



Suffolk University

Faculty Handbook

2018

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Overview of Handbook

This University Faculty Handbook contains policies and procedures that govern the relationships between faculty members at Suffolk University. Its broader purpose is to foster transparency in all areas of governance shared by the faculty and Suffolk University. The handbook promotes the work and development of faculty members who in turn create and deliver the excellent education our students demand and deserve the research and scholarship necessary to the evolution of their field, and the service to the University and community necessary for the positive evolution of the institution.

This University Faculty Handbook facilitates the work of an engaged faculty working together with a supportive administration. It creates a system of fair, interdependent, and shared governance between faculty and the administration, which in turn will benefit the students. Both faculty and administrators accept the responsibility of governing for the good of the students, the faculty, and the University as a whole.

The University Faculty Handbook guides the development and implementation of school specific policies. Should there be a conflict between the policies of the school and those in this document, the University Faculty Handbook governs. The Handbook does not create any obligations or rights for faculty who are appointed in one school in the specific policies or procedures of another school.

Section One – Introduction

Suffolk University is a talent catalyst that recognizes and develops student potential. Leveraging our location in the heart of Boston, our faculty, staff, and alumni work together to provide a student-centered experience. Across the university, faculty, staff, alumni and lay professionals utilize their skills and experience to promote students' education and empowerment. This diverse community builds on its dedication and excellence in teaching and scholarship to empower graduates to be successful locally, regionally, and globally. Among the many who work toward graduates' success, the faculty actively lead those curricular, research, and institutional efforts, ensuring student success. Understanding that special role, the faculty at Suffolk University is organized around the core identity of the teacher-scholar.

The faculty fosters excellence in teaching and scholarship across multiple academic domains. To do so, each faculty member:

- 1) is student oriented, providing an excellent education by communicating knowledge and/or skills through the use of the most effective teaching strategies yielding the best student learning outcomes;
- 2) honors the academic freedom of others;
- 3) investigates, researches and creates new knowledge and skills that are tested in the marketplace of ideas;
- 4) educates students about, and seeks to provide graduates with, the qualities that will provide life-long opportunities to succeed and excel;
- 5) is an important member of the Suffolk University community and works collaboratively with administrators to articulate, implement, constantly improve, and promote the mission of the University;
- 6) acts as a member of a learned profession to uphold the ideals of the profession and to model the academic's role within the framework of professional autonomy; and
- 7) is encouraged to speak out, free from institutional censorship while remaining accurate, restrained, and respectful of other opinions.

Section Two – Governance and Organization

Suffolk University is committed to a model of shared governance. This model recognizes that the University administration, program directors, Deans, Department Chairs, and the Faculty each has a legitimate and necessary role in formulating and evaluating academic and administrative policies and in participating in those processes. The Faculty shares responsibility for the implementation of the academic mission of the university. The Faculty also shares responsibility for the creation, implementation, and resolution of policies and issues that relate to academic freedom; Faculty governance; professional ethics; standards and responsibilities; curriculum; Faculty status; assurance of learning; academic program creation and review; and those aspects of student life that relate to the educational process. In order for the Faculty to adequately fulfill that role, Department Chairs, Deans and other administrators should supply appropriate information to the Faculty to aid them in making informed decisions.

Suffolk University recognizes the important role of accrediting associations in shaping the organization and governance of individual schools, departments and programs. Provisions of the University Faculty Handbook must be consistent with the standards set forth by pertinent accrediting agencies, associations and commissions.

A. Organization

Suffolk University is a comprehensive academic institution. The University is comprised of three academic units: the College of Arts and Sciences (CAS), Sawyer Business School (SBS), and Suffolk University Law School.

B. Definitions

1. “Dean” means the CAS dean, the SBS dean or the Law School dean.
2. “Department Chair” means the chair of an academic department in College of Arts and Sciences or the Sawyer Business School or, in the case of the Law School, the Law School academic associate deans \.
3. “Faculty” means all members of each School’s Faculty entitled by appointment to vote on matters, as determined herein and by the faculty policies of the particular School.
4. “Faculty Senate” means the elected Faculty governing body as described in Section 2.C.

5. “School” means the College of Arts and Sciences, Sawyer Business School, and/or Law School,
6. “University Faculty Handbook” means this handbook and any amendment thereof.

C. University Faculty Senate

The University Faculty Senate is structured as provided in its constitution]. It is the recognized representative university faculty body enabling the Faculty of the three schools to participate directly and fully in the shared and transparent governance of the University. It works in close communication and collaboration with the president, provost, Deans, and principal administrators in addressing, discussing and resolving issues of concern to the Faculty and to the University. The Faculty Senate works to implement the mission of the University and aids in the implementation of the University strategic plan. The Faculty Senate also works to unite the Faculty of the three Schools in recommending and promoting policies that it believes are in the best interest of the students, Faculty, and University. The University recognizes the vital role exercised by the Faculty in implementing the educational mission of the three Schools and as such may seek the advice and consent of the Faculty through the Faculty Senate.

In addition, specific duties of the Faculty Senate include but are not limited to:

1. Representing the Faculty of the three Schools in all matters of concern to the Faculty;
2. Initiating and recommending to the president, provost and/or Deans changes in any policy, procedures, practices, or other matters to either the Faculty or to the Faculty Senate;
3. Responding to the president, provost and/or Deans on behalf of the Faculty concerning any changes in policy, procedures, practices, or other matters of concern to either the Faculty or the Faculty Senate;
4. Recommending to the president, provost, Deans, and/or Faculty the creation, formation, or dissolution of certain university-wide standing or ad hoc committees;
5. Establishing any committee of Faculty deemed necessary by the Faculty Senate to study, research, and report appropriate matters to the president, provost, Deans, Faculty, or Faculty Senate;

6. Meeting from time to time with the appropriate Committee(s) of the Board of Trustees at the invitation of that Committee; and
7. Recommending changes to the University Faculty Handbook except such changes that lie within the exclusive province of the administration or of a Faculty Assembly of the College of Arts and Sciences, Sawyer Business School, or Suffolk Law School.
8. Serving on committees and panels as set forth in this Handbook or applicable University policy.

