following receipt of the written recommendations of the committee. For those applicants who wish to continue the process, the chair of the committee will forward recommendations and all supporting material directly to the dean of the college. The dean will review these recommendations, add his/her own, and send copies to each of the applicants. Each applicant who wishes to withdraw from further consideration must notify the dean by the close of the third business day following receipt of the written recommendation of the dean. For those applicants who wish to continue the process, the dean will forward his/her

recommendation and all supporting material to the Office of the Provost/Academic Affairs and Research. This office will provide copies of the completed PRT application packets and all supporting material including recommendations from chairs, deans and PRT committees to members of the UPRTC for their consideration.

III.B.4.f) University:

The chair of each College PRT Committee will represent the college on the University Promotion, Retention and Tenure Committee (UPRTC). The committee shall elect its own officers. The chair of the UPRTC will have served at least one-year as a member of the committee prior to becoming chair.

III.B.4.g) Review of Tenure/Promotion Applications

Members of the UPRTC will have access to the written recommendations from the department and college committee and the chair and dean (for faculty members having a teacher education component, the recommendation of the head of the education unit will be included, as cited in Appendix D) at least two weeks before the university committee makes its determination. The committee will prepare written recommendations that will be forwarded to the applicants. Each applicant who wishes to withdraw from further consideration must notify the chair of the UPRTC by the close of the third business day following receipt of the written

recommendations of the committee. For those applicants who wish to continue the process, the chair of the committee will forward recommendations and all supporting material directly to the Provost and Vice Chancellor for Academic Affairs and Research, who will review these recommendations, add his/her own, and send them, with all supporting material, to the Chancellor for consideration. A letter from the Chancellor informing the applicant of the final decision on promotion or tenure will be included in the faculty member's employee PRT file and copied to the chair and dean.

III.B.4.h) Promotion, Retention and Tenure Files

Other than the PRT application provided by the faculty member, letters required from committees and administrators, and peer reviews solicited internally and externally, no records concerning the faculty member will be added to his/her PRT documents unless such records are also part of that faculty member's employee file. These documents will be maintained separately from other employee files for five years in the Office of the Provost/Academic Affairs and Research. Generally, the only document from the PRT process that will be added to a faculty member's employee file will be the letter from the chancellor informing the applicant of the final decision on promotion or tenure. However, where the recommendation is negative, copies of the reports from those levels which provided

a negative recommendation will be included in the employee file.

III.B.4.i) Applicant Review of PRT File:

At the conclusion of the promotion and tenure process, an applicant may review his/her promotion/tenure document.

III.B.4.j) Academic Hearing Committee Review of PRT Files:

PRT files of other similarly situated faculty members, whether current or on retention in the Office of the Provost/Academic Affairs and Research, will be available to the Academic Hearing Committee to the extent that the Academic Hearing Committee deems that such records are relevant and necessary to the fair disposition of the grievance before them. PRT files may be reviewed by the committee in the Office of the Provost/Academic Affairs and Research.

III.C. Promotion

Promotion, as the name suggests, is the logical progression along the academic faculty spectrum and is a process separate from that of tenure. However, as with tenure decision, promotion decisions are typically based on meritorious productivity within the areas of teaching, research and service. Like Tenure, promotion is awarded by the ASU Board of Trustees upon recommendation of the Chancellor.

III.C.1. Promotion from Instructor to Assistant

Professor

Members of the faculty who hold instructor rank may be promoted to assistant professor and granted a pre-tenure contract when:

- The Provost and Vice Chancellor for Academic Affairs and Research receives documentation of completion of requirements for the terminal degree and, additionally,
- Receives favorable recommendations for promotion from the appropriate chair and dean.

Faculty at the instructor rank who complete requirements for the terminal degree should provide their department chair with evidence of completion. Upon favorable recommendations by the chair and dean and approval by the Provost and Vice Chancellor for Academic Affairs and Research, promotion to the rank of assistant professor may be recommended by the Chancellor to the President and the Board of Trustees.

III.C.2. Time in Rank

Except in unusual circumstances, the minimum time-in-rank between assistant and associate professor will be three years. The minimum time-in-rank between associate and full professor will be five years.

III.C.3. Criteria for Promotion

Using the University statement on criteria for promotion and tenure, each college will establish criteria for promotion. College criteria must meet and may exceed university criteria. These criteria will be submitted to the UPRTC for approval. Applicants should communicate with their respective College PRT Committees for specific promotion criteria.

III.C.4. Promotion Process

Applicants are referred to Section III.B.2. above for specifics of the promotion process.

III.D. Post-tenure Review

III.D.1. Arkansas Act 1330 of 1997

Arkansas Act 1330 of 1997 mandated that state-supported institutions of higher education “work with the campus facilities to develop a framework to review faculty performance, including post-tenure review.” The stated purpose of Act 1330 was to ensure and enhance faculty performance and “productivity,” and to “correct instances of substandard performance.” A-State recognizes that the reward of tenure, based on professional achievement, brings with it certain obligations and responsibilities to colleagues, the institution and the State of Arkansas.

The purpose of post-tenure review, an action called for by Act 1330, will be to ensure a consistently high level of performance of the faculty of A-State. Pursuant to law, the effects of the review process of faculty performance should include rewarding productive faculty, redirecting faculty efforts to improve or increase productivity and correcting instances of substandard performance.

A-State has a well-established and long-standing practice of annual faculty performance reviews that does include review of tenured faculty. Faculty members are required to submit a yearly productivity report. Teaching, research and service performance are evaluated, and an annual

conference with the department chair is required. Unsatisfactory performance evaluations result in a plan for near-term improvement. The existing annual review process, depicted in the flow chart below (III.D.4.), meets the requirements of Act 1330. However, the establishment of a framework for post-tenure review beyond the annual review process will serve to enhance and protect the integrity of the tenure system.

Substantive Post-Tenure Review will occur if (a) there have been two consecutive annual unsatisfactory performance ratings given by the department chair, or (b) a group (two or more) of tenured faculty in the department petition for review of a colleague. The faculty within each department will develop the criteria defining unsatisfactory performance.

III.D.2. Substantive Post-Tenure Review

A summary of the major aspects of the Substantive Post-Tenure Review process is presented in a flow chart at the end of this report.

III.D.2.a) Chair's Rating of Unsatisfactory Performance

As part of the existing annual performance review process, department chairs rate each faculty member's professional performance as "satisfactory" or "unsatisfactory."

Unsatisfactory performance is substandard performance substantially below the expectations for professionally competent faculty.

Three successive unsatisfactory ratings serve to trigger a review by the department PRT Committee.

III.D.2.b) Department PRT Committee Review

The department PRT Committee will conduct an in-depth review and analysis of the faculty member's professional performance. Evidence to be reviewed may be submitted by the department chair and/or the petitioners as well as by the faculty member under review. The committee will review annual performance review documents in the faculty member's employment file. Additional evidence and materials to be reviewed may be volunteered by or requested by any of the parties to the review. The faculty member will be afforded the opportunity to meet with the committee. The committee is responsible for conducting an investigation, studying all the pertinent facts, consulting with appropriate parties, and preparing a written report on its conclusions. The basic standard for the review shall be whether the faculty member appropriately and competently discharges the duties associated with his or her position, not whether that performance meets current criteria for tenure.

III.D.3. Post-Tenure Appeal Procedures

A faculty member who has undergone a Substantive Post-Tenure Review has the right to one appeal rendered by the University PRT Committee. All appeals must be filed with the chair of the University committee within 10 business days of receipt of the written decision of the departmental PRT

Committee. The appeal must be in writing. The decision of the University PRT Committee is forwarded to the Chancellor for final action.

III.E. Additional PRT Procedures for Faculty Members Having Teacher Education Responsibilities as Part of the Responsibilities

III.E.1. Retention of Professional Education Unit Faculty Outside the College of Education

The retention process builds on the shared responsibility for the development of new faculty members with both the disciplinary and professional education assignment. The process also is an opportunity to validate the role of the professional education unit faculty outside the College of Education in advising, service, scholarship, and ongoing involvement with the public schools, which is expected of professional education unit faculty. The retention process is viewed as formative in nature. The goal is to facilitate the development of new colleagues in their teaching, scholarship, and service in the discipline and as a professional education unit faculty member. The intent is to provide a mechanism for ongoing review and support to the pre-tenure faculty member and enhance communication between the disciplinary faculty and administrators and professional education unit faculty and administrators.

III.E.1.a) The Process

- The retention review process is aligned with the current university process. The pre-tenured faculty member submits materials to the Department or College PRT

Committee and the professional education retention review panel, in accordance with the established schedules of the university and using the recommended university format.

- The retention review panel will submit their recommendations regarding continuing membership of the faculty member in the Professional Education Unit to the Department or College PRT Committee and Head of the Unit in a mutually-agreed upon schedule to permit the inclusion of the professional education information in the review. Ideally, a representative of the retention review panel would meet with the Department or College PRT Committee to share information regarding the roles and responsibilities of the faculty member.
- The retention recommendations follow the established university procedures with regard to forwarding information to the College Dean.
- The Dean of the College and the Head of the Unit will discuss and jointly prepare and/or sign annual recommendations to the Provost and Vice Chancellor for Academic Affairs and Research. In the event that the department or college PRT Committee or the professional education review panel has concerns related to performance in either area, these findings will be

submitted to the Dean and/or the Head of the Unit. If either the Dean and/or the Head of the Unit have concerns related to the continuance of a probationary faculty member, they will attempt to resolve the concerns. If they cannot resolve the difference, they will jointly meet with the Provost and Vice Chancellor for Academic Affairs and Research for continued discussions and reach consensus within the stated time lines for notification of continuance.

- Recommendations from the department and college PRT committees along with the joint recommendation from the dean of the college and the head of the education unit will be sent to the University Promotion, Retention and Tenure committee.
- Professional Education Retention Review Panel:
The Retention Review Panel will be comprised of tenured faculty who are members in good standing of the professional education unit faculty. The pre-tenure faculty member will meet with the head of the unit early in the fall semester to identify the three faculty who will comprise the professional education retention review panel. The faculty member will select one member; the head of the unit will select one member; and together the faculty member and the head of the unit will select the

third member. Ideally, the pre-tenure faculty member would retain the panel throughout the probationary period.

III.E.1.b) Promotion and Tenure of Professional Education Unit Faculty Outside the College of Education

- The process recognizes that university faculty members hold rank and tenure in departments and colleges. However, the responsibilities of the professional education unit faculty outside the College of Education to the professional education unit must be considered in the promotion and tenure process.
- As presented on the flow chart at the end of this section, the recommended promotion and tenure review process is aligned with the current university process. The faculty member submits materials to both the Department or College PRT Committee and the professional education review panel in accordance with the established schedules of the university and using recommended university format.
- The review panel will submit a report describing the contributions of the faculty member across teaching, scholarship, and service as a member of

the professional education unit faculty to the Department or College PRT Committee in a mutually-agreed upon schedule to permit the inclusion of the professional education information in the review. Ideally, a representative of the review panel would meet with the Department or College PRT Committee to share information regarding the roles and responsibilities of the faculty member. The committee will forward a copy of their report to the head of the unit.

