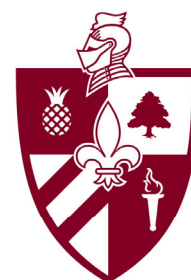


# BELLARMINE UNIVERSITY

## FACULTY POLICIES & PROCEDURES MANUAL

REVISED 11/03/2021



BELLARMINE  
UNIVERSITY

IN VERITATIS AMORE

**Please refer to the Employee Handbook (Chapter 9)  
for policies and procedures that apply to faculty as  
members of the wider Bellarmine community.**

POLICIES AND PROCEDURES MANUAL

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## 7.1 THE POSITION OF THE FACULTY IN THE UNIVERSITY

### 7.1.0 ACADEMIC FREEDOM

- (A) Essential to the purpose of a university is the free pursuit of truth and knowledge and the free communication thereof.
- (B) Every faculty member must enjoy that freedom of thought, discussion, and action which is required by this pursuit of truth in an effort to achieve well-grounded knowledge and understanding. Opinions and theories must be formulated and used as instruments in the pursuit of truth, but they must be distinguished from fact and demonstrated conclusions. In teaching, the faculty should be guided by evidence and truth, not by pressure of public opinion or political partisan policy, or of any individual or special interest group. It is the obligation of the University administration to protect faculty from all destructive pressures and harassment.
- (C) Teachers are entitled to freedom in the classroom in discussing their subject, but they should be careful not to introduce into their teaching controversial matter which has no relation to their subject.
- (D) College and university teachers are citizens, members of a learned profession, and representatives of an educational institution. When they speak or write as citizens, they should be free from institutional censorship or discipline, but their special position in the community imposes special obligations. As scholars and educational representatives, they should remember that the public may judge their profession and their institution by their utterances. Hence they should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that they are not speaking for the institution.
- (E) Academic freedom requires that the governance of a university in the Catholic tradition remain autonomous so that the institution may function effectively. As part of this fundamental commitment to academic freedom, there is a responsibility to recognize that, although an independent institution, Bellarmine University was founded in the Catholic tradition and remains committed to Catholic principles and values. This places no obligation on the faculty, administration, or staff members with regard to their personal beliefs or religious practices, nor does it prevent the statement of personal views which may differ from those held by the Catholic Church. All are, however, in their capacity as University employees, expected to respect Catholicism, just as the University respects the religious traditions, the freedom of conscience, and the religious liberty of each member of its academic community.
- (F) The following regulations are designed to enable Bellarmine University to protect academic freedom through tenure and the requirements of academic fairness. The principles implicit in these regulations are for the protection and benefit of all faculty in the pursuit of truth and knowledge.

### 7.1.1 RIGHTS OF THE FACULTY

- (A) The President delegates to the faculty as a whole, as colleges, schools, or departments, or some combination of these, the primary right of determination in such fundamental areas of research, curriculum, subject matter, course content, procedures for the evaluation of students, and those other aspects of student life which relate to the educational process. Therefore, on these matters the power of review or final decision resides in the President.

- (B) Each faculty member has the right to present subject matter in the manner he or she deems most suitable, as well as the right to present controversial material relevant to a course of instruction, as set forth by the statement of academic freedom outlined above.
- (C) The faculty defines the requirements to obtain a degree with consideration for the standards set by the various accrediting bodies, determines when the requirements have been met, and recommends to the President and, through the President, to the Board of Trustees, to grant degrees thus achieved.

### 7.1.2 TERMS OF APPOINTMENT DEFINED

- (A) Faculty play a unique role in the life of the University as teachers, mentors, scholars, advisors, and participants in academic governance.
- (B) Regular Faculty Status  
Regular Faculty Status is held by persons who are long-term stakeholders in the University and who are responsible for the full range of faculty responsibilities, as outlined in section 7.2 and as further specified by their respective school, department, and Provost. Regular Faculty Status confers on the individual all the rights and privileges available to a faculty member (7.1.1), as well as the right to serve on University-wide committees as a voting faculty representative. Regular Faculty are those faculty who are full-time faculty members and who hold one of the three kinds of regular appointments outlined in section 7.1.2.4.A, B, and C, and who, where appropriate, have one of the three generally recognized faculty ranks, Professor, Associate Professor, Assistant Professor, outlined in section 7.1.2.1. To ensure that faculty who are long-term stakeholders in the University serve as voting representatives of the faculty on University-wide committees, faculty holding Term appointments without tenure (7.1.2.4.C) are eligible to serve and vote as representatives on University-wide committees after holding their appointment for three years. Faculty who have a course-load release, such as Department Chairs or Program Directors, but whose primary responsibility continues to be teaching, have Regular Faculty status.
- (C) Faculty Status  
“Faculty status” applies to those who teach and/or those whose functions and responsibilities are directly related to the University’s academic and teaching objectives, that is, everyone who holds one of the appointments outlined in 7.1.2.4 and 7.1.2.5., as well as the President, Provost, Vice Provosts, librarians, deans and assistant deans. Persons holding Faculty Status but not Regular Faculty Status may enjoy whatever privileges the department or school may grant, except the privilege of serving as a voting faculty representative on a University-wide standing committee (subcommittees are acceptable). Faculty status alone does not carry with it eligibility for tenure and sabbatical, nor does it automatically carry with it faculty rank, since faculty rank is in a specific academic department, nor does it carry eligibility for other benefits normally assigned to full-time teaching faculty.
- (D) The Board of Trustees delegates to the President the authority to appoint full-time faculty members to a department or school within which their responsibilities include teaching, advising, scholarship, and service to the University, unless temporarily assigned other tasks by the Provost. Certain benefits, such as eligibility for tenure, are restricted to members of the full-time faculty, as explained in 7.1.2.4 and 7.1.2.5.

#### 7.1.2.1 Ranks and Professional Standards for Rank

Bellarmino University recognizes three faculty ranks: professor, associate professor, and assistant professor. All ranks may be held with either a regular or a special appointment. Rank at the time of initial appointment by the President shall be determined after consultation with the appropriate Dean and Provost. Initial appointment to the University at the associate or professor rank may be made for persons who have elsewhere demonstrated professional achievement and rendered service comparable to that required for these ranks at Bellarmine University. Professional standards for each rank are stated below.

##### (A) Professor

A professor shall have maintained a distinguished and substantial record in meeting the three standards of performance set forth in 7.2.1 and 7.2.2.

##### (B) Associate Professor

An associate professor shall have maintained a strong record of effective teaching and service to the University and demonstrated a capacity for continuing growth in scholarly and professional achievement. The definitions of these standards can be found in 7.2.1 and 7.2.2.

##### (C) Assistant Professor

An assistant professor should have the appropriate terminal degree for the discipline. If there is a question about what the appropriate terminal degree might be, the appropriate qualifications are determined by the Provost in consultation with the appropriate Dean. To be appointed or promoted to the rank of assistant professor, a person must show strong promise of effectiveness in teaching, and scholarship, and service.

#### 7.1.2.2 Appointments

(A) The Board of Trustees delegates to the President the authority to appoint members of the faculty in accordance with the procedures for appointment explicated in 7.1.2.4 and 7.1.2.5.

(B) As a fundamental policy, the University appoints the most qualified person for a post, regardless of race, national origin, political beliefs, creed, handicap or disability, age, sexual orientation, or gender. The University is committed to equal employment opportunity for all persons.

(C) In evaluating a prospective appointee, the University shall consider carefully the following factors: potential for excellence in teaching and scholarship; commitment to service to the University; integrity; the originality and significance of the candidate's research and creative work; commitment to continued intellectual growth; insight into and dedication to the objectives of liberal education; flexibility in response to changing curricular needs; and respect for the values derived from Bellarmine's Catholic tradition.

#### 7.1.2.3 Classification of Appointments

Faculty appointments typically fall into two categories: regular appointments and special appointments. The nature of each appointment is indicated on the contract. Individuals holding one of the following contractual appointments hold Faculty Status (see 7.1.2.B or 7.1.2.C).

#### 7.1.2.4 Regular Appointments

Regular appointments are of three kinds: appointments with continuing tenure, appointments probationary for tenure, and regular contract appointments without tenure. All require terminal degrees. All regular appointments carry with them Regular Faculty Status (see 7.1.4.B).

##### (A) Tenured Appointments

1. A tenured faculty appointment is a continuing appointment to a school or department. Tenured faculty members are those persons who have been confirmed in such status by the President, most often subsequent to appropriate peer and administrative review. Tenured faculty assume the rank of either professor or associate professor. In the case of a joint appointment, tenure can only be held in one department.
2. Faculty members with tenure shall have continuing appointments, and their service shall be terminated only for adequate cause, financial crisis, discontinuation of a department or program, or other reasons as outlined in section 7.4.0. In the event that the University is reorganized through mergers or other restructuring of academic units, the tenured appointment of an affected faculty member continues in the successor academic unit. If the reorganization results in the elimination of a particular academic unit, tenured faculty appointments may be terminated according to 7.4.0.
3. A faculty member who has tenure but becomes an adjunct faculty member of Bellarmine University automatically relinquishes tenure unless there is a previous explicit and mutual agreement in writing with the Provost that tenure is retained.

(B) Probationary for Tenure (Tenure-Track) Appointments

1. An appointment probationary for tenure is an appointment to a school or department for a term of one year, and is subject to renewal up to a maximum of seven years. The exact length of the probationary appointment is the term stated in the official letter of appointment, except as modified in item (6) below. These appointments are also called tenure-track appointments and carry the possibility of tenure at a future date. Probationary faculty members shall hold at least the rank of assistant professor.
2. Credit for prior teaching experience at other institutions of higher learning or at the University is determined by the President in consultation with the Provost at the time of initial appointment and is indicated on the contract.
3. In exceptional cases, the Provost may approve a probationary period of less than three years. Reappointment to a probationary position is made annually following review and satisfactory performance and continuing University need. Ordinarily, individuals on probationary appointments are considered for tenure during their sixth year. In the event the decision is positive, the individual is awarded tenure at the beginning of the next academic year. In the event of a negative decision, the following year is terminal and reappointment is not made beyond that year.
4. In exceptional cases, the Provost may grant the request of a tenure candidate to be considered earlier than the normal sixth year. In such an instance, the decision reached is final and conclusive and, in the event of a negative decision, the following year is terminal. Time spent on unpaid leave of absence or medical leave does not count as probationary period service, unless the individual and the University agree to the contrary at the time leave is granted.
5. In an exceptional case in which a faculty member continues to teach full-time but is unable to engage in the full array of faculty responsibilities, the individual may request a delay in the date of the tenure decision. Such requests must be approved by the Provost in consultation with the appropriate Dean. If the request is approved, the date of the tenure decision is postponed for a maximum of one year.
6. Regardless of the stated term or other provisions of any probationary appointments, written notice that a probationary appointment is not to be renewed is given to the faculty member in advance of the expiration of the appointment as specified in 7.1.3.D.



(C) Term Appointments without Tenure

1. Although full-time faculty typically hold tenure or probationary for tenure appointments, the University also requires the services of professionally competent individuals to meet teaching and service responsibilities in selected areas or positions in which assignments do not necessarily include research or creative work. To meet these responsibilities effectively and to be competitive in attracting and retaining needed professional personnel, the University has established and recognizes a third kind of Regular Faculty appointment: Regular Contract Appointments without tenure.
2. Term appointments are not eligible for tenure and are not renewable for a second finite term except by separate and specific written agreement. Notice that a finite term appointment that is not to be renewed shall be given as indicated in 7.1.3.D.
3. The initial appointment by the President may be for one or more years and may be renewed for successive terms upon the recommendation of the Provost. Faculty who wish to apply for promotion to a rank beyond that of the initial appointment are evaluated by Rank and Tenure committee using the criteria set forth in 7.3 in the categories for which they are contractually obligated. After six years of continuous service, subsequent reappointments may be made for periods of up to five years, subject to annual review, but without continuous tenure. If the appointment is not renewed, or is terminated early because of an unsatisfactory annual review, written notice of non-renewal shall be given as provided in 7.1.3.D.
4. An individual with a term appointment without tenure will enjoy the rank of Assistant Professor, Associate Professor, or Professor, as determined by the Provost. The assignment of rank will carry the appropriate qualification, for example Assistant Professor for Clinical Supervision. A faculty member with a term appointment without tenure holds Regular Faculty status (see 7.1.2.B) and, thus, is accorded parity of compensation, benefits and perquisites, and governance and voting rights with other faculty of comparable rank.
5. A Faculty member with a term appointment without tenure may apply to the Provost for an appointment probationary for tenure, if a vacancy exists, under normal procedures for recruitment and appointment. In such a case, time served in the term appointment beyond the first year may count toward the maximum allowable period of probationary service (section 7.1.2.4.B.3).
6. A faculty member with an appointment probationary for tenure may apply to the Provost for a term appointment, if a vacancy exists, under normal procedures for recruitment and appointment. However, a faculty member in probationary status is not eligible to apply for such a change of status if that faculty member has been reviewed for tenure with the result that tenure was not recommended.

7.1.2.5 Special Contract Appointments without Tenure

- (A) Special contract appointments without tenure are those appointments which are either temporary or part-time or both. Such appointments neither include tenure nor carry eligibility for tenure. Not all such appointments carry rank. These appointments are made by the President or his/her designate, the Provost, under various and special circumstances, such as to fulfill a temporary need in a school or department or to pilot a new program to which the University is not sure it should commit itself in the long run.
- (B) The specific conditions and duration of the appointments are indicated in the accompanying letter of appointment. Individuals with special appointments enjoy Faculty Status, but not Regular Faculty Status (7.1.2.B, C). In each case, an appointee has such privileges as the department or school may grant, except the privilege of serving as a voting faculty representative on a University-wide standing

committee (subcommittees are acceptable). All faculty with special contract appointments that involve teaching must hold office hours or in some other way be available to students for help.

- (C) As with Regular Contract Appointments without Tenure, a faculty member with a Special Appointment may apply for an appointment probationary for tenure, if a vacancy exists, under normal procedures for recruitment and appointment. A faculty member with an appointment probationary for tenure may apply for a Special Appointment, if a vacancy exists, under normal procedures for recruitment and appointment. However, a faculty member in probationary status is not eligible to apply for such a change of status if that faculty member has been reviewed for tenure and tenure was not recommended.

(D) Types of Appointments

1. Visiting Appointments

Visiting appointments are teaching appointments for distinguished teachers, scholars, or other professionally accomplished individuals made by the President to enrich the academic offerings of the University and the student and University community learning experience.

