

FACULTY HANDBOOK

FORT LEWIS COLLEGE

September 2019

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PREFACE

The Faculty Handbook has been assembled to inform the Regular and Term Faculty about the College's expectations of them and to explain the rights and responsibilities of the members of the Regular and Term Faculty. Following this **Preface** is a list of **Definitions** approved by the Board of Trustees on May 31, 2019 that apply to the parts that follow.

Part I. Faculty Constitution, describes how the faculty participates and organizes itself for self-governance. The Regular Faculty must approve changes in the Constitution and Bylaws of the Faculty Senate. The President and Board of Trustees may veto any changes approved by the faculty.

Part II. Personnel Policies, describes College personnel policies that apply specifically to the Regular and Term Faculty. These are an extension of each Regular and Term faculty member's appointment and employment contract.

Section A describes those policies and procedures that specifically govern the professional performance of Regular and Term Faculty. These policies and procedures have been developed in consultation with the Regular and Term faculty through the Faculty Senate and approved by the Board of Trustees on June 2, 2004. The Board of Trustees must approve all changes or revisions to these personnel policies and procedures.

Section B describes those policies that are required by federal or state law or by mandate of the Board of Trustees. Generally, the Faculty Senate and the President jointly develop procedures for the implementation of these policies, as needed. These policies do not need to be approved by the Board of Trustees but do require approval by the President of the College.

Part III. Academic Policies, describes policies and procedures that guide the implementation of academic standards. The Regular and Term Faculty guides the development of these policies, but such policies must be approved by the Administration of Fort Lewis College. The Academic Standards Committee of the Faculty Senate and the College Office of Academic Affairs are responsible for the implementation and enforcement of these policies. These policies do not need to be approved by the Board of Trustees but do require approval by the President of the College.

Part IV. Informational And Advisory Statements, describes miscellaneous guidelines for the Regular and Term Faculty and College Administration. These policies do not need to be approved by the Board of Trustees but do require approval by the President of the College.

Part V. Faculty Senate Policy For Proposing Amendments To Parts II-V, describes process for proposing and approval of amendments. The Board of Trustees must approve all changes or revisions to these procedures.

DEFINITIONS

The following definitions are agreed upon by the Board of Trustees for Fort Lewis College, Administration, and the governing body of the Faculty of Fort Lewis College, and apply throughout this Handbook:

1. **“Academic Administrators”** means all members of the Academic Faculty whose positions do not primarily require teaching or scholarly activities.
2. **“Academic Faculty”** means all employees of the Board holding Tenure or Tenure-track positions; *i.e.*, all Academic Administrators and Regular Faculty.
3. **“Administration”** means the administration of Fort Lewis College, including its President, Vice Presidents and deans (or equivalents), and their designees and staffs.
4. **“Board”** means the Board of Trustees for Fort Lewis College, the governing Board of the College.
5. **“Probationary Faculty”** means all members of the Faculty appointed to a Tenure- track position but who have not been awarded Tenure, including librarians if applicable.
6. **“Regular Faculty”** means all members of the Teaching Faculty holding a Tenure or Tenure- track position in one of the following categories:
 - i) **“Full-Time Ranked Faculty”** means those faculty members who serve in academic departments or Schools with teaching as their primary duty and are appointed to the rank of Assistant Professor, Associate Professor, or Professor.
 - ii) **“Library Faculty”** means those faculty members who serve in the Library and are appointed to the rank of Assistant Professor Librarian, Associate Professor Librarian, or Professor Librarian.
 - ii) **“Instructor”** means those faculty members who have not completed their terminal degree in their area of specialization and are actively working toward degree completion.
7. **“Tenure”** means the contractual right to continuous yearly appointment by the Board until resignation or retirement, subject to dismissal or termination only in accordance with the Personnel Policies stated in this Handbook.
8. **“Tenured Faculty”** means all members of the Regular Faculty who have been awarded Tenure and the rank of Associate Professor or Professor.
9. **“Tenure-track”** means the eligibility to achieve Tenure for demonstrated merit in teaching, service, scholarly activities, and on the judgment that meritorious performance shall continue in the future. A Tenure-track appointment is an appointment to a permanent position in an academic program, department, or unit without Tenure to one of the following ranks: Instructor, Assistant Professor, Associate Professor, Professor, Assistant Professor Librarian, Associate Professor Librarian, or Professor Librarian.
10. **“Term Faculty”** means full-time or part-time faculty members who are not eligible for tenure. Term faculty members are subject to the rights, responsibilities, and standards of professional conduct for faculty as specified in this Handbook. The College makes the

following term faculty appointments:

- a) “Renewable Faculty” means faculty members appointed with the title of Lecturer or Senior Lecturer with the applicable qualifications and standards for appointment in those ranks. Renewable Faculty may be identified as Senior Lecturer after serving in a Lecturer position for five years.
- b) “Visiting Faculty” means all members of the Faculty who hold temporary positions or temporarily hold unfilled permanent positions. A “temporary position” is a position that is either not Tenure-track or is expected to be funded only on a temporary basis. A faculty member with a terminal appointment, because he/she did not achieve Tenure, shall be considered Visiting Nonrenewable Faculty.
- c) “Adjunct Faculty” means all members of the Faculty who hold part-time faculty appointments that are defined one semester at a time. Adjunct faculty members are hired by departments or Schools on a per-course basis. Their primary obligation is teaching the course(s) for which they are hired; however, Adjunct Faculty are expected to hold office hours to be available to their students outside of class.

PART I. FACULTY CONSTITUTION

PREAMBLE

Fort Lewis College is committed to the growth, perpetuation and application of knowledge. Legal authority to govern Fort Lewis College is vested by the Colorado State Legislature in the College Board of Trustees (the Board). In accordance with the principle of academic freedom, the Faculty has responsibility for academic matters, including guiding the curriculum and related scholarly activity. The Faculty has a solemn professional commitment to the pursuit of academic excellence in knowledge and learning and to govern itself in this pursuit.

ARTICLE I. THE FACULTY

Subject to state law and Board and Administration policy, the Faculty of Fort Lewis College governs itself in the pursuit of academic excellence.

- A Faculty Senate, a representative body duly elected by and from the Faculty, is hereby established.
- Faculty governance is hereby delegated by the Faculty to the Faculty Senate which is empowered to act on behalf of the Faculty.
- Fort Lewis College is an equal opportunity institution. The Faculty Senate and any committee, body or agent acting under its authority will not discriminate on the basis of race, color, sex, age, religion, national origin, disability or sexual orientation.

ARTICLE II. THE FACULTY SENATE: PURPOSES, POWERS AND FUNCTIONS

The Faculty Senate serves as the primary governing, advisory and review body of the Faculty. The Faculty Senate

- has responsibility and authority, within the limits delegated by the Board, regarding the conduct of academic matters, including issues of academic freedom, curricular design, academic standards, requirements for conferring academic degrees and certificates and other matters under the normal purview of the academic profession.
- shall advise the Board of Trustees and the College President on matters pertaining to the College, including the appointment of the College President and the appointment of College wide administrative officials.
- shall advise the College administration on the preparation of the annual budget and its allocation to operational units; on equipment and physical facilities; and on the mission, goals and objectives of the College.
- shall review academic programs and policies. Examples include policies governing intellectual property, student academic conduct and operation of the College libraries.
- shall review and make recommendations on policies and procedures directly affecting the Faculty, including, but not limited to, academic freedom; tenure and promotions; appointments, reappointments and dismissals; teaching loads; working conditions; salary schedules or other compensation or benefits; retirement, sabbatical or other leaves; issues of employment; and the reorganization of academic units.

The Faculty Senate, through its review and advisory functions, serves as an integral participant in the governance of Fort Lewis College and its planning processes. The Senate shall be provided with reasonable financial and space resources and staff assistance. Reassigned time shall be provided for the President of the Faculty Senate and the Faculty Member of the Fort Lewis College Board of Trustees.

ARTICLE III. MEMBERSHIP AND ELECTION

Section 1. The Senate shall consist of 24 senators and a President of the Faculty Senate, totaling 25 people:

- a. The President of the Faculty Senate is elected at large by the Faculty (the Faculty is defined as those faculty members eligible to vote as defined in section 2 of this Article).
- b. One Faculty Member of the Fort Lewis College Board of Trustees is elected at large by the Faculty.
- c. One senator is elected from the faculty of the College libraries. In the case that no faculty reside in the College libraries, this senate seat would be elected at large.
- d. One senator is elected from the faculty of the School of Education.
- e. Two senators are elected from full-time, non-Tenure-track faculty.
- f. Two senators are elected from the School of Business Administration.
- g. Three senators are elected from the disciplinary category of the Sciences (including Biology, Chemistry, Exercise Science, Geosciences, Physics and Engineering, Mathematics and the Freshman Math Program.).
- h. Three senators are elected from the disciplinary category of the Social Sciences (Anthropology, Environmental Studies, NAIS, Political Science, Psychology, and Sociology).
- i. Three senators are elected from the disciplinary category of the Arts and Humanities (Art & Design, English, History, Modern Language, Music, Philosophy, Theatre and the Writing Program).
- j. The remaining 8 senators are elected at large. However, each department and the School of Education is limited to no more than two faculty senate representatives; whereas SOBA is limited to three faculty senate representatives.

All elected representatives shall represent the Faculty as a whole and not solely the academic area in which they teach. Numbers of faculty used in calculating representation shall be based upon the number of faculty members employed by each school (see Section 2 of this Article for definition of those faculty members to be included in apportionment calculations). These numbers shall be presented every second year to the Executive Committee of the Faculty Senate in the winter trimester preceding Senate elections. Census information will be provided by the Office of Institutional Research in collaboration with the Office of the Provost.

Section 2. Definition of the Voting Faculty

With exceptions noted below, faculty members eligible to vote in faculty elections and to be elected to the Faculty Senate shall meet all of the criteria designated within at least one of the three categories below.

- a. Tenured or tenure track faculty members shall devote at least one half of their time to teaching.
- b. Visiting and Renewable faculty members shall hold full time appointments and be appointed on a yearly contract.
- c. Library faculty members shall hold full time appointments.
- d. Exceptions. Those with faculty appointments who are serving as a senior administrator (the president, a dean, an assistant/associate dean/vice president or a director) shall be eligible to vote in Faculty elections but shall be ineligible to serve on the Faculty Senate or to be elected as the Faculty Member of the Board. The Executive Committee of the Faculty Senate shall decide questions that arise concerning definition of the voting faculty.

A faculty member holding a joint appointment shall be considered to belong to the school or area (i.e. the College Libraries, the Teacher Education Program or the Writing Program) within which he/she is assigned more duties than in the other areas of his/her assignment. When a faculty member is assigned equally in two or more areas, he/she must choose to which area to belong for voting purposes. At the time of providing census information to the Faculty Senate, the Office of Institutional Research will also provide the names of faculty members with joint appointments of equal weight in two or more areas. The Corresponding Secretary will contact any such faculty members in order to determine, for voting purposes, his/her school or area affiliation.

Section 3. The term of office for a senator (excepting that of the Faculty Member of the Fort Lewis College Board of Trustees) shall be three (3) years. The term of service shall begin on the first day of the fall term and end on the last day preceding the start of the fall term. The term of office of the Faculty Member of the Fort Lewis College Board of Trustees shall be as provided in state statute.

Section 4. Each fall term, the Senate Executive Committee will conduct elections to fill those Senate seats that will become open at the start of the following fall term. The Senate Executive Committee will conduct an election for the at large representatives as well as separate elections within each school/area to fill representative seats. All voting shall be by secret ballot.

Section 5. In February the President of the Faculty Senate shall be elected, in a separate election, by the Faculty. The term of service of the faculty member elected to the office of President of the Faculty Senate shall begin the following fall term. In order to be elected to the office of President of the Faculty Senate, a candidate must receive a majority (50% plus 1) of the votes cast. If no candidate receives a majority of votes cast, a runoff election will be held between the two candidates receiving the most votes in the initial election. In order to be elected to the Office

of President of the Faculty Senate through a runoff election, a candidate must receive a majority (50% plus 1) of the votes cast in the runoff election. In the event of a tie, the current President of the Faculty Senate shall cast the deciding vote. Senators whose terms have not yet expired are eligible to run for the office of President of the Faculty Senate.

- Section 6. During the final spring trimester in office of the current Faculty Member of the Fort Lewis College Board of Trustees, a new Faculty Member of the Fort Lewis College Board of Trustees shall be elected, in a separate election, by the Faculty. In order to be elected as the Faculty Member of the Fort Lewis College Board of Trustees, a candidate must receive a majority (50% plus 1) of the votes cast. If no candidate receives a majority of votes cast, a runoff election will be held between the two candidates receiving the most votes in the initial election. In order to be elected as the Faculty Member of the Fort Lewis College Board of Trustees through a runoff election, a candidate must receive a majority (50% plus 1) of the votes cast in the runoff election. In the event of a tie, the President of the Faculty Senate shall cast the deciding vote. Senators whose terms have not yet expired are eligible to run for the office of Faculty Member of the Fort Lewis College Board of Trustees.
- Section 7. In any election conducted in accordance with the provisions of Article III, section 4, if the number of candidates for election to seats equals exactly and does not exceed the number of open seats, an election shall not be held, and the candidates shall be elected by acclamation. In any election conducted in accordance with the provisions of Article III, sections 5 and 6, if a sole candidate is identified for election to office, an election shall not be held, and the candidate shall be elected by acclamation.
- Section 8. The officers of the Faculty Senate shall be the President, the Vice President, the Recording Secretary, the Corresponding Secretary and the Committees Officer (see Article VI, Section 6, Subsection C). All officers, with the exception of the President, shall be nominated and elected by the Senate by secret ballot at a special spring meeting of the newly constituted Senate (i.e., those who will comprise the Senate beginning the following fall). Terms of office for officers of the Faculty Senate shall be one (1) year.
- Section 9. Any officer of the Faculty Senate may be subject to ballot recall if a motion to recall the officer is passed by the Faculty Senate. A secret ballot shall be distributed, and if two thirds (2/3) of the Faculty Senate vote to recall the officer, he/she is removed from office. The Faculty Senate will hold an election to fill the position.
- Section 10. There is no provision for alternates in this Constitution. Replacement senators will be elected to fill vacancies. A vacancy is created in one (1) of two (2) ways:
- a. through lack of attendance at regular Senate meetings (a senator's seat will be declared vacant if he/she misses more than three (3) regular meetings in any academic year) or
 - b. through resignation.

- c. When a seat is declared vacant, the President of the Faculty Senate will immediately report the vacancy to the Senate Executive Committee. Within two weeks, the Senate Executive Committee shall call for nominations and the election of a faculty member to fill the vacated seat. The length of term for a replacement senator shall be the remaining portion of the term of the senator originally elected.
- d. Replacement senators shall have all the privileges of Senate membership.

Section 11. Temporary senators will be elected by a school or area if a seat is vacated temporarily due to leave of absence, sabbatical, incapacity, the election of a current senator to the office of President of the Faculty Senate, the election of a current senator to the office of Faculty Member of the Fort Lewis College Board of Trustees or other reason. The term of a temporary senator shall be the length of the temporary vacancy. Temporary senators shall have all the privileges of Senate membership.

Section 12. The Inaugural Faculty Senate

Should the inaugural Faculty Senate commence its operation at a date other than the first day of the fall term, the terms of all senators elected to this initial implementation of the Faculty Senate shall serve reduced terms of office. Whatever portion of the academic year (since the first day of the fall term) has passed prior to the commencement of the inaugural Faculty Senate shall be counted as part of the terms of office of all senators elected to the inaugural Faculty Senate, with two exceptions:

- a. The term of office of the inaugural President of the Faculty Senate shall be at least one year. Should the inaugural year of operation of the Faculty Senate be a short year, the newly elected President of the Faculty Senate shall serve in that office for the inaugural year and the year following the inaugural year.
- b. The term of office of the Faculty Member of the Fort Lewis College Board of Trustees shall not be disrupted by the commencement of the Faculty Senate. The election schedule for this position shall follow and continue from the schedule prescribed by the Fort Lewis College Board of Trustees.

Initial implementation of this Constitution shall require the election of senators, within each of the three schools, to serve staggered terms. Faculty members in each school will determine how their senators' terms will be staggered. The term of the initial senators elected from the College libraries, the Teacher Education Program and the Writing Program shall be three years. During its first year of operation, the Faculty Senate shall determine and implement a random means to stagger the terms of the senators elected at large.

ARTICLE IV. MEETINGS

Section 1. The Faculty Senate shall meet, at a minimum, once monthly during the regular academic year. Other meetings may be called by the President of the Faculty Senate. Special sessions of the Senate will be called at the request of ten (10) or more members of the Faculty or at the request of the College President. Special sessions will be held as soon as practicable within two (2) weeks from the date they are called. The responsibility for notifying senators and faculty members of special sessions shall rest with the Recording Secretary who shall use the most appropriate means available to fulfill this obligation. A written announcement of the agenda, time and place of every regularly scheduled Senate meeting shall be sent to each senator at least 48 hours in advance of the meeting.

Section 2. A quorum shall be a majority (50% plus one) of the voting Senate members. Vacancies shall not be included in the determination of a quorum.

Section 3. A voice vote will be conducted on actions requiring a vote. At the request of any senator, a show of hands vote will be taken and individual votes recorded by the Recording Secretary. Votes may not be made by proxy.

Section 4. Minutes

The minutes of Faculty Senate meetings shall be distributed for approval to each Senator no later than seven (7) working days following the meeting recorded. These draft minutes will also be distributed to the College President. Once approved by the Faculty Senate, the minutes shall be posted via the faculty governance Web site or other appropriate posting mechanism.

Section 5. Rules of Procedure

The rules of practice of the latest edition of Robert's *Rules of Order* shall govern all proceedings subject to such special rules as have been or may be adopted. In cases of conflict between Robert's *Rules of Order* and this Constitution, the Constitution shall prevail.

Section 6. Senate meetings are open to the public except in those cases where executive sessions are permitted by Colorado state law. No decision shall be made in any executive session of the Senate. If any student, administrator or non-Senate faculty member wishes to speak to an issue, he/she will be recognized and allowed to speak briefly. If any non-senator wishes to speak for a longer period of time, he/she must request agenda time prior to the meeting.

ARTICLE V. ADOPTION AND AMENDMENT

Section 1. Adoption

This Constitution shall be adopted when 1) approved (in accordance with the rules specified in the Faculty Handbook) by a vote of the Faculty Assembly and 2) reviewed by the Board. This Constitution must be submitted, in writing, to all members of the Faculty Assembly at least two weeks before the Assembly meeting at which it is to be presented. Voting on adoption of this Constitution cannot take place earlier than the next regular Assembly meeting after the one in

which it is first presented. Voting on adoption of this Constitution will be by secret ballot. Upon adoption by the Faculty, this Constitution shall be made a part of the Fort Lewis College Faculty Handbook.

Upon adoption of this Constitution, there will be a transition period between the old Faculty Assembly system of governance and the Faculty Senate model as detailed in this Constitution. Following adoption of this Constitution and until commencement of the Faculty Senate form of governance, the Faculty will govern itself under the Faculty Assembly form of governance. In order to conduct the first Faculty Senate elections, the Faculty Executive Council of the Faculty Assembly will serve in the role of the Procedures Committee to conduct elections for senators to fill all seats in the initial Senate body. As soon as the Faculty Senate begins its official operation, the Faculty Executive Council of the Faculty Assembly and the Faculty Assembly form of governance will cease.