- The promotion and tenure recommendations follow the established A-State procedures with regard to forwarding recommendations to the college dean.
- The dean of college and the head of the unit will discuss the faculty member under review. In the event that the Department or College PRT Committee or the Professional Education Review Panel has concerns related to performance in either area, these findings will be submitted to the dean and/or head of the unit. If the dean and/or head of the unit have concerns related to the continuance of a probationary faculty member,

they will attempt to resolve the concerns. If they cannot resolve the difference, they will jointly meet with the Provost and Vice Chancellor for Academic Affairs and Research for resolution within the stated time lines for notification of continuance.

III.F. Reasons for Dismissals of Tenured Faculty

III.F.1. Personal and Professional

A tenured faculty member will be dismissed only for adequate cause. Examples of grounds which may constitute cause for dismissal include, but are not limited to, the following: admission and/or conviction of a felonious act, moral turpitude, professional incompetence, unprofessional conduct, unauthorized use or abuse of university property, insubordination, excessive absenteeism, theft, physical/mental disability that prevents the performance of required activities, or neglect of professional responsibilities.

III.F.2. Financial Exigency

Cases of bona fide financial exigency or the phasing out of institutional programs requiring reduction of faculty may require a reduction of tenured faculty.

III.G. Procedure for Dismissals of Tenured Faculty

III.G.1 Personal and Professional

Administrative officers, faculty members, or students who believe that reasonable cause for dismissal of a tenured faculty member exists may present a written statement of the case to the appropriate department chair and/or dean who will discuss their recommendations with the Provost and Vice Chancellor for Academic Affairs and Research. The Provost and Vice Chancellor for Academic Affairs and Research will conduct a preliminary investigation, study all the pertinent facts and consult with the appropriate parties. If the Provost and Vice Chancellor for Academic Affairs and Research believes that cause for dismissal exists, the Provost and Vice Chancellor for Academic Affairs and Research shall initiate dismissal proceedings through the Academic Hearing Committee (AHC). The AHC will proceed with its investigation and recommendation as outlined in the Faculty Grievance Procedure. The recommendation of the Academic Hearing Committee, along with the recommendation of the Provost and Vice Chancellor for Academic Affairs and Research, will be forwarded to the Chancellor for final review and action.

At any point prior to the final recommendation of the AHC, the Provost and Vice Chancellor for Academic Affairs and Research may request that the dismissal proceeding be dropped or the faculty member may resign. If the faculty member chooses to resign, he/she may not grieve.

The faculty member will not be suspended from regular duties during this procedure unless the welfare of the individual, the university, or the

student body is threatened. The faculty member may be assigned other duties or be granted leave with or without pay unless legal considerations prohibit this option. Any faculty member suspended without pay may consult with the Department of Human Resources about filing a claim for pay with the appropriate agency.

III.G.2. Termination of Faculty Members in Cases of Financial Exigency or Phasing Out of Program

Determination of Financial Exigency or Discontinuance of Academic Programs

- A financial exigency is a fiscal condition that requires and permits a reduction or elimination of a program or several programs even though it results in the termination or reassignment of tenured faculty.
- A discontinuance of an academic program permits the termination or reassignment of faculty in an academic program whether they are tenured or not. A decision to discontinue or phase out a program does not require a declaration that a condition of financial exigency exists, but such a decision must take due regard of annual appointments of the faculty and the educational needs of the students.

Criteria for Identification of Faculty to be Terminated

- Procedure: The Chancellor will determine whose appointments are to

be terminated following the declaration of financial exigency or phasing out of program based on the criteria identified below.

- Criteria: The criteria to be utilized by department chairs and deans in making specific recommendations regarding reductions in faculty in the event of a financial exigency or phasing out of program shall be the following:

In the event of a reduction in the number of faculty within a given department, but not the elimination of that unit, the principal consideration in determining which faculty to retain and which to release should be the maintenance of viable and effective academic programs within that department. After faculty members, tenured and non-tenured, who are essential to a program's effective continuance have been identified, the remaining faculty within a department who can be retained, if any, should have priority in retention on the basis of the following criteria, stated in general order of importance:

Tenure

Tenure should be assigned major importance in retaining faculty within a department having both tenured and non-tenured faculty.

Programmatic Needs of the University

The overall programmatic needs of the university must be considered.

An adequate curriculum must be retained, with the requisite courses for basic degree programs and major offerings. The deans and

department chairs will review faculty who are to continue and ensure that those who are to continue are able to contribute significantly to the curriculum and to teach the necessary courses. The faculty members retained will possess the requisite qualifications to perform the work required.

Rank

Rank normally reflects the degree of teaching effectiveness and scholarly accomplishment by the faculty member, holding length of service constant.

Length of Demonstrated Professional Excellence

Extended service of high caliber is an important measure of the basic character and motivation of the faculty member and an indication as well of loyalty to the profession and institution, intellectual stamina, and general stability. Such assets, demonstrated over an extended time, will be given considerable attention and credit.

Procedure for Termination

The statement of financial exigency or the phasing out of an institutional program as the reason for dismissal of a faculty member should be supported in the notice of termination to the faculty member by a specific description of the financial exigency or the reason for phasing out of the institutional program involved. Such a statement shall be *prima facie* showing of good cause for the dismissal of the faculty member.

Personal Conference

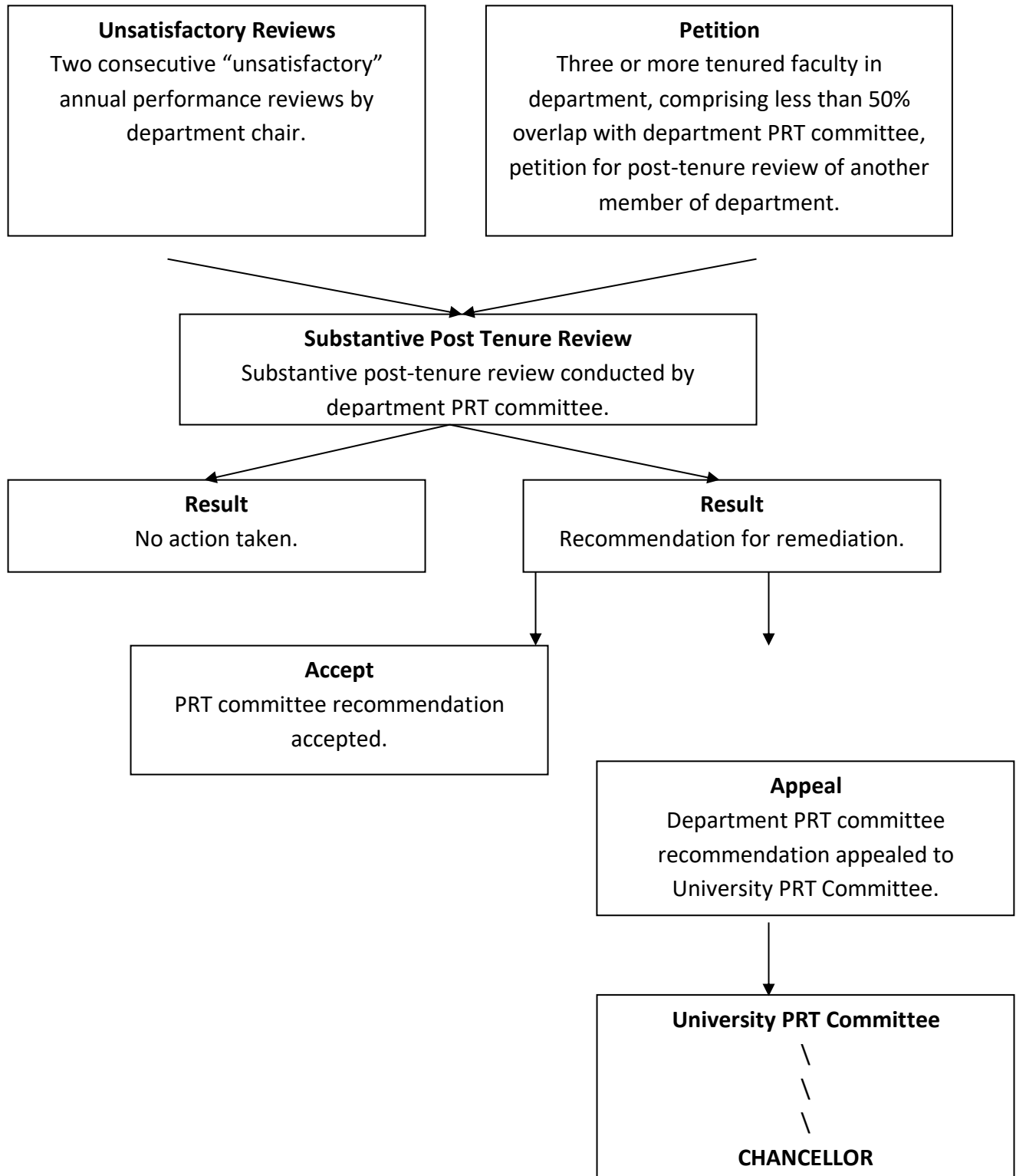
After the faculty member has received notice in writing of the reasons for dismissal, the appropriate administrative officer, at the request of the faculty member, will discuss the matter with the individual in a personal conference. If an understanding of the university's decision satisfactory to the faculty member does not result, the faculty member may file a grievance.

III.H. Non-reappointment of Pre-Tenured and Non-Tenured Faculty

Non-tenure or pre-tenure faculty members have no guarantee of future employment or ultimate tenure status. Non-reappointment is not a grievable issue. In declining to reappoint, the university makes no charge against the faculty member that might seriously damage his/her standing and association in the community and does not foreclose the faculty member's freedom to take advantage of other employment opportunities.

Written notice of the intention not to reappoint a faculty member on pre-tenure appointment, including library faculty members, will be given by the Provost and Vice Chancellor for Academic Affairs and Research according to the following schedule: (1) not later than March 1 of the first full academic year of service, (2) not later than December 15 of the second full academic year of service, and (3) at least 12 months before the expiration of an appointment after two or more full academic years.

III.D.4. Post-Tenure Review Flow Chart



Section IV

The grievance procedure is designed to resolve grievances at the department, college or university level whenever possible, or failing that, through a committee which will be empowered to hear the complaint. Grievants are encouraged to discuss and resolve the grievance at the level closest to the faculty member, regardless of the nature of the grievance. If the grievance remains unresolved after initial discussions, the faculty member may file a formal grievance pursuant to the procedures below. Grievances are filed by individual faculty members using the procedures identified in Section IV.B. if the issue to be grieved is consistent with Section IV.A., including if the grievance is alleging discrimination on the basis of color, race, age, national origin, religion, marital status, Veteran status, genetic information or disability.