2. Research Professorial Appointments

A research professor has no teaching duties. The research professor's task is to produce original work in his or her field. A research appointment is made by the President and normally supported by funds from sources other than the annual operating budget of the University. A research professor may enjoy any of the three professorial ranks, on the recommendation of the appropriate Dean and the Provost. Research professors are subject to annual performance review by the appropriate department Chair, Dean, or the Academic Vice President. The length of such appointments is to be determined by the Provost.

3. Instructor Appointments

- a. An instructor is someone who is hired for a full-time teaching position, but who does not have the appropriate academic terminal degree. Instructors are reviewed annually by the appropriate Chair or Program Director and Dean.
- b. If someone is hired as an instructor with the understanding that she or he will be offered a tenure track contract on the completion of the terminal degree, with the completion of the terminal degree within the designated time, and with a positive review by the appropriate school Dean and the Provost, the faculty member will then enter into a probationary-for-tenure appointment and will have the rank of assistant professor.

(E) Adjunct Appointments

1. Adjunct appointments are part-time teaching appointments (3/4 of a full-time load or less per semester). A terminal degree is required. An adjunct appointment at any of the three professorial ranks may be made on the recommendation of the appropriate Dean and the Provost. If there is the anticipation or possibility of retention or rehiring, the appropriate department and school or college will evaluate the adjunct in a manner similar to those having full-time appointments.
2. An Adjunct Professor is distinguished from a Lecturer by specification of a Faculty rank for which the appointee possesses the required terminal degree.

(F) Lecturer Appointments

1. Lecturer appointments are part-time teaching appointments (3/4 of a full-time load or less per semester) for a specific period. A terminal degree is not required. A lecturer appointment carries no rank. If a lecturer appointment is followed consecutively by a regular appointment, the

lecturer appointment will not apply toward eligibility for tenure. If there is the anticipation or possibility of retention or rehiring, the appropriate department and school or college will evaluate the lecturer in a manner similar to those having full-time appointments.

2. Individuals who have held a Lecturer appointment for seven years are eligible for the honorary title "Senior Lecturer."

(G) *Professor Emeritus or Emerita*

A title of honor, Professor Emeritus or Emerita, may be conferred upon a retiring or retired member of the Faculty by the President of the University, on the recommendation of the Department, Dean, and the Provost. The Emeritus or Emerita title usually is limited to full professors who have held regular membership in an academic unit at this University for at least ten years, or have served with notable distinction for a shorter period. A Professor Emeritus or Emerita may participate without vote in faculty meetings and may enjoy library privileges, office space, and other supporting services, depending on availability and as allowed by the Provost and the respective Dean.

### 7.1.3 ISSUANCE OF CONTRACTS

- (A) Employment of all ranked faculty shall be by formal contract signed by the faculty member and the Provost. Two copies are executed: one for the faculty member and one for the Provost.
- (B) Acceptance of a contract indicates an agreement by the faculty member to comply with all policies and regulations of the University.
- (C) The University normally notifies full-time faculty members of the terms and conditions of their renewals by April 15. Faculty have 30 days after the issue date on the contract to sign it, or the contract will expire.
- (D) If the University is not going to renew or reissue a contract for probationary tenure track faculty (except in cases of denial of tenure; see 7.3.6.11), contract regular faculty, and any other full-time contract faculty whose contract is such that it may be renewed, the University will normally notifies the faculty member as soon as possible, but not later than six months before the appointment contract expiration date. The appropriate chair and dean will consult with the Provost to determine if employment may be extended for an additional terminal contract year.
- (E) Appointments limited to temporary association with the University are not renewable unless both parties enter into a new contract by mutual consent.
- (F) One-year contracts are not to be presumed renewable. An offer to renew on the part of the University is normally made by April 15 of the contract year.
- (G) If a faculty member objects to the contract terms, he or she may ask for an extension to discuss the terms of the contract, recognizing that the final authority for the terms and conditions of the contract resides with the Provost.
- (H) Faculty members may terminate their appointments effective at the end of an academic year, provided that they give notice in writing at the earliest possible opportunity, but not later than May 15, or 30 days after receiving notification of the terms of appointment for the coming year, whichever date occurs later. Faculty members may, in writing, properly request a waiver of this

requirement of notice in case of hardship or in a situation where they would otherwise be denied substantial professional advancement or other opportunity.

## 7.2 FACULTY OBLIGATIONS AND EVALUATION

### 7.2.0 COMMITMENT TO THE MISSION AND VISION OF THE UNIVERSITY

The mission and vision of Bellarmine University are set forth in its *Catalog*. All faculty members are expected to be intimately acquainted with and committed to the achievement of the mission and vision. To seek their fulfillment is the first obligation of membership on the faculty.

The faculty members at Bellarmine University integrate the mission and vision of the University into their educational philosophy and use every means at their disposal to interpret these to their students. The mission and vision serve as constant frames of reference in the fulfillment of all instructional and extracurricular assignments.

### 7.2.1 PROFESSIONAL STANDARDS

- (A) Every faculty member at Bellarmine University has three major responsibilities: teaching; scholarship; and service (to the University, the community-at-large, and one's professional community).
- (B) Teaching, scholarship, and service are all considered in the assessment of faculty performance, through annual review and the rank and tenure review process when applicable.
- (C) Individuals who accept a position on the faculty of Bellarmine University are expected to conduct themselves in a professional and civil manner both in the performance of their contractual duties and in their external representation of the University. Among other things, Bellarmine University's mission affirms both excellence and the intrinsic dignity and infinite value of each and every human being. It is expected of all members of the Bellarmine University community, therefore, that in our interaction and discourse, we conduct ourselves in a manner fully consistent with these basic values. Given the nature and purpose of a university learning community, vigorous, thoughtful debate; fair, well informed criticism; and professional disagreements are expected and indeed, welcome. It is further expected however that our interaction and discourse always be characterized by the collegiality, civility, mutual respect, and professionalism that reflects the deep commitment of the Bellarmine University community to excellence and to the intrinsic dignity and infinite value of ourselves and others.

### 7.2.2 FACULTY RESPONSIBILITIES (APPLIES TO REGULAR FACULTY AS DEFINED IN 7.1.2.B)

#### (A) Teaching

At Bellarmine University teaching is considered *primus inter pares*, first among equals. Teaching, scholarship, and service all contribute to excellent performance by a faculty member, and all three will be considered in the evaluation and advancement of faculty. Effective teaching includes acting in accordance with professional norms, as well as engaging in activities that direct and facilitate the learning process.

Whereas the norms for professional conduct and the activities that direct and facilitate the learning process most directly apply to faculty teaching in classroom, studio, or laboratory situations, some or all of these responsibilities and activities also apply to faculty teaching in other settings, including supervising students in clinical settings, internships, independent studies, research projects, and thesis topics.

In addition, other activities directly related to teaching are expected, such as academic and career advising of students, developing innovative teaching techniques (simulations, media lessons, interdisciplinary courses, field studies, etc.), and integrating professional experiences into the classroom (exposing students to current professional practices by active faculty participation in field auditing, professional practice, clinical counseling, technical counseling, etc.).

Finally, reflection and evaluation of student achievement of learning outcomes, including the ongoing review of courses, revising course content to reflect current scholarship and accreditation standards, and proposing and developing new courses and programs to meet the evolving needs of students constitute the necessary underpinning of effective, vital teaching and are integral to the professional growth necessary for teaching.

(B) Scholarship

Faculty scholarship is integral to teaching and learning, and all faculty are expected to demonstrate a pattern of scholarly activity. This responsibility includes those activities that contribute directly to the cumulative knowledge or creative achievement in the appropriate discipline. Active participation in scholarship enables faculty to create an exciting atmosphere for learning and to establish programs that provide students with exceptional scholarly opportunities of their own. Given that definitions may vary widely among disciplines, each department will identify in writing expectations for the scholarly development and achievement of its constituent faculty. Such expectations must be consistent with standards across the discipline at large. These expectations are subject to the approval of the respective dean and the Provost, with the final decision resting with the latter. Whatever the variations may be by discipline, however, scholarship must be critically reviewed by peers external to the Bellarmine University community.

(C) Service

Service is fundamental to the University's educational mission and is one of the three major responsibilities of a member of the faculty. Service refers to those professional activities which contribute to the good of the University community, of the wider community, and of one's profession. Service refers only to those activities undertaken by virtue of one's professional competence or as a representative of Bellarmine University.

### 7.2.3 FACULTY PERFORMANCE EVALUATION: PURPOSE, CRITERIA, AND PROCEDURES

Bellarmino University is committed to the continuous development and improvement of the University, its various disciplines, and its faculty. To this end, there is an annual evaluation of every faculty member's performance in the areas of teaching, scholarship, and service, as outlined in 7.2.2. At the same time, faculty and their supervisors should recognize that multiple assessment strategies need to be employed

to assess the faculty member's performance. These include, but are not limited to, student evaluations, peer evaluations, evaluations by one's chair and/or dean, and a critical review of syllabi.

#### 7.2.3.1 Purpose of Faculty Performance Evaluation

(A) An annual performance evaluation of faculty is needed for several reasons:

1. Regular evaluation is crucial if each faculty member is to continuously develop and improve as an individual faculty member, as a member of a department or program, and as a member of Bellarmine University as a whole.
2. The annual evaluation of each faculty member's performance should provide the basis for decisions concerning salary adjustments or merit pay.
3. The annual review and evaluation of each faculty's performance should provide the grounds for administrative and strategic decisions about faculty development.

#### 7.2.3.2 Criteria for Faculty Performance Evaluation

(A) Introduction

Faculty performance is assessed by the chair and the dean using the following five categories of evaluation: Meritorious, Excellent, Favorable, Needs Improvement, or Unsatisfactory, with a sixth category, Not Applicable, for use when faculty are employed under specific restrictions or special assignments.

1. A rating of "Meritorious" indicates that the faculty member is truly exceptional, having far exceeded the historical norms of an "Excellent" rating.
2. A rating of "Excellent" indicates that the faculty member meets or exceeds high departmental and/or University expectations in this category of performance.
3. A rating of "Favorable" indicates that the faculty member fulfills the departmental and/or University expectations as typical of faculty in good standing in this category of performance.
4. A rating of "Needs Improvement" indicates that the faculty member meets most of the departmental and/or University expectations in this category of performance to minimally acceptable standards, with areas designated for improvement.
5. A rating of "Unsatisfactory" indicates that the faculty member does not meet a majority of departmental and/or University expectations in this category of performance to minimally acceptable standards.
6. A rating of "Not Applicable" indicates that the faculty member has specific restrictions or special assignments that invalidate evaluation in this category of performance.

(B) Teaching

1. In addition to the standards, outcomes, and expectations of particular disciplines and/or accrediting bodies, the assessment of a faculty member's teaching should consider the following:
  - a) whether and to what extent a faculty member has acted in accordance with the professional norms for teaching, including but not limited to:
    - meeting one's scheduled classes;
    - beginning and ending class on time;
    - preparing a syllabus for each course taught, and distributing the syllabus to each class within the first week of classes;
    - coming to class prepared;
    - posting and holding office hours;

- giving a final exam, or some form of final assessment, on the exam date scheduled for each class;
  - treating students and colleagues with respect; and
  - administering student evaluations for each course taught.
- b) whether and to what extent the faculty member engages in activities that direct and facilitate the learning process, including but not limited to:
- quality and rigor (teaching methods and rigor of expectations and assignments foster students' intellectual development);
  - enthusiasm and engagement (encourages participation and discussion, displays interest in the subject and the students, stimulates thinking, generates interest in the subject);
  - preparedness (has mastery of the material of the course; enhances or updates courses or researches and reads for new courses, as necessary); and
  - pedagogy and versatility (employs effective methodologies and tools when teaching; is able to adapt methods to meet the learning needs of the students while maintaining appropriate standards of quality and rigor).
- c) whether, and to what extent, as needed or appropriate, the faculty member engages in other activities related to teaching, such as academic and career advising of students; developing innovative teaching techniques (simulations, media lessons, interdisciplinary courses, field studies, etc.); and integrating professional experiences into the classroom (exposing students to current professional practices by active faculty participation in field auditing, nursing practice, clinical counseling, technical consulting, etc.).
- d) and, whether and to what extent the faculty member is engaged in the ongoing reflection and evaluation necessary to effective, vital teaching; including whether and to what extent a faculty member identifies expected student learning outcomes, assesses whether those outcomes have been achieved, and provides evidence of improvement based on analysis of those results.
2. Faculty receive an overall rating for their performance in teaching. Below are some areas and criteria relevant to this overall rating. These are meant to be neither exhaustive nor exclusive, but rather to serve as general guidelines and suggestions for what is admittedly a broad array of teaching situations and venues.
- a) In general, a faculty member's teaching is Excellent to Meritorious when his/her performance exceeds the criteria noted below for "Favorable," distinguishing his/her classroom work from that of the typical Bellarmine faculty member.
- b) In general, a faculty member's teaching is Favorable when, for example, he/she:
- acts in accordance with professional norms;
  - employs teaching methods and structures expectations and assignments in a way that is consistent with the complexity and rigor of similar courses at comparable institutions;
  - displays interest in the subject and the students;
  - is consistently prepared and organized;
  - displays innovation and growth in style of teaching as necessary;
  - displays effective use of current methodologies and tools;
  - employs assessment techniques that are appropriate to the instruction and provides timely and constructive feedback;
  - creates a classroom environment that fosters meaningful and sustainable learning; and

- Designs course content so as to foster growth and development appropriate for the discipline.
- c) In general, a faculty member's teaching either Needs Improvement or is Unsatisfactory when, for example, he/she:
- does not act in accordance with professional norms;
  - assigns work that falls below college expectations;
  - exhibits inconsistent teaching and/or has a negative impact in the classroom;
  - is often unprepared for class and/or unorganized;
  - can manage only one style of teaching and is unwilling to employ alternative methods, even when needed;
  - employs ineffective teaching methods;
  - employs inadequate or otherwise inappropriate methods and/or gives untimely feedback;
  - does not create a classroom environment that fosters meaningful and sustainable learning; and
  - offers courses that appear unchallenging and that seem to produce little academic growth in students.
  - In particular, a faculty member's teaching may be deemed Unsatisfactory if the performance is so egregious as to undermine the learning of students, or if the faculty member has failed to correct problems in the classroom despite having been given the opportunity to do so.
3. Methods for evaluating teaching
- In order to assess a faculty member's performance adequately and fairly, it is essential to employ multiple assessment strategies. In addition to the faculty member's own annual self-assessment, these include student evaluations, peer evaluations, a critical review of syllabi, classroom observation, and evaluations by one's chair and/or dean.