Section 2. Amendment

An amendment to the Constitution may be proposed by ten (10) percent of the Faculty or by a majority vote of the Senate. All proposed amendments must be submitted to the Faculty for its approval. The ratification of an amendment requires the approval of a two thirds (2/3) majority of those voting. Any proposed amendment shall be distributed to every member of the Faculty at least two weeks before a regular or special meeting of the Faculty at which the amendment will be discussed. Opportunity for debate shall be provided for every proposed amendment. All amendments are subject to review and veto by the Board.

Section 3. Termination

This Constitution shall supersede any previous constitution and shall be in effect from the official date of its adoption until superseded. Supersedure of this Constitution occurs when a subsequent, superseding document is adopted by a two thirds (2/3) majority vote of those Faculty members casting votes. The superseding document must be submitted, in writing, to all members of the Faculty at least two weeks before a special meeting of the Faculty at which it is to be presented. Voting on adoption of the superseding document will be by secret ballot. Upon adoption by the Faculty and approval by the Fort Lewis College Board of Trustees, the superseding document shall be made a part of the Fort Lewis College Faculty Handbook.

ARTICLE VI. STANDING FACULTY COMMITTEES AND COLLEGE COMMITTEES,
TASK FORCES, COMMISSIONS AND COUNCILS

Section 1. The Faculty Senate system shall include, in addition to the Senate itself, Standing Faculty Committees. All Standing Faculty Committee actions, with the specific exceptions outlined in Standing Faculty Committee charges, shall be subject to review, amendment, approval or rejection by the Faculty Senate. It is expected that members of the Faculty will engage in service to the College. This service includes participating in faculty governance through serving on Standing Faculty Committees.

During its initial year of operation, the existence and charges of Standing Faculty Committees operating under the old Faculty Assembly form of governance will continue. The Faculty Senate may modify the Standing Faculty Committee structure and rewrite Standing Faculty Committee charges as necessary with initial changes taking effect at the beginning of the second year of operation of the Faculty Senate. Thereafter (with the exceptions of the Executive Committee), the Faculty Senate may, by a majority vote, create and dissolve Standing Faculty Committees or modify their charges as necessary to carry out Senate responsibilities and fulfill Senate objectives. Standing Faculty Committees work in cooperation with, but are separate from, the Senate. With the exceptions of the Executive Committee, the membership, officers, and relationships of the Standing Committees to the Senate follow (see Article VI, sections 2 through 4).

Section 2. Membership

Self-nomination and individual interest will be considered in staffing of Standing Faculty Committees (unless membership is otherwise specified). The Committees Officer, with the assistance of the Executive Committee, will ensure that Standing Faculty Committees are staffed appropriately. Assignments of faculty members to Standing Faculty Committees must be approved by the Faculty Senate. Ex-officio members may be designated according to each committee's nature and functions, and serve as nonvoting members. The term of faculty membership on committees shall be two (2) years. Terms of service shall commence on the first day of the fall term and cease on the day preceding the first day of the fall term. Faculty members currently serving as assistant or associate deans, or assistant or associate vice presidents may serve on faculty committees but do not have voting privileges on those committees. Membership on several Standing Faculty Committees is determined by election (Grievance, Awards, College Personnel Committee, etc.). The Senate Executive Committee will oversee elections for Standing Faculty Committees. Elections will be conducted by Ranked Choice Voting.

Section 3. Officers

Officers of the Standing Faculty Committees will be the Chair and the Recording Secretary. The Chairs of the Committees and the Recording Secretaries will be elected by the voting members of their Standing Faculty Committees. The terms of office shall be one (1) year, and terms may be renewed up to a maximum of four (4) successive terms (i.e., four years). The committee may remove an officer by a "motion to rescind the election." The successor of an officer removed in this

manner shall serve until the next regularly scheduled election for that office.

- a. The Chair shall
 - i) establish, with the assistance of the recording secretary, the committee's agenda;
 - ii) preside over committee meetings;
 - iii) report committee actions to the Senate;
 - iv) notify all committee members of the Senate's response to committee actions;
 - v) prepare, with the assistance of the recording secretary, an annual report on the committee's work; and
 - vi) submit this annual report to the Committees Officer by the end of the winter term of the academic year.
- b. The Recording Secretary shall
 - i) keep minutes of all committee meetings;
 - ii) record and report votes of the committee to the Faculty Senate; and
 - iii) assist the committee chair in the preparation and submission of the committee's annual report.

Section 4.

- a. Committee/Senate Relationship. Standing Faculty Committees shall meet of their own accord or when requested by the President of the Faculty Senate, the Executive Committee or the Senate. All actions, with exceptions as noted in this Constitution or in the committee charge, taken by Standing Committees shall be subject to final review and approval by the Senate. In the event the Senate does not concur with committee actions, a full and detailed rationale must be provided in writing from the Senate to the Committee Chair.
- b. College Committees, Task Forces, Commissions and Councils -- Relationship to Faculty Senate. The Faculty Senate shall have the authority to recommend to the college administration faculty members to serve on college committees, task forces, commissions and councils. College administrators will confer with the Faculty Senate regarding these appointments.
- c. Quorum Requirements in Standing Faculty Committees. A quorum shall consist of a majority (50% plus one) of the voting members.
- d. Rules of Procedure for Standing Faculty Committees. The parliamentary authority of the standing committees shall be the latest edition of Robert's *Rules of Order*.

Section 5. The Executive Committee

- a. The Executive Committee. The Executive Committee of the Faculty Senate shall function as part of the Senate. It shall function in a leadership and advisory capacity but shall not legislate. All members of the Executive

Committee are voting members of the Faculty Senate with the exception of the President of the Faculty Senate. The Executive Committee may be convened whenever necessary by its Chair or whenever requested by two or more of its members.

b. Membership. Membership of the Executive Committee shall consist of the officers of the Faculty Senate -- the President, the Vice President, the Recording Secretary, the Corresponding Secretary and the Committees Officer -- and the elected Faculty Member of the Fort Lewis College Board of Trustees. The term of office for members of the Executive Committee shall be one (1) year, with the exception of the elected Faculty Member of the Fort Lewis College Board of Trustees whose term of office on the Executive Committee is two (2) years.

c. Powers and Functions

i) The President shall

- 1) serve as Chair of the Executive Committee of the Faculty Senate;
- 2) preside over Faculty Senate meetings;
- 3) preside over meetings of the Faculty;
- 4) preside over Executive Committee meetings;
- 5) establish the agenda for Executive Committee meetings;
- 6) arrange a conference regularly with the College President (the President of the Faculty Senate may be accompanied by other members of the Senate or of the Faculty of his/her choice and/or members of the Senate or of the Faculty as determined by Senate designation);
- 7) otherwise confer as necessary and appropriate with the College President and other officially designated bodies as the Faculty Senate representative; and
- 8) solely in the case of a tie vote of the Senate, cast a vote on a Senate motion.

ii) The Vice President shall

- 1) assume all duties and responsibilities of the President in his/her absence; in this circumstance the Vice President shall cast a vote on a Senate action only in the case of a tie vote being reached by the Faculty Senate;
- 2) assist the President in establishing the agenda for Executive Committee meetings; and
- 3) otherwise assist the President as needed.

iii) The Recording Secretary shall

- 1) in advance of a Senate meeting, post a copy of the Senate agenda on the faculty governance Web site and notify the Faculty and staff of the agenda's availability;

- 2) record and distribute draft copies of minutes of the Faculty Senate to Senate members;
 - 3) distribute copies of approved Senate minutes via the faculty governance Web site;
 - 4) record and distribute draft copies of minutes of the Executive Committee to Executive Committee members;
 - 5) distribute copies of approved Executive Committee minutes via the faculty governance Web site;
 - 6) assure copies of all Senate and Executive Committee meeting minutes are forwarded to the College Archivist so as to be available to interested parties; and
 - 7) assist the President and Vice President in establishing the agenda for Executive Committee meetings.
- iv) The Corresponding Secretary shall
- 1) assist the President, the Executive Committee and the Faculty Senate with drafting of Senate reports, memorandums, letters and other official communications;
 - 2) assure copies of all official correspondence and policies of the Senate and other official documents designated as so by the Senate or by the President are forwarded to the College Archivist so as to be available to interested parties; and
 - 3) assure official results of all elections are forwarded to the College Archivist so as to be available to interested parties.
- v) The Committees Officer shall
- 1) coordinate the process of appointing faculty members to faculty committees by
 - (a) soliciting faculty committee appointment preferences from members of the Faculty; and
 - (b) soliciting suggestions for chairs of committees from members of the Faculty.
 - 2) gather information on the work of faculty committees and the performance of committee members by
 - (a) soliciting, on an annual basis, from the members of each committee an evaluation of the committee's work for the year and an evaluation of the committee's chair; and
 - (b) soliciting from committee chairs an evaluation of the performance of each committee member.
 - 3) assist the Provost with the appointment of faculty members to College committees by
 - (a) soliciting College committee appointment preferences from members of the Faculty; and

- (b) communicating these preferences to the Provost.
 - 4) oversee and coordinate the preparation and distribution of annual Standing Faculty Committee reports to the Faculty Senate; and
 - 5) assure copies of all annual Standing Faculty Committee reports are forwarded to the College Archivist so as to be available to interested parties.
- vi) The Executive Committee
- 1) may appoint a Senator as parliamentarian for Senate and Faculty meetings; the Parliamentarian retains voting rights in the Faculty Senate;
 - 2) creates special, ad hoc committees of the Senate and appoints chairs of such committees;
 - 3) receives reports of ad hoc committees of the Senate;
 - 4) receives reports from college-wide search committees for information and review;
 - 5) sets agenda for Senate meetings;
 - 6) sets agenda for meetings of the Faculty;
 - 7) submits requests for consideration of business presented by faculty members. Any request bearing the signatures and names of ten (10) or more members of the Faculty or the signatures and names of five (5) or more Senators shall be transmitted automatically to the appropriate Senate bodies for consideration. Such requests for agenda items must be considered within two (2) meetings. Requests for consideration bearing fewer than ten (10) signatures and names of members of the Faculty or of fewer than five (5) signatures and names of the Senators shall be considered at the discretion of the Executive Committee;
 - 8) resolves jurisdictional disputes among committees;
 - 9) coordinates the faculty role in Faculty Handbook revisions; and
 - 10) acts for the Senate during periods when the Senate is unable to meet.
To remain in force, all actions taken by the Executive Committee must be subsequently ratified by the Senate at its next meeting;
 - 11) is responsible for all ballots and elections to be voted upon.
- d. Quorum Requirements. A quorum shall consist of a majority (50% plus one) of the voting members.
- e. Rules of Procedure. The parliamentary authority of the Executive Committee shall be the latest edition of Robert's *Rules of Order*.
- f. Vacancies. Should the office of Senate President, Vice President, Recording Secretary, Corresponding Secretary or Committees Officer become vacant during a time other than the end of a one-year term, the Executive Committee shall call for nominations from the Senate at its next regularly scheduled meeting. All Senators including members of the Executive Committee and officers are eligible to fill the unexpired term of a Senate officer. Election

shall be by the Senate by secret ballot.

ARTICLE VII. POWERS OF THE FACULTY

Section 1. The Faculty of Fort Lewis College, acting as a body, shall retain authority over policies governing the Faculty Senate. All policies are subject to review and veto by the Board.

Section 2. Meetings

Under the emergency powers of the Faculty, a meeting of the Faculty will be called no later than ten (10) days from the time it is requested. The Faculty Senate will call for a meeting of the Faculty upon the petition of ten percent (10%) of the Faculty. The Faculty Senate may call for a meeting of the Faculty at the request of two thirds (2/3) of the voting Senate members present. The Executive Committee of the Faculty Senate or the College President may call for an emergency meeting of the Faculty.

Section 3. Officers

The officers of the Faculty Senate shall preside and function as officers at meetings of the Faculty.

Section 4. In case of any conflict in actions of the Faculty and the Faculty Senate, the Faculty shall prevail. However, to override an action of the Faculty Senate, there must be the approval of a majority of the Faculty voting, with at least one third (1/3) of the Faculty participating in the vote.

Section 5. Referendum and Initiative

- a. The Faculty Senate may present referenda for consideration and vote by the Faculty. Senate initiated referenda shall pass by a majority of those voting.
- b. Any member of the Faculty may propose an action to the Faculty Senate. If the Senate rejects the proposed action, the provisions of Article VII, Section 5 C may be invoked. If the Senate fails to act within its next three (3) meetings following the receipt of the proposal by the Senate, the inaction by the Senate shall be deemed to be a rejection.
- c. An action of the Senate may be challenged by any member of the Faculty.
- d. The challenge must be presented to the President of the Faculty Senate within one (1) month of the action, include a written statement of the reasons for the challenge and be signed by at least ten (10) members of the Faculty. The President of the Faculty Senate must call a meeting of the Faculty within two (2) weeks of receiving the challenge. The meeting to consider the challenge must be held within one month of the receipt of the challenge by the President of the Faculty Senate (except that no meetings of the Faculty shall be called during regularly scheduled vacation periods or during the summer terms). A majority of the Faculty present at the meeting held to address the challenge must approve a reversal of the challenged action; a mail ballot vote of the Faculty may be called for and used.

ARTICLE VIII. BY-LAWS

The Senate may, by majority vote of those present, establish bylaws, not in violation of this Constitution, governing the conduct of Senate business, the business of the Standing Faculty Committees and any other matters that may be within its purview.

PART II. PERSONNEL POLICIES

A. PROFESSIONAL EMPLOYMENT AND PERFORMANCE

Section 1. Application

The Personnel Policies stated herein apply to all members of the Teaching Faculty.

Section 2. Faculty Appointments

- a. All Regular and Term Faculty are public employees of the state of Colorado, acting by, and through the Board, for the benefit of the College.
- b. The decisions to offer initial appointments and to renew appointments are decisions made by the President of the College pursuant to the personnel power delegated to the President by the Board. The President shall make these decisions after consultation with the Provost and the appropriate deans (or equivalents) and department chairs (or equivalents).
- c. The College utilizes the following categories of Regular and Term Faculty appointments: Probationary, Tenured, Instructor, Renewable (Lecturer and Senior Lecturer), Visiting, and Adjunct.

Section 3. Faculty Assignments

- a. Responsibility for various assignments of Regular and Term Faculty members rests with the deans (or equivalents), the Provost, and the President.
- b. As a performance standard for administrative guidance, the normal full-time teaching load is 15 credit hours per term, including 12 credits of assigned courses and 3 credits of reassigned time for service (e.g., committee and departmental assignments, and faculty governance). Faculty engaged in scholarly activity also receive a three-credit release per year to support their scholarship/research as defined by their departmental expectations statement and as approved by administration.
- c. Responsibility for fulfilling assignments conscientiously and completely rests with each member of the Regular and Term Faculty.

Section 4. Responsibilities of Regular and Term Faculty

It shall be the duty and responsibility of each member of the Regular and Term Faculty to follow all state and federal laws, the *Board's Manual of Policy and Procedure*, these Personnel Policies, the policies and directives of the Administration, and each faculty member's department in the performance of his/her employment.

Section 5. Academic Freedom

All members of the Regular and Term Faculty are entitled to academic freedom. The following statement, paraphrasing the 1940 *Statement of Principles on Academic Freedom and Tenure*, formulated by the Association of American

Colleges and the American Association of University Professors, defines academic freedom for individual faculty members:

- a. Teachers are entitled to full freedom in research and in the publication of the results, subject to the adequate performance of their other academic duties. Research for pecuniary return should be based upon an understanding with the authorities of the institution.
- b. Teachers are entitled to freedom in the classroom in discussing their subjects, but they should be careful not to introduce into their teaching matters that have no relation to their subjects.
- c. College teachers are citizens, members of a learned profession, and officers of educational institutions. When they speak or write as citizens, they should be free from institutional censorship or discipline, but their special positions in the community impose special obligations. As persons of learning and as educational officers, they should remember that the public may judge their profession and their institutions 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 representing their institutions.

Academic freedom does not insulate the faculty member from evaluation under the personnel evaluation processes outlined in the Faculty Handbook.

Section 6. Professional Ethics, Outside Employment and Professional Activities

- a. The College faculty affirms and supports the following principles of professional ethics as set forth by American Association of University Professors in its “Statement on Professional Ethics” which is included below downloaded March 27, 2013.

The statement that follows, a revision of a statement originally adopted in 1966, was approved by the Association’s Committee on Professional Ethics, adopted by the Association’s Council in June 1987, and endorsed by the Seventy-third Annual Meeting.

Introduction

From its inception, the American Association of University Professors has recognized that membership in the academic profession carries with it special responsibilities. The Association has consistently affirmed these responsibilities in major policy statements, providing guidance to professors in such matters as their utterances as citizens, the exercise of their responsibilities to students and colleagues, and their conduct when resigning from an institution or when undertaking sponsored research. The Statement on Professional Ethics that follows sets forth those general standards that serve as a reminder of the variety of responsibilities assumed by all members of the profession.

In the enforcement of ethical standards, the academic profession differs from those of law and medicine, whose associations act to ensure the integrity of members engaged in private practice. In the academic profession the individual institution of higher learning provides this assurance and so should normally handle questions concerning propriety of conduct within its own framework by reference to a faculty group. The Association supports such local action and stands ready, through the general

secretary and the Committee on Professional Ethics, to counsel with members of the academic community concerning questions of professional ethics and to inquire into complaints when local consideration is impossible or inappropriate. If the alleged offense is deemed sufficiently serious to raise the possibility of adverse action, the procedures should be in accordance with the 1940 Statement of Principles on Academic Freedom and Tenure, the 1958 Statement on Procedural Standards in Faculty Dismissal Proceedings, or the applicable provisions of the Association's Recommended Institutional Regulations on Academic Freedom and Tenure.

The Statement

1. Professors, guided by a deep conviction of the worth and dignity of the advancement of knowledge, recognize the special responsibilities placed upon them. Their primary responsibility to their subject is to seek and to state the truth as they see it. To this end professors devote their energies to developing and improving their scholarly competence. They accept the obligation to exercise critical self-discipline and judgment in using, extending, and transmitting knowledge. They practice intellectual honesty. Although professors may follow subsidiary interests, these interests must never seriously hamper or compromise their freedom of inquiry.
2. As teachers, professors encourage the free pursuit of learning in their students. They hold before them the best scholarly and ethical standards of their discipline. Professors demonstrate respect for students as individuals and adhere to their proper roles as intellectual guides and counselors. Professors make every reasonable effort to foster honest academic conduct and to ensure that their evaluations of students reflect each student's true merit. They respect the confidential nature of the relationship between professor and student. They avoid any exploitation, harassment, or discriminatory treatment of students. They acknowledge significant academic or scholarly assistance from them. They protect their academic freedom.
3. As colleagues, professors have obligations that derive from common membership in the community of scholars. Professors do not discriminate against or harass colleagues. They respect and defend the free inquiry of associates. In the exchange of criticism and ideas professors show due respect for the opinions of others. Professors acknowledge academic debt and strive to be objective in their professional judgment of colleagues. Professors accept their share of faculty responsibilities for the governance of their institution.
4. As members of an academic institution, professors seek above all to be effective teachers and scholars. Although professors observe the stated regulations of the institution, provided the regulations do not contravene academic freedom, they maintain their right to criticize and seek revision. Professors give due regard to their paramount responsibilities within their institution in determining the amount and character of work done outside it. When considering the interruption or termination of their service, professors recognize the effect of their decision upon the program of the institution and give due notice of their intentions.
5. As members of their community, professors have the rights and obligations of other citizens. Professors measure the urgency of these obligations in the light of their responsibilities to their subject, to their students, to their profession, and to their institution. When they speak or act as private persons, they avoid creating the impression of speaking or acting for their college or university. As citizens engaged in a profession that depends upon freedom for its health and integrity,

professors have a particular obligation to promote conditions of free inquiry and to further public understanding of academic freedom.