Faculty grievances on the denial of promotion or tenure are governed under Section IV.C. herein.

Faculty grievances alleging discrimination on the basis of sex are governed by the Sexual Discrimination Grievance Procedure, as outlined in Section IV.D. herein.

Student grievances again or involving a faculty member are governed by the Student Academic Grievance Procedure or Student Rights Grievance Procedure, as applicable.

A-State will not discriminate against, and is prohibited from discriminating against any person who has filed a grievance.

IV. Faculty Grievance Procedure

IV.A. Grieveable Issues

The faculty grievance procedure applies only to alleged institutional error which affects the terms or conditions of that faculty member's employment, and includes allegations of discrimination on the basis of color, race, age, national origin, religion, marital status, Veteran status, genetic information or disability.

Institution error occurs when no legitimate reason exists for the action taken.

Decisions which require the exercise of judgment or discretion cannot constitute institutional error. Dissatisfaction with or recommended changes to university

policy are not Grievable Issues and must be pursued through the University Governance procedures set out in Section I of this Faculty Handbook. A representative from the Department of Human Resources will be available to assist the faculty member in determining whether a Grievable Issue exists. All grievances will be investigated within the stated time period to ensure prompt, yet thorough action. The Assistant Vice Chancellor for Human Resources will grant time adjustments in the event of circumstances that prevent the grievance from being heard within the time period outlined in this Faculty Handbook. In such circumstances all parties will be notified in writing by the Associate Vice Chancellor for Administration of the length of extension granted. Employee files of a faculty grievant and of other similarly situated faculty members, for purposes of comparison, will be available to faculty grievance committees to the extent that such committees deem such records relevant and necessary to the fair disposition of the grievance before them. PRT files of other similarly situated faculty members, whether current or on retention in the Office of the Provost/Academic Affairs and Research, will be available to the Academic Hearing Committee to the extent that the Academic Hearing Committee deems such records relevant and necessary to the fair disposition of the grievance before them. PRT files may be reviewed by the committee in the Office of the Provost/Academic Affairs and Research.

IV.B. Steps in the Grievance Procedure

Any grievance not related to promotion, retention, or tenure must be filed in writing within ninety (90) days from the time the events leading to the complaint occurred.

Any faculty member with a complaint based on discrimination because of race, color, religion, age, disability, gender or national origin should at this point also contact the Office of Affirmative action. All discrimination complaints will be monitored by the Office of Affirmative Action and the Assistant Vice Chancellor for Human Resources.

Grievance committee discussions, votes and recommendations are confidential at all levels: members will not share any individual information outside the committee. Voting at all levels will be by secret ballot and tallied by the committee chair.

IV.B.1. Department level: (Initial Discussions)

Initially, a faculty member seeking to file a grievance should discuss the grievance with the department chair. It is the chair's responsibility to give an impartial, informal hearing, to make a complete investigation, and, if possible, to seek an answer or resolution agreeable to all parties. The department chair shall reply orally to the faculty member within twenty (20) business days. If a mutually agreeable resolution is not reached within twenty (20) business days after the presentation of the grievance to the chair, the faculty member may submit a written complaint to the Department Grievance Committee. Complaint forms can be obtained in the Department of Human Resources and, upon request, a staff member there will assist in the preparation of a complaint and explain the steps involved in the grievance procedure. The Department of Human Resources will maintain secure files on all grievances and will monitor their outcome once they have reached this level.

IV.B.1.a) Department Grievance Committee (Composition)

Each department shall establish a Department Grievance Committee, including at least five (5) members to represent all tenured and non-tenured faculty members in the department. This committee is a standing body elected by the full-time faculty in the department. Faculty selected will reflect the racial, ethnic, and gender diversity of the department. Members serve two-year terms with a portion being replaced annually as determined by the department. The committee elects a chair each year. No faculty member may sit on a committee to hear a grievance against himself or herself, a grievance he/she has filed or a grievance which he/she may later review or act upon, except that a member of the Department Grievance Committee shall sit on the College Grievance Committee. The Assistant Vice Chancellor for Human Resources or his/her designee will serve as an ex-officio, nonvoting member of the committee for the purpose of providing advice and assistance on university procedural and policy matters. The Assistant Vice Chancellor for Human Resources will be present for the initial presentation of the grievance to the committee and during any formal hearing. The Assistant Vice Chancellor for Human Resources will not be present during committee discussions and deliberations unless asked to attend; however, he/she will review the committee's

report of findings and their recommendations for technical and/or legal issues prior to submission. In cases of alleged discrimination, the role of an affirmative action coordinator is limited as described above for the Assistant Vice Chancellor for Human Resources.

For those departments which do not have at least five (5) faculty members, faculty members from other departments, both within and outside of the college, may be substituted to compose the Department Grievance Committee. Any person serving on the Department Grievance Committee is prohibited from sitting on the Academic Hearing Committee for the same grievance.

IV.B.1.b) Proceedings

The Department Grievance Committee has no more than twenty (20) business days after a complaint is received to make a recommendation in writing to the department chair, the grievant, and any other party in the grievance with a copy to the Assistant Vice Chancellor for Human Resources. All proceedings of this committee shall be in closed session and will not include the grievant or the party complained against unless the committee requests their oral testimony. If oral testimony is requested by the committee, both parties may be present. Each party may have up to two (2) advisers or colleagues present during the testimony, whose role shall be limited to personal

consultation. The committee will be notified at least one (1) business day and not fewer than twenty-four (24) hours in advance of the identity of any advisers to be present. The chair of the committee may examine official files relevant to the case. These data may be submitted in summary form by the committee as part of the record, giving due regard to confidential information. If a mutually agreeable resolution is not reached by the Department Grievance Committee, a written complaint should be submitted by the grievant to the dean within ten (10) business days after the Department Grievance Committee's response is received.

IV.B.1.c) Recommendations

In resolving a case the Department Grievance Committee has two (2) options:

- It may recommend after hearing the evidence that the grievance should be denied on the grounds that no institutional error was found.
- If the Department Grievance Committee decides that an institutional error has been made, it will recommend a remedy. Recommendations for redress of the grievance will be based upon the committee's perceived need for an appropriate change in a term or condition of employment.

IV.B.1.d) Findings

In all instances the committee will prepare a written record of its findings of fact, a statement of its conclusion, including the reasons or policy criteria used in reaching their conclusions and recommendations for the resolution of the grievance. This response will be filed with the Department of Human Resources as the committee's official findings and will be retained for a period of not less than five (5) years. Copies of the Departmental Grievance Committee report will also be sent to the grievant, the party complained against, the department chair, the dean of the college and in cases of alleged discrimination to the affirmative action coordinator. If the complaint remains unresolved after the Department Grievance Committee action, the grievance may be sent to the dean of the college by any of the parties within ten (10) business days following the receipt of the findings of the Department Grievance Committee.

IV.B.2. College Level (Initial discussions with the Dean

After receiving a written grievance, the dean shall have ten (10) business days to prepare a written response. In that time, the dean will consult with the department chair and chair of the Department Grievance Committee involved, study all the relevant facts, carefully examine any policies involved, discuss the issue with the faculty member and, if possible, resolve the issue raised within the framework of existing university policy to the satisfaction of all involved. If a mutually agreeable

resolution is not reached within ten (10) business days after presentation of the grievance to the dean, the grievant may submit a written complaint to the College Grievance Committee. The Department of Human Resources will maintain secure files on all complaints and will monitor their outcome once they have reached this level. The grievant along with any other parties involved in the grievance, the department chair and the Assistant Vice Chancellor for Human Resources shall receive written notification of the dean's response to the grievance. A copy of this response should also be sent to the affirmative action coordinator if a complaint of discrimination is involved.

IV.B.2.a) College Grievance Committee

Composition

Each college shall establish a College Grievance Committee, consisting of at least five (5) tenured faculty members representing all tenured and non-tenured faculty. The College Grievance Committee will include one (1) representative from each department within the college serving on his or her department's Departmental Grievance Committee (normally the chair of that committee). This committee is a standing body representing all faculty members in the college. Faculty selected will reflect the racial, ethnic, and gender diversity of the college. Members serve staggered two (2) year terms with a portion being replaced annually. The committee elects a chair each year. No faculty member may sit on a committee to hear a

grievance against himself or herself, a grievance he/she has filed or a grievance which he/she may later review or act upon.

In discrimination complaints the College Grievance Committee shall have three (3) additional members who shall be selected by the College Grievance Committee from a pool of nine (9) tenured faculty members who are appointed by the Chancellor and who will have special training in issues involving discrimination. These nine members (9) will also serve two-year terms on a rotating basis.

The Assistant Vice Chancellor for Human Resources or his/her designee will serve as an ex-officio, nonvoting member of the committee for the purpose of providing advice and assistance on university procedural and policy matters. The Assistant Vice Chancellor for Human Resources will be present for the initial presentation of the grievance to the committee and during any formal hearing. The Assistant Vice Chancellor for Human Resources will not be present during committee discussions and deliberations unless asked to attend; however, he/she will review the committee's report of findings and their recommendations for technical and/or legal issues prior to submission to the dean. The Assistant Vice Chancellor for Human Resources may consult with the Office of General Counsel for the ASU System regarding any legal issues related to the grievance. In cases of alleged discrimination, the role of an

affirmative action coordinator is limited as described above for the Assistant Vice Chancellor for Human Resources.

IV.B.2.b) Proceedings

The College Grievance Committee has no more than twenty (20) business days after a complaint is received to make a recommendation in writing to the dean, to the grievant, others party to the grievance and a copy to the Department of Human Resources. All proceedings shall be in closed session and will not include the grievant or the party complained against unless the committee requests their oral testimony. If oral testimony is requested by the committee, both parties may be present. Each party may have up to two (2) advisers present during the testimony, whose role shall be limited to personal consultation. The committee will be notified at least one (1) business day, and not fewer than twenty-four (24) hours in advance of the identity of any advisor or colleague to be present.

IV.B.2.c) Recommendations:

In resolving a case the College Grievance Committee has two options:

- It may recommend after hearing the evidence that the grievance should be denied on the grounds that no institutional error was found.
- If the Department Grievance Committee decides that an institutional error has been

made, it will recommend a remedy.

Recommendations for redress of the grievance will be based upon the committee's perceived need for an appropriate change in a term or condition of employment.