### (C) Scholarship

1. Scholarship may take many different forms, including but not limited to the following categories: publications (e.g., journal article, book, book chapter, monograph), presentations at conferences, grants, editorial work, alternative forms (e.g., scripts, works of art, public performances, audio or video tapes, films, computer software, multimedia presentation and emerging forms of information technology), and work in progress.
2. In assessing the overall scholarship performance of an individual faculty member, three major criteria are considered:



- a) Extent of external peer review or peer reception. The most important factor affecting the evaluation of scholarship is the extent to which it has been approved by one's peers. To provide a few examples, journal publications are typically subject to a review process by experts in the discipline, grant awards are determined by expert review, and conference presentations usually require the successful applicant to undergo a competitive selection process. Book chapters and completed books or those awarded contracts may also be subject to varying levels of peer review; in some cases, the reception the book receives (e.g., awards, distinctions, etc.) may be an important indicator of quality. Alternative forms of scholarship can also be subject to peer review, although typically the critical review(s) follow(s) the work itself.

Higher levels of peer review often equate to having a greater impact on the discipline. Some products indicate greater achievement and bring more distinction than others. It is the responsibility of the faculty member to explain the extent of peer review involved in the relevant work. If the faculty member believes a work justifies a higher evaluation than superficially similar works, he/she should explicate a rationale in terms of peer review, selectivity, and/or impact.

- b) Amount of scholarship. How active has the individual been? How much has the faculty member produced? Overall, the faculty member's amount of scholarship should fit into a consistent and continuous pattern of scholarly activity.
3. The author's contribution to the scholarship. Some work involves a greater time commitment and reveals greater intellectual contributions on the part of the faculty member. In collaborative efforts, a given individual's contribution may vary significantly. Particularly in the case where one is not a sole author, the faculty member should explain and document the nature and extent of his/her contribution to that scholarship.

#### Guidelines for evaluating scholarship

The evaluation of scholarship should be made in consideration of a documented pattern of scholarly activity, looking at the current year together with, at minimum, the past three years.

- a) Meritorious and Excellent – In general, these categories are indicated when a faculty member's scholarship has exceeded (through volume and/or significance of scholarship) that of the typical faculty member.
- b) Favorable – In general, this category is indicated by at least one completed work or product of some type. The product could include a publication, a grant award or application, a conference presentation, an alternative form of scholarship (see 7.2.3.2.C.1), or a project submitted for peer review. Significant progress on a long-term project, even without a finished product, may deserve at least an evaluation of "favorable." It is incumbent on the faculty member to show that the progress has indeed been significant.
- c) Needs Improvement – This category is indicated by minimal work in progress, no finished product during the stated framework for completion, or no documentable evidence of substantive progress made on a project. The quality/significance of scholarship might also warrant this rating. This category is also associated with a school's stated scholarship expectations related to accreditation requirements.
- d) Unsatisfactory. This category is indicated by no scholarship, or outdated or recurring scholarship, with no new finished product or updated work in progress. This category is also associated with a school's stated scholarship expectations related to accreditation requirements.

4. It is the faculty member's responsibility to provide adequate explanation and documentation of the extent and significance of any scholarship listed.

(D) Service

1. While Bellarmine faculty members should aspire to contribute in all three areas of service (university, community, and professional), in general, service to the University is most important.
2. In assessing the overall service contribution of an individual faculty member for purposes of annual performance review, five criteria apply:
  - (a) The quality of service. This requires an assessment of the actual contribution made, not just the time commitment.
  - (b) The level of impact. The wider or more profound the impact and import of one's service contributions, the more meritorious they should be considered (all other things being equal). To assist in the assessment of committee service, chairs of school and university committees are asked to report (briefly) on the quantity and quality of service performed by individual committee members.
  - (c) The amount of service. The number of service commitments and the time spent on these commitments are important criteria in evaluating service.
  - (d) The degree of monetary compensation or release time associated with service activities.
  - (e) The visibility of a specific service activity, as it can enhance the reputation of one's department within the university and the reputation of Bellarmine University with the wider public.

#### Procedures for Faculty Performance Evaluation

(A) A faculty member's Self-Assessment Report, which is due to the department chair by January 15, is comprised of:

1. A copy of the previous year's prospective plan, which includes what was slated to be accomplished from the previous year,
2. Completion of the Faculty Self-Assessment Report to provide information on one's teaching, scholarship, and service for the past year. The description of one's scholarship should include a list of scholarship for at least the past three years, in order to provide a context for assessing the faculty member's pattern of scholarly activity.
3. An evaluation of one's teaching, scholarship, and service for the past year. This narrative should explain and discuss accomplishments relative to the goals set in the previous year's prospective plan. It should also include responses to the past two available sets of student evaluations, as well, if applicable, as any feedback received from rank and tenure portfolios in the previous fall. Part of the purpose of this narrative is to provide evidence that faculty are building on successes and correcting errors, benefiting from reflection and experience.
4. A prospective plan for the upcoming year, specifying goals in the areas of teaching, scholarship, and service. At least three accomplishments, within one or more of the categories (teaching, scholarship, service), which can be used at the end of the forthcoming year to measure faculty progress, must be included in the prospective plan.

(B) As part of the Chair's annual review of a faculty member:

1. The Chair reviews the faculty member's Self-Assessment Report, develops a Chair's Evaluation Report, discusses this report with the faculty member, and submits the signed report to the Dean by February 15.

2. The Chair rates faculty on each aspect of faculty performance (teaching, scholarship, service) and provides explanatory comments after each question as needed. The Chair also uses this occasion to comment on any issues relating to civility.
3. The Chair appends a signatories page to the Evaluation Report and presents it to the faculty member to sign after discussing the evaluation with the faculty member (see Appendix 7.2.A).

(C) As part of the Dean's evaluation of the faculty member:

1. The Dean reviews the faculty member's Self-Assessment Report and the Chair's Evaluation Report.
2. The Dean's evaluation of the faculty member includes a rating in each category of faculty performance, as well as a comprehensive rating of the faculty member's performance as a whole, along with comments, explaining and supporting the evaluation. The comprehensive rating takes into consideration the fact that Bellarmine University identifies teaching, scholarship, and service as the faculty member's three fundamental responsibilities (7.2.1.A). Release time or other forms of compensation for duties performed should also be taken into account when considering ratings.
3. The Dean will send a copy of the evaluation to the faculty member, the appropriate Chair, and the Provost by March 15.

(D) All evaluations of faculty by the Chair and the Dean include both a rating as well as a brief narrative outlining the rationale for the evaluation and suggesting how a faculty member might improve his/her performance when necessary. As the faculty member's responsibilities cover three areas, teaching, scholarship, and service, so too the faculty member's performance can only be judged in light of the three areas. The comprehensive evaluation of the faculty member's performance as a whole serves as the basis for all salary and merit decisions. As salary and merit decisions are based on the evaluation of each faculty member's performance, they are to be awarded, not applied for.

(E) Chairs complete an annual Self-Assessment Report for themselves, using the procedure for faculty self-assessment described above, and the Dean completes the evaluation form to assess the Chair's performance.

(F) New faculty members and faculty on leave receive special consideration of their abbreviated service to the University, and then participate in the regular annual evaluation in the following academic year, when more complete evidence of their performance can be secured.

(G) The Provost uses the Dean's evaluation to make salary and merit decisions and also reviews any evaluation contested by a faculty member.

(H) Timeline

1. The faculty member's annual Self-Assessment Report is due to her/his Chair by January 15<sup>th</sup>.
2. The Chair's Evaluation Report of each faculty member in her/his department is due to the appropriate Dean by February 15<sup>th</sup>.
3. The Dean's evaluation and overall rating of each faculty member is due to the Provost by March 15.

## 7.3 PROMOTION AND TENURE

### 7.3.0 INTRODUCTION

In the context of the University's mission and professional standards (see 7.2), a faculty member's teaching, scholarship, and service are evaluated to earn promotion or to be granted tenure. It is recognized that, for many good personal and institutional reasons, faculty will vary, sometimes substantially, in the amount of time and effort they give to, and in the degree of excellence they achieve in teaching, scholarship, and service. However, only those candidates whose performance attains and continues to clearly promise high quality achievement in teaching, scholarship, and service may be awarded tenure or promoted.

The burden of proof of the quality and the quantity of teaching, scholarship, and service lies with the faculty member. A candidate must recognize that the standards for promotion and tenure are high. Overall favorable annual faculty evaluations (see 7.2) are a necessary condition for promotion and tenure, but not sufficient in that they alone do not guarantee that a candidate will receive either promotion or tenure. Furthermore, the University Rank and Tenure Committee's recommendation regarding a candidate's promotion or tenure does not guarantee conferral of either.

### 7.3.1 PROMOTION

- (A) Promotion is based on teaching, scholarship, and service completed by a faculty member, primarily while at Bellarmine University.
- (B) Evaluators of an individual's candidacy for promotion will generally base their evaluations on the criteria set forth in section 7.2, with additional weight given to the promise of continued excellence in all areas.

### 7.3.2 TENURE

A rank of associate or full professor is a necessary condition for tenure. A tenured faculty appointment is a continuous appointment to a school of this university, or, if the school is departmentalized, to a particular academic department of the school. In the case of a joint appointment, tenure applies to the position as mutually agreed upon by the academic units involved.

- (C) Tenure is based upon evaluation of the candidate's teaching, scholarship, and service to date, with special attention devoted to the promise of ongoing improvement and future success. It is also based on civility, as noted in 7.3.4.
- (D) The purpose of the procedures for tenure review (see 7.3.6) and the criteria outlined here is to insure that the conferral of continuous tenure is based in every case upon an explicit judgment of qualifications of the candidate and the need of the university. In each case, the university will attract and retain highly qualified faculty members.
- (E) It is the sole responsibility of the candidate for tenure to provide sufficiently persuasive evidence of his/her achievements in the areas of teaching, scholarship, and service.

### 7.3.3 CRITERIA FOR FACULTY RANK AND PROMOTION

Please refer to 7.3.6.3 for details concerning the appropriate procedure for applying for promotion.

#### (A) Assistant Professor

Candidates appointed to the rank of assistant professor must have completed the doctorate or appropriate terminal degree for their discipline by August 15 of the first year of employment for new appointments (see 7.1.2.1.C). Candidates must demonstrate evidence of a high degree of competence and significant potential in teaching, scholarship, and service.

#### (B) Associate Professor

1. Candidates for associate professor must possess the rank of assistant professor and be eligible for consideration. Appointment to the rank of Associate Professor may be granted to those who:
  - (a) have a minimum of five years of experience at the rank of Assistant Professor before application for promotion; and
  - (b) possess the appropriate terminal degree at the time of application, to be determined by the Provost, in consultation with the appropriate Dean.
2. Candidates for associate professor must clearly demonstrate teaching competence and progress toward mastery. The basic guidelines for evaluating a candidate's teaching performance are outlined in the annual performance evaluation standards (7.2.3.2. B).
3. Candidates for associate professor must clearly demonstrate evidence of peer reviewed research or projects that have come to complete fruition (e.g., journal article, book, or major show) since attaining the rank of assistant professor. The quality and quantity of these projects must be consistent with the norms established by the candidate's department, discipline, and school accrediting body(ies). The basic guidelines for evaluating a candidate's scholarship are outlined in the annual performance evaluation standards (7.2.3.2.C).
4. Candidates for associate professor must clearly demonstrate that they have engaged in substantial service which obviously contributed to the welfare of the University. The basic guidelines for evaluating a candidate's service are outlined in the annual performance evaluation standards (7.2.3.2.D). Special consideration is given to individuals who assume leadership roles in key University programs, such as the Honors, Interdisciplinary Core (IDC), or the Brown Scholars programs.

#### (C) Professor

1. Appointment to the rank of professor may be granted to those who:
  - (a) Have a minimum of eight years of experience teaching at the university level with rank, five of which should be in the rank of associate professor before application for promotion; and
  - (b) Possess, at the time of application, the appropriate terminal degree, to be determined by the Provost, in consultation with the appropriate Dean.
2. A candidate for professor must be recognized as an excellent teacher. The basic guidelines for evaluating a candidate's teaching performance are outlined in the annual performance evaluation standards (see 7.2.3.2.A and 7.2.3.2.B).
3. A candidate for professor must clearly demonstrate a high degree of scholarly accomplishment. Candidates are expected to have completed substantial peer reviewed scholarly works or other appropriate professional activity. The quality and quantity of these projects must be consistent with the norms established by the candidate's department, discipline, and school accrediting body(ies), and should demonstrate a continual growth throughout one's professional career. The

basic guidelines for evaluating a candidate's scholarship are outlined in the annual performance evaluation standards (see 7.2.3.2.C).

4. Candidates for professor must be recognized as offering service that significantly enhances the welfare of the University and/or the community. The basic guidelines for evaluating a candidate's service are outlined in the annual performance evaluation standards (see 7.2.3.2.D).

(D) Term appointments without tenure

Regular Faculty with term appointments without tenure (see 7.1.2.4.C) who wish to apply for promotion are to be evaluated by the same criteria as described above in the categories for which they are contractually obligated.

### 7.3.4 CRITERIA FOR TENURE

(A) In the event that a faculty member is hired with the rank of associate or full professor, it is important to note that attaining the rank of associate or full professor is not sufficient for tenure.

(B) There are two main criteria that distinguish the granting of tenure from the attainment of rank:

1. Trajectory – A candidate exhibits a record of achievement in all three areas and also demonstrates significant promise of ongoing improvement and future success.
2. Civility – Candidates must possess moral and ethical integrity. They must be respectful to their colleagues and students and exhibit a genuine willingness to participate in the culture and responsibilities associated with university life.

(C) In light of any appointment that carries continuous tenure, the qualifications of each candidate for such appointment must be conscientiously evaluated in terms not only of individual merit, but also of the present and future needs of the individual programs, departments, and schools of the University. The reviewing bodies must be satisfied that the candidate possesses superior qualifications, as stated in the criteria. There is no presumption in favor of tenure. If there is reasonable doubt concerning the candidate's qualifications or suitability for the position, tenure should not be conferred.

### 7.3.5 EXCEPTIONAL CIRCUMSTANCE FOR PROMOTION AND TENURE

On occasion, the President may appoint an individual of distinction who has received widespread acclaim for his/her professional accomplishments and scholarly achievements. Under this exceptional circumstance such an individual may be awarded specific rank or granted tenure, even if he or she does not meet all the usual preconditions established herein.

### 7.3.6 PROCEDURES FOR REVIEW, PROMOTION, AND TENURE

Eligibility: Definitions of faculty ranks and descriptions of contractual arrangements can be found in 7.1. Criteria for promotion and tenure can be found in 7.3.3 and 7.3.4, respectively.