- b. The College affirms and supports the principles of academic honesty as set forth by the American Association of University Professors in its “Statement on Plagiarism” which is included below (downloaded March 27, 2013).

The statement that follows was approved for publication by the Association’s Committee on Professional Ethics, adopted by the Association’s Council in June 1990, and endorsed by the Seventy-sixth Annual Meeting. The main practical activity of the American Association of University Professors, since its founding, has concerned restraints upon the right of faculty members to inquire, to teach, to speak, and to publish professionally. Yet throughout its existence, the Association has emphasized the responsibilities of faculty members no less than their rights. Both rights and responsibilities support the common good served by institutions of higher education which, in the words of the 1940 Statement of Principles on Academic Freedom and Tenure, “depends upon the free search for truth and its free exposition.”¹ In its Statement on Professional Ethics, the Association has stressed the obligation of professors to their subject and to the truth as they see it, as well as the need for them to “exercise critical self-discipline and judgment in using, extending, and transmitting knowledge.”² Defending free inquiry by their associates and respecting the opinions of others, in the exchange of criticism and ideas, professors must also be rigorously honest in acknowledging their academic debts. In the light of recent concerns within and outside of the academic profession, it has seemed salutary to restate these general obligations with respect to the offense of plagiarism.

Definition

The offense of plagiarism may seem less self-evident in some circles now than it did formerly. Politicians, business executives, and even university presidents depend on the ideas and literary skills of committees, aides, and speechwriters in the many communications they are called on to make inside and outside their organizations. When ideas are rapidly popularized and spread abroad through the media, when fashion and the quest for publicity are all around us, a concern with protecting the claims of originality may seem to some a quaint survival from the past or even a perverse effort to deter the spread of knowledge. Nevertheless, within the academic world, where advancing knowledge remains the highest calling, scholars must give full and fair recognition to the contributors to that enterprise, both for the substance and for the formulation of their findings and interpretations. Even within the academic community, however, there are complexities and shades of difference. A writer of textbooks rests on the labors of hundreds of authors of monographs who cannot all be acknowledged; the derivative nature of such work is understood and even, when it is well and skillfully done, applauded. A poet, composer, or painter may “quote” the creation of another artist deliberately without explanation, as a means of deeper exploration of meaning and in the expectation that knowledgeable readers, listeners, or viewers will appreciate the allusion and delight in it. There are even lapses—regrettable but not always avoidable—in which a long buried memory of something read surfaces as a seemingly new thought. But none of these situations diminishes the central certainty: taking over the ideas, methods, or written words of another, without acknowledgment and with the intention that they be credited as the work of the deceiver, is plagiarism. It is theft of a special kind, for the true author still retains the original ideas and words, yet they are diminished as that author’s property and a fraud is committed upon the audience that believes those ideas and words

originated with the deceiver. Plagiarism is not limited to the academic community but has perhaps its most pernicious effect in that setting. It is the antithesis of the honest labor that characterizes true scholarship and without which mutual trust and respect among scholars is impossible.

Precepts

Every professor should be guided by the following:

1. In his or her own work the professor must scrupulously acknowledge every intellectual debt—for ideas, methods, and expressions—by means appropriate to the form of communication.
2. Any discovery of suspected plagiarism should be brought at once to the attention of the affected parties and, as appropriate, to the profession at large through proper and effective channels—typically through reviews in or communications to relevant scholarly journals. The Association’s Committee on Professional Ethics stands ready to provide its good offices in resolving questions of plagiarism, either independently or in collaboration with other professional societies.
3. Professors should work to ensure that their universities and professional societies adopt clear guidelines respecting plagiarism, appropriate to the disciplines involved, and should insist that regular procedures be in place to deal with violations of those guidelines. The gravity of a charge of plagiarism, by whomever it is made, must not diminish the diligence exercised in determining whether the accusation is valid. In all cases the most scrupulous procedural fairness must be observed, and penalties must be appropriate to the degree of offense.³
4. Scholars must make clear the respective contributions of colleagues on a collaborative project, and professors who have the guidance of students as their responsibility must exercise the greatest care not to appropriate a student’s ideas, research, or presentation to the professor’s benefit; to do so is to abuse power and trust.
5. In dealing with graduate students, professors must demonstrate by precept and example the necessity of rigorous honesty in the use of sources and of utter respect for the work of others. The same expectations apply to the guidance of undergraduate students, with a special obligation to acquaint students new to the world of higher education with its standards and the means of ensuring intellectual honesty.

Conclusion

Any intellectual enterprise—by an individual, a group of collaborators, or a profession—is a mosaic, the pieces of which are put in place by many hands. Viewed from a distance, it should appear a meaningful whole, but the long process of its assemblage must not be discounted or misrepresented. Anyone who is guilty of plagiarism not only harms those most directly affected but also diminishes the authority and credibility of all scholarship and all creative arts, and therefore ultimately harms the interests of the broader society. The danger of plagiarism for teaching, learning, and scholarship is manifest, the need vigorously to maintain standards of professional integrity compelling.

Notes

1. AAUP, Policy Documents and Reports, 10th ed. (Washington, D.C., 2006), 3.

2. Ibid., 171.
 3. On the question of due process for a faculty member who is the subject of disciplinary action because of alleged plagiarism, see Regulations 5 and 7 of the Association's "Recommended Institutional Regulations on Academic Freedom and Tenure," Policy Documents and Reports, 26–28.
- c. A full-time member of the Regular Faculty is encouraged to engage in outside professional activities such as writing, consulting, lecturing, or activities of similar nature that will enhance his/her professional growth or reputation.
 - d. Because the primary responsibility of a full-time member of the Regular Faculty is to the College, all outside employment is considered secondary. Outside activities shall be deemed excessive when, in the judgment of the department chair (where appropriate), the appropriate dean (or equivalent), or the Provost, they are of an extent that interferes with the discharge of the member's obligation to the College.
 - e. Each member of the Regular Faculty is responsible for keeping his/her dean (or equivalent) fully informed in writing about the nature and extent of his/her current outside commitments and intentions. Commitments involving academic credit or the use of College facilities and equipment must have the approval of the Administration.
 - f. A member of the Regular Faculty who undertakes outside employment shall act as an individual and not as an agent of the College.

Section 7. Academic Ranks [revised and readopted May 31, 2019]

- a. The College uses four academic ranks for Regular Faculty: Instructor, Assistant Professor, Associate Professor and Professor. The following standards are used in making initial appointments, subject to exceptions in unusual circumstances as determined by the President, after consultation with the Provost, the appropriate dean (or equivalent), and department chairs (or equivalents):
 - i) Instructor shall require completion of, or make substantial progress toward completing, formal advanced study appropriate for his/her field and have successful teaching or other relevant experience. This rank is primarily used for faculty hired ABD who fail to complete the terminal degree before the employment start date.
 - ii) Assistant Professor shall require completion of formal advanced study appropriate for his/her field and have successful teaching or other relevant experience.
 - iii) Associate Professor shall require completion of an advanced degree appropriate to his/her field, have several years of successful teaching experience, and have substantial evidence of professional development.
 - iv) Professor shall meet the standards of an Associate Professor and have

a background of successful teaching and creative work, marked by mature leadership and the perspective of experience.

- b. The College uses four academic ranks for Term Faculty:
 - i) Visiting (Instructor, Assistant, Associate, or Full Professor) is primarily used for temporary, full-time, visiting faculty and shall require completion of, or substantial progress toward completing, formal advanced study appropriate for his/her field and have successful teaching or other relevant experience. This is usually a placeholder for a tenure-track position to be filled.
 - ii) Renewable Lecturer requires at least a Master's level degree in the appropriate field and have successful teaching or other relevant experience.
 - iii) Renewable Senior Lecturer requires at least a Master's level degree in the appropriate field and have successful teaching or other relevant experience plus five years in rank as Lecturer.
 - iv) Adjunct is used for faculty hired by departments or schools on a per course basis.

- c. Members of the Regular Faculty may apply for promotion at any time. The President of the College makes promotions in rank after consultation with the Provost and the appropriate deans (or equivalents) and department chairs (or equivalents). The standards are set forth in Sub-Section 10j.: "Standards for Personnel Action" of these Personnel Policies. Demonstrated achievement in teaching, service to the College, and scholarly activities are the prime factors considered in promotion decisions. Additional factors may be considered. Each department (or equivalent) in consultation with and approval of the appropriate dean (or equivalent) shall determine and communicate to the department's Regular Faculty such additional factors, if any.

- d. Academic Administrator Appointments and Reassignments
 - i) If an individual from outside the College is to be appointed to a position as an Academic Administrator with academic rank, then the relevant department shall be consulted about the appropriate academic rank prior to the appointment.
 - ii) If a member of the Regular Faculty is appointed to a position as an Academic Administrator, the individual shall retain the academic rank already earned and, if applicable, also retain Tenure as a member of the Regular Faculty. The procedures in Section 10: "Reappointment, Non-renewal, Promotion and Tenure Personnel Actions" of these Personnel Policies shall be followed when the promotion in rank and/or tenure of an Academic Administrator is being considered.
 - iii) An Academic Administrator is employed "at will" in his/her administrative duties and may be discharged from such

duties, at any time, with or without cause. Such discharge shall not impact his/her academic position (i.e., his/her rank or other rights as a member of the Regular Faculty, when applicable).

- iv) An Academic Administrator is eligible for reassignment to an academic department (or equivalent) in which the individual has rank. Except for a senior administrator reporting directly to the President (whose position is determined by the Board), reassignment of an Academic Administrator is made by the President after consultation with the Provost and the dean (or equivalent) of the school or academic unit and chair (or equivalent) of the department to which the Academic Administrator is to be reassigned. A decision to reassign an Academic Administrator should be made only after consideration of the need for an additional Regular Faculty member within the department or unit, and the academic specialization of the individual in relation to the needs of the department. In addition, a decision to reassign should be made only after consideration of the role and mission of the College and the overall need for faculty members within the College. However, these considerations shall not preempt the President's right to reassign an Academic Administrator to an academic department (or equivalent).
- v) If an Academic Administrator is reassigned, the individual shall retain the academic rank already held. If the individual does not have Tenure, the minimum requirements of these Personnel Policies for Tenure, by rank, shall apply. For an Academic Administrator having probationary status, the Tenure decision (or "Tenure clock") shall be delayed for the duration of his/her time in the role of an Academic Administrator. An Academic Administrator having probationary status may choose to stay on their regular Tenure decision schedule without a delay.

Section 8. Emeritus Faculty

- a. Members of the Regular Faculty who retire after ten (10) or more years of full-time service to the College are eligible for emeritus appointment, provided that they have fulfilled the responsibilities of a member of the Regular Faculty with demonstrated merit.
- b. Recommendations for appointment to "Emeritus Faculty" status shall be initiated and approved in the candidate's department by a majority vote of the members of the Regular Faculty, following the submission of a written request by the candidate or nomination by another faculty member.
- c. The appropriate dean (or equivalent) shall make recommendations to the Provost. The Provost shall make recommendations to the President. The President shall make the final recommendations to the Board. The Board shall make the final decision on emeritus status.

- d. A member of the Emeritus Faculty shall have the privileges stated in the Fort Lewis College Business Policies.

Section 9. Initial Appointments [revised and readopted May 31, 2019]

- a. The President of the College may make an initial appointment to the Regular Faculty with Tenure following consultation, as appropriate, with the academic department in which the individual is to be granted academic rank, the appropriate dean (or equivalent) and the Provost.
- b. If, prior to appointment as a Probationary Faculty member, the individual has served as a member of the Visiting Faculty at the College or as a member of the faculty of another regionally accredited college/university for one (1) or more academic years, the President may award full or partial credit for years of service toward eligibility for Tenure. The decision to award such credit shall be made by the President and confirmed in writing by the President or Provost at the time of initial appointment as a member of the Probationary Faculty, upon the recommendation of the department and the approval of the appropriate dean (or equivalent). The agreement in writing for full or partial credit will be included in the PAF of the Probationary Faculty member when applying for Tenure and/or promotion.
- c. Tenure policies applicable to Regular Faculty not initially appointed with Tenure:
 - i) If a Probationary Faculty member initially hired as an Assistant Professor without Tenure is not granted Tenure at the end of six (6) academic years of full-time service, the appointment shall expire at the end of the seventh academic year of service.
 - ii) If a Probationary Faculty member initially hired as an Associate Professor without Tenure is not granted Tenure at the end of three (3) academic years of full-time service as a Probationary Faculty member (including years as an Instructor and Assistant Professor), the appointment shall expire at the end of the fourth academic year of service.
 - iii) If a Probationary Faculty member initially hired as a Professor without Tenure is not granted Tenure at the end of two (2) academic years of full-time service as a Probationary Faculty member (including years in a lower rank), the appointment shall expire at the end of the third academic year of service.
 - iv) Members of the Regular Faculty, at the rank of Assistant Professor or above, who were not initially appointed with Tenure, may apply for Tenure at any time, and may be granted Tenure prior to the time periods specified in this Section and in Section 10.

Section 10. Reappointment, Non-renewal, Promotion and Tenure Personnel Actions [revised and readopted May 31, 2019]

- a. "Personnel action," as used in this Section, means reappointment, non-renewal of appointment, promotion, and the awarding of Tenure.
- b. Decisions about these personnel actions are generally made based on written performance reviews. Performance reviews address performance and progress in three categories: 1) teaching, 2) scholarly activity, and 3) service to the department and institution. Additional activities may include service to the profession and/or community. Each department (or equivalent), in consultation with the appropriate dean (or equivalent) and the Provost, shall develop expectations appropriate for each discipline in each of these categories. Additional categories are allowed as determined by written departmental promotion and tenure expectations, as approved by the dean (or equivalent) and Provost. These expectations shall be in alignment with department and College expectations.
 - i) Teaching: Teaching is considered the most important area of performance and includes course delivery and pedagogical improvements. Quality teaching derives from a faculty member's commitment to student success. Reviewers should consider this when evaluating the information presented by the candidate in the teaching section of their PAF.
 - ii) Scholarly activity: Each member of the faculty is expected to be continually active in a personal program of professional development and scholarship. The scholarly expectations are defined by the faculty member's department/area and disciplinary standards.
 - iii) Departmental, institutional, professional and community service: Departmental and institutional service is everyone's professional responsibility and includes all activities contributing to the operation of the College, ranging from individual department projects, to College planning, policy formulation and service on committees, and advising/mentoring students. Additional service could include professional service to one's academic community and/or community service, which involves the application of one's academic expertise to the needs of the community outside the College.
- c. The purpose of personnel action performance reviews is to:
 - i) Provide constructive guidance for continuous improvement of performance
 - ii) Assess whether the plans and efforts of a member of the Regular Faculty are consistent with department and College expectations;
 - iii) Determine the level of accomplishment in each category of performance;
 - iv) Determine whether the performance of the member of the Regular Faculty meets the standards for reappointment, tenure and/or promotion.
- d. As a consequence of personnel action performance reviews conducted pursuant to this Section, each Faculty member under review may be:

- i) Recognized and commended for achievements and contributions;
 - ii) Provided helpful suggestions for improved performance;
 - iii) Alerted to categories of performance in need of remediation; and/or
 - iv) Awarded or denied reappointment, tenure or promotion.
- e. General procedures for personnel action performance reviews pursuant to this Section:
- i) The levels of review and timeline for personnel action are summarized in Table 1 below. The Provost will notify the deans (or equivalents), chairs or equivalents) and all individual faculty due for review in the upcoming year of the review schedule the first week of the academic year.

Table 1				
Year of Service	Due to Department Personnel Committee	Due to Dean (or Equivalent)	Due to College Personnel Committee	Due to Provost
1	Jan. 20	Jan. 30	N/A	Feb. 9
2	Oct. 1	Nov. 1	Dec. 1	Feb. 15
3	Oct. 1	Nov. 1	N/A	Feb. 15
4	Oct. 1	Nov. 1	Dec. 1	Feb. 15
5	Oct. 1	Nov. 1	N/A	Feb. 15
6/Tenure and Promotion	Oct. 1	Nov. 1	Dec. 1	Feb. 15
*For Post Tenure Review see Section 11 below				

- ii) Each level of review, preceding the President, shall provide to the next level and to the faculty member a written copy of the recommendation made at that level using the appropriate evaluation form. The faculty member shall have 5 business days to respond in writing to the next higher level.
 - iii) The President, after review of the recommendations from preceding levels of review, shall decide whether to promote or award tenure as appropriate. The President's decision shall be in writing no later than March 15, and the candidate shall be provided a copy of this decision
- f. The Department Personnel Committee:

- i) Each department (or equivalent) shall select a Personnel Committee, which shall be comprised of at least three (3) Tenured Faculty members from the department (or equivalent). The selection of the Department Personnel Committee shall be in conformance with a department (or equivalent) policy approved by the appropriate dean (or equivalent). Only Tenured Faculty are eligible to serve on Department Personnel Committees.
 - ii) If there are not enough Tenured Faculty members in the department (or equivalent), the dean (or equivalent) shall nominate candidates from among the Tenured Faculty from related disciplines. The department (or equivalent) shall then elect the number required to bring the membership of the committee to three (3).
 - iii) When required, the Department Personnel Committee shall forward its recommendation to the department chair (or equivalent) and/or the dean (or equivalent). The department chair (or equivalent) and/or the dean (or equivalent) shall forward the PAF and recommendation to the chair of the College Personnel Committee (see Table 1).
- g. The College Personnel Committee:
 - i) The College Personnel Committee's charge is to review all probationary faculty, tenure and promotion applications, sabbatical requests, and Post Tenure Reviews for Fort Lewis College faculty, and make an independent recommendation regarding each faculty member it reviews. The goal of the committee will be to ensure the process of probationary review, promotion, tenure, post tenure review and sabbatical recommendation and report is fair and equitable and adheres to the policy and procedure of the faculty handbook of Fort Lewis College. A simple majority will lead to a vote for recommendation.
 Members will consist of nine tenured faculty-at-large and will be elected by the voting faculty. Membership will include at least one representative from the Sciences (Biology, Chemistry, Health Sciences, Geosciences, Physics and Engineering, Mathematics), one representative from the Social Sciences (Anthropology, Environmental Studies, Native American and Indigenous Studies, Political Science, Psychology, Sociology), one representative from Arts and Humanities (Art and Design, English, History, Music, Philosophy, and Theatre), one representative from the School of Education or Library faculty, and one representative from the School of Business Administration. The remaining four members will be elected from the tenured faculty at large. Faculty who are scheduled for review are not eligible. Members of the committee will serve staggered two-year terms. The first year the committee is convened, four members will only serve one year. Those members who have served four consecutive years will be ineligible to serve again for one, two-year term. The Convener will be appointed from the committee by the Senate Executive Committee. The Chairperson will be elected from the members of the College Personnel

Committee.