IV.B.2.d) Findings

In all instances the committee will prepare a written record of its findings of fact, a statement of its conclusion, including the reasons or policy criteria used in reaching their conclusions and recommendations for the resolution of the grievance. This response will be filed with the Department of Human Resources as the committee's official findings and will be retained for a period of not less than five (5) years. Copies of the College Grievance Committee report will also be sent to the grievant, the party complained against, the department chair, the dean of the college, the Provost and Vice Chancellor for Academic Affairs and Research, and in cases of alleged discrimination to the affirmative action coordinator. If a mutually agreeable resolution is not reached by the College Grievance Committee, the grievance may be sent to the chair of the Academic Hearing Committee (AHC) by any of the parties involved within ten (10) business days

of receipt of the findings of the College Grievance
Committee.

IV.B.3. University Level:

IV.B.3.a) Composition of Academic Hearing Committee

At the end of each spring semester, the Executive Committee of the Faculty Senate will present to the Chancellor a list of the names of fifteen (15) tenure-track/tenured full-time faculty members (at least half of whom will have served during the previous academic year) who will serve two (2) year terms that are staggered to provide continuity to the committee. Terms will begin at the start of each academic year. The Executive Committee of the Faculty Senate will ensure that all colleges are represented when drawing up the list of names. Faculty selected will reflect the racial, ethnic and gender diversity at A-State.

At the first committee meeting, the AHC will elect a chair who has recently served on the AHC. The chair of the AHC must be a tenured faculty member. When a grievance reaches the level of the AHC, the chair of the AHC will notify the Chancellor. The Chancellor will select from the committee of the whole, a subcommittee of five (5) to hear each grievance. The Chancellor will also select a dean, from among the pool of academic deans, and a department chair, from the pool of department chairs, to serve for each subcommittee empaneled. The AHC chair will

serve as the nonvoting chair for the seven (7) member subcommittee empaneled. Faculty members who have been selected to serve on a College Grievance Committee may not simultaneously sit on the Academic Hearing Committee for the same grievance.

Each subcommittee will elect one (1) of its members to prepare a record of the proceedings and deliberations and prepare a formal report of the committee findings. The Chancellor will select a replacement from the AHC for any member of a subcommittee who must recuse himself/herself or who will not be available for the duration of the hearing.

In cases of alleged discrimination, three (3) additional tenured professors, selected from the University Diversity and Affirmative Action Committee, will join the AHC. The parties on each side of such a case will each choose one (1) member from the UDAAC; the two (2) individuals selected from the UDAAC will in turn select a third person from the UDAAC to sit on the AHC. The Department of Human Resources will assemble any necessary materials relevant to the grievance before the subcommittee, arrange facilities, and maintain an official written record of the hearing when completed.

The Assistant Vice Chancellor for Human Resources or his/her designee will serve as an ex-officio, nonvoting member of the committee for the purpose of providing advice and assistance

on university procedural and policy matters. The Assistant Vice Chancellor for Human Resources will be present for the initial presentation of the grievance to the subcommittee and during any formal hearing. The Assistant Vice Chancellor for Human Resources will not be present during subcommittee discussions and deliberations unless asked to attend; however, he/she will review the subcommittee's report of findings and their recommendations for technical and/or legal issues prior to submission to the Chancellor by the chair of the AHC. The Assistant Vice Chancellor for Human Resources may consult with the Office of General Counsel for the ASU System regarding any legal issues related to the grievance. In alleged discrimination cases, the role of an affirmative action coordinator is limited as described for the Assistant Vice Chancellor for Human Resources.

IV.B.3.b) Proceedings

The Academic Hearing Committee has no more than twenty (20) business days after a grievance is received to make a recommendation in writing to the Chancellor, Assistant Vice Chancellor for Human Resources, and any and all parties to the grievance. All proceedings of this committee shall be private and will not include the grievant or the part complained against unless the committee requests their oral testimony. If oral testimony is requested from either party, both parties may be

present. Each party may have up to two (2) advisers present during the testimony; however, the role of the advisor will be limited to personal consultation. The committee will be notified at least one (1) business day and not fewer than twenty-four (24) hours in advance of the identity of any advisers to be present. The committee will make their recommendations to the Chancellor, the Assistant Vice Chancellor for Human Resources, and all individuals party to the grievance. In all deliberations regarding a case before the AHC, only the empaneled committee members may be present and participate.

IV.B.3.c) Recommendations

In resolving a case the Academic Hearing Committee has two options:

- It may recommend after hearing the evidence that the grievance should be denied on the grounds that no institutional error was found.
- If the Department Grievance Committee decides that an institutional error has been made, it will recommend a remedy. Recommendations for redress of the grievance will be based upon the committee's perceived need for an appropriate change in a term or condition of employment.

In all instances the committee will make a written record of its finding of fact, a statement of its conclusion, including the reason or policy criteria used in reaching its conclusion, and any recommendation for resolution of the grievance. All recommendations by the AHC shall be forwarded to the Chancellor. Copies of the committee's recommendation shall also be sent to all parties concerned, the department chair, the dean, the Provost and Vice Chancellor for Academic Affairs and Research and the Assistant Vice Chancellor for Human Resources, and in cases of alleged discrimination to the university affirmative action coordinator.

The Chancellor shall render a final decision on the grievance and communicate that decision in writing in the form of a letter to the grievant and to the chairperson of the AHC with ten (10) working days after receipt of the AHC's recommendation. In the event that the Chancellor does not follow the recommendation of the AHC, he/she will include in the letter to all parties involved his/her basis for not accepting the Committee's recommendation.

IV.C. Grievance on Promotion or Tenure

A faculty member who has been denied promotion or tenure and believes there are grounds for a grievance relating to his/her case must begin the grievance process within thirty (30) business days after receipt of the letter from the Provost and Vice Chancellor for Academic Affairs and Research notifying him/her that

his/her application for promotion and/or tenure has been denied. The faculty member may discuss denial of promotion or tenure with the Provost and Vice Chancellor for Academic Affairs and Research and, if the faculty member remains unsatisfied, he/she may submit a grievance to the AHC. Since promotion and tenure recommendations come through a series of departmental, college, and university committees, grievances involving decisions relating to promotion and tenure will be reviewed by the Academic Hearing Committee for institutional error only.

Non-tenure or probationary faculty members who are not reappointed have the right to discuss this issue with the chair of their Department PRT Committee, the department chair, the dean and the Provost and Vice Chancellor for Academic Affairs and Research but may not grieve.

IV.C.1. Document Collection and Disposition:

When a grievance proceeding has been closed, all material relating to that case including official written records of the hearing, statements, other non-confidential evidence and documents, and a list of confidential materials examined shall be archived in the Department of Human Resources for a minimum of five (5) years. Care will be taken to ensure that no incomplete or inaccurate information pertaining to the grievance is retained in the file.

IV.D. Sexual Discrimination Grievances

Arkansas State University is committed to providing an educational and work environment for its students, faculty and staff that is free from sexual discrimination including sexual harassment, sexual assault, sexual violence,

stalking, domestic violence and dating violence. No form of sexual discrimination will be tolerated.

IV.D.1. Definitions:

IV.D.1.a) Sexual Harassment

Sexual harassment is defined as unwelcome gender-based verbal or physical conduct that is severe, persistent or pervasive and occurs when:

- Submission to, or toleration of, such conduct is made a term or condition of instruction, employment, or participation in other university activities;
- Submission to, or rejection of, such conduct is used as a basis for employment or education decisions affecting the individual; or
- Such conduct has the effect of unreasonably interfering with an individual's education or employment performance or creating an intimidating, hostile, or offensive university environment.

IV.D.1.b) Sexual Assault

Sexual assault occurs when a person is subjected to an unwanted sexual act by force or threat without consent. Sexual acts occur without consent when they are perpetrated against a person's will or where a person is incapable of giving consent

due to minority, intellectual impairment, or use of mind altering substances such as drugs or alcohol.

IV.D.1.c) Sexual Violence

Sexual violence includes sexual assault but may also consist of an attempt to obtain a sexual act or sexual advances using coercion which do not result in a completed sexual act.

- Stalking is defined as engaging in a course of conduct directed at a specific person that would cause a reasonable person to (i) fear for his or her safety or the safety of others; or (II) suffer substantial emotional distress.
- Domestic violence is defined as felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the State of Arkansas, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the State of Arkansas.

- Dating violence is defined as violence committed by a person (i) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (ii) where the existence of such a relationship shall be determined based on a consideration of the following factors: (A) the length of the relationship, (B) the type of relationship, and (C) the frequency of interaction between the persons involved in the relationship.

IV.D.2. Evidence

It is important to preserve all evidence of sexual discrimination, especially if the discrimination is also a criminal offense, such as sexual assault, sexual violence, stalking, domestic violence, or dating violence.

IV.D.3. Responsibility and Relationships

Supervisors and faculty members must recognize that their positions necessarily embody unequal power relationships with their subordinates and students. Because of the inherent power difference in these relationships, the potential exists for the less powerful to perceive a coercive element in suggestions relative to activities outside those appropriate to the professional relationship. It is the responsibility of supervisor and faculty members to behave in such a manner that their words or actions cannot reasonably be perceived as coercive.

IV.D.4. Title IX

Arkansas State University has a Title IX Coordinator who is charged with investigating allegations of sexual discrimination including sexual harassment, sexual assault, sexual violence, stalking, domestic violence, and dating violence.

IV.D.4.a) Faculty and Employees with Supervisory Responsibilities

Faculty and employees with supervisory responsibilities , including deans, vice chancellors, department chairs, faculty, student conduct personnel, human resources personnel, athletic administrators, coaches, and university police personnel must report incidents of sexual discrimination either observed by them or reported to them to the Title IX Coordinator who will conduct an immediate, thorough, and objective investigation of all claims. If sexual discrimination has occurred, appropriate remedial action commensurate with the severity of the offense will be taken up to and including termination. All reports, complaints, and investigations are treated with discretion and confidentiality is maintained to the extent allowed by law.

IV.D.4.b) The Title IX Coordinator Responsibilities

The Title IX Coordinator will notify the appropriate law enforcement agency of all reports of sexual assault, sexual violence, stalking, domestic violence or dating violence. The person who has allegedly been subjected to sexual discrimination may also contact law enforcement and may seek an order of protection, no contact order, or similar order. The

Title IX Coordinator will assist the person alleging to be subjected to sexual discrimination with locating resources for counseling, medical treatment, legal advice, victim advocacy, or other services.

Each campus within the ASU System provides education materials and programs on sexual discrimination. Contact the Human Resources Department or Title IX Coordinator for information on awareness and prevention of sexual discrimination.

The University reserves the right to take whatever measures it deems necessary in response to an allegation of sexual discrimination in order to protect individual's rights and personal safety. Such measures include, but are not limited to, modification of campus living or employment arrangements, interim suspensions from campus, no contact or communications requirements, leave with or without pay, and reporting the matter to law enforcement. Persons reporting allegations of sexual discrimination must follow the Sexual Discrimination Grievance Procedure.