#### 7.3.6.1 Review of Progress towards Tenure

Unless otherwise specified in the faculty contract, faculty members are reviewed using the schedule outlined below.

- (A) Tenure-track faculty entering the University with a first-year contract and no years of credit toward tenure, as well as tenure-track faculty entering with a second-year contract and one year's credit toward tenure, are reviewed for progress towards tenure in the third year of the probationary period.
- (B) Tenure-track faculty entering with a third-year contract and two years' credit toward tenure are reviewed for progress towards tenure in the fourth year of the probationary period.
- (C) Tenure-track faculty entering with a fourth-year contract and three years' credit toward tenure are reviewed for progress towards tenure in the fifth year of the probationary period.

#### 7.3.6.2 Awarding of Tenure

In a tenure-track faculty member's sixth year probationary for tenure, application for tenure is required unless the faculty member in writing withdraws his or her candidacy for tenure and thus resigns from the University at the completion of the sixth year. In certain circumstances a faculty member may be considered for the awarding of tenure in an earlier year (see 7.1.2.4.B).

#### 7.3.6.3 Promotion

Faculty applying for promotion in rank must be eligible for appointment to that rank as described in 7.3.3 above. To be granted promotion they must also meet the professional standards outlined in 7.2. Unless otherwise specified in the faculty contract, faculty members are reviewed using the schedule outlined below.

- (A) Professor – candidates may apply after eight years of experience teaching at the university level with rank, five of which should be in the rank of Associate Professor. Application can be made no earlier than the fall of the sixth year as Associate Professor.
- (B) Associate Professor – candidates must have a minimum of five years of experience at the rank of Assistant Professor before application for promotion;
- (C) For tenure-track faculty, consideration for promotion to the rank of Associate Professor is normally sought in the sixth year probationary for tenure, simultaneous to the tenure decision (see 7.3.6.2).

#### 7.3.6.4 Initiation of Process

- (A) Requirements for the contents of portfolios, procedures for the solicitation of external letters, specific procedures for submitting and reviewing portfolios, and deadlines for the annual rank and tenure process are found in the "Guidelines for Portfolios," which are updated annually by March 1 by the Provost and the University Rank and Tenure Committee (see Appendix 7.3.B for the current Guidelines).

- (B) The Provost notifies the Chair of the Rank and Tenure Committee and the deans of those faculty members scheduled to be reviewed for progress towards rank and/or tenure, or to be considered for the awarding of rank and/or tenure, by March 1 of the preceding academic year.

Any faculty member who wishes to be considered for promotion must notify the dean of her/his college or school by March 15 of the preceding academic year.

#### 7.3.6.5 General Considerations

- (A) For all cases of review of progress towards tenure, granting of tenure, and promotion, it is the faculty member's responsibility to make certain that the portfolio and the appended supporting materials (except materials provided by the department chair) are complete and submitted on time.
- (B) With the full cooperation and assistance of the department chair in obtaining required data, the candidate prepares a portfolio and supplementary appended materials following the "Guidelines for Portfolios," and submits the portfolio and appendices to the department chair by the annual deadline published in the guidelines.
- (C) All candidates for promotion to Associate and Full Professor need 3-5 letters which represent critical reviews of the scholarship of the candidate from outside the University.
  1. The candidate submits the names and contact information of 3-5 potential external reviewers to the Chair of the Department or to the Dean if there is not a Department Chair.
  2. The Department Chair and/or Dean also identify 3-5 possible external reviewers.
  3. The Department Chair and/or Dean then select 4-6 reviewers (drawn from both the list provided by the faculty member and the list compiled without the faculty member's input), and request letters from them.
  4. Once an individual has agreed to serve as an external reviewer, the Chair or Dean sends copies of the candidate's scholarship to the reviewer, together with a cover letter (available from the Provost), asking the reviewer to identify how s/he knows the candidate, how s/he rates the candidate's abilities and accomplishments: with regard to their significance in the candidate's field of specialization, in comparison to others at a similar stage in their academic career, and as an indication of potential for future achievement in research and scholarship.
  5. When the letters are placed in the portfolio by the Department Chair or Dean, the Chair/Dean indicates whether they came from the list provided by the faculty member or from the list compiled without the faculty member's input.
  6. Details regarding the procedures and deadlines for securing these evaluations are determined annually by the Provost and are included in the "Guidelines for Portfolios" (see Appendix 7.3.B for the current Guidelines).
- (D) Following the procedures described below, an evaluation of the candidate's proposal for promotion and/or tenure is completed, employing the general and specific norms and criteria listed in 7.2, by the appropriate department chair/program director, the dean of the candidate's college or school, the University Rank and Tenure Committee, the Provost, and other individuals competent in the field as may be required.
- (E) Materials (such as annual performance reviews, teaching evaluations, and external letters) in support of the portfolio are to be made available to the reviewing committee. Evaluations by chairs and/or deans are not shared with the candidate, as this information is confidential. External letters are also confidential, to be viewed only by the department chair, the Dean, the University Rank and Tenure



committee, the Provost, and the President. The Provost should communicate compliments, suggestions, and significant concerns raised by external reviewers to the candidate, making sure to preserve the confidentiality of the source of those concerns.

- (F) At any point in a promotion process not linked to tenure, up to the point of consideration of the case by the University Rank and Tenure Committee, a candidate may withdraw without prejudice to future consideration for promotion.
- (G) All deliberations, votes, and materials are to be held in the strictest confidence by all who participate in the promotion and tenure process.

#### 7.3.6.6 Department Chair Review

- (A) The department chair writes his/her evaluation and recommendation of the candidate and adds it to the portfolio. The department chair sends the complete portfolio to the dean, who sends the portfolio, along with supporting materials, to the University Rank and Tenure Committee.
- (B) When the department chair has forwarded his/her report to the dean of the college/school, the candidate's role in developing the portfolio is complete. No materials may be added by the candidate unless requested by the college/school Dean, University Rank and Tenure Committee, and/or Provost. However, candidates may supply documents or notifications indicating that an item originally listed in the portfolio as tentatively completed has, in fact, come to completion (e.g., an article listed as submitted for publication has been accepted, an accepted article has been published, etc.). Such materials may be communicated to the dean and/or Provost at any time preceding the meeting of the University Rank and Tenure Committee.

#### 7.3.6.7 Dean Review

- (A) The Department Chair forwards his/her report, as well as the faculty member's portfolio, to the Dean. The Dean then adds his/her evaluation/recommendation regarding promotion and/or tenure. This recommendation is added to the portfolio and then forwarded to the University Rank and Tenure Committee.
- (B) The Dean may not add anything to a candidate's portfolio, although candidates may supply documents or notifications indicating that an item originally listed in the portfolio as tentatively completed has, in fact, come to completion.

#### 7.3.6.8 College or School Review

- (A) The purpose of the college/school-level review are (a) to ensure that comparable standards are applied across the college or school, and (b) evaluate the candidates from a broader perspective and in consideration of the needs of the college or school.
- (B) The decision to employ a college/school-level review is left up to each college/school. If a college/school decides to employ a college/school-level review, it adheres to the following procedures.
- (C) Committee structure
  1. As much as possible, the college/school Rank and Tenure Committee consists of tenured professors who are not members of the University Rank and Tenure Committee. Deans and administrators may not serve on a college/school Rank and Tenure committee.

2. With the exception of Bellarmine College, schools have one rank and tenure review committee. Due to the size of Bellarmine College and the range of disciplines contained within it, there is one school review committee for Math and Sciences, and one school review committee for Arts and Humanities.
3. The college/school Rank and Tenure Committee consists of at least three members, serving staggered terms of three years. (If there are more than three, there is an odd number.)
4. Committee members are elected by the vote of the entire tenured and tenure-track faculty of their colleges/schools and elect their own voting chair at their first meeting of each academic year. Only persons with Regular Faculty Status may serve on the committee (see 7.3.6.9.C).
5. If a member of the college/school Rank and Tenure Committee cannot participate in the process because s/he is on sabbatical or other leave, suffers from an extended illness, or because of some other exigency, s/he is replaced by the faculty member who last held that position on the committee. If that is not feasible in the judgment of the Dean, the Dean may appoint another faculty member who previously had served on the committee or s/he may conduct an election to select the temporary replacement. If this situation is expected to last more than one semester, a new election is held to replace the original committee member.
6. A member of the college/school Rank and Tenure Committee cannot participate in the review of a particular individual if the committee member is the department chair of the candidate, or if the member has a familial, financial, or sexual relationship with the candidate that might give the appearance of bias. In such a case, that member does not participate in any of the deliberations of the committee. The member is not to be present during proceedings nor be informed about the proceedings or results of the deliberations. After the deliberations on the candidate are concluded, the member concerned may resume participation in deliberations concerning other candidates. At the discretion of the dean of the college/school, a replacement may be appointed, following the guidelines in 7.3.6.8. B.4 to participate in the deliberations on the candidate concerned, after which the original member resumes his/her participation in the committee.
7. The chair of the college/school Rank and Tenure Committee is elected by the members from among their number.

(D) Review process

1. A college/school Rank and Tenure Committee may request from the candidate, the department committee, the department chair, or dean such information or materials as it deems necessary.
2. The committee deliberates confidentially, and then votes by secret ballot on recommending promotion, tenure, or satisfactory progress toward tenure. All members must vote “yes” or “no” on each recommendation; an abstention will be recorded as a negative vote.
3. The committee chair communicates the vote tally in writing to the Dean of the college or school, as well as a summary of key concerns and considerations that informed that vote. If the committee so desires, the chair of the committee may also report orally to the Dean in order to clarify the committee’s decisions. The Dean may reconvene the committee if s/he seeks further explanation for a decision by the committee.
4. The Dean shall then add his/her evaluation and recommendation before sending the portfolio to the University Rank and Tenure Committee.

7.3.6.9 University Rank and Tenure Committee

- (A) The University Rank and Tenure Committee consists of seven elected members. One faculty member is elected by each college or school having at least five tenure-track faculty appointments. The remaining positions on the committee are filled by members elected at large by the entire faculty. In addition to the seven elected members, the Provost annually appoints the committee chair, on a

renewable basis. Deans, faculty serving in full-time administrative positions, and faculty who serve on a college/school Rank and Tenure Committees may not serve on the University Rank and Tenure Committee.

- (B) Elections for the Rank and Tenure Committee take place before the end of the spring semester, and membership becomes effective in the following academic year. A separate nomination form shall be made for each college or school's nominations for Rank and Tenure. Except in special circumstances (see below) each representative is elected by the respective college or school for a three-year term. Terms are staggered so that at least two of the faculty seats are elected each year. Members may be re-elected.
- (C) The chair and members of the Rank & Tenure Committee must have Regular Faculty Status and must be tenured.
- (D) Faculty may not seek promotion or tenure, and may not be reviewed for progress toward tenure, while serving on the committee.
- (E) Deans, associate deans, and faculty serving in full-time administrative positions may not serve on the University Rank and Tenure Committee.
- (F) A member of the University Rank and Tenure committee may not participate in the review of a particular individual if the committee member is the department chair of the candidate or if the member has a relationship with the candidate that gives the appearance of bias. In such a case of recusal, that member is not to be present during deliberations nor informed of the vote. After the consideration of the candidate concerned is complete, the member concerned may resume participation in deliberations concerning other candidates.
- (G) The chair of the Rank and Tenure Committee presides, but may not vote except, at his/her discretion, to break a tie. Any such tie-breaking vote must be cast in the presence of the full committee. The chair also decides any procedural questions not covered by the policies and procedures manual.
- (H) Committee members, through the chair, may request additional information or documentation from the candidate, the department chair, the dean, or the college/school committee.
- (I) The committee votes yes or no by secret ballot to recommend promotion, tenure, and/or satisfactory progress towards tenure for each candidate. With the exception of the chair all committee members must vote; an abstention will be recorded as a negative vote. All these materials are kept confidential and housed in Academic Affairs.
- (J) The University Rank and Tenure Committee forwards its recommendation(s), attaching an assessment of each candidate's strengths and weaknesses in the areas of teaching, scholarship, and service, to the Provost, who makes the recommendation on each candidate for the President's approval.

#### 7.3.6.10 The Provost

- (A) The Provost notifies the members of the University Rank and Tenure Committee of his/her decisions on promotion, tenure, and/or satisfactory progress towards tenure.
- (B) The Provost communicates his/her decision to candidates being reviewed for tenure and/or promotion. In the decision letter, the Provost communicates the issues—both positive and negative—

that emerged in the course of the process of review and evaluation for promotion and/or tenure, so that the faculty member may continue to develop and improve into the future.

- (C) Candidates who are denied promotion or tenure are furnished with a written statement of the basis for the denial by the Provost.
- (D) Candidates will have their portfolios returned to them, complete with all the materials they originally submitted, no later than the end of the academic year in which the decision was reached.

#### 7.3.6.11 Denial of Tenure

Faculty members who fail to achieve tenure are issued a terminal (non-renewable) contract for the academic year following the negative decision (see 7.1.3 D). The faculty member's dean determines duties for that year. Such faculty members are welcome to participate in University, college/school, and departmental meetings and deliberations.

#### 7.3.6.12 Appeal of a Denial of Tenure

A faculty member who has been denied tenure may appeal the decision according to the procedures detailed in 7.4.2.

#### 7.3.6.13 Appeal of a Denial of Promotion

A faculty member who has been denied promotion may appeal the decision according to the procedures detailed in 7.4.2.

## 7.4 FACULTY TERMINATION, DISMISSAL, SUSPENSION, OR OTHER SANCTIONS

### 7.4.0 ELIMINATION OF POSITIONS BY THE UNIVERSITY

(A) The President may eliminate a position currently held by a faculty member with tenure, on a probationary appointment, or on a non-tenure appointment before the end of the specified term, only in the case of financial crisis or the discontinuation of a program or department. The elimination of a position or program differs from dismissal for cause (see 7.4.1).

(B) University financial crisis

1. The elimination of a position currently held by a faculty member with tenure, or on a probationary appointment, or on a non-tenure appointment before the end of the specified term may occur under extraordinary circumstances because of a financial crisis determined by the Board of Trustees. If such a crisis is declared, the President will inform and will seek input from University administrators and faculty.
2. The President determines the faculty positions for which termination is recommended. Where consistent with the academic needs of the University, the President will give preference to tenured faculty of higher rank and to more senior faculty within the same rank.
3. Where consistent with the academic needs of the University, new academic appointments will not be made while a financial crisis is in effect, unless a disruption in the academic program would otherwise result.
4. In all cases in which positions/programs are eliminated because of financial crisis, as declared by the Board of Trustees, the place of the faculty member concerned will not be filled by a replacement for a period of two (2) years, unless the released faculty member has been offered reinstatement and a reasonable time in which to accept or decline.
5. Before eliminating a position, the President will attempt to place the faculty member concerned in another position for which the faculty member is then qualified within the University.
6. In all cases in which positions are eliminated, the faculty member concerned is given notice of severance salary not less than as prescribed in section 7.4.4.
7. If a faculty member is notified of the University's intention to eliminate his/her position/ because of financial crisis, the faculty member has the right to a hearing before the Hearing Committee (see section 7.4.2).