- ii) The College Personnel Committee shall forward its recommendation and the candidate's Personnel Action File, along with all reviews at preceding levels, to the Provost. For tenure or promotion decisions, the Provost's recommendation and the recommendations from all preceding levels of review then shall be transmitted to the President. Either the Provost or the President may request additional information from previous levels of review if needed.
- h. Responsibility of the faculty member:
- i) Reappointment: Probationary Faculty are reviewed each year for reappointment. Reappointment is not automatic. In the case that Probationary Faculty holding the rank of Assistant Professor in their sixth year of appointment, or Associate Professor in their third year of appointment, or Professor in their second year of appointment are not renewed, they will be reappointed to a terminal one-year appointment. The responsibility of each member of the Probationary Faculty is to prepare a Personnel Action File in support of reappointment.
 - ii) Promotion and Tenure: Faculty seeking promotion or Faculty seeking tenure prior to the sixth year of appointment must request such action and must prepare a Personnel Action File in support of such request by October 1 per Table 1.
- i. The Personnel Action File (PAF)
- i) All probationary faculty shall prepare a PAF each year. Contents of a faculty member's PAF will vary depending on the year of service. See PAF Contents (Sections i, ii) below for development of the PAF, and see chart below for year of service and corresponding contents.

Table 2			
Year of Service	PAF Section Required		
	(1)	(2)	(3)
1	✓	Section (a) only	
2	✓	✓	✓
3	✓		
4	✓	✓	✓
5	✓		
6/Tenure and Promotion and Post-Tenure Review	✓	✓	✓

- ii) PAF contents:
- 1) Current Curriculum Vitae
 - 2) The candidate's self-evaluation of:
 - (a) Teaching (2 pages **maximum** plus supporting documentation)
 - (i) What were the candidate's major accomplishments during the review period? This may include changes to the candidate's pedagogical philosophy.
 - (ii) What does the candidate plan to achieve during the next review period? This may include changes to the candidate's pedagogical philosophy.
 - (iii) Supporting documentation, including:
 - Examples of Course syllabi
 - A list of courses taught since the most recent review
 - Examples of how student performance is evaluated
 - Complete student evaluations of teaching reports (written and numerical) for each course.
 - Other supporting documentation not mentioned above, which might include, but is not limited to, peer evaluations of teaching; attendance at teaching workshops or teaching conferences; evidence of quality teaching;

evidence of facilitating experiential learning; evidence of motivating and mentoring students; evidence of course content expertise and course design information; pedagogy and course management information; etc.

- If given credit towards Tenure when appointed to Fort Lewis College, the written agreement should be included in the PAF

(b) Scholarly and Creative activities (1 page maximum plus supporting documents)

- (i) What were the candidate's major accomplishments during the last review period?
- (ii) What does the candidate plan to achieve during the next review period?
- (iii) Supporting documentation of work not reflected on the curriculum vita

(c) Service (1 page **maximum** plus supporting documents)

- (i) What were the candidate's major accomplishments during the last review period?
- (ii) What does the candidate plan to achieve during the next review period?
- (iii) Supporting documentation for service activities, if available
- (iv) List of advisees or mentees, if any.

3) Written evaluations from all previous years and all levels of review. Note: All probationary faculty should include all years at FLC. All faculty applying for promotion should include all years in current rank.

j. Standards for Personnel Action

i) For Reappointment:

- 1) Reappointment during a faculty member's probationary period depends on the quality of performance and the perceived potential of the Probationary Faculty member to earn Tenure. Reappointment is not automatic. The College expects that during the probationary period, the candidate shall continue to grow professionally.
- 2) Appointment to second and third probationary years shall be based on successful growth as a teacher and advisor/mentor. A strong secondary consideration shall be the candidate's potential for developing a scholarly profile. The relative emphasis placed on teaching, service and advising/mentoring, and scholarly activity may evolve during the probationary years. As the time of Tenure decision approaches, the College shall pay increasing attention to the candidate's long-term promise as a teacher, scholar, and academic leader.

ii) For Tenure:

- 1) The College confers Tenure for demonstrated merit in teaching, service, and scholarly activities during the probationary years. The award of Tenure presumes that meritorious performance in all three areas shall continue in the future, and that the candidate shall be able to contribute to the College and department/area or program.
- 2) The usual length of the probationary period for a faculty member, initially appointed without Tenure, is six (6) years for those initially appointed at the rank of Assistant Professor, three (3) years for those initially appointed at the rank of Associate Professor, and two (2) years for those initially appointed at the rank of Professor.
- 3) Faculty in the rank of Assistant Professor applying for Tenure (and promotion) must submit thorough documentation of meritorious teaching, service, and scholarship in their Personnel Action File (either at Fort Lewis College and/or another institution). If an applicant cites work at another institution, documentation of meritorious teaching, service, and scholarship *at that previous institution* must be included in their Personnel Action File. Tenure and promotion to the rank of Associate Professor are awarded simultaneously.
- 4) Faculty in the rank of Associate Professor applying for Tenure must submit thorough documentation of meritorious teaching, service, and scholarship in their Personnel Action File (either at Fort Lewis College and/or another institution). If an applicant cites work at another institution, documentation of meritorious teaching, service, and scholarship *at that previous institution* must be included in their Personnel Action File. Tenure and promotion to the rank of Professor are not necessarily awarded simultaneously.
- 5) Faculty in the rank of Professor applying for Tenure must submit thorough documentation of meritorious teaching, service, and scholarship in their Personnel Action File (either at Fort Lewis College and/or another institution). If an applicant cites work at another institution, documentation of meritorious teaching, service, and scholarship *at that previous institution* must be included in their Personnel Action File.
- 6) A Probationary Faculty member eligible for leave under the Family and Medical Leave Act or who is eligible for leave as provided in these Personnel Policies may request additional time in which to achieve Tenure and/or promotion. The faculty member seeking such an extension must request the extension in writing. This request must document the justification for the extension and must be submitted to the Provost in a timely fashion. The Provost shall determine whether to grant the extension following consultation with the appropriate dean

(or equivalent) and the appropriate department chair (or equivalent). The Provost shall notify the faculty member in writing of the decision.

- 7) Academic Administrators are not necessarily granted Tenure in their administrative appointment, but upon recommendation by the appropriate department, may be granted Tenure as a member of the Regular Faculty based upon their demonstrated qualifications that meet the requirement. Also, the President may confer tenure to any administrator the President deems qualified.

iii) For Promotion:

- 1) Promotion is awarded for demonstrated achievement during the years in rank. Promotion is not automatic. Candidates must meet progressively higher standards of performance for each rank.
- 2) Promotion to the rank of Associate Professor shall require an advanced degree appropriate to his/her field, several years of successful teaching experience, and substantial evidence of scholarly development consistent with disciplinary standards. Promotion to Associate Professor is rarely awarded before the completion of six (6) probationary years. Promotion to Associate Professor cannot be separated from an application for Tenure. Promotion to Associate Professor and Tenure are awarded simultaneously. If an applicant cites work at another institution, documentation of meritorious teaching, service, and scholarship *at that previous institution* must be included in their Personnel Action File.
- 3) Promotion to the rank of Professor shall require continued and sustained successful teaching, additional evidence of scholarly development as defined by the department/area and disciplinary standards, and exemplary leadership and service to the department and the institution. If an applicant cites work at another institution, documentation of meritorious teaching, service, and scholarship *at that previous institution* must be included in their Personnel Action File.
- 4) Faculty applying for Tenure *and* promotion to Professor must submit thorough documentation of meritorious teaching, service, and scholarship in their Personnel Action File in the rank of Associate Professor. If an applicant cites work at another institution, documentation of meritorious teaching, service, and scholarship *at that previous institution* must be included in their Personnel Action File.

Section 11. Post Tenure Review [revised and readopted May 31, 2019]

- a. Each post Tenure review is based on a written performance review. The written performance review addresses performance in three categories of responsibility: teaching, scholarly activity, and service to the College and department (or equivalent). All Tenured faculty should continue to

demonstrate merit in teaching, service, and scholarly activities during their service to FLC. The award of Tenure presumes that meritorious performance in all three areas shall continue in the future, and that the candidate shall continue to contribute to the College and department/area or program. A Tenured Professor should demonstrate continued and sustained successful teaching, additional evidence of scholarly development as defined by the department/area expectations statement and disciplinary standards, and exemplary leadership and service to the department and the institution. See Section 10 (b) for more specific performance criteria in each of the three categories of teaching, scholarly activity, and service to the College and department (or equivalent).

- b. The performance of each Tenured Associate Professor shall be reviewed every four (4) years *and* when applying for Professor. Tenured Associate Professors can be reviewed more often in cases of inadequate performance, as determined by the supervising dean (or equivalent) or Provost.
- c. The performance of each Tenured Professor shall be reviewed every five (5) years, or more often when deemed necessary because of inadequate performance. A faculty member's dean (or equivalent) or Provost shall determine whether the faculty member's inadequate performance warrants more frequent reviews and shall determine the frequency of such reviews. Academic units not part of a school or administered by a school dean (or equivalent) shall function as departments (or equivalents) for purposes of this policy. The Provost in collaboration with such academic units shall establish the form of review to be substituted for the College Personnel Committee and school dean (or equivalent).
- d. The purpose of post Tenure performance review is to assess:
 - i) Whether the plans and efforts of a member of the Tenured Faculty are consistent with the department (or equivalent) and College expectations, and
 - ii) The level of effort and performance in each category of responsibility.
- e. It shall be the responsibility of the Tenured Faculty member under review to prepare a Post Tenure Review File. A Tenured Associate Professor shall prepare a PAF for a fourth (4th) year review and/or for promotion to Professor. A Tenured Professor shall prepare a PAF for every five (5) year review. Other Post Tenure Review PAFs should be prepared more frequently if required by previous performance evaluations. The Post Tenure Review File shall contain:
 - i) Post Tenure Review File contents:
 - 1) Current Curriculum Vitae
 - 2) The candidate's self-evaluation of:
 - (a) Teaching (2 pages **maximum** plus supporting documentation)
 - (i) What were the candidate's major accomplishments during the review period? This may include changes to the candidate's

pedagogical philosophy.

(ii) What does the candidate plan to achieve during the next review period? This may include changes to the candidate's pedagogical philosophy.

(iii) Supporting documentation, including:

- Examples of Course syllabi
- A list of courses taught since the most recent review.
- Examples of how student performance is evaluated
- Complete student evaluations of teaching reports (written and/or numerical) for each course.
- Other supporting documentation not mentioned above, which might include, but is not limited to, peer evaluations of teaching; attendance at teaching workshops or teaching conferences; evidence of quality teaching; evidence of facilitating experiential learning; evidence of motivating and mentoring students; evidence of course content expertise and course design information; pedagogy and course management information; etc

(b) Scholarly and Creative activities (1 page maximum **plus** supporting documents)

(i) What were the candidate's major accomplishments during the last review period?

(ii) What does the candidate plan to achieve during the next review period?

(iii) Supporting documentation of work not reflected on the curriculum vita

(c) Service (1 page **maximum** plus supporting documents)

(i) What were the candidate's major accomplishments during the last review period?

(ii) What does the candidate plan to achieve during the next review period?

(iii) Supporting documentation for service activities, if available

(iv) List of advisees or mentees, if any.

3) Written evaluations from all previous post-tenure reviews and all levels of review.

ii) The Department Personnel Committee (or equivalent), the department chair (or equivalent) (optional), the appropriate dean (or equivalent), the College Personnel Committee, and the Provost, respectively, shall conduct the reviews. The Department Personnel Committee shall provide to the appropriate school dean (or equivalent) and to the Tenured Faculty member being reviewed a written evaluation of the performance of the faculty member in each category of responsibility. The faculty member

shall have 5 business days to respond in writing to the next higher level. The appropriate school dean (or equivalent) shall provide to the College Personnel Committee and to the Tenured Faculty member being reviewed a written evaluation of the performance of the faculty member in each category of responsibility. The faculty member shall have 5 business days to respond in writing to the next higher level. The College Personnel Committee shall provide to the Provost and to the Tenured Faculty member being reviewed a written evaluation of the faculty member's performance. The faculty member shall have 5 business days to respond in writing to the next higher level. The Provost shall provide to the Tenured Faculty member being reviewed a written evaluation of the performance of the faculty member in each category of responsibility, including any inadequacies needing remediation.

- f. Post Tenure Review Schedule: The exact schedule for post Tenure review will be determined yearly by the Provost and will be publicized to the dean (or equivalents), department chairs (or equivalents), the chair of the College Personnel Committee, and individual faculty due for post Tenure review the up-coming academic year. The notifications should take place during or before the first week of the academic year. See Table Three. Minor deviations from the schedule that occur from time to time shall not be cause for invalidating an evaluation decision.

The following will serve as a guideline in setting the yearly schedule:

- FEBRUARY 1
Faculty Member submits PAF to the Department Personnel Committee
 - FEBRUARY 22
Department Personnel Committee submits written performance evaluation to the appropriate school dean (or equivalent).
 - MARCH 15
The appropriate school dean (or equivalent) submits written performance evaluation to the College Personnel Committee
 - APRIL 15
College Personnel Committee submits written summary of performance to the Provost.
 - MAY 1
If the Provost determines that there are inadequacies in the faculty member's performance, the Provost shall provide a written statement to the member of the inadequacies and any consequence(s) for the inadequacies.
- g. The consequences of an inadequate performance may include:
- i) A requirement that the Tenured Faculty member create a plan to remedy any inadequate category of performance, and/or
 - ii) More frequent post Tenure reviews.

- iii) Continued inadequate performance and failure to remedy such performance shall constitute adequate cause for disciplinary action or dismissal.

Table 3				
Post Tenure Review	Due to Department Personnel Committee	Due to Dean (or Equivalent)	Due to College Personnel Committee	Due to Provost
Associate Professor – Performance Review	Feb. 1	Feb. 22	Mar. 15	Apr. 15
Professor – Performance Review	Feb. 1	Feb. 22	Mar. 15	Apr. 15

Section 12. Faculty Salaries

- a. The President of the College determines salary policy and individual faculty salaries. Salaries are based on the merits of the individual’s services to the College and are determined by the President after consultation with the Provost and the appropriate deans (or equivalents) and department chairs (or equivalents).
- b. Faculty members whose services are needed during the summer program will be offered supplemental appointments. Employment during the regular academic year neither implies, nor assures, employment during the summer program.

Section 13. Term Faculty Evaluations

- a. Term Faculty includes Renewable Faculty, Visiting Faculty, and Adjunct Faculty.
- b. Each member of the Term Faculty shall be evaluated during the member’s term of appointment and shall be notified by the department chair (or equivalent) of their review.
- c. The evaluation of Term Faculty shall focus primarily on teaching

effectiveness. The evaluation may include evaluating service activities when the terms of the appointment specify a primary responsibility other than teaching. The teaching performance evaluation shall give particular attention to a Term Faculty member's organization of course materials and to the effectiveness of the member's presentation of course materials. The evaluation of the Term Faculty member's teaching shall ordinarily require review of students' numerical and written evaluations of the member's performance.

- d. Renewable Faculty includes Lecturers and Senior Lecturers. The Department Personnel Committee shall review Renewable Faculty in their department.
- e. The Department Personnel Committee shall provide to the appropriate dean (or equivalent), department chair (or equivalent), and the Renewable Faculty member a written copy of the recommendation made at that level. The Renewable Faculty member shall have five (5) days to respond in writing to the next higher level of review.
- f. Renewable Faculty shall be evaluated in their first year of service and then every other year thereafter. A Lecturer will receive the promotion to Senior Lecturer after having served at Fort Lewis College for five (5) years. Senior lecturers shall be evaluated every third year of service beginning in their eighth year of service. The levels of review and timeline for personnel action for Term Faculty are summarized in Table 3.
- g. Visiting Faculty members shall be reviewed prior to contract renewal by the appropriate department chair (or equivalent). The appropriate dean (or equivalent) and /or the Provost may also conduct an evaluation at his/her discretion. The department chair (or equivalent) shall consult with the Visiting Faculty member prior to March 1 as to the necessity of preparing a PAF for review.
- h. Adjunct Faculty members shall be reviewed prior to contract renewal at the end of each term of service by the appropriate department chair (or equivalent). The department chair (or equivalent) shall consult with the Adjunct Faculty member prior to March 1 as to the necessity of preparing a PAF for review.
- i. A Renewable Faculty, Visiting Faculty, and Adjunct Faculty member's PAF shall consist of:
 - 1) **Current Curriculum Vitae**
 - 2) The candidate's self-evaluation of:
 - a. **Teaching (2 pages maximum plus supporting documentation).**
 - b. What were the candidate's major accomplishments during the review period? This may include changes to the candidate's pedagogical philosophy.

- c. What does the candidate plan to achieve during the next review period? This may include changes to the candidate's pedagogical philosophy.
 - d. Supporting documentation, including:
 - Course syllabi.
 - A list of courses taught since the most recent review.
 - One example of how student performance is evaluated for each course.
 - Complete student evaluations of teaching reports (written and numerical) for each course.
 - Other supporting documentation not mentioned above, which might include but is not limited to, peer evaluations of teaching; attendance at teaching workshops or teaching conferences; evidence of motivating and mentoring students; evidence of course content expertise; course design information; pedagogy and course management information; etc.
- 3) Other appropriate materials that support their performance if the terms of their appointment specify a primary responsibility other than teaching, such as service documentation.

Table 3

Term Faculty Review	Due to Department Personnel Committee	Due to Dean (or equivalent) and Department Chair (or equivalent)	Due to Provost
Renewable Faculty – Lecturer (1 st year of service)	Jan. 20	Jan. 30	Feb. 9
Renewable Faculty – Lecturer and Senior Lecturer (years 3, 5, 8, 11, etc.)	Oct. 1	Jan. 15	Feb. 15
Visiting Faculty (with contract renewal)	March 1*	N/A	N/A
Adjunct Faculty (with contract renewal)	March 1*	N/A	N/A

*To Department Chair (or equivalent).

Section 14. Personnel Files

- a. A member of the Regular and Term Faculty who wishes to see his/her personnel file should contact the Office of the Provost.
- b. All Regular and Term Faculty personnel records, including written evaluations, shall be the property of the College.
- c. These records shall be located in the Office of the Provost.
- d. The records of an individual member of the Regular and Term Faculty shall not be removed or destroyed while the member is employed at the College and shall be retained by the College for at least five (5) years after the member has ceased to be an employee of the College.
- e. A member of the Regular and Term Faculty may have access to, and read all, of his/her records, with the exception of confidential letters of reference concerning employment.

Section 15. Resignations

- a. A resignation is a voluntary termination of employment by a faculty member. Resignations shall be in writing and shall be submitted to the appropriate dean (or equivalent) who shall forward it to the Provost. The dean (or equivalent) and the Provost will each recommend acceptance or rejection, and the resignation and the administrative recommendations will be forwarded to the Office of the President for final action. A resignation is effective upon the date specified in the written notice of resignation or as modified by the President's acceptance of the resignation. A resignation is not revocable, except by mutual agreement between the President and the resigning party.
- b. Faculty members are expected to complete a current appointment. Resignation should be timed to avoid the disruption of classes or academic programs, taking into consideration the need for exceptions when the resignation must be immediate. Submitting a notice of resignation, as specified herein, does not relieve the resigning faculty member of potential liability for a resignation that is effective before the completion of the faculty member's current appointment.