IV.E. Sexual Discrimination Grievance Procedure:

The Sexual Discrimination Grievance Procedure applies to all allegations of sexual discrimination including sexual harassment, sexual assault, sexual violence, stalking, domestic violence, and dating violence.

IV.E.1. Report of Sexual Discrimination

Any faculty member, employee, student, or visitor who believes he or she has been subjected to sexual discrimination should report the incident to the Title IX Coordinator utilizing the grievance form available on the Human Resources or Student Conduct websites. Faculty members and employees with supervisory responsibilities including deans, vice chancellors, department chairs, faculty, student conduct personnel, human resources personnel, athletic administrators, coaches, and university police personnel must report incidents of sexual discrimination either observed by them or reported to them to the Title IX Coordinator. In the event the sexual discrimination allegation is against the Title IX Coordinator, the report form should be submitted to the Office of General Counsel. In order to ensure timely investigation and remedy, a sexual discrimination grievance should be activated within sixty (60) days from the time the events leading to the complaint occurred. All complaints are investigated; however, delay in reporting impedes the ability to achieve prompt resolution. All efforts will be made to honor a request for confidentiality, but confidentiality cannot be ensured. Reports of sexual assault, sexual violence, stalking, domestic violence and dating violence will be reported to law enforcement authorities. Criminal investigations by any law enforcement agencies or investigations conducted under the Faculty, Staff, or Student Handbooks may occur simultaneously with a sexual discrimination grievance and do not affect the grievance process.

IV.E.2. Title IX Coordinator's Response

Within forty-five (45) calendar days after receipt of a written grievance form, the Title IX Coordinator, or designee, will conduct a full and impartial investigation including interviewing the complainant, the accused, and any witnesses identified as well as reviewing any documentary evidence submitted by either party. As early as possible in the investigation, the Title IX Coordinator should determine whether temporary remedial measures are warranted such as suspension from employment with or without pay, suspension from classes, issuance of a no contact directive, reassignment of job duties, or changing class or classroom assignments. If immediate action is required to protect the complainant, the Title IX Coordinator shall work with the appropriate administrator to implement temporary remedial measures. The past sexual history or sexual character of a party will not be admissible by the other party in the investigation or any subsequent hearing unless the party was found to be responsible, the previous incident was substantially similar to the present allegation, and the past actions indicate a pattern of behavior consistent with the current allegations. After studying all the pertinent facts and documents, carefully examining any policies involved, and discussing the issue with the parties and witnesses, the Title IX Coordinator shall either (i) propose an informal resolution to the parties which, if accepted, shall be documented in writing and shall conclude the investigation or (ii) prepare a formal written report making a finding, based on the preponderance of the evidence, as to whether sexual discrimination occurred, and if so, recommending a remedy which will end

the discrimination, prevent its recurrence, and remove its effects on the complainant and the university community. The report shall be transmitted simultaneously to the complainant and the accused and implemented immediately. If both parties agree with the report, the grievance shall be closed and the remedies continued. If either party does not agree with the finding of the Title IX Coordinator and desires to appeal, that party must submit, within five (5) working days of the date of the report, a written request to the Department of Human Resources for a hearing before the Sexual Discrimination Hearing Committee. The written request will detail the alleged error of the Title IX Coordinator and the requested remedy. The Department of Human Resources will provide the party not appealing with a copy of the request. Within five (5) working days of the date of the letter from the Human Resources Department, the party not appealing may submit a written response to the request for hearing countering any allegations in that document. Copies will be provided to the Title IX Coordinator for placement in the case file. Timelines may be extended by the Title IX Coordinator in extenuating circumstances.

IV.E.3. Sexual Discrimination Hearing Committee

The Sexual Discrimination Hearing Committee is composed of members selected by the Chancellor from the Academic Hearing Committee, the Student Conduct Hearing Committee, and the Staff Hearing Committee for that campus. The Sexual Discrimination Hearing Committee is composed of seven (7) members. When a student is the complainant, three (3)

members of the committee shall be students, two (2) members faculty, and two (2) members staff; when the complainant is a staff member, the committee shall be composed of three (3) staff members, two (2) faculty members, and two (2) students; when the complainant is a faculty member, the committee shall be composed of three (3) faculty members, two (2) students, and two (2) staff. The committee elects a chair once convened. The Sexual Discrimination Hearing Committee shall have specific training on sexual discrimination. A member of Human Resources or Human Resources' designee sits as an ex-officio, non-voting member of the Sexual Discrimination Hearing Committee, offering technical assistance on procedural and policy matters.

IV.E.4. Sexual Discrimination Hearing Committee Function

The Sexual Discrimination Hearing Committee reviews the findings of the Title IX Coordinator to determine, based on the preponderance of the evidence, whether institutional error has occurred and, if so, to recommend an appropriate corrective action. Institutional error occurs when no legitimate reason exists for the action taken. Decisions which require the exercise of judgment or discretion cannot constitute institutional error. The committee has twenty (20) working days to prepare a written response after it has received a complaint. All proceedings shall be in closed session. Because the committee will have received the entire file from the Title IX Coordinator, including all witness statements, the hearing will not include the grievant, the party complained against, or other witnesses unless either (i) the Committee

requests their oral testimony or (ii) either party requests to testify and/or present witnesses. In the event that oral testimony is requested, the grievant and the party complained against may be present and question the witnesses. If the grievance is one alleging sexual assault, sexual violence, stalking, domestic violence, or dating violence, the parties will not question the other. Instead, the party testifying before the committee shall be screened so that they may be heard by the other party but not seen. The non-testifying party shall have the opportunity to provide written questions to the committee to be asked of the testifying witness based on his or her testimony. The committee may also question any person testifying. Each party may have an advisor present during the testimony who may provide personal consultation but may not actively participate in the hearing. The parties must disclose to the Chair of the Sexual Discrimination Hearing Committee the identity of any testifying witness or any advisor at least two (2) working days before any hearing. The Chair shall provide the list of witnesses to each party upon receipt. No audio or video recording is permitted. In reviewing a case two options are open to the Committee: (i). It may find no institutional error has occurred and recommend that no further action be taken, or: (ii). It may find that institutional error has occurred and recommend a remedy different than that proposed by the Title IX Coordinator.

IV.E.5. Sexual Discrimination Hearing Committee Findings

In all instances the Committee shall make a record of its findings, a statement of its conclusion, including the reason or policy criteria used in

reaching a decision, and its recommendations for resolution of the grievance. The Committee decision shall be forwarded to the Chancellor of the campus for action. Copies will be filed with the Title IX Coordinator as a part of the complaint record and sent to the grievant and the accused. Within ten (20) working days of receipt of the Committee recommendation, the Chancellor will accept or reject the Committee recommendation in writing after review of all file materials. The Chancellor's decision is final. A copy of the decision shall be provided to the Title IX Coordinator for distribution to both the complainant and the accused. The Department of Human Resources or Student Conduct (as appropriate) will coordinate the implementation of any remedies resulting from the grievance.

IV.E.6. Document Collection

When a sexual discrimination grievance proceeding has been closed, all material relating to that case shall be retained on file by the Title IX Coordinator for seven (7) years. Care will be taken to ensure that no incomplete or inaccurate information pertaining to the grievance is retained in the file. Sexual discrimination grievance proceedings are considered confidential and no person involved with the grievance may make the documents public except as required by law.

Section V

Employment Policies impacting faculty including...For policies and procedures regarding harassment including sexual harassment and nepotism, grievances and their respective resolution, faculty are directed to the ASU System's Handbook.

V. Faculty Personnel Policies

V.A. General Statement of Employment

It is the policy of Arkansas State University to provide equal employment opportunity to all qualified persons; to prohibit discrimination against any employee or applicant for employment because of race, color, religion, gender, age, physical handicap, or national origin; and to promote the full realization of equal employment opportunity through a positive continuing program of affirmative action.

This policy shall be followed in recruiting, hiring, determination of pay, promotions, university-sponsored training programs, transfers, leaves, returns from leaves, demotions, terminations, social and recreational programs, use of university facilities, staff benefits, and treatment as individuals. It is the responsibility of all departments and all personnel, supervisory and non-supervisory, to see that this policy is implemented and continuously administered throughout the university.

Inquiries concerning the university's affirmative action policy should be made to the Associate Vice Chancellor for Administration.

V.B. Selection of Faculty and Library Staff

When the appropriate administrative officers determine that a faculty position is vacant or needs to be created, the department will establish a search committee that will assist in recruiting the new faculty member.

The search committee members may be selected as the department chooses. The committee should be broadly representative of the faculty in that department and within disciplines, including both tenured and non-tenured faculty members. No more than twenty-five percent of the committee will be made up of non-tenure track faculty members or non-university employees. Committee members will reflect racial, ethnic and gender diversity.

V.B.1. Responsibilities of the Search Committee

- **Developing the Qualifications:** The committee, in conjunction with academic administration, will specify knowledge, skills, and abilities sought in the new faculty member, including area of specialization, degrees completed and special abilities. The committee will consider the goals of achieving diversity of background, race, ethnicity and gender among the department's faculty, and steps necessary to meet university goals for diversity and affirmative action.
- **Conducting the Search:** The University will advertise the position and will solicit recommendations or nominations of candidates from a variety of sources.
- **Initial Screening:** The committee will narrow the field of qualified applicants and recommend to the department chair

those who should be given further consideration. The department chair, after consultation with the department search committee, will prepare a list of candidates for interviews and present that list to the Dean, the Provost and Vice Chancellor for Academic Affairs and Research and the Affirmative Action Coordinator. The interview list may be supplemented from the applicant pool by recommendations from the Dean, the Provost and Vice Chancellor for Academic Affairs and Research and the Affirmative Action Coordinator.

- Interviewing: The committee should have an opportunity to meet with all candidates who come to the campus for interviews. Interviews should be scheduled to give as many of the faculty as possible an opportunity to meet and judge the candidates. Prior to and during the interview, the expectations of the university, requirements of the job and economic prospects for the position should be set forth clearly and positively. Candidates invited for an interview are reimbursed for traveling expenses according to current regulations of the State of Arkansas.
- Governor's Executive Order 98-04: All interviewing job applicants must complete a copy of (1) Employee Disclosure and Certification Form and (2) Employee Disclosure Requirements Notice during the interview process. These forms are to be submitted to the office of the Associate Vice

Chancellor for Administration for review. No offer of employment may be made prior to this approval process.

Applicants for all positions including part-time and temporary, but excluding student workers or graduate assistants, must comply with this process.

- Selection: After the interviews have been completed, the committee will make recommendations to the Dean. In most instances, a consensus will have developed among the various levels of responsibility. In cases where there are serious disagreements between the department and administration concerning the final selection, the chair of the faculty search committee will be responsible for outlining faculty views in a memorandum and sending it to the Provost and Vice Chancellor for Academic Affairs and Research and the Chancellor, with copies to the dean and the department chair. The Chancellor will have final responsibility for recommending faculty appointments to the President for review and approval or rejection by the Board of Trustees.