(C) Discontinuation of program or department not mandated by University financial crisis

Elimination of a full-time faculty member with tenure, or on a probationary or special appointment before the end of the specified term, may occur as a result of the formal discontinuation of a program or department of instruction (for a discontinuation mandated by financial crisis see 7.4.0.B). The following standards and procedures will apply:

1. The President will inform and make every effort to seek input from University administrators and faculty before deciding to discontinue a program or department, with educational and financial considerations as foundation.

2. Before a faculty member's position is eliminated because of discontinuation of a program or department of instruction, the President will attempt to place the faculty member in another position for which the faculty member is then qualified. If no position is available within the University, the faculty member's appointment then may be terminated with provision for severance as prescribed in Section 7.4.4.

## 7.4.1 DISMISSAL AND SUSPENSION

### (A) Grounds for dismissal or suspension for adequate cause:

Dismissal or suspension of a member of a faculty member before the end of the specified term, for other than medical reasons (7.4.1.C), can be sought only in serious cases of the following:

1. professional incompetence;
2. irresponsibility or neglect of duty;
3. moral turpitude; or
4. other adequate cause of comparable magnitude.

Any faculty member who is dismissed or suspended has the right to request a hearing from the Hearing Committee, as outlined in 7.4.2.B.

### (B) Extraordinary suspension from faculty status

When the President of the University or the Provost judges that adequate cause exists to believe serious, immediate harm would come to the faculty member, to others, or to the University through the continued action of a faculty member, the faculty member, whether tenured or not, may be immediately suspended from his/her faculty position. In the case of an extraordinary suspension that is temporary in nature (e.g. pending the outcome of a legal proceeding or medical evaluation) the compensation of the faculty member concerned shall be continued for the duration of the suspension.

An extraordinary suspension which is intended to be final is the equivalent to a dismissal, and is treated as such. Notice of an extraordinary suspension is given in accordance with 7.4.1.D. In the event of such suspension, the procedures established in 7.4.2.B, if requested by the faculty member, shall be followed as expeditiously as possible, and compensation of the faculty member shall be continued while such procedures are being carried out. An extraordinary suspension differs from a suspension imposed as a sanction (7.4.3), in which latter case compensation may be withheld by the University during the period of suspension after the procedures in 7.4.2.B, if requested by the faculty member, have been completed.

### (C) Dismissal or suspension for medical reasons

The decision to dismiss or suspend a faculty member with tenure, or a faculty member with a non-tenure contract before the end of the period of appointment, for medical reasons is made by the Provost. This decision is based upon evaluation by an independent medical authority, selected (by virtue of his/her relevant expertise) and paid for by the University, if such a request is made by either party. The faculty member, or someone representing the faculty member, is informed of the basis of the proposed action and is afforded an opportunity to present the faculty member's position to the Provost and to respond to the evidence. Dismissal or suspension is based upon medical evidence that the faculty member, even with reasonable accommodation, is no longer able to perform the essential duties of the position. If the faculty member so requests, the evidence is then reviewed by a Hearing Committee constituted as in 7.4.2.A

before a final decision is made by the President. If the faculty member is medically unable to act on his or her own behalf, a legal representative may do so. In cases of dismissal for medical reasons, the faculty member is given severance not less than as prescribed in Section 7.4.4. If the faculty member concerned refuses to submit to examination by the independent medical authority referred to above, this action is treated as a resignation.

#### (D) Notification of dismissal or suspension

The Provost shall draft a written statement of grounds for dismissal or suspension, in accordance with section 7.4.1.A, framed with reasonable specificity. This statement shall be delivered to the faculty member by the most effective means available. The faculty member shall have the right to request a review by a Hearing Committee under the procedures defined in 7.4.2.B. The faculty member shall make this request within 12 days of receipt of the official statement. All dismissals or suspensions should be addressed within the regular academic year where possible.

### 7.4.2 HEARING PROCEDURE

#### (A) Hearing Committee

The Hearing Committee is a standing committee of the Faculty Council and consists of five faculty members.

At the first fall meeting of the Faculty Council, the Coordinating Committee presents a list of fourteen candidates for a Hearing Committee, having ascertained their willingness to serve. All candidates must be full-time, regular, tenured faculty members. In selecting candidates, the Coordinating Committee strives to maintain a reasonable balance among the academic units of the University. These candidates, plus any others nominated from the floor of the governing body of the faculty, are voted upon by the Faculty Council. The five candidates receiving the most votes will constitute the Hearing Committee for that year. The candidates are ranked in order of the number of votes received. The remaining candidates, ranked in order of the number of votes received, constitute the pool of alternates for the Hearing Committee for that year. In the case of a tie vote the faculty member with the most seniority is ranked higher.

The Chair of the Hearing Committee is selected by the members of that Committee, when it is constituted. All five members of the Committee, including the chair, may vote.

#### (B) Hearing Procedure

A faculty member requesting a hearing notifies the Provost and the President of the Faculty Council. Each party to the hearing has a maximum of two challenges without stated causes and two challenges for cause. A Hearing Committee member who is removed or resigns, or is otherwise unable to serve, is replaced by the person receiving the most votes from the remaining list of alternates. The final composition of the Hearing Committee should be determined within 12 days of the request for a hearing. Should the request for a hearing occur between May 15 and August 15 and the Hearing Committee elected in the previous year is not available, the new President of the Faculty Council, in consultation with the previous President of the Faculty Council, has the authority to appoint a temporary Hearing Committee and to select replacement members as needed. Should a hearing need to be conducted between May 15 and August

15, the Hearing Committee may consider relaxing the time frame to accommodate all parties and to ensure a fair hearing. The Hearing Procedure includes all the steps outlined below.

1. Once the final membership of the Committee for the case in question is determined, the Committee sets the date of the hearing and will inform the parties, in writing, of the order in which the hearing will be conducted, and of any witnesses scheduled to be heard. Notice of the hearing must be made at least twenty days prior to the hearing.
2. The University will cooperate in securing witnesses and making available documentary information as permitted by law.
3. The hearing is a confidential and closed University proceeding, and not intended to reflect the proceedings of a civil court. Therefore, legal counsel, whether on behalf of the faculty member or on behalf of the University, will not be present at the hearing unless there is a related criminal proceeding also pending. In such cases, legal counsel may be present but not participate in the hearing. In all other instances, the faculty member may consult privately with legal counsel, but counsel may not be present or participate in any way in the hearing proceedings. The faculty member may have another member of the faculty present as an advisor during the hearing.
4. A verbatim record of the hearing or hearings is taken in the form of an electronic recording. A copy of the record will be made available at no cost to the faculty member at his/her request.
5. The burden of proof that adequate cause exists rests with the University.
6. In the hearing of charges of incompetence, the testimony may include that of qualified faculty members or administrators from this or other institutions of higher learning.
7. The Hearing Committee is not bound by strict rules of legal evidence or procedure, and may admit any evidence which is of probative value in determining the issues involved.

Except for such simple announcements as may be required, covering the time of the hearing and similar matters, the faculty member, administrative officers or Hearing Committee members, and any other involved party will not make public statements, nor will there be any publicity about the case. There should be respect for the privacy of all involved parties, and therefore, all activities of the Hearing Committee are to be kept confidential.

8. The Provost and the faculty member are notified of the Hearing Committee's vote and conclusions in writing and are given a copy of the record of the hearing upon request. Members of the Hearing Committee are also entitled to include a minority report.
9. If the Hearing Committee concludes that adequate cause for dismissal or suspension has been established by the evidence in the record, it so reports to the Provost, and no further action is required. If the Hearing Committee concludes that adequate cause for dismissal or suspension has not been established, it so reports to the Provost. If the Provost rejects the report, he or she states the reasons for doing so in writing, within ten days, to the Hearing Committee and the faculty member facing dismissal. If the Hearing Committee concludes that adequate cause has been established, but that a lesser penalty would be more appropriate, it so recommends to the Provost, with supporting reasons.
10. Except in the case of extraordinary suspension (7.4.1.B), the faculty member concerned will continue his or her duties, with normal compensation, until the hearing procedures, if so requested, have been completed and the Provost has issued a final decision on the matter.

#### 7.4.3 IMPOSITIONS OF SANCTIONS OTHER THAN DISMISSAL

- (A) If the President or the Provost believes that the conduct of a faculty member, although not constituting adequate cause for dismissal, is sufficiently grave to justify imposition of a sanction, the



University may institute a proceeding to impose such a sanction. In such case, the Provost notifies the faculty member of the basis of the proposed sanction and provides the faculty member with an opportunity to persuade him or her that the proposed sanction should not be imposed. A faculty member who believes that a sanction has been unjustly or inappropriately imposed may, pursuant to section 7.4.6, petition the Grievance Committee for such action as may be appropriate.

- (B) Sanctions may range in severity from suspension from service without pay for some stated period of time, but less than a full semester, to a reprimand.

#### 7.4.4 TERMINAL COMPENSATION

If a faculty member is dismissed for medical reasons (7.4.1.C), if a position is eliminated for reason of financial crisis or discontinuation of a program or department (7.4.0.C), or if a faculty member is not granted tenure (7.3.6.11), the faculty member will receive terminal compensation in accordance with the following schedule: at least three (3) months, if the final decision is reached by March 15 of the first year of probationary service; at least six (6) months, if the decision is reached by December 15 of the second year of probationary service; at least one year, if the faculty member is in the third year of full-time service or beyond.

#### 7.4.5 GROUNDS FOR APPEAL OF A DECISION OF NON-REAPPOINTMENT

- (A) A faculty member on probationary or other non-tenured appointment may allege that a decision of non-reappointment was based upon one of three legitimate grounds for appeal of such decision:

1. Failure to follow procedures and criteria as set forth in 7.3
2. Violations of academic freedom as explicated in 7.1.0.
3. Violations of governing policies on improper discrimination as explicated in the *Employee Handbook*.

- (B) The faculty member may appeal to the Hearing Committee (7.4.2.A), except that in such a case, it is the faculty member making the complaint who is responsible for stating the grounds upon which the allegations are based (see 7.4.5.A.1, 2, or 3), and the burden of proof will rest upon the faculty member. If the faculty member succeeds in establishing a *prima facie* case, it is incumbent upon those who made the decision against reappointment to come forward with evidence to disprove the allegations.

#### 7.4.6 GRIEVANCE POLICY AND PROCEDURES

- (A) Grievance Defined

A grievance is a complaint based on an act by any person associated with Bellarmine University that is perceived as arbitrary or capricious and, therefore, would adversely affect the faculty member's conditions of employment. It must be based on a violation of applicable University rules, regulations, or policies. Appeals of decisions concerning dismissal are addressed separately under section 7.4.2.

- (B) Informal Resolution

Before filing a formal grievance, a faculty member must attempt to resolve the matter through an informal resolution of the issue starting at the point closest to the origin of the issue. This informal process should begin with the faculty member's chair and then proceed to the dean of the school/department and finally to the Provost. If a resolution is not reached, then a formal grievance should be filed with the Grievance

Committee. This informal process is completely confidential and should take no longer than 30 days from the initial contact with the department chair or dean if the chair is involved in the grievance.

(C) Grievance Committee

1. The purpose of the grievance committee is to discern the relevant facts and to attempt to resolve the dispute between all interested parties.
2. The grievance committee is a standing committee of the Faculty Council and consists of five elected members and three alternates of the faculty, each serving a two-year term (staggered). Members must be full time teaching faculty, and no more than two members can be from the same school/college/library. Members must have served full-time at Bellarmine University for a minimum of three consecutive years, including the past academic year, and be of the rank of associate or full professor. The committee elects its chairperson. Every member of the committee, including the chair, may vote. No officer of the University serves on this committee.
3. Disqualification
  - (a) Any committee member may disqualify herself/himself from a particular case without prejudice and will then be replaced by an alternate.
  - (b) For the duration of the case, the new committee performs all functions of the elected committee. The chairperson continues to be responsible for all communications of the committee.
  - (c) If a case endures beyond the original term of the committee, an incumbent committee may continue to serve beyond its official term to bring its appropriate business to conclusion. This does not preclude the formation of a new committee to deal with new grievance issues.

(D) Formal Grievance Procedure

1. If any faculty member alleges cause for grievance in any matter other than dismissal from faculty status, the faculty member may petition the elected Faculty Grievance Committee for redress. The petition sets forth in detail the nature of the grievance and states against whom the grievance is directed. It contains any factual or other data which the petitioner deems pertinent to the case. Statistical evidence of improper discrimination, including discrimination in salary, may be used in establishing a *prima facie* case.
2. The Faculty Grievance Committee decides whether or not the facts merit a detailed investigation; if the faculty member succeeds in establishing a *prima facie* case, it is incumbent upon those who made the decision to come forward with evidence in support of their decision. This hearing must take place 30 days from the filing of the grievance. Submission of a petition will not automatically entail investigation or detailed consideration thereof.
3. If the grievance goes to committee, the Committee sets the date of the hearing and will inform the parties, in writing, of the order in which the hearing will be conducted, and of any witnesses scheduled to be heard. Notice of the hearing must be made at least twenty days prior to the hearing.
4. The University will cooperate in securing witnesses and making available documentary information as permitted by law.
5. The hearing is a confidential and closed University proceeding, and not intended to reflect the proceedings of a civil court. Therefore, legal counsel, whether on behalf of the faculty member or on behalf of the University, will not be present or participate in any way in the hearing. The faculty member may consult privately with legal counsel, but counsel may not participate in the grievance

proceedings. The faculty member may have another member of the faculty present as an advisor during the hearing.

6. A verbatim record of the hearing or hearings will be taken in the form of an electronic recording. A copy of the record is made available to the grievant and any party named in the grievance.
7. The Grievance Committee is not bound by strict rules of legal evidence or procedure, and may admit any evidence which is of probative value in determining the issues involved.
8. Except for such simple announcements as may be required, covering the time of the hearing and similar matters, the faculty member, administrative officers or Grievance Committee members, and any other involved party will not make public statements, nor will there be any publicity about the case. There should be respect for the privacy of all involved parties, and therefore, all activities of the Grievance Committee are to be kept confidential.
9. The Grievance Committee reports in writing its findings and recommendations within 10 days to the petitioner and the cognizant University official with a copy to the Provost.
10. The petitioner is notified in writing of the Provost' final determination within 30 calendar days.