Section 16. Discharge of Term Faculty

- a. Discharge is the involuntary severance of employment with or without cause. Term Faculty are terminable at will; that is, they may be discharged with or without cause at any time during their term of appointment. Term Faculty appointments automatically expire by their own terms, and such expiration is not a discharge. Term Faculty are also subject to other disciplinary action as described below in Section 17, "Dismissal and Other Disciplinary Action."
- b. Decisions to discharge Term Faculty shall be made by the President. If the President decides to discharge a Term Faculty member, the President shall

notify the Term Faculty member in writing. Notice shall be hand delivered or sent by certified mail to the faculty member at the member's last home address in the member's personnel file. The effective date of the discharge shall be specified in the notice of discharge. Salary and benefits shall cease on the date specified.

Section 17. Dismissal and Other Disciplinary Action

- a. Dismissal is the involuntary termination of employment for cause. All members of the Regular and Term Faculty are subject to dismissal and to other disciplinary action. A member of the Probationary Faculty is subject to dismissal and to other disciplinary action for cause during the term of his/her appointment. However, the non-renewal of a member of the Probationary Faculty shall not be deemed a dismissal.
- b. Any one or more of the following shall be adequate cause for disciplinary action, and may lead up to, and include, dismissal.
 - i) Unsatisfactory performance of the duties and responsibilities of the faculty member, as documented in the personnel records of the faculty member.
 - ii) Failure or inability to perform any assigned duties or fulfill any of the responsibilities stipulated in the letter of appointment or the policies of the Board or College.
 - iii) Violation of any of the Board or the College's policies (a) governing, ethical and professional behavior, (b) prohibiting sexual harassment, or (c) prohibiting discrimination based upon race, color, national origin, gender, or religion.
 - iv) Conviction of a felony, including a plea of guilty or nolo contendere or acceptance of a deferred prosecution or sentence, which conviction impairs a faculty member's ability to perform his/her duties and responsibilities to the Board, College, colleagues or students.
 - v) Other good and sufficient cause.
- c. Neither dismissal, nor other disciplinary action shall be used to unlawfully restrain faculty members in their exercise of their academic freedom or constitutional rights.
- d. In matters where the President or the Provost believe a faculty member's continued performance of faculty duties poses a significant risk of harm to persons or property or the best interests of the College, the faculty member may be placed on administrative leave with pay while the disciplinary process is pending.
- e. Preliminary Disciplinary Procedure
 - i) If a faculty member's department chair (or equivalent), dean (or equivalent), or the Provost (for the purposes of subsections 5 and 6 each of the three could serve as the "responsible administrator") believes that the conduct of a faculty member may constitute adequate cause for minor or

severe disciplinary action, the responsible administrator shall first meet with the faculty member to discuss the concern and the potential for discipline (“initial meeting”). The faculty member shall have at least 24 hour notice of the initial meeting. During the initial meeting, the responsible administrator will provide the faculty member with available information and documentation regarding the matter. The faculty member shall have an opportunity to respond during the initial meeting. The purpose of such informal consultation is to reconcile disputes early and informally, when appropriate, by clarifying the issues involved, resolving misunderstandings, and considering alternatives.

- ii) Within five (5) days following the initial meeting, the responsible administrator may:
 - a. Make a determination that no adequate cause exists to impose minor or severe discipline based on the faculty member’s conduct, and inform the faculty member in writing that no discipline will be imposed.
 - b. Make a reasonable, good faith determination that adequate cause exists to impose minor discipline based on the faculty member’s conduct and proceed with the disciplinary procedure for minor discipline in section (6), below. Minor discipline includes, but is not limited to: verbal or written warnings or reprimands, mandatory training, reassignment of duties, teaching modification, and removal from assignments (such as committees, programs, or administrative positions).
 - c. Make a reasonable, good faith determination that adequate cause exists to impose severe discipline based on the faculty member’s conduct and proceed with the disciplinary procedure for severe discipline in section (7) below. Severe discipline includes, but is not limited to: salary reduction, probation, suspension with or without pay, temporary or permanent reduction in appointment, reduction in rank, or dismissal.

f. Minor Disciplinary Procedure

- i. Notice of Charges: If the responsible administrator proceeds with minor disciplinary action following the initial meeting with the faculty member, the responsible administrator shall provide the faculty member with a written Notice of Charges providing the cause for minor disciplinary action in sufficient detail for the faculty member to address the specifics of the charges. The faculty member shall have an opportunity to respond in writing prior to the imposition of any disciplinary action, within seven (7) days of receipt of the responsible administrator’s written notice.
- ii. The responsible administrator, in consideration of the faculty member’s written response, shall make a decision regarding the minor disciplinary action and will notify the faculty member in writing. The discipline will then take effect.

g. Severe Disciplinary Procedure

- i. Notice of Charges: If the responsible administrator proceeds with severe

disciplinary action following the initial meeting with the faculty member, the responsible administrator shall provide the faculty member with a written Notice of Charges providing the cause for severe disciplinary action in sufficient detail for the faculty member to address the specifics of the charges. Only a dean or the Provost may proceed with severe disciplinary action. If a faculty member's department chair initiated the preliminary disciplinary procedure and determined to proceed with the disciplinary procedure for severe discipline, a dean or the Provost must serve as the responsible administrator for the purposes of this subsection (7).

- a. A copy of the Notice of Charges shall be served on the faculty member and delivered to the President.
 - b. In addition to a copy of the Notice of Charges, the responsible administrator shall serve on the faculty member and deliver to the President copies of any supporting documentary or other evidence, a list of persons who may have knowledge relevant to the charges, and a description or statement of what each person listed knows relevant to the charges.
- ii) Response and Request for review by the Faculty Review Committee: Within twenty (20) days of the date the Notice of Charges is served on the faculty member, the faculty member may file with the President a written response and request for a review by the Faculty Review Committee, which shall include:
- a. A response admitting or denying the charges;
 - b. Copies of any supporting documentation or other evidence;
 - c. A list of persons who may have knowledge relevant to the charges and/or the response; and
 - d. A description or statement of what each person listed knows relevant to the charges or response.
- iii) If the faculty member does not file a written request for a review by the Faculty Review Committee, the faculty member may still file a request for a Hearing per section (v), below. If the faculty member does not file a written request for either a review by the Faculty Review Committee or a request for a Hearing within twenty (20) days of receiving the Notice of Charges, the President shall, within thirty (30) days, determine what, if any, action is appropriate based upon a review of the charges, documents, and descriptions or statements submitted by the responsible administrator.
- iv) Appointment of Faculty Review Committee
- a. Faculty Review Committee: If the faculty member files a written request for review by the Faculty Review Committee, the President shall forward the request for a Faculty Review Committee to the Faculty Senate President.

- 1) The Faculty Senate President shall appoint a Faculty Review Committee, composed of three members of the Grievance and Review Council. In the event a related grievance is filed with the Grievance and Review Council, no member of the Faculty Review Committee may be involved with or review the related grievance. No member of the Faculty Review Committee may be from the faculty member's department. The faculty member may request that any member of the Faculty Review Committee be replaced if a conflict of interest exists. The Faculty Senate President will make the final determination regarding all conflicts of interest.
- 2) The Faculty Senate President shall notify the faculty member and the responsible administrator in writing of the appointed members of the Faculty Review Committee within ten (10) days of the faculty member's request for review by the Faculty Review Committee.
- 3) The Faculty Review Committee shall receive copies of this policy, the Notice of Charges, the request for a Hearing and review by the Faculty Review Committee, and all supporting documents and lists submitted by the responsible administrator and the faculty member.
- 4) The Faculty Review Committee will schedule meetings with the faculty member and the responsible administrator to discuss the Notice of Charges and the faculty member's response to the charges. Such meetings must take place within ten (10) days of the formation of the Faculty Review Committee.
- 5) Following its review of the all documentation and meetings with the faculty member and the responsible administrator, the Faculty Review Committee will provide its recommendation to the faculty member, the responsible administrator, and the President regarding whether the proposed severe discipline should be imposed, lesser discipline should be substituted, or no discipline should be imposed. The recommendation is not binding on the President but shall be given all due consideration. The Faculty Review Committee must provide its recommendation to the President within sixty (60) days of the formation of the Faculty Review Committee.
- 6) After review of the Faculty Review Committee's recommendation, the faculty member may file with the President a request for a Hearing, per section (v), below. If the faculty member does not file a request for Hearing within seven (7) days after receipt of the Faculty Review Committee's recommendation, the President shall consider the Faculty Review Committee's recommendation and within ten (10) days determine what, if any, action is appropriate based upon a review of the charges, documents, and descriptions or

statements submitted by the responsible administrator.

- v) Request for Hearing: A faculty member may file with the President a request for a Hearing within seven (7) days of the receipt of the Faculty Review Committee's recommendation or, if the faculty member did not request review by the Faculty Review Committee, within twenty (20) days of the date the Notice of Charges is served on the faculty member. The response and request for a Hearing shall include:
 - a. A response admitting or denying the charges;
 - b. Copies of any supporting documentation or other evidence;
 - c. A list of persons who may have knowledge relevant to the charges and/or the response; and
 - d. A description or statement of what each person listed knows relevant to the charges or response.
- vi) Appointment of Hearing Officer
 - a. Hearing Officer: If the faculty member files a written request for a Hearing, the President shall appoint, within thirty (30) days or as soon as is practicable, but not to exceed 45 days, an unbiased Hearing Officer from outside the College to conduct the Hearing.
 - 1) The President shall notify the faculty member and the responsible administrator in writing of the appointment of the Hearing Officer and the name, business address and telephone number of the Hearing Officer.
 - 2) The Hearing Officer shall receive copies of this policy, the statement of charges, the request for a Hearing, and all supporting documents and lists submitted by the responsible administrator and the faculty member.
- vii) Hearing Procedure:
 - a. The Hearing Officer shall establish the date, time, and place of the Hearing in consultation with the responsible administrator and the faculty member, or their respective counsel. The Hearing shall be scheduled and completed within sixty (60) days of the date of the Hearing Officer's appointment.
 - b. The responsible administrator shall have the burden of proving the charges. "Burden of proof" means the obligation to prove that the charges are more probably true than not. The faculty member shall have the burden of proving any defenses that he/she raises.
 - c. Legal counsel for the College may represent the responsible administrator during the Hearing. Legal counsel of his/her choosing at the faculty member's expense may represent the faculty member.
 - d. At least ten (10) days prior to the date set for the commencement of the Hearing, the responsible administrator, the faculty member, and

his/her respective counsel shall meet in person, or via telephone if agreed to by the responsible administrator and faculty member, to agree upon any stipulations of fact that can be submitted to the Hearing Officer and to exchange copies of any exhibits they plan to offer at the Hearing and lists of their respective witnesses, including names, addresses, and a brief statement of each witness's relevant knowledge.

- e. The Hearing shall be recorded. A copy of such recording shall be made available to the faculty member, if requested.
- f. Generally, the Hearing shall be conducted as follows:
 - 1. Opening statement by the responsible administrator or counsel, followed by an opening statement by the faculty member or counsel;
 - 2. Presentation of evidence, through direct testimony or exhibits, by the responsible administrator;
 - 3. The faculty member shall have the right to object to the relevancy of testimony or exhibits, to question the authenticity of exhibits, and to cross-examine all witnesses following their testimony;
 - 4. The responsible administrator and/or the Hearing Officer may then ask additional questions of the witness;
 - 5. Presentation of evidence, as described above, by the faculty member with the same rights as outlined above for the responsible administrator; and
 - 6. Summary arguments by the responsible administrator, followed by summary arguments of the faculty member.
- g. Within twenty (20) days or as soon as is practicable, but not to exceed 30 days, after the conclusion of the Hearing, the Hearing Officer shall deliver written findings of fact, conclusions, and a recommendation to the President, the responsible administrator, and the faculty member. The recommendation shall be limited to the Hearing Officer's determination as to whether dismissal or other disciplinary action is warranted.
- h. The President shall determine, within ten (10) days of receipt of the Hearing Officer's report, what disciplinary action, if any, is appropriate based upon the Faculty Review Committee's recommendation, if the faculty member requested review by the Faculty Review Committee, the record of the Hearing, and the Hearing Officer's decision.
- i. If the President determines that there is not adequate cause to dismiss or to otherwise discipline the faculty member, the President shall give written notice of such determination to the responsible administrator, the faculty member, and the Hearing Officer, if there has been a Hearing.
- j. If the President determines that adequate cause exists to dismiss or

otherwise discipline the faculty member and determines what action, if any, shall be taken, the President shall notify the responsible administrator, the faculty member, and the Hearing Officer, if there has been a Hearing.

- i. In the event that the President has determined to dismiss or otherwise discipline the faculty member, the notice shall state the effective date and the cause for the dismissal, or shall state what disciplinary sanction shall be imposed and the cause for such sanction.
 - ii. When the faculty member is dismissed, the member's salary and benefits shall cease on the date stated in the notice of dismissal.
- 8) Appeal: The dismissed or disciplined faculty member may appeal the President's decision to the Board in the manner provided in Section 10, "Grievance Review Policy," in the *Board's Manual of Policy and Procedure*.
- 9) Other Procedural Requirements:
- a. All written documents required by this Section to be served or otherwise delivered to the faculty member shall be hand delivered or sent by first class mail to the faculty member's last address of record with the College personnel office.
 - b. "Days," as used in this Section, shall mean calendar days.

Section 18. Non-Renewal

- c. Non-renewal is the decision of the College not to offer a further appointment to a member of the Probationary Faculty. This Section does not apply to Term Faculty members because the contracts of such faculty members automatically expire by their own terms. A Tenured Faculty member is not subject to non-renewal. A decision not to renew the appointment of a Probationary Faculty member shall not be considered a reduction in force or a dismissal for cause, and no statement of reasons or grounds shall be required or accompany any notice of non-renewal.
- d. A written notice of non-renewal shall be provided by hand delivery or certified mail addressed to the faculty member at the last home address contained in the faculty member's personnel file. Such notice shall be signed by the President and shall state that the President has decided not to offer an appointment to the faculty member after the expiration of his/her current appointment (for first or second year Probationary Faculty holding the rank of Assistant or Associate Professor) or after the expiration of the next appointment (for Probationary Faculty holding the rank of Assistant or Associate Professor in their third or subsequent appointment or for Probationary Faculty holding the rank of Professor in their second appointment). Such notice shall generally be mailed or hand delivered, no later than February 28 of the first appointment term, and no later than March 15 of the second appointment term. Probationary Faculty members in their third or later appointment terms shall generally be provided notice in the above manner no later than March 15 of the appointment term preceding the terminal

appointment. The exact dates of mailing or delivering such notices shall be published from year to year pursuant to Subsection 10j, "The Personnel Action Schedule."

- e. Failure to notify, as specified in Subsection 18b, "Non-renewal" above, shall indicate a decision to reappoint for one academic year. Such failure does not indicate a decision to award Tenure, regardless of a faculty member's years of service.

Section 19. Reductions in Force

a. Due To Financial Exigency

- i) Any Regular Faculty member's employment may be terminated as a result of a Financial Exigency. Such terminations shall be accomplished only as provided in this Section.
- ii) A Financial Exigency is an imminent financial crisis which prohibits, and is reasonably projected to continue to prohibit, the College from continuing its current level of operations, and which cannot be alleviated by less drastic means than a reduction in force. It is determined by an affirmative vote of a majority of the Board, after consultation with the President and the governing body of the Regular and Term Faculty.
- iii) The President, after consultation with the Board, the governing body of the Regular and Term Faculty, and other sectors of the College, shall pursue reasonable alternatives to alleviate a financial crisis before resorting to a recommendation that a Financial Exigency be declared.
- iv) A declaration of Financial Exigency is ordinarily initiated by a formal written recommendation to the Board from the President, but may be initiated by the Board itself. The President's recommendation shall describe the circumstances creating the crisis, all efforts to avoid or alleviate it, and the reasons why a declaration of Financial Exigency appears to be the appropriate alternative. Upon declaration of a Financial Exigency by the Board, the President shall prepare a plan, which may include a Program Reduction and/or Discontinuance, to address the Financial Exigency.
- v) Financial Exigency may result in Program Reduction and/or Program Discontinuance. A Program Reduction is a decrease in the number of faculty members in one or more academic departments (or equivalents), units or programs (majors, minors or options offered by the College). Program Discontinuance is a termination of one or more academic departments (or equivalents), units, or programs (majors, minors or options offered by the College).
 - 1) The Administration and the governing body of the Regular and Term Faculty shall consider the instructional program of the entire College before a Program Reduction and/or Discontinuance resulting from a Financial Exigency is undertaken. The purpose of such consideration

is to establish the priorities for actions necessary to meet the financial crisis. All recommendations should be based upon, and consistent with, educational considerations, and the College mission, goals, curriculum, and program statement.

- 2) After consideration of the instructional program of the College, the President shall submit to the Board a plan for the Program Reduction and/or Discontinuance. Subject to the Board's discretion, the governing body of the Regular and Term Faculty shall have an opportunity to present its views and recommendations directly to the Board, through its representative and within a time schedule established by the Board. If constraints impose time limitations on the planning process, or if the governing body of the Regular and Term Faculty fails to provide its views and recommendations within reasonable time limits set by the Board, the Board may direct the President to implement the plan as submitted, or as modified by the Board, in the absence of advice from the governing body of the Regular and Term Faculty.
- vi) The President, in consultation with the affected departments (or equivalents), should attempt to accomplish required Program Reductions through normal attrition and early retirement. If additional reductions are necessary, the President should consider, but shall not be obligated to, releasing members of the Regular and Term Faculty in the following order: members of the Term Faculty, Regular Faculty on transitional appointments, members of the Probationary Faculty, and members of the Tenured Faculty, respectively. The President should also consider releasing first those of lower rank and less seniority in rank, but shall not be obligated to do so.

b. Not Mandated By Financial Exigency

- i) The employment of any member of the Regular Faculty may be terminated as a result of a Program Reduction or Discontinuance as directed by the Board, the General Assembly, or the Colorado Department of Higher Education.
- ii) Before the employment of a faculty member is terminated as a result of Program Reduction or Discontinuance, the Board may allow the governing body of the Regular and Term Faculty the opportunity to conduct a Program Review, provided such review shall be completed within sixty (60) days of notice to the governing body of the Regular and Term Faculty of the Program Reduction or Discontinuance.
 - 1) A Program Review is an analysis of one or more program areas. It includes an analysis of the impacts of the Reduction or Discontinuance on the role and mission of the College.
 - 2) The recommendations resulting from the Program Review shall be based upon, and consistent with, educational considerations and the

College mission, goals, curriculum, and program statement. These recommendations shall be transmitted to the President and the Board.