V.B.2. The selection of professional library staff will follow the procedures outlined for faculty hires.

V.C. Selection of Department Chairs and College Deans

When a department chair or dean position becomes vacant it will be filled either through an external search or an internal appointment. Determination of whether an external search will be conducted or an internal appointment will be made will

be determined by consultation between the Dean, the Provost and Vice Chancellor for Academic Affairs and Research in the case of a department chair vacancy or in the case of a dean vacancy consultation between the Provost and Vice Chancellor for Academic Affairs and Research and the Chancellor.

V.C.1. External Search

When a department chair or college dean position becomes vacant, procedures similar to those set forth for faculty selection will be followed. A search committee will be formed (by the Dean for a chair position; by the Provost and Vice Chancellor for Academic Affairs and Research for a dean position). Care should be taken to ensure that the search committee is broadly representative of the department or college. The appropriate department or college committee will screen applicants. When screening has been completed, the committee should consult with the Dean or Provost and Vice Chancellor for Academic Affairs and Research for chair and dean positions to determine which candidates should be invited for interviews. Candidates will reflect racial, ethnic and gender diversity. Faculty members should be given the opportunity to meet with candidates, evaluate their credentials and express their opinions to the committee.

The search committee will make its recommendation to the appropriate administrator before the final selection is made. In most instances, a consensus will have emerged regarding the acceptable candidates.

The Chancellor has final responsibility for academic administrative appointments subject to approval by the President and Board of Trustees.

V.C.2. Internal Search

When an internal appointment is to be made, the Dean or Provost and Vice Chancellor for Academic Affairs and Research, as appropriate, will conduct a modified search, consulting with the appropriate groups. Such a search may include:

- Announcement of the vacancy and solicitation of interest in the position by faculty in the department or college.
- Interviews of the faculty exhibiting interest in the position with the department or college faculty.
- Interviews of the faculty in the department or college by the Dean or Provost and Vice Chancellor for Academic Affairs and Research.
- Private interviews of the faculty exhibiting interest in the position by the dean or Provost and Vice Chancellor for Academic Affairs and Research as appropriate.

V.D. Selection of the Provost and VCAAR

When the position of Provost and Vice Chancellor for Academic Affairs and Research is to be filled, the Chancellor will make the appointment after consultation with representatives from the faculty, academic administrators, academic support staff and students. Candidates for the position will reflect racial, ethnic and gender diversity.

V.E. Credentials

All faculty and academic administrative staff are required to have official transcripts of all academic work on file in the Office of the Provost and Vice

Chancellor for Academic Affairs and Research. Faculty must hold degrees from an institution accredited by an accrediting agency recognized by the U.S. Department of Education, CHEA, or from institutions with comparable status, certification or recognition in other countries.

The following credentials are required to teach at each level:

- General Education: Faculty must hold at least a master's degree with 18 graduate hours in the teaching field.
- Remedial Education: Faculty members must hold at least a baccalaureate degree in the teaching field.
- Associate Level: Faculty must have baccalaureate degree or appropriate industrial-related licensure or certification.
- Baccalaureate Level: Faculty must hold at least a master's degree with 18 graduate hours in the teaching field. Typically, at least 50 percent of the faculty members in each bachelor's degree program must hold the appropriate terminal degree. For career and technical education areas, faculty may hold the master's degree in vocational education with the bachelor's degree in the field of study or the master's degree in vocational education with the appropriate industry-related certification and licensure. A limited number of faculty may hold the bachelor's degree in the teaching field.
- Graduate Level: A majority of the faculty members teaching graduate degree programs must hold the appropriate terminal degree and have demonstrated competency in teach or research at the appropriate graduate level.

V.F. Faculty Status

Faculty status is granted to all full-time instructional and academic administrative personnel through the level of the deans (including professional librarians) assigned to an academic department. Faculty status may be granted to others as may be deemed appropriate by the Board of Trustees, upon recommendation by the Chancellor and President of the university.

V.G. Graduate Faculty

The graduate faculty consists of faculty members who have qualified for and been approved to serve in a particular graduate faculty status. Appointment to the graduate faculty may be made as a Regular Member, a Professional Member, or as an Affiliate Member. In exceptional cases, the dean or administrator may recommend reclassifying faculty between statuses, subject to approval of the Graduate Council. Each category has associated qualification standards, appointment requirements and procedures, and privileges and responsibilities, as defined by the college and/or department.

The qualification standards for each category reside with each department or program offering a graduate program. The graduate faculty of that program or department compile and enforce the qualification standards that a prospective member must meet in order to be recommended to membership on the Graduate Faculty. The qualification standards for each program are approved by the department chair (or program director in the case of interdisciplinary programs), Graduate Council and the Office of Academic Affairs and Research. All qualification standards are tailored to the department or program and are on record in the Office of Academic Affairs and Research

An appointment to Graduate Faculty is recommended by the department/program graduate faculty and chair (or program director in the case of interdisciplinary programs) and approved by the Graduate Council via a Faculty Status Form.

V.G.1. Regular Member

Regular Member is a full-time faculty member with a terminal degree (in exceptional cases, unique experience, specialized training, and professional competence may substitute for a terminal degree). Requires documented evidence of an appropriate level of scholarly activity and continued participation in graduate education at the course, committee and program levels, as defined by the college and/or department.

Approved for six years, at which time the member may reapply.

Upon hire as a pre-tenure or tenured faculty member possessing a terminal degree in an appropriate discipline, an initial graduate faculty appointment will be made for up to a six year term. Upon promotion to associate or full professor, a graduate faculty appointment will be made or an existing appointment will be reset to a new term of up to six years.

V.G.1.a) Provisional Regular Member is a temporary status that can be assigned to a Regular Member whose Regular Member status is up for renewal, and the Graduate Council determines that they do not meet the requirements for full Regular Member.

Approved for two years. This status cannot be renewed nor repeated. A Provisional Regular Member may reapply for Regular Member status at any time.

V.G.2. Professional Member

Professional Member is a full-time, non-tenure or part-time/adjunct faculty member with a terminal or graduate/professional degree in the discipline. Professional certification is considered when appropriate. Significant professional experience is required, as defined by the college and/or department. Limits on committee membership and courses taught can be applied, as defined by the college and/or department. Approved for six years, at which time the member may reapply.

V.G.3. Affiliate Member

Affiliate Member is an individual not currently employed by Arkansas State. Requires a minimum of a master's degree appropriate in their field of practice. Limits on committee membership and courses taught can be applied, as defined by the college and/or department. Approved for six years, at which time the member may reapply.

V.G.3.a) Emeritus Affiliate Member is an individual who has Regular or Professional Graduate Faculty status upon retirement. Those who retire with Regular status can chair dissertation committees for up to six years after retirement. After six years of retirement, Emeritus Affiliate Members are liable to the restrictions of the standard Affiliate Member.

V.H. Adjunct Faculty

Certain individuals whose education and professional experience enhance the teaching, research, or service programs of the university may receive appointments as adjunct faculty with appropriate academic rank. Such adjunct

faculty members are normally: (a) employed by an organization other than A-State and do not receive compensation or salary from the university, or (b) employed on a temporary, part-time basis to teach in the university's programs. An adjunct faculty position may not be used to circumvent a tenure decision. Adjunct-faculty appointments are made for a specified period (e.g. one semester, one-year) and neither the university nor the individual has a commitment for renewal. Unless the terms of appointment specify otherwise, university policies on promotion, tenure, non-reappointment, leave and off-campus duty assignment do not apply to adjunct faculty.

V.I. Faculty Appointments

New faculty members will be informed of their rights and obligations as faculty members by the department chairs, program directors or deans and directed to the current Faculty Handbook of Policies and Procedures. New faculty members will be advised that performance will be subject to annual review by the Department PRT Committee, the department chair, the College PRT Committee and dean before the recommendation for reappointment or non-reappointment are made to the Provost and Vice Chancellor for Academic Affairs and Research. All new faculty members will attend New Faculty Orientation and the Employee Orientation Seminar.

Faculty at A-State may receive initial employment in one of three appointment categories:

- Tenure: For persons granted tenure by the Board of Trustees.
- Pre-Tenure: For persons initially employed at a rank above instructor and serving a pre-tenure, probationary period prior to the university's tenure

decision. Annual letters of reappointment for persons in pre-tenure employment carry neither guarantee nor implication of ultimate tenure status.

- Non-Tenure: For persons of instructor rank and others initially hired with no promise, stated or implied, of reappointment. Time spent under a non-tenure appointment will not be credited to the pre-tenure probationary period required by those ranks in which tenure may be earned. Persons supported by outside funding may be hired as faculty under repeated one-year renewals for the duration of the funding. Repeated one-year appointment renewal carries no guarantee or implication of continued employment or ultimate tenure status. Persons on non-tenure appointments will be notified by the chair of their department or program director as to whether they will be offered an appointment for the next year.

V.J. Faculty Employment Files

V.J.1. Definition/Purpose

A faculty member's employment file consists of all records maintained by a department chair, dean and/or the Provost and Vice Chancellor for Academic Affairs and Research for use in making employment decisions regarding the faculty member. Except as prescribed in the promotion, retention and tenure (PRT) policies, no records may be used in making employment decisions regarding a faculty member unless such records are part of his or her employment file.

V.J.2. Exclusion from Employment Files

With the exception of formal student evaluations of instruction, anonymous complaints (i.e., complaints from sources unknown to the administrator) will not be placed in a faculty member's employment file. Confidential complaints (i.e., complaints made to the administrator where the complainant requests that his/her name be withheld from the faculty member) may be placed in the faculty member's file only with corroborating data. Personal notes and general complaints kept by administrators are not part of the employment file. Prior to the annual review conference each year, any negative evaluation statements that are to be entered into the employment file must be made known to the faculty member in sufficient time for him/her to read, initial and respond before the review conference is held. All records held by administrators and not transferred into the employment file prior to the annual review conference must be destroyed each year.

V.J.3. Rebuttals

Faculty members will be asked to initial any negative evaluative statement placed in the employment file only to indicate that he or she has seen it. In all cases, the faculty member may add to the file a written rebuttal to anything with which he/she disagrees. The administrator receiving the rebuttal statement and adding it to the file will initial the rebuttal to indicate that he or she has seen it.

V.J.4. Access by Faculty Member

Faculty members may review their own employment file kept at the department, college and university levels at any reasonable time during the official office hours of the university.