## 7.5 FACULTY CONFLICT OF COMMITMENT

- (A) By accepting appointments for full-time service, faculty members agree that their primary professional responsibility is to the University. At the same time, the University recognizes that participation of faculty members in outside professional activities such as consulting, leadership in professional societies, and public service may often serve the mission of the University.
- (B) Teaching at another institution poses a potential conflict of professional commitment and always requires approval in advance by the Provost.
- (C) It is the responsibility of the faculty to make disclosure each year to the Dean and program director or chair of all activities that might constitute a conflict of commitment. Should the Dean deem that an activity might constitute a conflict of commitment, s/he will meet with the faculty member to discuss a modification of the activity or commitment. If the Dean and the faculty member cannot come to an agreement, the Dean will refer to the Provost for a decision. If the faculty member believes that the decision of the Provost is unwarranted or unfair, he or she may file a grievance (see 7.4.7), or, if appropriate, request a hearing (see 7.4.2).

## 7.6 FACULTY CONFLICT OF INTEREST

### 7.6.0 INTRODUCTION

- (A) The need for public trust in university research is extremely important. The public must have faith in research, for the vast amount of research that is conducted affects the personal aspects of peoples' lives, such as their health, the environment, food, medicine, daily contact with equipment and consumer goods, the quality of life, etc. It is reasonable, therefore, that the University formulate policies and procedures that guide its institutional research effects and minimize any potential conflicts of interest.
- (B) Several federal agencies, including Health and Human Services and the National Science Foundation, have issued regulations requiring institutions receiving federal research money to establish written, implemented, and enforced conflicts of interest policies as a prerequisite to such funding. The purpose of these regulations is to establish standards and procedures to be followed by Bellarmine University to ensure that the design, conduct, or reporting of research funded by the government will not be biased by any conflicting financial interest of those investigators responsible for the research.
- (C) The University seeks to comply with these regulations and to guide its research community in disclosing any potential conflicts when it applies for funding from the federal government. The following policy and procedures are intended to apply also to projects funded by other outside entities, whether public or private, and for this reason, they exceed the requirements of the federal regulations.

### 7.6.1 DEFINITIONS

- (A) Investigator means the principal investigator, co-principal investigators, and any other person involved in the research who is substantively responsible for the design, conduct, or reporting of research or educational activities funded or proposed for funding by an external entity.
- (B) Research means a systematic investigation designed to develop or contribute to more generalized knowledge in any academic discipline. The term also encompasses all studies conducted at the University including basic and applied research and product development.
- (C) Significant financial interest means anything of monetary value, including, but not limited to:
  - 1. Salary or other payments for services, such as consulting fees or honoraria.
  - 2. Equity interests, such as stocks, stock options, or other ownership interests.
  - 3. Intellectual property rights, such as patents, copyrights, and royalties from such rights. For more information on the University's intellectual property policy refer to 7.7 and 9.2.1.15.

- (D) The term “significant financial interest” does not include:
1. Salary, royalties, or other remuneration from the University.
  2. Income from seminars, lectures, or teaching engagements sponsored by public or nonprofit entities.
  3. Income from service on advisory committees or review panels for public or nonprofit entities.
  4. An equity interest that, when aggregated for the investigator and the investigator’s spouse and dependent children, meets both of the following tests:
    - (a) does not exceed \$10,000 in value as determined through reference to public prices or other reasonable measures of fair market value; and
    - (b) does not represent more than a 5% ownership interest in any single entity.
  5. Salary, royalty or other payments that, when aggregated for the investigator and the investigator’s spouse and dependent children, are not expected to exceed \$10,000 during the next twelve month period.
- (E) Conflicts Coordinator means the Provost or his/her designee.

### 7.6.2 POLICY

It is the policy of the University that any faculty or researcher who is an investigator applying for or receiving research funding from any entity outside of the University disclose his/her significant financial interests (and those of his/her spouse and dependent children) which would reasonably appear to be affected by such research. The purpose of this policy is to identify, manage, reduce, or eliminate such conflicts which could directly and significantly affect the design, conduct, or reporting of the externally funded research.

### 7.6.3 DISCLOSURE FORM

- (A) As required by Federal regulation, all significant financial interests must be disclosed prior to the time a proposal is submitted. Each investigator must submit a Disclosure Form to the Conflicts Coordinator, designated by the Provost. The Disclosure Form requires the full and truthful reporting of “significant financial interests” (previously defined). The Disclosure Form is available from the Office of the Provost.
- (B) The Disclosure Form shall be updated during the period of the award, at least annually or more often if new reportable significant financial interests are obtained. Each Disclosure Form shall be maintained by the Conflicts Coordinator for a period of at least three years after the date of submission of the final expenditures report to the external entity awarding the research funds. The Disclosure Forms are considered confidential information and are only shared with University officials on a need to know basis.

### 7.6.4 WRITTEN DISCLOSURE

- (A) The Conflicts Coordinator shall collect each Disclosure Form and record the receipt in the Office of the Provost. Failure of an investigator to complete and submit the Disclosure Form in a timely manner may result in a delay or failure to receive the external funding.

- (B) Disclosure Forms shall be reviewed first by the Conflicts Coordinator, who shall make a determination whether the investigator has disclosed a significant financial interest, that is:
1. an interest that would appear to be affected by the research for which the external funding is sought; or
  2. an interest in entities whose financial interests would reasonably appear to be affected by the research.
- (C) If the Conflicts Coordinator determines that a conflict of interest exists, then s/he shall meet with the investigator to develop a plan to manage, reduce, or eliminate such conflict. If the investigator and the Conflicts Coordinator are unable to resolve the conflicts, the Conflicts Coordinator shall forward the matter to the Dean, who shall attempt to develop a plan regarding the conflict. If no agreeable resolution is reached, the Dean shall forward the matter to the Provost, who shall make a final determination.
- (D) In all instances, the Conflicts Coordinator shall file and maintain Disclosure Forms, memos reflecting conflict resolutions, and appeals determinations.
- (E) If required, the Conflicts Coordinator will notify the external agency of the existence of a conflicting interest and will assure the agency that the interest will be managed, reduced, or eliminated. The University may suspend the disbursement of the funding until the conflict is managed, reduced, or eliminated.

## 7.7 INTELLECTUAL PROPERTY POLICY

### 7.7.1 COVERAGE

This policy applies to intellectual property created or invented by any member of the University community where the creation or invention of the intellectual property is related to the faculty member's, student's, or staff member's relationship with the University, or is created with the use of extraordinary University resources. Ownership of educational software and distance education materials and technologies shall be governed by this policy. The University makes no claim to and this policy does not govern intellectual property created or invented by any member of the Bellarmine community (faculty, staff, or student) independent of his or her relationship to the University and without the use of University resources.

### 7.7.2 DEFINITIONS

(A) **Intellectual property:** This term refers collectively to creations or inventions covered by the law of copyright, patent, or trademark.

Intellectual property (IP) at colleges and universities refers most importantly to the products of faculty, staff, and student research and scholarship ([link](#))

(B) **Copyright:** A copyright is a collection of rights that *automatically* vest to someone who creates an original work of authorship like a literary work, song, movie or software. These rights include the right to reproduce the work, to prepare derivative works, to distribute copies, and to perform and display the work publicly.

There are three basic requirements that a work must meet to be protected by copyright. The work must be:

1. **Original:** To be original, a work must be independently created. In other words, it cannot be copied from something else. There is no requirement that the work be novel (as in patent law), unique, imaginative or inventive.
2. **Creative:** To satisfy the creativity requirement a work need only demonstrate a very small amount of creativity. Very few creations fail to satisfy this requirement.
3. **Fixed:** To meet the fixation requirement, a work must be fixed in a tangible medium of expression. Protection attaches automatically to an eligible work the moment the work is fixed. A work is considered to be fixed as long as it's sufficiently permanent or stable to permit it to be perceived, reproduced, or otherwise communicated for a period of more than transitory duration.

[\(Link\)](#)

(C) **Ordinary use of University resources:** Routine use of University computers, the campus information technology infrastructure (including Wifi), offices, libraries, and staff are necessary for a faculty member to do their job and are considered an ordinary use of University resources. So too is an individual's receipt of a salary and the taking of a sabbatical.



**(D) Extra-ordinary provision and use of University resources:**

1. In general this includes, without limitation: release time from regularly assigned duties where the primary purpose of this is the creation of Intellectual Property; direct discretionary investment by the University in funds, staff, or the purchase of extra-ordinary equipment for the creation of intellectual property; extra-ordinary use of multimedia production personnel and facilities; and, extra-ordinary use of computing resources.
2. specific to course development, this includes but is not limited to summer or academic year stipends, research grants, or teaching relief.

## 7.7.3 KINDS OF INTELLECTUAL PROPERTY

### 7.7.3.1 Intellectual Property and course development

**(A) Typical course development**

1. Course development and preparation is ordinarily a standard function of faculty and associated with normal workload obligations. As a general principle, faculty members and other instructors shall own all Intellectual Property rights in their pedagogical materials and products. These materials and products include but are not limited to syllabi, tests and other assignments, power points and any other materials posted on the University's Learning Management System (LMS), current or past.
2. Faculty members and other instructors, however, grant to the University a nonexclusive, perpetual, irrevocable, royalty-free, and global license to use syllabi and all of the information included therein for pedagogical or educational purposes.
3. This nonexclusive right to use does not extend to anything involving the author's (faculty member's) voice or image, hence does not extend to the faculty member's class notes, study guides, assignments, lectures (whether in person or electronic), or any other materials that are the faculty member's own creation and are posted on the University's Learning Management System (LMS), current or past. These all remain the exclusive property of the faculty member.

**(B) Contracted course, lectures, or other course-development related property.**

1. In the case that the University wants to use the creator's (the faculty member's) voice and likeness, the University and the creator (faculty member) shall enter into a contractual agreement in writing that includes compensation that reflects market value and is agreed to by both parties.
2. Any contract developed will expire after five years. At that time, the agreement shall be reviewed. Both the University and the creator have the option to renew it as it is or to enter into a new agreement.
3. In a situation where either party wants to suspend the agreement before the five-year period— for example, in the case that certain content becomes obsolete or has been disproved—then the contract shall be renegotiated in good faith.
4. Should the faculty member leave the University, they may take with them and use

the content of anything they have created. Should the faculty member leave the University, they and the University will enter into a new agreement concerning what the University may or may not use going forward, and for how long.

#### 7.7.3.2 Commissioned intellectual property, other than course development

- (A) "Commissioned intellectual property" refers to intellectual property created or invented by a faculty member or instructor under an agreement between the University and the faculty member or instructor, which is entered into in advance and in writing, and which assigns rights to the property to the University, in exchange for certain compensation or benefits.
- (B) Contracted course development, described in B, above, is one kind of commissioned intellectual property. Other kinds may include but are not limited to, University publications, social media content, public lectures, a work of art, or a computer program.

#### 7.7.3.3 Sponsored intellectual property

This term refers to intellectual property created by a faculty member or instructor under a written agreement between the University or a subdivision thereof and a third party. In the absence of a pre-determined agreement on intellectual property, the sponsor, creator, and University will negotiate in "good faith" to determine an equitable outcome.

### 7.7.4 OWNERSHIP

#### (A) Traditional Scholarly/Artistic Works

Unless there has been an extraordinary use of University resources in creating a particular scholarly or artistic work or the scholarly or artistic work is commissioned or sponsored intellectual property, the University shall not assert any claim or ownership interest in such works. By way of example, traditional scholarly or artistic works include: textbooks; class notes; class handouts; syllabi, research proposals; classroom presentations; research articles; research monographs; theses and dissertations; class assignments; culminating experiences; paintings; drawings; sculpture; musical compositions and performances; dramatic works and performances; poetry; and popular fiction and nonfiction. The University does not waive any rights in intellectual property (as defined under 7.7.2) in which it has an ownership interest that is incorporated into a traditional scholarly work.

### 7.7.5 RIGHTS PROTECTION AND ENFORCEMENT

Unless otherwise agreed to in a writing signed by the faculty member, staff member, or student and an authorized representative of the University, the owner of the intellectual property shall bear the cost of securing any desired legal protection for a creation or invention, and shall be responsible for policing and enforcing any ownership rights.

## 7.7.6 REVENUE DISTRIBUTION AND REVENUE SHARING

Unless otherwise agreed to in a writing signed by the faculty member, staff member, or student and an authorized representative of the University, the owner of the intellectual property shall be entitled to any and all royalties. In situations where revenues are shared between the University and an individual member of the faculty, staff, or student, the specifics will be negotiated in good faith as indicated in 7.7.3. In the case of revenues assigned to the University, the monies will ordinarily be allocated internally based on the same rules governing F&A recovery (see 9.6.11.2.4) which explicitly include additional support for the creator.

## 7.7.7 STUDENTS AS AUTHORS, CREATORS, OR INVENTORS

Students retain all rights and interest in their individual scholarship, research, creative work, and other traditional academic products (see 7.7.4A), including, but not limited to, class projects or assignments associated with the full, or partial, completion of degree requirements except in situations where the work is defined as a “work for hire,” commissioned, sponsored by an outside entity, and/or required the extraordinary use of University resources above and beyond those required with completion of an academic program.

## 7.7.8 PROBLEM SOLVING

Disagreements as to the meaning or application of this policy shall be heard by an Intellectual Property Committee (IPC). The IPC shall be composed of two representatives of the faculty, two representatives of the administration, and in situations involving a student the Committee shall be expanded to include a student representative. Faculty representatives shall be elected by the University’s Faculty Council. Student representatives shall be elected by the Student Government Association. The administration representations shall be the University’s Provost and Vice President for Administration and Finance or their designees. A disagreement shall be submitted to the IPC within 30 days after efforts to mediate have failed. The IPC shall convene as soon as reasonably practicable to hear a disagreement, and shall render a written decision within 30 days of hearing the matter. Any individual claiming to be aggrieved by a decision of the IPC may file a written appeal with the President within 30 calendar days of receiving the IPC’s written decision. The President shall ordinarily resolve the appeal in writing within 30 days of receiving the written appeal. The President’s decision shall be final. In the event the IPC cannot agree, by a majority vote or greater, as to how the disagreement should be resolved, the matter will automatically be appealed to the University’s President, whose decision shall be final.