- iii) After consideration of the Program Review, the President shall make a formal written recommendation to the Board.
- iv) After review of the recommendation, the Board may direct the President to develop and implement a plan for Program Reduction, Discontinuance, or other action, as it deems appropriate. The President on his/her own initiative, may recommend to the Board a plan for Program Reduction, Discontinuance, or other action. The governing body of the Regular and Term Faculty shall be afforded an opportunity to consult with the President concerning the manner in which any Program Reduction or Discontinuance is accomplished.
- v) The President, in consultation with the affected departments (or equivalents), shall attempt to accomplish required Program Reductions through normal attrition and early retirement. If additional reductions are necessary, the President should consider, but not be obligated to, releasing members of the Regular and Term Faculty in the following order: members of the Term Faculty, Regular Faculty on transitional appointments, members of the Probationary Faculty, and members of the Tenured Faculty, respectively. The President should also consider releasing first those of lower rank and less seniority in rank, but shall not be obligated to do so.

c. Pre-Termination Process

- i) When a Regular Faculty member is recommended for termination as a result of a reduction in force, the President shall notify the faculty member in writing of the proposal to terminate the member's employment. The notice shall be hand delivered or sent by certified mail to the faculty member's last home address in the member's personnel file. The notice shall include the following information: the date on which the termination shall take effect and the member's pre-termination and post-termination due process rights per this Section.
- ii) A faculty member, receiving notice of a proposal to terminate, shall receive pre-termination due process by means of a meeting with the President, or the President's designee, in which the faculty member shall be permitted to state his/her position as to why he/she should not be terminated. Such a meeting shall be held within a reasonable time after the notice is sent, giving the faculty member sufficient opportunity to prepare for the meeting.
- iii) Within ten (10) working days after such meeting, the President, or the President's designee, shall notify the faculty member in writing as to whether he/she will be terminated. Such notice shall be hand delivered or sent by certified mail to the last home address in the faculty member's personnel file. Notices to faculty members who are to be terminated

shall state the effective date of termination and shall notify each faculty member that he/she is entitled to grieve the termination pursuant to the grievance procedure set forth these Personnel Policies. A member declining to grieve the termination may not appeal the termination to the Board.

d. Post-Termination Process

- i) A faculty member terminated under the terms of this Section shall have the right to grieve the termination pursuant to the grievance procedure set forth in these Personnel Policies, except that the process in Section 20e, "Pre-Grievance Process," of the grievance procedure shall not be applicable.
- ii) The Grievance Committee, in considering such grievance, shall be limited to determining whether the President's decision, with respect to the terminated faculty member, was made in conformance with the provisions of this Section or was arbitrary and capricious.
- iii) If the President rescinds the termination of a faculty member, the member shall be reinstated to the member's position with the same rank, salary and benefits as were in effect prior to the member's termination.

e. Reassignment and Services

- i) Before a member of the Regular Faculty is terminated because of a reduction in force, the President shall make reasonable efforts to place that faculty member in another appropriate position within the College.
- ii) Tenured faculty in departments or programs identified for Program Reduction or Program Discontinuance, who are not placed in another appropriate position under section (i), above, shall receive a terminal year of appointment, consistent with the terminal year of appointment provided to Probationary Faculty subject to non-renewal in their third or later appointments. That is, Tenured Faculty whose positions are to be eliminated will receive one additional year of appointment beyond the current year of appointment. Tenured Faculty shall be provided notice no later than March 15 of the appointment term preceding the terminal appointment.
- iii) Members of the Regular Faculty, whose positions have been terminated, shall receive, without charge, the use of the College placement and career counseling services and reasonable staff assistance in maintaining placement files and services for up to three years.

f. Recall and Reemployment

- i) The names of all Regular Faculty members whose positions have been terminated as part of a reduction in force shall be placed on a recall list for three (3) years following the effective date of their termination. Maintenance of the recall list shall be the responsibility of the Provost. A faculty member's name may be removed from the recall list at the request

of the faculty member.

- ii) If additional persons are to be hired to the Regular Faculty during the recall period, the President shall first consider offering a position to qualified members of the Regular Faculty who were released last, and then in reverse order to those released first. The President shall determine the qualifications of the applicants after consultation with the appropriate academic department or unit.
- iii) All offers of recall shall be made, in writing, by the President and sent by certified mail to the faculty member's last known address. It is the obligation of the faculty member to make his/her current address known to the College.
- iv) A member of the Regular Faculty recalled under the procedures set forth in this Section shall have rank and Tenure restored at the time of recall.
- v) The President shall consider offering, to any member of the Regular Faculty who is recalled, the same salary received at the time of termination, as adjusted for any changes in salary and benefits that would have been received had reduction not occurred. However, the President shall not be obligated to make such an offer.

Section 20. Grievances

- a. Persons who can file grievances. Any individual member of the Regular and Term Faculty may file a grievance under this policy.
- b. Actions that can and cannot be grieved:
 - i) A member of the Regular and Term Faculty may only grieve a decision, recommendation or other action of an Academic Administrator or department chair (or equivalent) (referred to in this policy as the “responsible administrator”) that adversely affects the grievant in his/her academic and/or professional capacity. Decisions, recommendations or other actions that do not directly affect a member of the Regular and Term Faculty in such capacity, such as dissatisfaction with a Board or College policy of general application, cannot be grieved. Non-renewals and dismissals are not able to be grieved.
 - ii) To sustain a grievance, it must be shown that the decision, recommendation or other action grieved was unreasonable, arbitrary, capricious, discriminatory, and/or a violation of College policy and procedures.
 - iii) All grievances shall fall within one of the following three classes:
 - 1) Class A
Class A grievances involve complaints only about the following: termination of contractual rights (other than by dismissal or non-renewal), suspension, reduction in force, reduction of salary, or demotion. Class A grievances do not include a decision or

recommendation to discharge a member of the Term Faculty. The burden of proof in Class A grievances falls upon the responsible administrator who made the decision, recommendation or other action being grieved.

2) Class B

Class B grievances involve complaints about decisions, recommendations or other actions, other than those that may be the basis for a Class A or Class C grievance; for example, terms of reappointment, amount of salary, denial of promotion, denial of Tenure, evaluation based upon annual review, violations of academic and intellectual freedom, or assignment of unreasonable workloads. The burden of proof in Class B grievances falls upon the grievant.

3) Class C

A Class C grievance involves a complaint by a member of the Term Faculty that his/her discharge was due to discrimination prohibited under federal or state law or Board policy. The burden of proof in Class C grievance shall fall upon the grievant.

- iv) The College Grievance Officer (“CGO”) shall make the determination of whether a grievance is considered a Class A, Class B or Class C grievance. Upon such determination, notice of this decision will be delivered to the grievant and the responsible administrator. This determination may not be grieved, but may be appealed to the President within five (5) days from the date of notice of the determination. The appeal must be in writing and state the basis for the appeal. The person requesting the appeal shall deliver copies of the written appeal to the other party and the CGO. The CGO and the other party may respond to the appeal in writing, within five (5) days of receiving notification of the appeal. The President shall notify the CGO, the grievant, and the responsible administrator of his/her decision concerning the appeal within ten (10) days of receiving the appeal. The President’s decision may not be grieved.
- v) “Burden of proof” means the obligation a party has to prove that his/her complaint or defense is more probably true than not.
- vi) Decisions, recommendations or other actions involving the dismissal or discipline of members of the Regular and Term Faculty, or other actions that are undertaken pursuant to these Personnel Policies, and for which due process is provided elsewhere in this Handbook, are not able to be grieved under this Section.

a. College Grievance Officer (CGO)

At the beginning of each academic year, a CGO shall be elected by the Grievance Council from the membership of the Grievance Council. The name of the CGO shall be submitted to the Faculty Senate. It shall be the duty and responsibility of the CGO to coordinate and facilitate the grievance process, including the receipt

and processing of all grievances filed under this section, the determination of the class of each grievance, the selection of grievance committees, advising the grievance committees regarding the grievance process and procedure, receiving and distributing the decisions of the grievance committees, maintaining a record of all grievances, and any other things necessary to assure the proper and timely handling of all grievances filed pursuant to this policy. No decision, recommendation or other action by the CGO can be grieved. In the event that the CGO is the grievant, or requests to be recused from a particular grievance, then the Grievance Council shall elect a different CGO to coordinate and facilitate that particular grievance.

b. Grievance Panel and Grievance Committees

The Regular Faculty shall elect twelve (12) members of the Regular Faculty to serve on a Grievance Panel from which shall be selected the grievance committees. Grievance committees are composed of three (3) members, including a Chair. The CGO does not serve on any of the committees. No member of the panel shall have to serve on a grievance committee twice until other members of the panel have served on a grievance committee once.

c. Pre-Grievance Process

i) Unless required by these Personnel Policies for the Regular and Term Faculty to do otherwise: The responsible administrator shall give a member of the Regular and Term Faculty written notice of his/her intention to take any action that could be the subject of a grievance. Such notice shall be delivered to the faculty member not less than twenty-five (25) days prior to taking the action. The notice shall set forth the action to be taken and the effective date of such action. Failure of the responsible administrator to provide the notice prescribed in this paragraph shall not preclude a member of the Regular and Term Faculty from pursuing a grievance. No individual written notice shall be required for actions that affect more than one Regular and Term Faculty member and have been communicated to the Regular and Term Faculty by College or departmental newsletters, email, or similar mass communication.

ii) Before filing a formal grievance under this policy and within fifteen (15) days after the date of delivery of the notice described in paragraph i) above, the faculty member shall give written notice to the responsible administrator of the faculty member's intent to file a grievance, identifying the action to be grieved and the facts and circumstances giving rise to the grievance. In the event that the notice described in paragraph i) above was not delivered, the faculty member, before filing a grievance under this policy, shall give written notice to the responsible administrator of the faculty member's intent to file a grievance within fifteen (15) days of learning of the action to be grieved. The notice of intent must identify the action to be grieved and the facts and circumstances giving rise to the grievance.

iii) Within ten (10) business days after the date of delivery of the notice of

intent to file a grievance, the faculty member and the responsible administrator shall meet to seek a resolution to the grievance and to provide the faculty member an opportunity to provide his/her view of the facts giving rise to the action and/or other information pertinent to the action.

iv) Within five (5) days after such meeting, the responsible administrator shall notify the faculty member, in writing, as to what action he/she has decided to take.

d. Filing the Grievance

i) All grievances must be filed within fifteen (15) days after delivery of the notice required in Subsection e, "Pre-Grievance Process," paragraph iv, above, or within fifteen (15) days of any decision, recommendation or other action not covered by Subsection e.

ii) The grievance shall be in writing and shall contain the following: (1) The name, academic rank and position of the grievant;

1) The name and position of the responsible administrator;

2) A description of the decision, recommendation or other action being grieved;

3) A description of the grievant's efforts to resolve his/her complaint prior to filing the grievance, including the process described in Subsection e, "Pre-Grievance Process," above;

4) A statement of why the action being grieved is unreasonable, arbitrary, capricious, discriminatory and/or a violation of College policy and procedures;

5) A description of how the action being grieved adversely affects the grievant in his/her academic and/or professional capacity;

6) A summary of the evidence the grievant is prepared to submit in support of his/her grievance, including a list of all witnesses and exhibits upon which the grievant intends to rely;

7) A description of the specific remedy sought by the grievant; and

8) Attached to the grievance, copies of the notices required by Subsection e, "Pre-Grievance Process," above, or any other notice(s) of the action and copies of all exhibits listed.

iii) The written grievance shall be filed directly with the CGO and a copy delivered to the responsible administrator.

e. Within fifteen (15) days of receiving the written grievance, the responsible administrator shall file with the CGO, and deliver to the grievant, a written response to the grievance, including a list of all witnesses and exhibits upon which he/she intends to rely and copies of the exhibits.

f. Selection of the Grievance Committee

i) Upon receiving a grievance, the CGO shall randomly select three (3)

persons from the Grievance Panel to serve as the grievance committee for that grievance. The grievant and the responsible administrator may be present at the time of the selection, if they wish. Any person selected whose name appears in the grievance as the grievant, the responsible administrator, or a witness, shall be excluded from the committee and shall be repeated until a committee of three is established.

- ii) Within ten (10) days of receiving the responsible administrator's response, the CGO shall give written notification of the names of the committee members to the grievant, the responsible administrator and the members of the committee. In addition, the committee members shall receive copies of the written grievance and response.
- iii) Any member of the committee may excuse himself or herself from consideration of a grievance when the member reasonably believes they are biased toward one party or the other. The member shall give written notice to the CGO and the parties to the grievance of their decision to excuse themselves within three (3) days of receiving notice of their selection to the committee.
- iv) A party to a grievance may request that any member of the committee be excused from consideration of the grievance on the basis of the member's bias.
- v) A party to a grievance may also request that any member of the committee be excused from consideration of the grievance for good cause. The following shall constitute good cause for excusing a member of the committee:
 - 1) Member has been directly involved with the decision, recommendation or other action being grieved;
 - 2) Member has previously filed a grievance against a party to the grievance;
 - 3) Member has been named in a grievance by any party in the grievance;
 - 4) Member is in a supervisory relationship with a party to the grievance; or
 - 5) Member is a relative of a party to the grievance.
- vi) Being a friend or colleague of a party to the grievance does not constitute good cause for excusing a member of the committee.
- vii) Any request made under paragraphs iv) or v) in Section 20, subsection h, shall be submitted to the CGO in writing within three (3) days of delivery of the notice in paragraph ii). For each committee member the requesting party seeks to have excused, the request shall state why the requesting party believes the committee member should be excused.
- viii) The CGO shall have the sole authority to grant or deny a request to excuse a committee member, and the CGO's decision shall be final, not be

able to be grieved or subject to appeal replaced by the process set forth in Section 20, subsection h, paragraph i). The process set forth in paragraphs i)-vii) shall then be followed, until a committee of three (3) persons has been selected.

- ix) The CGO shall notify the parties and the committee members of the names of the committee members in writing when the final composition of the committee has been determined.

i. Conduct of the Committee

- i) Within ten (10) days of the date they are notified of the final composition of the committee, the committee members shall meet with the CGO to discuss the grievance procedure, select a chairperson, receive copies of the witness and exhibit lists and exhibits, and set a date, time and place for the hearing.
- ii) The chairperson shall preside over all meetings of the committee and the hearing and shall be the sole spokesperson for the committee.
- iii) The committee shall give the parties to the grievance at least twenty (20) days' notice of the date, time and place of the hearing.
- iv) The hearing shall be commenced and completed within sixty (60) days of the date the committee is notified pursuant to Section 20, subsection h, paragraph ii).
- v) The committee shall not investigate the grievance, obtain any documents or information, interview any person, or otherwise seek, obtain or consider any evidence regarding the grievance outside of the hearing described below, except for the written grievance and response.
- vi) The committee may request, through the CGO, the assistance of counsel with its preparation for, and conduct of, the hearing. Such request shall be made to the President for his/her consideration.
- vii) The committee shall at all times respect the privacy and confidentiality of the parties to the grievance and refrain from discussing the issues and evidence presented in the grievance with anyone other than members of the committee, the parties, or the CGO.

j. Committee Hearings

- i) All parties to a grievance shall have the right to have peer or legal counsel present at a grievance hearing. However, any counsel accompanying a party to a grievance hearing is limited to advising his/her client and may not actively participate in the hearing. The grievant shall bear his/her own attorney's fees, if any.
- ii) Hearings may be open or closed, at the option of the grievant. The parties to the grievance may be present in the hearing room throughout the hearing. Only one witness at a time shall be allowed in the hearing room.
- iii) All hearings shall be audio recorded, and the parties to the grievance may

request and receive a copy of the recording.

- iv) The committee chairperson shall preside over the hearing. Decisions on objections to the hearing procedure or the admission of evidence shall be made by a majority vote of the members of the committee.
- v) Any party failing to adhere to the procedures stated in this section or failing to assure that their counsel adhere to these procedures may be excluded from participation in the hearings by a majority vote of the committee. The committee may then proceed with the hearing in the absence of the excluded party.
- vi) The order of the hearing shall be as follows:
 - 1) Statement by the party having the burden of proof;
 - 2) Statement by the other party;
 - 3) Presentation of evidence, either through direct testimony or in documentary form, by the party having the burden of proof;
 - 4) The opposing party shall have the right to object to the relevancy of testimony or written evidence, to question the authenticity of the written evidence presented, and to cross-examine all witnesses following their testimony;
 - 5) The presenting party may then ask additional questions of the witness;
 - 6) Members of the committee shall have the right to ask questions of witnesses called or to the parties during the presentation of evidence;
 - 7) Presentation of evidence, as described above, by the opposing party with the same rights as outlined above for the other party; and
 - 8) Summary arguments by the party having the burden of proof;
 - 9) Summary arguments of the opposing party.
- vii) The committee is under no obligation to consider any witnesses or exhibits not identified at the time the grievance or response was filed, but may do so at its discretion. The only exception shall be if a party could not have known of the witness or exhibit or their relevancy when the grievance or response was filed. If such exception arises, the party seeking to introduce the witness or exhibit must notify the committee chairperson and the other party in writing prior to the hearing.

k. Committee Deliberations

Following the hearing, the committee may deliberate in private to consider the evidence and draft its report, which shall include findings of fact, conclusions and recommendations. The report shall be supported by a majority of the members of the committee.

l. Report of the Committee

Within twenty (20) days of the conclusion of the hearing, the committee shall prepare and deliver to the President its written report, including findings of

fact, conclusions and recommendations, regarding the grievance. Copies of the report shall also be delivered to the grievant, responsible administrator, the CGO, the Office of the Provost, and the President. The Office of the Provost shall maintain a copy of the report as part of the record of the grievance. In addition, copies of all exhibits received at the hearing shall be delivered to the CGO and maintained by the Office of the Provost as a part of the record of the grievance.

m. Decision of the President

The President shall deliver his/her written decision regarding the grievance to the grievant, the responsible administrator, the committee and the CGO within thirty (30) days of receiving the committee's report.

n. Reconsideration of a Grievance

A grievance, once heard, shall not be subject to reconsideration by the Grievance Committee, nor may the President's decision be grieved.

o. Appeal to the Board

A grievant may appeal the President's decision to the Board in the manner provided in Section 12, "Grievance Review Policy," in the *Board's Manual of Policy and Procedure*.

p. Delivery of Notices

All individual written notices required by this section shall be hand delivered or delivered by first class mail. Delivery shall be considered completed when hand delivered to the person or when posted by first class mail to the person's last address of record.

q. Calculation of Deadlines

"Days" as used in this section shall mean calendar days. In calculating deadlines of five (5) days or less, weekends and holidays observed by the College shall not be counted.

Section 21. Appeals to the Board

Appeals to the Board pursuant to these Personnel Policies shall be governed by Section 12, "Grievance Review Policy," in the *Board's Manual of Policy and Procedure*. The current Manual is available in the Office of the Provost.

Section 22. Suspension

- a. The President may suspend a member of the Regular and Term Faculty summarily (i.e., without a formal hearing) for a period not to exceed one academic term, if the President reasonably determines that there is good cause to believe any of the following:
 - i) The continued presence on College grounds of the person would endanger the safety or well-being of the individual or other members of the College community; or
 - ii) The continued functioning of the person in the position would

substantially impair or disrupt the normal functions of the College.

- b. Before a member of the Regular and Term Faculty is suspended, the member shall be afforded an opportunity to discuss the impending suspension with the President to explain his/her position with respect to the proposed suspension.
- c. A suspended faculty member shall have the right to grieve his/her suspension pursuant to the grievance procedure in these Personnel Policies.
- d. Benefits and salary may or may not remain in effect during the term of any suspension.
- e. During the period of suspension, the College shall determine whether further action is required. If no further action by the College is deemed necessary, the record of the suspension shall not be a part of the permanent file of the faculty member.