V.J.5. Access by Other than Faculty Member

Access to employment files is allowed in the following instances:

- University administrators may examine employment files in the performance of their official university responsibilities.
- Members of the PRT committees may examine employment files of applicants as part of their official committee function by submitting a written request from the chair of the committee to the administrator who is maintaining the file.
- Employment files of a faculty grievant and of other similarly situated faculty members, for purposes of comparison, will be available to faculty appeals committees and to the Academic Hearing Committee to the extent that such committees deem such records relevant and necessary to the fair disposition of the grievance before them.
- Employment files shall be produced pursuant to applicable Arkansas law or court order.

V.J.6. Use of Employment Files for PRT Purposes

Other than the PRT application provided by the faculty member, letters required from committees and administrators, and peer reviews solicited internally and externally, no records concerning the faculty member will

be added to his/her PRT document unless such records are also part of that faculty member's employment file.

V.J.7. Faculty Review of PRT File

At the conclusion of the promotion and tenure process, an applicant may review his/her promotion/tenure document. These documents are not a part of the employment file, and will be maintained separately from employment files for three years in the Office of the Provost/Academic Affairs and Research. The only document from the PRT process that will be added to a faculty member's employment file will be the letter from the Provost and Vice Chancellor for Academic Affairs and Research informing the applicant of the Provost and Vice Chancellor for Academic Affairs and Research's recommendation to the Chancellor (and, where the recommendation is negative, of those levels which provided a negative recommendation).

V.K. Salaries for Academic Administrative Staff Moving to 9-Month Teaching Deans, chairs and/or other administrative staff moving from twelve-month appointment to a nine-month teaching position will receive compensation comparable to other nine-month faculty of the same rank and in the same discipline in the department.

V.L. Part-Time Faculty Salaries

Individuals employed to teach part time for A-State, either on or off campus, will be paid at a standard rate as approved by the Chancellor, upon recommendation by the Provost and Vice Chancellor for Academic Affairs and Research.

V.M. Equity Salary Review

Salary inequity is defined as differences in salaries that are unjustified by qualifications, assigned responsibilities, or academic market forces. Qualifications include academic credentials, professional rank, service to the university and to academe, and meritorious performance. Academic market forces are reflected in the prevailing salary level among the various disciplines for equally qualified faculty within and external to the university. Faculty members who hold the academic rank of instructor or professional librarians with a minimum of five years of consecutive reappointments and annual evaluation history with the university who believe their salary may not be equitable are eligible for an Equity Salary Review and may request in writing an Equity Salary Review. Similarly, faculty members who hold the academic rank of assistant professor, associate professor, or professor who believe their salary may not be equitable, who have a minimum three-year annual evaluation history with the university are eligible for an Equity Salary Review and may request in writing an Equity Salary Review. Faculty members must supply supporting documentation of the alleged inequity, which includes completing the *Request for Faculty Equity Review Form* available on the A-State Academic Affairs and Research webpage. This form and, if desired, an attached letter should describe the alleged salary inequity based on the salary and or salaries of similarly situated full-time teaching faculty (e.g., years of service, rank, etc.) in the program, department, or college referencing the current A-State budget. Applicants should provide productivity and/or merit reports from the three most recent academic years. A faculty member may request access to current College and University Professional (*CUPA) data within their discipline for

their code from the Office of Institutional Research. An alleged salary inequity is first considered by the department Promotion, Retention, and Tenure (PRT) Committee. The committee will forward its recommendation as to the perceived inequity to the department chair. The department chair will make an independent evaluation and forward both recommendations to the college dean. An independent evaluation/recommendation is then made by the college dean and directed to the Provost and Vice Chancellor for Academic Affairs and Research for final consideration. Should the need exist to conduct the equity analysis, it will be completed through the Office of the Provost and Vice Chancellor for Academic Affairs and Research. A minimum of 78% or higher of CUPA data based on available funds is the metric for analysis. The outcome of the equity review will be communicated by the dean in writing to the faculty member including the recommended adjustment. If an equity adjustment can be justified, but funds are not available for total adjustment in a budget year, the university will attempt to address at least a percentage of the inequity each year until it is eliminated with the goal of completing or eliminating the inequity within two years. Following the awarding of equity, a faculty member must wait a minimum of three academic years to request another equity review. Likewise, upon receiving promotion from associate professor to professor a faculty member must also wait a minimum of three academic years to request another equity review.

V.N. Compensated Faculty Leave

V.N.1. Purpose:

The purpose of the compensated leave program is to provide opportunities for eligible faculty members to engage in professional activities that enhance their tenure at A-State while receiving regular salary. Such activities, in turn, also enhance the faculty members' service to the university. In accord with the stated purpose, compensated leave may be granted for research, writing, other professional creative activities, graduate study leading to advanced degrees, travel for study/research, retraining tenured faculty members who teach in programs being phased out, or for further study to upgrade specific program(s). Eligible faculty members are encouraged to apply for compensated leave to initiate/continue/complete research or creative activities.

V.N.2. Eligibility

Instructional staff and academic administrators holding faculty status may apply for compensated leave under any of the following three options.

Option I: After six academic years, if no leave has been used, a full academic year may be granted at half salary. One semester of leave at full salary may be substituted.

Option II: Eligible persons who have not less than three years of service to A-State, and who have been accepted in an accredited graduate program compatible with the mission of the department or academic area, may be granted an academic year's leave of absence for the purpose of graduate study. Compensation shall be at the rate of 10

percent for each year of service to A-State, not to exceed 50 percent of the appointment salary.

Option III: At the discretion of the Faculty Research Committee and the administration, compensated leave may be granted to retrain tenured faculty members employed in programs that are being reduced or phased out. Compensation shall be calculated at the rate of 10 percent for each year of service to A-State, up to a maximum of 50 percent of appointment salary.

V.N.3. Salary Determination

When approved, compensated leave will be granted on the basis of the appointment salary for the year in which the leave is in effect and in compliance with the option used. During the leave period, the total salary from all sources shall not exceed the faculty member's appointment salary.

V.N.4. Guidelines for Administration of

Compensated Faculty Leave

- Faculty members seeking compensated leave will submit detailed proposals to the department chair. After review, the department chair shall provide a written recommendation to the college dean. The college dean shall forward the proposal, the recommendation from the department chair, and an independent letter of recommendation to the Faculty Research Committee.

- Proposals will be due by the date set by the Faculty Research Committee.
- Proposals will be judged on their merit with regard to the stated purposes of the faculty leave program.
- The committee, serving in an advisory role, will rank the proposals according to merit and submit the ranked list and a copy of each proposal to the Office of the Provost/Academic Affairs and Research.
- The Office of the Provost/Academic Affairs and Research will determine, in conjunction with the department chair and college dean, which proposals require financial support (part-time faculty funds, etc.) and which do not.
- Proposals will be funded in their priority ranking as fund availability permits.
- The Office of the Provost/Academic Affairs and Research will notify the department chair and college dean and each applicant as to the disposition of each application.

V.N.5. Notification of Approval/Disapproval of Request for Leave

Wherever possible, the Provost and Vice Chancellor for Academic Affairs and Research will notify, in writing, the faculty member who requested leave, the department chair and college dean, concerning the action taken and the reasons for approval or denial of leave not less than six weeks prior to the date requested for leave.

V.N.6. Obligations

V.N.6.a) Obligation to Return

The individual granted a compensated leave is obligated to return to the university for at least one academic year. Should the individual fail to voluntarily meet this obligation, the salary received during the leave shall be returned to the University.

V.N.6.b) Obligation to Report upon Return

The individual granted a leave shall file a report on the activities undertaken during the leave period with the department chair. The department chair is responsible for disseminating the report to the college dean and the Provost and Vice Chancellor for Academic Affairs and Research.

V.N.7. Limitations as to Number of Compensated Leaves

The number of leaves granted during any one academic semester shall not exceed ten percent of the faculty.

V.N.8. Reporting

A summary of compensated leaves granted will be reported annually to the Board of Trustees.

V.O. Outside Employment

Faculty and administrative officers are encouraged to engage in consulting or other related professional projects when such outside work contributes to their professional growth, enhances their opportunities for research or augments the

public service effort of the university. Outside business interests, employment or vocation should not in any way interfere with service to the university or cause embarrassment to the university. As a general rule, university resources (including facilities, supplies and equipment) shall not be used for personal gain. However, in certain projects which accrue to the mutual benefit of the university and the individual faculty member, a contract for reimbursement to the university may be entered into in order to provide access to university resources. Outside employment must comply with the Conflict of Interest Policy of the university.

V.P. Benefits

The Department of Human Resources has complete information on the various benefits available to faculty. Benefits may change yearly. Open enrollment is typically in the month of November.

V.P.1. Annual Leave

Deans, department chairs and faculty members on 12-month appointment will receive 22½ working days of annual leave accrued at the rate of 15 hours per month of service. Legal holidays will not count as part of the 22½ working days of annual leave. Annual leave is cumulative, though no individual may carry over more than 30 days of annual leave from one calendar year to the next.

Faculty members on nine-month appointment do not accrue annual leave but will receive leave with full pay during their appointment period when school is not in session or when attendance of faculty at department, college or university activities is not expected.

Annual leave days are used for vacation. Vacation schedules will be coordinated through the appropriate supervisor. Deans of colleges must have prior approval of the Provost and Vice Chancellor for Academic Affairs and Research, and Administrative staff members must have prior approval of their immediate supervisor. Administrators not actively/currently teaching courses may be approved for leave at times other than normal break periods.

When a 12-month faculty or administrative employee terminates service with A-State, the unused portion of annual leave shall be given to that employee in a lump sum payment, which shall not exceed thirty (30) working days including holidays.

V.P.2. Sick Leave

Nine-month faculty members receive 12 sick-leave days per year accrued at the rate of 5.33 hours per pay period. Twelve-month employees receive sick leave at rate of one day per month of employment. No individual may carry over more than 120 days of sick leave from one calendar year to the next. Faculty and staff are entitled to accrued sick leave with pay if they are unable to perform their duties because of sickness, injury or for medical, dental or optical treatment. Sick leave may also be granted for a death or serious illness in an employee's immediate family, which shall include a parent, sibling, spouse, child, grandparent, parent-in-law or any individual acting as a parent or guardian. Faculty and staff are required to turn in sick leave forms when absent because of illness or injury.

Maternity leave shall be treated as leave for sickness. Accumulated sick leave and annual leave, if requested by the employee, shall be granted for maternity, after which leave without pay may be used if approved by the university.

Personnel who are injured and are entitled to Workers Compensation benefits may upon application, use their sick-leave pay to supplement their benefits up to their normally weekly salary at the time of injury or illness. Sick leave would then be reduced in proportion to its use.

Absence due to illness or accident, including maternity leave, shall be charged first to earned sick leave, then to earned annual leave, and finally to leave without pay.

Faculty members may also apply for leave under the Family and Medical Leave Act by contacting the Department of Human Resources to determine their eligibility.