## 7.8 REMUNERATION AND BENEFITS

### 7.8.0 INTRODUCTION

The faculty of the University enjoy a variety of benefits, contingent upon sufficient financial resources:

- (A) salaries for Regular Faculty (see 7.1.2.B) based on the College and University Professional Association for Human Resources (CUPA) guidelines (see 7.8.2);
- (B) retirement benefits to full-time faculty who also meet the two-year eligibility requirements (see 7.8.3);
- (C) a substantial contribution to affordable, high-quality health insurance to all full-time members of the faculty (see 7.8.1.B); and
- (D) educational benefits to full-time faculty and to their dependents, including participation in the Tuition Exchange Program in accordance with program guidelines.

For a list and explanation of these and other benefits available to the faculty, visit <https://secure.bellarmino.edu/home/hr/index.asp>, or contact the Human Resources office.

### 7.8.1 BENEFITS

- (A) All full-time faculty are eligible for benefits on the first day of the month after the date of hire. Specific details are available from the Office of Human Resources and can be found online at [www.bellarmino.edu/hr](http://www.bellarmino.edu/hr).
- (B) The Vice President for Administration and Finance and/or his designate and the Provost will meet with faculty representatives once in the fall semester and once in the spring semester before the contract issuance deadline to review the current overall benefits package, identify issues or concerns, and discuss possible changes for the coming year. All changes in the benefits package will be clearly and publicly announced, and fully explained, by the Office of Human Resources.

### 7.8.2 SALARY

Bellarmino University is committed to paying competitive faculty salaries. The guideline is the National Faculty Salary Survey by Discipline and Rank in Private Four Year Colleges and Universities published by the College and University Professional Association for Human Resources (CUPA). The data used is from the year prior to the year in which the contracts are issued. The published CUPA surveys are made available for all faculty to view on the Bellarmino intranet.

### 7.8.2.1 Salary Norms and Adjustments

- (A) The following guidelines are used for salary determinations:
  1. CUPA Mean – the weighted mean salary for each discipline and rank as published by CUPA.
  2. CUPA Ratio – a value determined by dividing one’s actual contract salary for the current academic year by the most recently published appropriate weighted CUPA Mean.
  3. CUPA Range – a salary distribution between 0.90 and 1.30 of an individual’s CUPA Mean, based on discipline and rank.
- (B) All regular, full-time faculty salaries are based on the published CUPA Mean for their rank in their discipline. It is the University’s goal that no faculty member’s CUPA Ratio fall below 0.90 in the CUPA Range.
- (C) If a faculty member’s discipline or rank is not explicitly covered by CUPA, then the Provost, in consultation with the appropriate dean and department chair (where needed), is responsible for determining an appropriate measure of compensation. If there is another salary database for the discipline, then that is considered when appropriate.
- (D) A faculty member’s salary will not decrease unless warranted by an unsatisfactory performance rating (see 7.2.3).
- (E) In the circumstance that a faculty member’s published CUPA Mean decreases or is less than a \$500 increase of their current salary base for that year, then the individual will receive at least a \$500 minimum raise for that contract year.
- (F) A faculty member’s status within the CUPA Range is determined by an individual’s annual performance rating in the areas of teaching, scholarship, and service (see 7.2.3). Positive performance ratings may increase one’s CUPA Ratio. Unsatisfactory performance may decrease one’s CUPA Ratio.

### 7.8.2.2 Contracts and Promotions

- (A) Under special contractual arrangements, faculty may be employed by the University for a period exceeding nine months per year. In these special cases faculty should be awarded an eleven month contract unless a particular discipline, as a norm across the academy, uses twelve month contracts. Compensation for faculty on eleven month contracts, or continuing on twelve month contracts, is paid 11/9 of the nine month published salaries noted in 7.8.2.B.
- (B) In those very unusual circumstances where it is necessary for regular faculty to distribute their normal teaching load of 21 credit hours per year over a term greater than nine months, they are not eligible for additional compensation.
- (C) Faculty who are promoted in rank will receive an increase in salary to mark that promotion. This does not necessarily mean, however, that the faculty member will remain at the same CUPA ratio at the new rank as he/she enjoyed at the old rank. In no case will a promotion in rank result in a drop in salary. It is the University’s goal to raise the faculty member’s salary to at least 0.90 of the CUPA mean for their discipline and new rank, or provide a raise of no less than \$1500.

- (D) Presidential Merit Awards are awarded annually by the President. Faculty who receive an overall rating of meritorious are considered first for this award. Should additional funding for merit awards be available, it will be awarded at the President's discretion. Presidential Merit Awards are realized as an increase in the faculty member's base salary.

### 7.8.3 RETIREMENT PLAN

- (A) Full-time regular faculty are eligible to participate in Bellarmine's defined contribution retirement plans. Bellarmine has established two 403(b) defined contribution retirement savings plans to provide faculty the potential for future financial security for retirement. The Teachers Insurance and Annuity Association (TIAA) administers and serves as trustee of the plans. Both the Retirement Annuity (RA) and the Supplemental Retirement Annuity (SRA) Plans are pre-tax, tax-deferred plans authorized under the Internal Revenue Code. The University reserves the right to add other 403(b) retirement plans as it deems appropriate.
- (B) To be eligible to join the retirement plan that Bellarmine matches, a faculty member must complete two (2) years of service at Bellarmine unless employed full time for two years with an educational institution immediately prior to employment with Bellarmine. A faculty member is credited with a year of service for each 12-month period starting with the date of employment (or anniversary date of employment) during which the individual completed 1,000 or more hours of service. A faculty member may join this plan any time after meeting the eligibility requirements, subject to all terms and conditions of the plan. Participants in this plan are required to contribute 3% of base pay to the plan, while the University contributes another 2% of pay to the faculty member's retirement account. Both the faculty member's contribution and the University's match are immediately vested.
- (C) Regular full-time faculty may join the SRA immediately upon hire. While the University does not match employee contributions to this plan, a faculty member may contribute an amount of salary on a pre-tax, tax-deferred basis, subject to certain Internal Revenue Code limits. A faculty member can participate in the plan solely or in conjunction with the matched retirement plan.
- (D) Bellarmine recognizes the significant contributions made by the senior employees to the University community. The University would like to continue to benefit from those employees' experience and still provide them with alternatives for continued employment. Therefore, if an employee discontinues full-time employment before age 65 and after age 58 with at least 15 years of service as a Bellarmine employee, the employee may elect to remain employed with the University in a part-time capacity with the following benefits:

1. Payment to the employee of an amount equal to the University's retirement contribution (10% of base pay) in the last year of full-time work until age 65. (By law, payments must be made directly to the retired employee.)
2. Payment to the employee of an amount equal to the University's portion of the single premium of the health care and dental plan(s) in which the employee was enrolled at the time of retirement until age 65.
3. Payment to the employee of an amount equal to the University's portion of the employee's group term life insurance premium (if so enrolled) until age 65.

The above payments are treated as wages and are subject to the applicable withholding and Social Security taxes. Such payments will be annualized and paid monthly until the employee reaches age 65. The amounts will be adjusted annually on June 1 to reflect new insurance plan rates.

Retirees also will enjoy the following benefits:

1. Continuation of the tuition benefits for employees and dependents as they exist in the year preceding participation in the agreement.
2. Two free admissions to Bellarmine home athletic events per year, except basketball (if requested).
3. A Bellarmine employee I.D. card.
4. Free access to the University Sports and Recreation Center
5. Invitations to major University events.
6. Possibility, but no guarantee of, consultancies.
7. Access to the Bellarmine Library.
8. Bookstore discounts allowed to regular employees.
9. One Bellarmine parking permit, at no charge.

Complete details of the retirement plans are described in the Summary Plan Description provided by the Office of Human Resources to eligible faculty.

## 7.8.4 FACULTY DEVELOPMENT AND LEAVE

### 7.8.4.1 Faculty Development Funding

- (A) Recognizing that successful performance in the areas of teaching and scholarship requires ongoing professional development, the University will make every effort to provide adequate support to help defray the costs of professional travel, professional fees, and other professional development activities.
- (B) Additional support for faculty development is disbursed at the discretion of the Provost. Although the faculty recognizes that the Provost must attend to external pressures including different accreditation requirements of the schools, it is hoped that an attempt will be made to achieve some measure of equity in the disbursement of funds among the colleges. Additional support can take the form of, for example, travel reimbursement and summer research stipends.

### 7.8.4.2 Bellarmine Faculty Development Fellowships

(A) Purpose and Eligibility:

Bellarmino Faculty Development Fellowships provide support for full-time faculty scholarship as defined in 7.2. The work proposed must be of sufficient scope to be completed within the equivalent of two months of full-time study or research. The work proposed may be within the applicant's special field of study, or it may be in some other field that will enable him/her to understand his/her own field better and improve his/her level of professional proficiency. The proposed project may be one that can be completed during the stipend period, or it may be part of a long-range project.

A single stipend may be shared among up to three (3) full-time Bellarmino faculty members. The number and financial amount of awards shall be published annually by the Office of Academic Affairs.

The award is not intended for continuing professional training or study or research leading towards a degree. Recipients of a summer stipend must wait three years before they are eligible to apply again.

(B) Selection Criteria

1. The quality of the applicant's work to date.
2. The importance of the applicant's proposal to his/her specific teaching field, professional development, and/or to the education/professional climate of the University in general.
3. The conception, definition, and organization of the proposal.
4. The likelihood that the undertaking as proposed will be completed.
5. Priority is given to the following types of studies:
  - (a) Projects that will lead to a manuscript to be submitted for publication in a peer-reviewed scholarly journal or other similarly public forum as appropriate in disciplines where a performance, piece of art, etc., is a more appropriate measure of the output than a journal article.
  - (b) Projects considered foundational that support a grant application leading to external funding; (e.g. a pilot study).

(C) Applications

1. Applications are available annually in October from the Office of Academic Affairs.
2. The completed application will consist of the following:
  - (a) a detailed description of the proposed study;
  - (b) curriculum vitae for all parties to the application; and
  - (c) two letters of support, one each from the dean and department chair. These letters should provide support for the concept and significance of the proposal.
3. Applications should be submitted to the Chair of the Faculty Development Committee no later than 5:00 p.m. on November 1 each year.

(D) Applicants are notified by December 15. Recipients submit a written report to the Provost in the fall following the summer stipend period and make a presentation at a Faculty Forum during the academic year.

### 7.8.4.3 Sabbaticals



- (A) The Sabbatical Leave Policy is designed to provide an opportunity for tenured faculty or administrators who have served a minimum of seven years at Bellarmine. Sabbaticals are awarded by the President based on the strength of the application. In general, a sabbatical is intended as an opportunity to engage in research or to engage in activities that advance one's knowledge within a discipline, enhance the academic endeavors of the University, or lead to a greater appreciation of aesthetic value.
- (B) Faculty granted sabbaticals must agree to serve for a minimum of one year beyond the completion of the leave. If a faculty member fails to adhere to this policy, the University reserves the right to request repayment of all compensation paid to the faculty member during the sabbatical period.
- (C) Faculty granted sabbaticals to enhance their professional competence will not be eligible for another sabbatical for six years (minimum).
- (D) The application for sabbatical should include a proposal outlining the intended purpose of the sabbatical, methodology, and goals.
- (E) The sabbatical application should include documentation of support from the appropriate chair and dean.
- (F) Upon completion of the sabbatical period the faculty member will report to the faculty the final outcomes of the sabbatical and provide an assessment of the progress made relative to the goals stated in the sabbatical proposal.
- (G) Faculty are not to be under the employ of an agency or organization other than Bellarmine during the sabbatical without prior written approval of the Provost.
- (H) Sabbaticals may be for a single semester or an academic year.
- (I) Primary considerations for awards include merit of the proposal; and time elapsed since last sabbatical.
- (J) Proposals are to be submitted to the Office of Academic Affairs no later than the second Friday of November prior to the academic year for which the sabbatical is sought.
- (K) Faculty awarded a sabbatical will receive full salary for one semester or half salary for the contract year. If the faculty member is taking a semester sabbatical, full salary is paid and the University contribution to benefits remains the same.
- (L) If the faculty member is taking a sabbatical for the contract year, he or she receives half salary. Because of federal regulations, social security and retirement contributions are based on the half salary amount. However, the University will pay 100 percent of all benefits during the sabbatical year.
- (M) The total number of sabbaticals awarded annually is determined by the President and is contingent upon sufficient financial resources.

#### 7.8.4.4 Leaves of Absence

- (A) Faculty may apply for a leave of absence either for professional or for personal reasons.
1. Professional Leave – Full-time faculty members may apply for a leave to engage in professional activity or experiences that are likely to enhance the faculty member’s teaching, scholarship, or service. Professional leave is rare and is approved only under extraordinary circumstances. The leave is granted by the Provost with the approval of the President.
    - (a) Normally, the University will pay no salary and will not contribute to benefits.
    - (b) There is no time-in-service qualification for this form of leave, but each application must include a letter from the Department/Program Chair and is decided on its individual merits. The factors considered are: the suitability of the program planned for the leave period, the ability of the department to make satisfactory arrangements during the leave, the character of the applicant’s service, and the financial resources of this University.
    - (c) Applications for professional leave must be submitted to the appropriate dean no later than October 1 of the year prior to the start of the proposed leave. Such leave is ordinarily granted for a period not longer than one year and does not count as a part of the probationary period.
  2. Personal Leave – Personal circumstances may prompt a faculty member to seek a leave of absence not provided for otherwise. As such circumstances are not predictable, no deadline for applying can be established but the other particulars, conditions, and procedures provided for professional leave will also be applied in these cases. Normally, the University will pay no salary and will not contribute to benefits.
- (B) Family and Medical Leave – Pursuant to the Family and Medical Leave Act of 1993 (FMLA), Bellarmine provides leaves of absence without pay to regular full-time faculty who wish to take time off from work duties due to their own serious health condition; or to fulfill family obligations relating directly to childbirth, adoption, or placement of a foster child; or to care for a child, spouse, or parent with a serious health condition. A serious health condition means an illness, injury, impairment, or physical or mental condition that involves inpatient care in a hospital, hospice, or residential medical care facility; or continuing treatment by a health care provider.

Only faculty who have worked for Bellarmine for at least 12 months, with no fewer than 1,250 hours worked during the 12 month period, are eligible for FMLA leave. The 1,250 hours include only those hours actually worked, not paid or unpaid leave. Eligible faculty should make requests for family leave to their supervisors at least 30 days in advance of foreseeable events and as soon as possible for unforeseeable events. Human Resources must be notified of all requests for leave.