Section 23. Retirement

- a. A faculty member intending to retire should notify his/her dean (or equivalent) and department chair (or equivalent) in writing of such intent and the date on which retirement shall commence as soon as practicable and should give at least sixty (60) days' notice.
- b. Post-Retirement Employment
 - i) Regular and Term Faculty may be re-employed by the College, following their retirement, on terms consistent with the conditions of their retirement benefits.
 - ii) Post-retirement employment is within the sole discretion of the Provost based on the needs and best interests of the College.
 - iii) Faculty members interested in post-retirement employment shall submit a written proposal to their department chair (or equivalent), their school dean (or equivalent), and the Provost. Such written proposal shall be submitted at least one year in advance of the proposed retirement date.
 - iv) The terms of any post-retirement employment (including work-related responsibilities and rights) shall be established by a written agreement between the faculty member and the President.
- c. Faculty members on post-retirement employment shall be considered Visiting Faculty, but shall retain the academic rank held at the time of their retirement and the privileges associated with that rank.
- d. Salary and Benefits for Post-Retirement Employment
 - i) A faculty member's rate of pay for post-retirement employment during the year immediately following retirement shall be at least at the same level as his/her full-time base salary at the time of retirement; any employment beyond the first year shall be negotiated between the retiree and the appropriate College supervisor.
 - ii) The College shall have no obligation to provide life insurance, health insurance, disability insurance, leave, or other benefits to faculty

members on post-retirement employment.

- e. In the event of a financial exigency or program reduction or discontinuation, faculty on post-retirement contracts shall not be given the same protections given Regular Faculty by these Personnel Policies.

Section 24. Sabbatical, Military and Other Leave

a. Sabbaticals or Leaves of Absence for Professional Improvement

- i) Only tenured Members of the Regular Faculty may apply for sabbaticals upon the completion of six (6) academic years of service at the College, not including time spent on previous leaves, with or without pay. The Board may award such leaves of absence on a discretionary basis for one-half year (one term) with full current salary or for a whole year (two terms) with half current salary. The number of sabbaticals awarded each year will be limited to the College financial resources available for such use. Once a member of the Tenured Faculty is awarded a sabbatical, he/she may apply for another sabbatical during or after an additional six (6) academic years of service. A member of the Tenured Faculty, who is awarded a sabbatical, and who fails to achieve the professional goals for the sabbatical, is ineligible, except under unusual circumstances, for subsequent sabbaticals. (revised and approved April 2, 2010)
- ii) Applications for sabbatical leave shall be submitted to the President through the appropriate dean (or equivalent) and the Provost one (1) calendar year in advance of the date the sabbatical is to begin. The application must state the professional goals to be achieved on a sabbatical and the plan or program for achieving these goals.
- iii) A sabbatical leave shall not have as its primary purpose financial gain for the faculty member. Financial support from sources other than the College may be obtained for income replacement and for additional expenses related to the sabbatical project, including travel, materials, supplies, and living expenses away from home. Faculty members are encouraged to pursue opportunities for such supplemental support.
- iv) The Board may grant sabbaticals upon the recommendation of the President after consultation with the Provost and the appropriate dean (or equivalent) and department chair (or equivalent). Each application is decided upon its individual merits, with consideration of the following: the professional goals to be achieved; the program planned for the sabbatical; the benefits to the applicant, to the College and to the students of the College; the ability of the applicant's academic school, department or other unit to make satisfactory adjustments during the period of absence; and the character of the applicant's service.
- v) Sabbaticals are normally granted in recognition of the benefit to the College of facilitating independent study, research, and creative activity among Regular Faculty. The Board may make exceptions if formal advanced study shall promote the interest of the College.

- vi) A report of the activities undertaken on a sabbatical and the professional goals achieved on the sabbatical is to be submitted to the appropriate dean (or equivalent) and to the Provost within two months of completing a sabbatical.
- vii) Sabbaticals are granted on the express condition that the recipient shall return to the service of the College for a minimum period of one (1) academic year, or reimburse the College for the full amount of the salary, benefits and retirement contribution paid by the College for the period of the sabbatical. To be eligible for a sabbatical, a faculty member must sign a written notice agreeing to the conditions set forth in this paragraph.
- viii) The Office of the Provost shall maintain a record of all sabbaticals granted and denied and shall keep a record of such other information relating to sabbaticals as is required by state law. Upon request, such records shall be made available as required by state law.

b. Leaves of Absence Without Pay

Such leaves may be granted to members of the Regular Faculty by the Board upon the recommendation of the President of the College. Applications shall be submitted to the President through the appropriate dean (or equivalent) and the Provost. Each application is decided upon its individual merits, after consideration of the advantages and disadvantages to the College. Ordinarily, such leaves shall not be granted for a period of more than one (1) year.

c. Military leave

The College complies with federal and state law governing military leave. A copy of the current policies governing such leave is available from the College Office of Human Resources/Equal Opportunity.

Section 25. Family and Medical Leave

a. General

Full-time members of the Regular and some Term Faculty may be granted up to 75 working days of paid family and medical leave per fiscal year, if the faculty member provides documentation from a health care provider that such leave is necessary due to an injury or diagnosed medical condition. The documentation shall satisfy the certification criteria set forth in Section 25, subsection a, paragraph ii) below.

i) Notice

If the leave is foreseeable based on planned medical treatment, then the faculty member shall give at least 30 days' notice before the date his/her leave is scheduled to begin or such notice as is practicable if the date of treatment requires the leave to begin in less than 30 days. In either event, subject to the approval of the faculty member's health care provider, the faculty member shall make a reasonable effort to schedule the treatment so as not to unduly disrupt the operations of the College.

ii) Certification

- 1) A faculty member who requires leave shall furnish a certificate from his/her health care provider stating: (i) that the faculty member is unable to perform the functions of his/her position; (ii) the date on which the medical condition commenced; (iii) the probable duration of the condition; and (iv) the appropriate medical facts within the knowledge of the health care provider regarding the condition.
- 2) The College may require faculty members on leave to provide recertification of the foregoing matters on a reasonable basis.
- 3) A faculty member who seeks to return to work following four (4) or more consecutive calendar weeks of short-term disability leave shall furnish the College with a certificate from his/her health care provider stating that the faculty member is able to resume work.
- 4) The certification requirements of this subsection shall be construed and applied in accordance with the Rehabilitation Act of 1973 and the Americans with Disabilities Act.

iii) Intermittent or Reduced Schedule

Use of family and medical leave on an intermittent or reduced schedule basis shall require the agreement of the College and shall, in any event, be limited to one term. If a faculty member requests family and medical leave on an intermittent or reduced schedule basis, he/she shall furnish the additional certification required by the Family and Medical Leave Act (the "FMLA").

iv) Accrual and Carryover

Family and medical leave does not accrue throughout the year. A faculty member on family and medical leave, at the close of the fiscal year, may use the remainder of his/her unused family and medical leave in the new fiscal year for consecutive workdays missed due to the same medical condition or event. A faculty member will not be granted family and medical leave for the next fiscal year until the faculty member returns to work following certification by his/her health care provider that the faculty member is able to resume work.

v) Family and Medical Leave Act

Any paid leave under this section shall run concurrently with any leave to which the faculty member is entitled under the Family and Medical Leave Act (the "FMLA") and shall not extend the leave time to which the faculty member is entitled.

b. Maternity Leave

Pregnant faculty members may use family and medical leave for pregnancy, childbirth and related medical conditions upon the same terms and conditions that faculty members use such leave for other medical conditions and subject to the same certification and notice requirements.

c. Family Leave

A faculty member may use up to 20 work days of paid family and medical leave granted by this Section for the purpose of caring for his/her newborn or newly adopted child or for a sick child, parent, spouse or other member of the faculty member's household who relies on the faculty member as his/her primary care-giver. Family leave beyond the 20 days shall be taken as unpaid FMLA leave.

- i) Certification. A faculty member requesting to use family and medical leave for the purpose of family leave shall furnish the certifications required by the FMLA for family leave.
- ii) Notice. If the family leave is foreseeable based on the birth or adoption of a child or planned medical treatment, the faculty member shall give at least 30 days' notice before the date the leave is scheduled to begin or such notice as is practicable if the date of treatment requires the leave to begin in less than 30 days. In either event, subject to the approval of the family member's health care provider, the faculty member shall make a reasonable effort to schedule the treatment so as not to unduly disrupt the operations of the College.

d. No Pay for Family and Medical Leave upon Termination

A faculty member whose employment by the College is voluntarily or involuntarily terminated shall not be entitled to any compensation whatsoever for unused family and medical leave.

e. Part-time Faculty

Faculty members who have a full academic year contract for 0.50 Full Time Equivalency (FTE) or more will be eligible to receive pro rata family and medical leave benefits.

Section 26. Study Privileges

A member of the Regular Faculty shall be entitled to enroll in courses offered by the College under the terms and conditions stated in the *Fort Lewis College Business Policies*. The *Fort Lewis College Business Policies* is available from the Office of the Provost.

B. LEGAL AND BOARD REQUIREMENTS

Section 1. Code of Ethics and Conflict of Interest

Each member of the Regular and Term Faculty shall comply with the following laws, orders and policies relating to standards of conduct, ethics, and conflict of interest, as they may be revised, amended or reenacted from time-to-time:

- a. Section 24-18-101, *et seq.*, Colorado Revised Statutes, Code of Ethics;
- b. Section 24-18-201, *et seq.*, Colorado Revised Statutes, Proscribed Acts Related to Contracts and Claims;

- c. Executive Order by the Governor, D 001 99, dated January 15, 1999, Executive Department Code of Ethics, (Board Manual of Policies and Procedures, Appendix II-C); and
- d. *Board's Manual of Policy and Procedure*, Section 2, Code of Ethics, Conflict of Interest, and Related Obligations.

Section 2. Family and Medical Leave

The provisions of the FMLA Act are recognized and implemented by College Policy 4-17, "Faculty and Exempt Staff Family [and] Medical Leave," as it may be revised, amended or reenacted from time-to-time.

Section 3. Students' Evaluations of Teaching

- a. Students will evaluate the course and the Instructor for every class section taught at the College.
- b. In addition to questions on the standard, college-wide evaluation forms, departments or individuals, in consultation with the appropriate dean, may add questions specific to a department, discipline, or course.
- c. Student evaluations of teaching are never the sole measure of an instructor's teaching performance.
- d. In conjunction with other measures or evaluations, student evaluations of teaching are used to assess the teaching performance of members of the faculty.
- e. In conjunction with other measures or evaluations, student evaluations of teaching are used to improve teaching performance.
- f. Student evaluations of teaching are private personnel documents. Only individuals with a need to know in the context of regular performance evaluations shall have access to a faculty member's student evaluations of teaching.

PART III. ACADEMIC POLICIES

Section 1. Academic Integrity by Students

Policy Title: Academic Integrity

Policy Summary: This policy presents the Fort Lewis College academic integrity standard and the policies and procedures for reporting, adjudicating, and recording instances, events, or behaviors that violate this standard.

Effective Date: August 17, 2016

Policy Statement

Section I. Standard

1. Students must conduct themselves with academic integrity. In particular, students must not commit acts of academic dishonesty like cheating or plagiarism. This standard applies to courses taken on campus or off campus and all types of instruction, including face-to-face, hybrid, or fully online. This standard also applies to every course type, including but not limited to lecture and laboratory courses, and includes unethical behavior outside of particular courses that affects grades, academic placement, or academic standings.

Section II. Reporting

1. All faculty will report, without fear of programmatic, departmental, or institutional repercussions, those instances, events, or behaviors which violate the standards of academic integrity as set forth in this policy. Furthermore, only faculty are allowed to file charges of academic dishonesty.

Section III: Adjudicating

1. All hearings to adjudicate charges of academic dishonesty are conducted by the Academic Standards Committee. The Academic Standards Committee is composed of eight faculty members appointed by Senate Executive Committee and members from relevant administrative offices or other academic departments as needed.

2. Any of the following conditions are sufficient to trigger a hearing with the Academic Standards Committee:

- i. A student charged with academic dishonesty requests a hearing.
- ii. A student is charged with academic dishonesty after previously having admitted to, or been convicted of, an instance of academic dishonesty.
- iii. New evidence is discovered concerning a case previously adjudicated by the Academic Standards Committee.

Section IV: Record Keeping

1. All reports of academic dishonesty will remain in a confidential file. This file will be accessible only by the student and school officials with a legitimate educational interest in the information.
2. Both the student and the reporting faculty member will be notified of a conviction of academic dishonesty.
3. Neither mere charges nor first convictions for academic dishonesty will be marked on a student's transcript.
4. All convictions of academic dishonesty after the first conviction will be marked on a student's transcript as either "probated for academic dishonesty," "suspended for academic dishonesty," or "expelled for academic dishonesty." The mark of "probated for academic dishonesty" will be removed upon graduation. "Suspended for academic dishonesty" or "expelled for academic dishonesty" will remain on the student's transcript permanently.

Section V: Appeals

1. In-class consequences of academic dishonesty are not appealable, but grades for courses are grievable as outlined in Part III, Section 2 of the Faculty Handbook.
2. Charges of academic dishonesty are not appealable. However, a student may request a hearing to dispute any charge of academic dishonesty.
3. A first conviction for academic dishonesty is not appealable.
4. Any conviction of academic dishonesty beyond the first may be appealed to the Provost or Provost's designee.
 - A. The Provost or Provost's designee may not consider new evidence but may only evaluate the case based on the original evidence presented to the Academic Standards Committee. However, if there is substantial new evidence, a student may request that a case be re-considered (see the Procedures section, below).
 - B. The Provost or Provost's designee may overturn the conviction and/or sanction for academic dishonesty.

Reason for Policy

Honesty in academic matters is of vital concern to all members of the college community. Academic fraud or dishonesty by a student devalues the accomplishments of other students, threatens the integrity of the college, and undermines the College's educational mission.

Definitions

Academic Dishonesty: Any form of unethical or illegal behavior that affects a student's grades, academic placement, or academic standing.

Academic Hold: A restriction prevents future registration, and prevents the dissemination of an academic transcript.

Charge: A report of academic dishonesty formally filed with the relevant authorities.

Cheating: Providing unauthorized materials, using unauthorized materials, or receiving unauthorized assistance during an examination or other academic exercise. Examples of cheating include: permitting another student to copy one's work, copying the work of another student during an examination, taking an examination for another student, impersonation of another student for academic reasons, possessing unauthorized notes, and collaborating with another student during an academic exercise when prohibited by the instructor.

Conviction: A determination by the relevant body that an act of academic dishonesty has occurred. A conviction can only be made following a charge.

Delayed Suspension: A student is permitted to finish any course currently underway but then prohibited from registering for courses or attending courses for a period of time no less than the subsequent semester and no more than one year.

Faculty: All probationary, regular, and term faculty as defined in the Faculty Handbook.

Immediate Expulsion: A student is administratively withdrawn from any course currently underway and then prohibited from registering for courses or attending courses in perpetuity.

Immediate Suspension: A student is administratively withdrawn from any course currently underway and then prohibited from registering for courses or attending courses for a period of time no less than the subsequent semester and no more than one year.

Plagiarism: The presentation of someone else's ideas, words, or material, including visual or aural material, as one's own, without properly indicating by footnote or some other appropriate form of citation the source or origin of the material, regardless of intent. Other authors' ideas, interpretations, and words are their personal and legal property. In the event that one wishes to use such material, one is required to give full credit to the original source. This also includes material that is paraphrased from another source or person. Plagiarism may be avoided by acknowledging, through some standard procedure, the sources for the ideas and interpretations as well as quoted phrases, sentences, or paragraphs. No matter the source of material used, whether quoted or paraphrased, acknowledgment of the source is required. Failure to give credit is plagiarism.

Probation: A student is permitted to continue as a degree-seeking student with the ability to register for classes on the condition that the student is not convicted of a further instance of academic dishonesty. If a student is convicted of academic dishonesty while on probation, the student will either be immediately suspended or immediately expelled.

Students: All students enrolled at the college, including undergraduate and graduate, degree-seeking and non-degree seeking.

Suspension: A block preventing a student from registering for or taking classes for a determinate period of time.

Procedures

Section I: Procedures for Identifying Academic Dishonesty

1. Instructors may use any legal and ethical method for the identification of academic dishonesty, including the use of plagiarism detection software.
2. Instructors must immediately provide the student with notice concerning any allegations of academic dishonesty. This should be done in writing by email (with delivery receipt) and becomes part of the confidential file related to the allegations of academic dishonesty.
3. Instructors must then offer the student an opportunity to meet to discuss the allegations of academic dishonesty.

Section II: Procedures for Record Keeping

1. Only faculty may report a case of academic dishonesty. Accordingly, proctors, testing center staff, etc., must provide all evidence of academic dishonesty to the relevant faculty member, who will then make a decision about reporting putative acts of academic dishonesty.
2. Faculty should report an act of academic dishonesty through the online form accessible from the learning management system (LMS). At a minimum, this report should include a copy of the relevant syllabus, a copy of the assignment, the work submitted for the assignment, and the response of the student (if any) to the charge of academic dishonesty. The instructor may add anything else deemed relevant.
3. Reports submitted through the online form will be received by the Provost or Provost's designee and added to a confidential file maintained by the Provost or Provost's designee.

Section III: Procedures for Adjudicating

1. Notifying the Student

A. If the student does not have a prior conviction of academic dishonesty when the report is received by the Provost or Provost's designee, the student will be notified by email (with delivery receipt) of the charge of academic dishonesty and asked to schedule a meeting with the Provost or Provost's designee as soon as possible, but no later than within 30 days of the receipt of the email. The email notification will be sent by the administrative assistant for the Provost or Provost's designee but will bear the signature of the chair of the Academic Standards Committee.

b. If the student does have a prior conviction of academic dishonesty when the report is received by the Provost or Provost's designee, the charge will be adjudicated in a hearing with the Academic Standards Committee. In this case, the student will be notified by email (with delivery receipt) of the charge of academic dishonesty and asked to schedule a hearing with the chair(s) of the Academic Standards Committee as soon as possible, but no later than 30 days of

the receipt of the email. The email notification will be sent by the administrative assistant for the Provost or Provost's designee but will bear the signature of the chair of the Academic Standards Committee.

2. Meetings with the Provost or Provost's Designee

A. All meetings are scheduled by the Provost's office.

B. All meetings are private and not open to the public.

C. The Provost or Provost's designee will determine the duration, order, and procedures of the meeting.

D. Failure to appear at the meeting will result in an academic hold being placed on the student's record. This hold will not be lifted until the meeting with the Provost or Provost's designee has occurred.

E. At the meeting, the student will review and sign an Academic Integrity Form and indicate whether he or she accepts or disputes the charge of academic dishonesty.

i. If the student accepts the charge, this constitutes a first conviction of academic dishonesty and the meeting is concluded.

ii. If the student disputes the charge, the student will be asked to schedule a hearing with the chair(s) of the Academic Standards Committee as soon as possible, but no later than 30 days after the meeting with the Provost or Provost's designee.

iii. The original Academic Integrity Form will be kept in the student's file.