V.P.2.a) Faculty Replacement-Illness and Emergency

Situations that require replacement of a faculty member due to illness or emergencies will be considered, following a request by the department chair or dean, on a case-by-case basis by the Provost and Vice Chancellor for Academic Affairs and Research. Arrangements should, whenever possible, be handled in advance of surgery or related medical treatment.

V.P.3. Leave Without Pay

Requests for leave without pay will be made through the department and the Dean to the Provost and Vice Chancellor for Academic Affairs and Research. When requested with proper notice, leave without pay may be granted by the Provost and Vice Chancellor for Academic Affairs and Research for a period that shall not exceed two-years, except under extenuating circumstances. Each application and approval of leave shall be in writing and shall be reviewed each six months whenever the leave extends beyond that period. Leave may be granted for educational reasons, sickness or disability or military service.

Upon completion of the leave, the employee shall return to the same or similar position without loss of any rights, unless the position or a similar position is no longer available. Any salary increases that occurred during the leave will be granted to the individual only at the discretion of the Dean and the Provost and Vice Chancellor for Academic Affairs and Research.

Personnel on leave of absence without pay do not accumulate sick leave time, annual leave days or receive the benefits of insurance programs unless they make arrangements to pay the total cost of such insurance during their leave.

V.P.4. Military Leave

Faculty members who are members of the National Guard or any of the reserve branches of the Armed Forces of the United States shall be granted military leave as required under the provisions of the Uniformed

Services Employment and Reemployment Rights Act. The military leave can be either Annual Training (AT) or Active Duty (AD).

A maximum of thirty (30) days of leave for AT during a calendar year shall be granted without loss of pay in addition to regular vacation time.

A faculty member who is drafted or called to AD in the Armed Forces of the United States or who volunteers for AD shall be placed on extended military leave without pay. Upon application within 90 days after the effective date of release from active duty, the faculty member shall be reinstated to the position vacated or an equivalent position at no loss of seniority or any of the other benefits and privileges of employment.

Military personnel called to duty in emergencies by the Governor or by the President of the United States shall be granted leave with pay not to exceed thirty (30) working days, after which leave without pay will be granted. This leave shall be granted in addition to regular vacation time.

Each faculty member who requests military leave shall furnish a copy of his/her orders to the offices of the Provost/Academic Affairs and Research and the Department of Human Resources.

V.P.5. Insurance: Life, Health and Hospitalization

The university operates a group life, health and hospitalization insurance plan. At present, the university pays as fringe benefits a significant amount of the cost for individual faculty members' insurance and as much as possible of the cost of dependent coverage. Faculty who are on leave without pay have the option to continue their insurance coverage if they wish; however, they are required to pay full cost for this coverage.

V.P.5.a) Health Insurance (Regular)

All regular full-time employees are eligible for health plan coverage at Arkansas State University. All statements of coverage are subject to the terms, conditions, restrictions, and other eligibility requirements set forth in the plan documents. University administration reserves the right to modify or amend the health plan.

The Department of Human Resources acts as contact for the health plan. Claims should be filed directly with the insurance provider. The Department of Human Resources will provide claim information and assistance. A special bulletin describing the program in detail is available from the Department of Human Resources or the ASU System webpage for employee benefits.

V.P.5.b) COBRA

The university participates in the Consolidated Omnibus Budget Reconciliation Act program. If an employee's insurance, or that of a dependent ends, the employee and dependents may each have the right to continue health plan coverage under the COBRA optional continuance at full cost. For additional information, call the Department of Human Resources.

V.P.5.c) Life Insurance

Life insurance coverage is provided for all employees with full benefits and for their dependents. The employee coverage is

one and one-half times his/her annual salary up to \$50,000.

Dependents coverage is \$1,000 to \$2,000, depending upon their age. This life insurance coverage is paid in full by the university.

Supplemental life insurance coverage for employees and dependents is also available at the employee's cost. University administration reserves the right to modify or amend the insurance program.

V.P.6. Income Protection

A group income protection plan is maintained for faculty who have completed 90 days of service to the institution. In case of disability, this plan together with social security income protects 60% of salary and pays a maximum of \$3,000 per month until the disability has ended or the disabled person reaches the maximum benefit period as stated in the insurance policy, whichever comes first. This plan is paid for by the university. Supplemental policies may be available for higher salaries. University administration reserves the right to modify or amend the insurance program.

V.P.7. Travel Insurance

Arkansas State University carries a travel policy that covers all faculty members when on official Arkansas State University business outside the city limits of Jonesboro. The amount of insurance is \$100,000 payable to the faculty member's beneficiaries. The policy covers the faculty member's life (\$100,000) and dismemberment (loss of hands, feet, or

eyes). If a faculty member is totally and permanently disabled by such dismemberment, the policy provides a benefit of \$1,000 per month until he/she reaches his/her 65th birthday, or payments have been made for 100 months, or death occurs, whichever occurs first.

University administration reserves the right to modify or amend the insurance program.

V.P.8. Workers Compensation

Arkansas State University strives to maintain a safe and healthy environment for all employees. The university provides Workers Compensation benefits for employees who are injured in the course of their work. All injuries, however slight, must be reported within 24 hours to the Department of Environmental Health and Safety to ensure full payment of benefits. If medical attention is required, employees must be seen at the treatment locations specified by the Department of Environmental Health and Safety.

V.P.9. Accrued Sick Leave

Accrued sick leave may be used to supplement workers compensation benefits so that the employee will receive normal pay. Therefore, all payments from Public Employee Claims Division for workers compensation must be reported to the payroll office.

V.P.10. Unemployment Compensation

Arkansas State University faculty and staff are also covered under the State Unemployment Act. A person whose employment at the university has been terminated should contact the local Employment Security Division office. Unemployment compensation will be paid if the person qualifies for benefits. However, unemployment benefits based upon service in an instructional, research or principal administrative capacity shall not be paid for any week of employment that begins during the period between two successive academic years.

Additional information describing each insurance program may be obtained from the Department of Human Resources. Professional liability concerns should be directed to the Business Manager. University administration reserves the right to modify or amend the insurance program.

V.P.11. Benefits: Retirement

Faculty members employed by the university are required to participate in a retirement system.

Faculty members are eligible to participate in the Teachers Insurance Annuity Association – College Retirement Equities Fund (TIAA/CREF) A-State contributes 10% of salary to the retirement plan. Faculty members are required to contribute a minimum of 6% but may contribute an additional amount based on a TIAA/CREF calculation. The Department of Human Resources can help with the calculation. The plan is vested immediately.

Contributions to the retirement program is tax-sheltered. University administration reserves the right to modify or amend the retirement programs offered.

V.P.11.a) Social Security

Full-time faculty members participate in the federal Social Security program. Social Security provides a variety of benefits, including old age retirement payments, death benefits, disability insurance, and monthly income payments to dependent survivors of covered workers. Payments are withheld from each month's check beginning in January and continuing until the maximum has been paid for that calendar year. The university contributes an amount equal to that deducted from the employee's salary.

V.P.12. Tuition Discount

University faculty members and other employees, their spouses, and their unmarried dependent children are entitled to the tuition discounts outlined below.

V.P.12.a) Undergraduate Level:

Regular full-time faculty members and other employees, their spouses, and their unmarried dependent children may enroll for undergraduate studies for credit or for audit on a space-available basis with the tuition rate being 25 percent of the current cost per credit hour provided they are eligible for

resident tuition. Course challenge exam fees do not qualify for discounts.

An individual who utilizes the undergraduate tuition discount may not accept a full-tuition university-sponsored scholarship.

V.P.12.b) Graduate Level:

Regular full-time faculty members and other employees, their spouses, and their unmarried dependent children are eligible for waiver of one-half tuition for graduate-level studies; however, they must first have become eligible for resident tuition.

V.P.12.c) Tuition Discount Exceptions

- Persons who choose to accept full-fee grant-in-aid or graduate assistantships are charge the regular tuition.
- If university faculty members and other employees are placed on disability, their spouses, and their unmarried dependent children are entitled to tuition discounts as outlined in the tuition discount paragraph above.
- In addition, the tuition discount to unmarried dependents continues in the event of the death of the disabled person.
- Early retirees, their spouses, and their unmarried dependent children are eligible for the tuition

discounts in effect for regular current full-time university employees.

V.P.12.d) Faculty Approval

Approval of the dean of their college is required for faculty members to enroll in courses offered at Arkansas State University.

V.P.12.e) Disclaimer

The university administration reserves the right to amend or modify tuition discount policies.

V.P.13. Early Retirement

Employees between the ages of fifty-five (55) and sixty (60) shall become eligible for early retirement benefits in the calendar year in which the sum of their age and the number of years of continuous full-time serve to the university totals seventy (70).

Employees sixty (60) years of age and older are eligible for early retirement benefits in the calendar year in which they have at least ten (10) years of continuous full-time service to the university.

University administration reserves the right to amend or modify early retiree benefits.

Employees electing early retirement will receive the following benefits:

- Medical Insurance (including spouse and unmarried dependents, if covered at the time the employee retires, for 50 percent of total cost).

- Life Insurance benefits and accidental death and dismemberment benefits equal to the same scheduled amount at the time of the early retiree's retirement; and in effect immediately prior to retirement at no cost to the employee.

V.P.14. Termination of Benefits

The benefits provided to early retirees enumerated in items above will terminate at the earlier of the age at which the early retiree becomes eligible for Medicare coverage or the date the early retiree becomes eligible for similar benefits under any other arrangement for members in a group, whether group insured or self-insured.

The benefits provided to the spouse of the early retiree enumerated in items above shall terminate the earlier of either a) when such benefits terminate for the early retiree or b) the spouse becomes eligible for Medicare. Should the spouse of an early retiree not have reached the age of Medicare eligibility at the time benefits to the early retiree are terminated, the early retiree may pay the cost of continuing such coverage until such time as the spouse becomes eligible for Medicare. University administration reserves the right to amend or modify termination of benefits.

V.P.15. Retirees Unused Sick Leave Compensation

After 10 years of continuous service and upon retirement from Arkansas State University, if a retiree has unused sick leave (none of which has been donated from the catastrophic leave bank) at the time of retirement, then financial recognition in the form of health care premium payments

towards that unused sick leave shall be provided. University administration reserves the right to modify or amend the sick leave compensation benefits.

V.Q. Resignation, Retirement and Termination of Employment

Faculty members should inform their department chair in writing as early as possible of their intention to leave A-State. Resignations in the late summer or during the regular school term are regarded as detrimental to the university program as well as to the students and are accepted only by mutual agreement with the administration of the university.

Faculty members concluding assignments and terminating employment at A-State may obtain a checkout card from the dean of the employing college. The checkout card must be completed (obtaining necessary signatures) and filed with the Department of Human Resources. This card not only provides a forwarding address and a telephone number, but also provides a record that the departing faculty member has met all responsibilities to the university.