Those requesting family leave related to the serious health condition of a child, spouse, or parent may be required to submit a health care provider's statement verifying the need for a family leave to provide care, its beginning and expected ending dates, and the estimated time required.

Eligible faculty may request up to a maximum of 12 work weeks of leave within a rolling 12-month period measured backwards from the date a faculty member uses an FMLA leave. Faculty may be required to first use any accrued paid leave time before taking unpaid family leave. Intermittent leave will be permitted in accordance with the law.

Subject to the terms, conditions, and limitations of the applicable plans, Bellarmine will continue to provide health insurance benefits for the full period of the approved FMLA leave. However, if the faculty member is on unpaid leave, the faculty member must continue to pay for their share of the

premiums for these insurance benefits by making appropriate arrangements with the Human Resources Office.

Benefit accruals, such as vacation, sick leave, or holiday benefits, will be suspended during the leave and will resume upon return to active employment.

So that a faculty member's return to work can be properly scheduled, a faculty member on FMLA leave is requested to provide Bellarmine with at least two weeks advance notice of the date the faculty member intends to return to work. When the leave ends, the faculty member will be reinstated to the same position, if it is available, or to an equivalent position for which the faculty member is qualified.

If the faculty member fails to return to work on the agreed upon return date, Bellarmine will assume that the faculty member has resigned.

The National Defense Authorization Act was signed into law in January of 2008 and became effective on January 16, 2009. The Act expanded the Family Medical Leave Act (FMLA) of 1993 and provides new leave rights related to military service. These entitlements include Military Caregiver Leave, which provides family members of injured service members with up to 26 work weeks of leave in a single 12-month period and Qualifying Exigency Leave, which allows family members of the armed forces to use up to the normal 12 work weeks of FMLA leave to manage the affairs of a service member while he or she is on active duty in support of a contingency operation. Questions or additional information related is available from the Human Resources Office. Contact the Human Resources Office for the appropriate leave request forms.

## APPENDIX 7A

### SIGNATORIES FOR ANNUAL FACULTY EVALUATIONS

I have read these assessments and attached statements and have discussed them with my department chair or program director.

I have/have not (circle one) attached a written response to this assessment.

I would/would not (circle one) like an appointment to discuss these assessments and statements with my college/school dean.

\_\_\_\_\_  
Signature (Faculty Member)

\_\_\_\_\_  
Date

I have discussed these assessments and the attached statements and response (if applicable) with the faculty member and the University/school dean.

\_\_\_\_\_  
Signature (Department Chairperson)

\_\_\_\_\_  
Date

I have discussed these assessments and attached statements and response (if applicable) with the faculty member's department chair or program director. If requested, I have met and discussed these items with the faculty member.

\_\_\_\_\_  
Signature (College/School Dean)

\_\_\_\_\_  
Date

**NOTE:** This completed form and all attachments appended to it constitute the annual evaluation. Complete copies, including attachments, are distributed to all signatories.

NUMBER OF ATTACHMENTS \_\_\_\_\_ TOTAL PAGES (including cover sheet) \_\_\_\_\_

**APPENDIX 7B**

**GUIDELINES FOR PORTFOLIOS**

**APPENDIX 7B**  
**GUIDELINES FOR PORTFOLIOS**  
**Promotion, Tenure, Progress toward Tenure**  
**Fall 2021**

Criteria for promotion and tenure are found in sections 7.2.1, Professional Standards, 7.2.2, Faculty Responsibilities, and 7.3, Promotion and Tenure, of the *Faculty Handbook*, which is Chapter 7 of the University Policies and Procedures.

**NOTE: “The burden of proof of the quality and the quantity of teaching, scholarship, and service lies with the faculty member. A candidate must recognize that the standards for promotion and tenure are high. Overall favorable annual faculty evaluations (see 7.2.3) are a necessary condition for promotion and tenure, but not sufficient in that they alone do not guarantee that a candidate will receive either promotion or tenure.” (7.3.0)** A candidate’s portfolio must do the speaking for the candidate, and its readers (chair, dean, members of the R and T Committee, VPAA) must use it as evidence that the standards for tenure and/or promotion have been met.

**7.B.1 TIMELINE**

All candidates for promotion, tenure, and progress toward tenure are required to submit portfolios according to the following schedule:

<b>Wednesday, August 11, 2021</b>	<b>Portfolios to Department Chair</b>
<b>Wednesday, Sept. 1, 2021</b>	<b>Portfolios to Dean</b>
<b>Monday, Sept. 20, 2021</b>	<b>Portfolios to Rank &amp; Tenure Committee Chair</b>

**NOTE: Individuals being reviewed for tenure and/or promotion may not submit any additional materials to the R and T Committee after Wednesday, August 11, 2021.**

**Individuals being reviewed for progress toward tenure may submit critical and new additional information (scholarship publications, for instance), as every bit of information is helpful in determining the degree to which candidates are making steady progress on the tenure path.**

**7.B.2 PORTFOLIO FORMAT**

(A) Materials are to be submitted into **an online portfolio in OneDrive**. All documents should be formatted in separate **Microsoft Word files** unless otherwise noted. Documents required include:

1. Curriculum vita
2. Teaching narrative
3. Description of range of class preparations
4. Course syllabi for the courses included in the portfolio
5. Materials (assignments, quizzes, exams, etc.) associated with each course described (inclusion of final exams is mandatory)

6. Tabulated grade distributions and corresponding reflection
7. Student evaluations (paper evaluations should be scanned) accompanied by narrative and reflection
8. Scholarship narrative and pdf versions of peer-reviewed scholarship if available
9. Service narrative and any documentation of service if available
10. Additional documents from the portfolio for which e-copies are readily available.

If the candidate wishes to include any additional materials, he or she must seek advance approval from the Rank and Tenure Committee Chair.

- (B)** Portfolios should be neat, clearly organized, and concise. Narratives should be double-spaced and printed in an easily readable font (11 minimum). All portfolios should include a table of contents with clear references and page numbers. Any additional materials approved for inclusion (e.g. books, CDs) should be noted on the table of contents page.

### 7.B.3 PORTFOLIO CONTENT

#### **(A) Curriculum Vita**

1. Use one citation style consistently.
2. **Include dates for every activity** listed on the vita: degrees, previous positions, publications and presentations, service activities, etc. List activities in reverse chronological order (most recent first).
3. Clearly delineate peer-reviewed scholarship from other scholarly activities.
4. Ensure that the vita agrees with the narratives and the documentation presented later in the portfolio.

#### **(B) Teaching**

1. Describe entire range of class preparations while at Bellarmine.

##### **2. Narrative**

- Adhere to length restriction of 2500 words
- Explain teaching philosophy, goals, and list specific pedagogical strategies reflective of the philosophy and goals. Include a discussion of pedagogy and rationale for it. Please take care to demonstrate how what you believe about teaching and learning informs your work with students in your courses. **In other words, don't just tell readers WHAT you do – tell them WHY you do it. And if your approaches have evolved over the years, readers will appreciate hearing HOW and WHY.**
- Explain how philosophy and goals advance the mission and vision of Bellarmine University
- Explain how philosophy and goals advance department goals
- Provide a self-reflection on success to date in achieving teaching goals
- Describe use of assessment to improve teaching effectiveness

##### **3. Documentation**

- **Provide the following for each course taught at Bellarmine during the past 5 years:**

- Grade distributions summarized and tabulated (including withdrawals), along with a narrative addressing trends, concerns, and responses to concerns. Do not include grade sheets, and remember to remove all identifying information.
- Student evaluations, including unedited student comments and a narrative identifying successes and concerns and responses to the latter. Remove all identifying information. The student evaluation reflection is restricted to 1500 words.
- **Provide the following for ONLY 4-5 courses representing a cross-section of courses taught at Bellarmine during the past 5 years (preferably highlighting the candidate's development as a teacher):**
  - Course syllabi and other course documents (handouts, study guides, assessment rubrics, etc.)
  - Tests and examinations, including final exams
  - Peer and/or chair evaluations of teaching. If you have not engaged in this activity, it would be helpful for you to note other ways in which you have sought feedback and assistance with regard to teaching effectiveness.
  - Any formal teaching commendations received, internal or external.
- The goal here is only 4-5 classes, but having you address materials in depth for each of them. We also are seeking a CROSS-SECTION of the courses being taught, not simply upper level coursework, for instance.

## (C) Scholarship

### 1. Narrative

- (a) Adhere to length restriction of 2500 words.
- (b) Describe research interests, including a discussion of both your past efforts/interests and future scholarly agenda. **Readers are interested in seeing how your trajectory has been developing, as well as its future promise. If you are applying for tenure, you'll note in Chapter 7 that trajectory is an important criterion that readers of your portfolio will be assessing. Please be as specific as possible about this aspect of your scholarship.**
- (c) **The candidate's role in any coauthored published works should be clearly delineated.** Also include copies of books written. For paper presentations, include the program or brochure with your name highlighted.
- (d) Describe artistic works, also noting performance or exhibits. Include programs with your name highlighted.



- (e) Identify any works-in-progress and anticipated date of completion. Include where and when submitted, any comments from reviewers, and a letter indicating the status of the manuscript if available.
- (f) Describe grant submissions and funded grants. If a grant application is pending, indicate the granting agency to which it has been submitted and include documentation of submission from the agency.
- (g) Provide an assessment of scholarship in light of Ch. 7 language, addressing criteria for tenure and/or promotion (7.3.2. and 7.3.3) and the work in light of its contributions to the discipline

## **2. Documentation**

- (a) If available, provide any scholarship statements or definitions from appropriate professional organizations.
- (b) If available, provide any broad departmental statements regarding scholarship – NOT annual performance guidelines.
- (c) List activities in reverse chronological order. Separate activities according to type (peer-reviewed, non-peer-reviewed, books, articles, presentations, etc.)
- (d) Include actual scholarly works (publications, abstracts, conference materials, grant proposals, artistic media, etc.)

## **(D) Service**

1. Description of service activities that contribute to the good of the University, the community, and the candidate's profession. Include dates activities were completed.

## **2. Narrative**

- (a) Adhere to length restriction of 2500 words.
- (b) Describe overall service philosophy, including rationale for choice of service activities and any application in the classroom.
- (c) University service – activities through which the candidate contributes directly to the good of Bellarmine University. Note specific accomplishments as a result of service activities.
- (d) Community service – activities through which the candidate contributes to the public good by addressing the needs of those persons or organizations which do not constitute a body of one's academic peers. This refers only to those activities undertaken by virtue of one's professional competence or as a representative of Bellarmine University.
- (e) Professional service – activities through which the candidate contributes to one's profession, i.e. that group constituted by one's academic peers, including professional societies and organizations. Serving on an editorial board is an example of professional service.
- (f) Identify any monetary compensation or release time associated with service activities.
- (g) Specifically link your narrative and accomplishments to the criteria for service noted in *Chapter 7*.

3. **Documentation:** May include related letters of appointment, summary reports of work accomplished, thank you letters, testimonies, commendations, etc.

## **(E) Previous Annual Evaluations**

The Rank and Tenure Committee does not have access to previous annual evaluations. If the candidate wants the evaluations considered in the review, he or she should include copies in the portfolio. Please remember, however, that, as stated in *Chapter 7, "Overall favorable annual faculty evaluations (see 7.2.3) are a necessary condition for promotion and tenure, but not sufficient in that they alone do not guarantee that a candidate will receive either promotion or tenure."* (7.3.0)

## (F) External Scholarship Letters

All portfolios for candidates seeking promotion to associate or full professor must include 3-5 external reviews of the candidate's scholarship, solicited according to the guidelines outlined below.

1. Names and contact information for 3-5 potential external reviewers must be submitted in writing to the department chair (or dean if the candidate is a chair) **no later than April 30 of the year of the portfolio submission. NOTE: Candidates are not to contact potential or confirmed reviewers, in keeping with the confidentiality of this process noted in the letter to external reviewers.**

When submitting the names of these potential reviewers, **please note in writing:**

- The individuals' academic rank (associate professor, professor). **NOTE:** external reviewers should be at a rank equal to or higher than that which is being sought by candidates.
  - The individuals' areas of study (please be as specific as possible)
  - Any professional relationship (collaborator on research, former colleague, dissertation director, etc.) with the individuals
2. The department chair/dean also identifies 3-5 possible external reviewers (noting rank and area of study).
  3. The chair/dean selects 4-6 reviewers (**drawn from both the list provided by the faculty member and the list compiled by the chair without the faculty member's input**) from whom to request review letters. All requests and responses are to be documented and saved.
  4. The chair (or dean, if candidate is chair) is to monitor closely the feedback from potential reviewers; if negative responses (refusals to provide a review) accrue, it is the responsibility of the chair and dean to undertake and document extraordinary efforts taken to ensure that 3-5 external review letters (from both the list provided by the faculty member and the list compiled by the chair) are available for members of the Rank and Tenure Committee to consider when evaluating the candidate's scholarship.
  5. The candidate provides a current vita and a representative sample of her/his scholarly products to the chair when submitting the names of potential reviewers.
  6. Once an individual has agreed to serve as an external reviewer, the chair/dean sends copies of the candidate's scholarship to the reviewer, together with the required cover

letter from the Office of Academic Affairs, asking the reviewer to discuss the following:

- (a) in what capacity, if any, he/she knows the candidate;
- (b) how s/he rates the candidate's abilities and accomplishments as a researcher/scholar in terms of both quality and quantity;
- (c) his/her opinion regarding the significance of the candidate's impact upon his/her field of specialization; rate the quality of venues for the candidate's scholarship;
- (d) his/her sense of how the candidate's scholarly contributions compare to others faculty members at similar stages in their academic careers;
- (e) his/her opinion regarding the candidate's potential for future achievement in research and scholarship;
- (f) his/her opinion, based on scholarship review, knowledge of standards within the Academy, and Bellarmine's profile as a teaching institution, on whether the conferral of the promotion/rank being requested by the candidate is appropriate; and
- (g) any additional insights the reviewer may provide on the candidate's scholarship.

As noted in the External Review Letter Template, the letter should be sent to individuals who have agreed to serve as reviewers between April and June.

External review of scholarship is a critical part of the process for individuals being reviewed for promotion, so chairs need to work diligently on the solicitation of letters and document all outreach and responses. The earlier chairs can start on this process the better.

**NOTE:** External reviewers are **NOT** to be asked to provide an opinion regarding tenure, as they are only reviewing scholarship, not teaching, and service.

7. When the letters are placed in the portfolio, the chair/dean indicates whether they came from the list provided by the faculty member or from the list compiled without the faculty member's input. The chair/dean should also provide a copy of the letter sent to reviewers and a list of specific materials sent for review.