3. Hearings with the Academic Standards Committee

A. All hearings are scheduled by the chair(s) of the Academic Standards Committee.

B. All hearings are private and not open to the public.

C. All hearings will be audio recorded.

D. The student has the right to present additional information, respond to the charges, explain his or her conduct, and defend against charges of academic misconduct. This may include the presentation of additional witnesses during the hearing. The student may also ask questions relevant to the case. The student is allowed to have one support person attend the hearing, but this person may not participate in the proceedings. If the student chooses legal counsel as the support person, the student must inform the chair(s) of the Academic Standards Committee at least 3 days prior to the hearing so that Fort Lewis College legal counsel may be scheduled to attend.

E. The chair(s) of the Academic Standards Committee will determine the duration, order, and procedures of the hearing. This includes the right to remove students or their guests who refuse to comply with the procedures or rulings of the Academic Standards Committee. The chair(s) of

the Academic Standards Committee may also request information from others or request others with knowledge about the incident to be present at the hearing. When additional information collected is not legally protected for privacy reasons (e.g. FERPA), the additional information will be placed into the student's confidential file where the student may access it.

F. Failure by the student to appear at the meeting will result in the Academic Standards Committee adjudicating the case based solely on the evidence in the student file.

G. After hearing all evidence, the Academic Standards Committee will evaluate the evidence and decide, by majority vote of those present, whether the evidence supports or fails to support the charge.

i. If the preponderance of the evidence supports the charge of dishonesty, the Academic Standards Committee will vote to convict.

ii. If the charge of dishonesty is not supported by the preponderance of evidence, the Academic Standards Committee will vote against conviction.

H. If the conviction is for a first offense, the hearing is concluded and the student is informed of the outcome (but not the rationale) of the hearing.

I. If the conviction is for any offense beyond the first, the committee will then decide, by a majority vote of those present, which of the available sanctions will be applied, and the hearing is concluded and the student informed of the outcome (but not the rationale) of the hearing.

j. The student will be notified by email (with delivery receipt) of the decision of the Academic Standards Committee within 7 days of the hearing. A copy of the decision will be included in the confidential file maintained by the Provost or Provost's designee indicating that the student was charged but not convicted or charged and convicted of academic dishonesty. If a sanction was imposed, that information will also be included in the student's confidential file.

4. Request for Reconsideration

A. If there is new evidence relevant to a case of academic dishonesty previously adjudicated by a hearing with the Academic Standards Committee, the student in question may request a new hearing with the Academic Standards Committee to present that evidence by contacting the relevant chair(s) with a written request for reconsideration.

B. The determination of what qualifies as new evidence such that a case of academic dishonesty should be reconsidered lies with the chair(s) of the Academic Standards Committee.

Section IV: Procedures for Recording

1. If an instructor of record opts to alter a grade in a course because of academic dishonesty, the instructor is required (a) to have informed the class of specific in-course sanctions in the syllabus and (b) to file a charge of academic dishonesty on the online form from the LMS.

2. The Provost or Provost's designee is responsible for maintaining the confidential academic integrity file associated with each student. This file should include all charges, convictions, Academic Integrity forms, and any other relevant documentation.
3. The Provost or Provost's designee is responsible for conveying the outcomes of both meetings and hearings to the student and the instructor of record.
4. The Provost or Provost's designee is responsible for notifying the registrar of convictions of academic dishonesty beyond the first and the determined sanction so that the registrar may mark the student transcript appropriately.

Section V: Procedures for Appealing Academic Dishonesty

1. To appeal a conviction of academic dishonesty, other than a first conviction of academic dishonesty which is not appealable, a student must submit a written petition for appeal to the Provost or Provost's designee within 7 days of the notification of conviction by the Academic Standards Committee.
2. If the Provost or Provost's designee vacates or amends the ruling by the Academic Standards Committee, this decision must be delivered to the chair(s) of the Academic Standards Committee and the student within 14 days of the original notification of conviction to the student by the Academic Standards Committee.

Consequences of Non-Compliance with Academic Integrity Policies and Procedures

1. In-Class Consequences for a Charge of Academic Dishonesty
 - A. If a student commits an act of academic dishonesty within a particular course, the instructor of record for the course has the option, but not the obligation, to alter the grade of the student, provided that the student remains enrolled in the course. The grade change may be assignment-specific or for the course as a whole.
 - B. There are no further in-course sanctions. In particular, an instructor does not have the right to prevent an enrolled student from attending the course meetings.
 - C. The determination of an in-course sanction for academic dishonesty lies with the instructor alone. Neither the Provost nor the Academic Standards Committee can compel the instructor to alter an in-course sanction for academic dishonesty.
2. Campus Consequences for a Charge of Academic Dishonesty
 - A. If a student receives a charge of academic dishonesty and does not schedule the required meeting or hearing within the appropriate timeframe, an academic hold will be placed on the student's account.
 - B. If a student refuses to sign the Academic Integrity Form, an academic hold will be placed on the student's account.

3. Campus Consequences for a Conviction of Academic Dishonesty

A. Sanctions for a first conviction of academic dishonesty

- i. There is no campus-wide sanction for a first conviction of academic dishonesty.

B. Sanctions for a second conviction of academic dishonesty.

- i. Any conviction for academic dishonesty after the first requires one of the following sanctions: probation, delayed suspension, immediate suspension, or immediate expulsion.

Appendix

Academic Integrity Form

I, _____ (name) understand that a charge of academic dishonesty has been made against me by _____ (instructor) in _____ (course number and name) during _____ (academic term).

I have reviewed the Fort Lewis College Academic Integrity Policy and discussed the charge with the Provost or Provost’s designee. I also understand that regardless of whether or not I accept the charges against me, no one can compel the instructor to change any sanctions imposed in the course, including but not limited to, a penalty on the assignment, exam and/or final grade.

I acknowledge that my actions violated the Fort Lewis College Academic Integrity Policy. I understand that a second charge will result in a mandatory hearing before the Academic Standards Committee and, if upheld, a sanction of probation, delayed suspension, immediate suspension, or immediate expulsion will be imposed.

Signature: _____ Date: _____

1.) I deny that my actions violated the Fort Lewis College Academic Integrity Policy and therefore request a hearing before the Academic Standards Committee to review the charge.

Signature: _____ Date: _____

Section 2. Procedure for Academic Grievance Policy

a. Academic Expectations

The freedom to learn depends upon opportunities and conditions in the classroom, on the campus, and in the larger community. The responsibility to secure and respect general conditions conducive to the freedom to learn is shared by all members of the academic community. Students are obligated to exercise their freedom with maturity and responsibility.

i) Student Rights

Students have the right to

- ii) be informed of course requirements;
- iii) be evaluated fairly on the basis of their academic performance (their abilities and skills) as required by a professor as part of a course;
- iv) experience free and open discussion, inquiry, and expression, both in the classroom and in conference;
- v) experience competent instruction and advisement;
- vi) take exception to the data or views presented and reserve judgment about matters of opinion;
- vii) expect protection against a professor's improper disclosure of student's views, beliefs, and political association which may surface as a result of instructing, advising, or counseling;
- viii) expect protection, through established procedures, against prejudicial or capricious evaluation (see Academic Appeals and Academic Grievance Procedures section below).

b. Student Responsibilities

Students have the responsibility to:

- i) inquire about course requirements if they do not understand them or are in doubt about them;
- ii) maintain the standards of academic performance established for individual courses and for programs of study;
- iii) initiate an investigation if they believe their academic rights have been violated. (see Academic Appeals and Academic Grievance Procedures section below).
- iv) learn the content of any course of study;
- v) act in accordance with commonly accepted standards of academic conduct

(see Student Conduct Code).

c. Student Academic Appeals and Academic Grievance Procedures

- i) These procedures should be used to appeal or resolve disputes concerning an academic grade or other academic decision considered by a student to be arbitrary or contrary to College policy. These procedures should also be used to grieve perceived violations of any of the student academic rights listed above. For the purposes of these procedures, a student is someone holding “active” registration status as the time of the alleged violation.
- ii) Before using these procedures or between any of the appeals steps, students are encouraged to seek advice from the Dean of Students and Equal Opportunity Coordinator, 970-382-6977, 230 Miller Student Services.
- iii) Appeals of charges of academic dishonesty follow a different procedure and there are separate procedures for removal of a grade of Incomplete.
- iv) It is the responsibility of the student to initiate the appeals procedure at each step. If the appeal is pursued through Step 3, it is expected that, unless there are unusual circumstances, the request for a hearing by the Student Academic Review Committee will be submitted within 90 days from the last day of the term in which the alleged violation arose. If the student fails to pursue the matter in the manner provided by this policy, after the conference with the department chair/director, or dean(s), if applicable, the original academic decision will be final. The student should bring to the various conferences and to the Student Academic Review Committee hearing all evidence on which he/she intends to rely.

The following procedures outline the steps of the academic appeal and/or grievance process. It is recommended but not required that the student first arrange a conference to discuss the appeal or grievance with the faculty member(s) whose action is addressed in the student’s appeal or grievance. It is expected that all of the parties involved at each step of the appeals/grievance process will make a good faith effort to resolve the issues. (Request for Hearing by Fort Lewis College Student Academic Review Committee Form can be found at the end of Part III Section 3, d)

- 1) Department Chair. In the event that a student feels he/she has not received adequate satisfaction from his discussion with the faculty involved or in the event that a student prefers not to discuss his/her concerns directly with the involved faculty, the student may arrange a conference to discuss the appeal or grievance with the department chair (or equivalent). If the department chair is the involved faculty member, this step may be skipped.
- 2) Dean (or equivalent). In the event there is no department chair in the school or academic unit involved, or in the event the involved faculty member is the department/unit chair, or in the event a student still

feels aggrieved after consultation with the appropriate department chair, he/she may ask for a review by the appropriate dean (or equivalent). If the involved faculty member is the dean (or equivalent), this step may be skipped.

- 3) Student Academic Review Committee. In the event the student is not satisfied with the results of the reviews by the department chair and the dean (or equivalent) he/she may ask for a review committee to be formed. This request shall be in writing to the Provost. A copy of the request form appears at the end of this Section. The Provost, or designee, shall act as chair of the review committee. The committee shall include a faculty member from the department of the involved faculty (other than the chair). Such faculty member shall be chosen by the involved faculty member. The committee shall also include a faculty member (from any department) chosen by the student. The committee shall also include one student member of the ASFLC Student Court. This student is to be selected by the Student Court.

The review must be commenced and completed within 45 days from the receipt of the request for the review. If the review is not completed within this time period, an interim report shall be provided to all the involved parties.

The committee shall interview the involved student and faculty member and any other students and faculty they feel are necessary. Based upon their findings, the committee will determine whether or not the appeal or grievance addresses an action which may be considered arbitrary, capricious or contrary to College policy. If the grievance is dismissed, the student shall be informed in writing of the reasons for dismissal. If desired, the student may request an in-person meeting with the Provost to better understand the Committee's decision; however it must be understood that the decision of the Committee is final. If the grievance is sustained, the Provost will so advise the student and negotiate a resolution of the matter with the involved faculty, department chair and dean. The review by the above committee constitutes the final process in this appeal/grievance procedure.

It is hoped that any concern about academic decisions shall be satisfactorily resolved at a lower level. Approved: May 4, 2005

Section 3. Grades of Incomplete “I”

A grade of Incomplete “I” is a student-initiated grade that must have the Instructor’s approval.

a. Appropriate Circumstances

- i) A Grade if Incomplete is appropriate under the following circumstances:
- ii) The major part of the course requirements has been met;
- iii) The student is unable to complete the requirements in the term in which the course is taken for compelling and unforeseen reasons;
- iv) In the opinion of the Instructor, the student can complete the requirements without repeating the course.

b. Completion of Course Requirements

If the course requirements are not completed within one (1) year after the end of the appropriate term, the Incomplete “I” shall revert to an “F” (see Subsection d., “Grade Point Average,” for the single exception to this change). The dean (or equivalent) of the school (or other academic unit) in which the course is offered may waive, for good reason, the one (1) year deadline upon petition by the student. If, within the time allotted, the student completes the course requirements, the Instructor shall initiate the grade change by filing a Special Grade Report Form.

c. Failing to Complete Course Requirements

An “I” cannot be removed by registering to repeat the course. When the student cannot complete the course material without repeating the course, he/she should not receive an “I”, rather, “W” or “F” would be appropriate.

d. Grade Point Average

A course for which a student has a grade of “I” at the time of graduation cannot be used to satisfy any graduation or major requirement, and is not counted in units attempted or Grade Point Average. In the event that a student graduates prior to removing the “I,” that grade shall remain permanently on his transcript.

REQUEST FOR HEARING BY FORT LEWIS COLLEGE

STUDENT ACADEMIC REVIEW COMMITTEE

Return completed form to Provost's Office, 240 Berndt Hall

Date: _____

Student: _____

Major: _____

Phone: _____

Year in School: _____

FLC Email: _____

Home Address: _____

Faculty Advisor: _____

Involved Faculty: _____

Department/Unit: _____

Nature of Complaint: _____

Signature: _____

Date: _____

Request received by: _____ / _____ / _____
Name Signature Date

Members appointed to Review Committee:

Faculty chosen by student: _____

PART IV. INFORMATIONAL AND ADVISORY STATEMENTS

Section 1. Department chairs (or equivalents)

a. Nominating a Department Chair

A department should convene itself to nominate a chair. In unusual circumstances, the appropriate dean (or equivalent) may convene the department in order for it to nominate a chair.

b. Appointing a Department Chair

i) When a department has nominated a chair, it shall send its nominee's name to the appropriate dean (or equivalent), and he/she ordinarily shall appoint the nominee as department chair.

ii) If the dean (or equivalent) disapproves of the nomination, the dean (or equivalent) shall indicate disapproval by responding to the department within a reasonable time. The dean (or equivalent) and the department shall attempt to resolve the disagreement by the appointment of a department chair satisfactory to both the dean (or equivalent) and the department.

iii) If a choice satisfactory to both dean (or equivalent) and department cannot be agreed upon, the dean (or equivalent) shall appoint the department chair.

c. Evaluation and Removal

i) The department and the dean (or equivalent) shall evaluate annually the chair's service in his/her role as chair.

ii) If serious problems or conflicts arise between a department and its chair, the dean (or equivalent) shall try to resolve the conflict.

iii) The dean (or equivalent) may remove a department chair before the expiration of the chair's term of office.

iv) If a chair is removed from the office of chair before his/her term is completed, a new chair shall be nominated and appointed following the procedure above.

d. Determination of Duties and Compensation

The appropriate dean (or equivalent) shall determine the term of office, responsibilities, and compensation of chairs, after consultation with the Regular Faculty of the school or academic unit.

Section 2. Posthumous Degree

Such a degree is an honorary degree awarded to a deceased student.

a. Recommendation and Award of Degree

The Regular and Term Faculty may recommend the award of a posthumous degree to the Board. A department (or equivalent) may initiate the request for such recommendation after determining that a deceased student would likely have completed the College's requirements for a degree at the end of the academic year or trimester in which he/she died. The Registrar shall determine whether the student meets graduation requirements prior to the Regular and Term Faculty's recommendation. The Board may award a posthumous degree.

b. Presentation

The certificate of the posthumous degree shall be presented to the immediate next of kin. The certificate of degree shall contain the words "Posthumously Awarded." The student's name shall appear on any list that would comprise his graduating class.

Section 3. Search Committees for Academic Administrative Officers

The following procedures are guidelines for the establishment of search committees for all senior level Academic Administrators of the institution, including the dean (or equivalent) and the Provost:

a. Responsibilities

- i) To formulate, in consultation with the appropriate administrator, qualities desired of candidates for the administrative position;
- ii) To comply with affirmative action policies and procedures;
- iii) To complete the reporting forms required by the Office of Human Resources/Equal Opportunity;
- iv) To publicize the position to be filled;
- v) To screen applications for the position in accordance with the formulated qualifications and the Affirmative Action Plan of Fort Lewis College;
- vi) To interview the best qualified candidates and to provide means for the college community to interview the candidates; and
- vii) To recommend to the appropriate administrative officer(s) a non-prioritized list of best qualified candidates.

b. Composition

- i) The Search Committee for selecting the Provost shall consist of the following:
 - 1) Three (3) members appointed by the President of the College (two

- (2) faculty members and one (1) student, selected in consultation with student government);
- 2) One (1) faculty member, each elected from, and by, the Regular Faculty of each school of the College.
- ii) The Search Committee for selecting each Academic Dean (or equivalent) shall consist of the following:
 - 1) One (1) faculty member appointed by the Provost;
 - 2) Four (4) faculty members elected at large from, and by, the Regular Faculty of the school choosing a new dean (or equivalent);
 - 3) One (1) faculty member, each elected from, and by, the Regular Faculty of each school not choosing a new dean (or equivalent); and
 - 4) One (1) student member appointed by the Provost.

c. Chairmanship

The Provost or the President, in consultation with the Search Committee, shall appoint the chair for each search.

Section 4. Honorary Degrees

The Board of Trustees may issue honorary degrees. Their current policy may be reviewed by consulting the *Board of Trustees Manual of Policy and Procedure*.

PART V. FACULTY SENATE POLICY FOR PROPOSING AMENDMENTS TO PARTS II-V

Part I (Faculty Governance) of the Faculty Handbook is not included in this section because the procedure for amending Part I (Faculty Governance) is described in Article V of Part I (Faculty Governance). As stated in the PREFACE of the Faculty Handbook, any changes to Part I shall be subject to review by the Board, and the Board may veto any changes approved by the Faculty. Amendments to Parts II (Personnel Policies), III (Academic Policies), IV (Informational and Advisory Statements) and V (Amendment Policy) may be proposed by any member of the Faculty, Administration or Board. Any such proposal must follow the procedure outlined below:

1. If the proposer is from the Faculty, the proposer must consult with and obtain tentative approval from the Provost (or the Provost's designee).
2. The proposal is submitted to the Senate Executive Committee for inclusion on the Senate agenda. The proposal should include a proposed date of when the changes would become effective (as examples, "at the beginning of the academic year following approval" or "immediately upon approval by the Board").
3. Voting on a proposed amendment cannot take place earlier than the next regular meeting after the one in which it was first presented. Voting in the Senate on the proposed amendment will be by a voice vote, unless a secret ballot is requested by any member of the Senate. A two-thirds majority of the Senate will be necessary for approval.
4. After approval by Senate the proposal will be sent to administration for review. The Provost will seek legal counsel as needed.
5. The proposal will return to Senate for final review. A two-thirds majority of the Senate is required for approval.
6. If approved by the Senate, the proposal will, by default, be sent to the full faculty for a vote unless two-thirds of the Senate vote that a full faculty vote is not necessary.
7. A two-thirds majority of those Faculty voting will be necessary for approval.
8. Amendments to Part II (Personnel Policies) and to Part V (Amendment Policy) shall become operative only after the Senate (and Faculty if necessary), the Administration, and Board have approved the proposed changes to these policies and procedures. The Administration will include the proposal in the Board meeting agenda.
9. Amendments to Part III (Academic Policies) and to Part IV (Informational and Advisory Statements) shall become operative only after the Senate (and Faculty if necessary) and the Administration have approved the proposed changes to these policies and procedures. The Senate and the Office of Academic Affairs will work with appropriate administrators to implement the approved changes. These changes require Presidential approval.
10. If the Board (Parts II and V) or President (Parts III and IV) approves the changes, the Corresponding Secretary of the Board and/or the Provost will coordinate with the Director of Human Resources to effect the changes and post the revised Faculty Handbook.