D. School Governance

Each of Suffolk University's Schools pursues its work through a Faculty Assembly, standing committees and other committees. These bodies share governance responsibility with the School and University administration for ensuring the efficient and effective implementation of the School's mission and strategic plan. Specific governance procedures for each school are included in that school's faculty policies and procedures and are not part of this University Faculty Handbook.

For the purposes of this Handbook, "school-specific policies and procedures" refer to the policies and procedures set out in each school's manual, namely the SBS Faculty Governance Manual, the CAS Faculty Manual, and the Law Faculty Policies and Procedures.

Section Three – Faculty Appointments

Faculty appointments are organized into ranks and groups by title. The titles have significance concerning voting, benefits and rights that may or may not pertain to each category or classification. The granting of tenure, further discussed in “Third-Year, Tenure and Promotion Review” (Section Seven) and in school-specific policies and documents, is a separate guarantee that is not implied by any of the titles discussed in this section. The original letter of appointment and each subsequent salary notification or term appointment letter will indicate the term or duration, locus, tenure status, appointment track, title and salary of the appointment. Each School shall have clear statements regarding the expectations for Faculty of each track and title in its school-specific policies and documents.

A. Appointments Generally

Suffolk University recognizes three appointment tracks: tenure-track, professional track, and the instructor track. All other appointments are not on a track and the terms and conditions, rights and responsibilities of those positions are outside the scope of this University Handbook and as such are not covered by this University Handbook.

B. Full-time Ranks and Titles -- Tenure-Track Faculty

The tenure-track is characterized by a limited number of probationary appointments that is followed by either a continuous appointment or a terminal appointment. Each tenure track Faculty member has an obligation to strive for excellence in teaching; in the production of research, creative work and/or professional work; and in leadership in service to their department, School, the University, profession and community.

Tenure is a continuing appointment of full-time employment with duties and privileges as defined under the terms of this University Handbook. Each School and/or department has specific requirements for teaching, scholarship, research, professional activities, creative endeavors, and necessary degrees of a Faculty member. However, the following define the minimal qualifications expected of a Faculty member holding a tenure-track rank.

1. Assistant Professor - An assistant professor generally holds an earned doctorate or other terminal degree deemed appropriate to the position. The Dean, in consultation with the provost and appropriate Faculty members, may determine that a candidate is qualified to hold the position as an assistant professor because the candidate is in the final stages of earning a terminal degree.

2. Associate Professor - An associate professor, in addition to meeting the requirements for appointment as an assistant professor, and having obtained the appropriate terminal degree, must also demonstrate a record of excellence in teaching; in the production of research, creative work, and/or professional work; and an exemplary record of engagement in service at a departmental, School or University level.
3. Professor - A professor, in addition to meeting the requirements for appointment as an associate professor, must exemplify excellence and distinguished achievement in teaching; a continuing record of broadly recognized research, creative and/or professional work; and demonstrate leadership in service contributions to the University and the profession.

C. Full-Time Ranks and Titles – The Professional and Instructor Tracks

The professional and instructor tracks are characterized by term appointments. These term appointments may, in appropriate cases, be followed by presumptively renewable contracts pursuant to the rules within each School as described in the School-specific sections of this Handbook. The professional and instructor tracks are intended to support excellent teachers whose primary responsibility is the education and skills related to the professional life of a student. The professional and instructor tracks offer an opportunity for stability and security to those teachers who excel in professional education as they develop the distinct knowledge and pedagogical base necessary for providing an excellent educational opportunity for students.

1. Professional Track Titles - Those on the professional track may be granted titles customarily associated with full-time tenure-track Faculty. In such cases the title will include modifiers such as 'of skills' or 'of practice' (e.g., "associate professor of business practice").
 - a) Assistant Professor of Skills or Practice - An assistant professor of skills or practice on the professional track generally holds an earned doctorate or other terminal degree deemed appropriate to the position. The Dean, in consultation with appropriate Faculty members, may recommend that a candidate is qualified to hold the position as an assistant professor because he or she is in the final stages of earning a terminal degree or because of significant professional accomplishments that are the equivalent of a terminal degree. An assistant professor of skills or practice rank is reserved for those who receive a one-year term appointment on this track.

- b) Associate Professor of Skills or Practice - An associate professor on the professional track, in addition to meeting the requirements for appointment as an assistant professor, must have a record of excellent teaching and should demonstrate a high level of professional development as evidenced by presentations, research, creative work, and/or professional work and an exemplary record of engagement in service at a departmental, School or University level.
 - c) Professor of Skills or Practice - A professor on the professional track, in addition to meeting the requirements for appointment as an associate professor, must exemplify excellence and distinguished achievement in teaching; a record of broadly recognized research, creative or professional work; and demonstrate leadership in service contributions to the University and the profession.
2. Instructor Track Titles - Titles for instructor track Faculty may include descriptive designations intended to identify the specific contributions and experience that the instructor track faculty brings to the university.
- a) Executive, Scholar or Practitioner in Residence - An in-residence instructor- track Faculty member ordinarily possesses a master's or equivalent degree. The particular focus of the academic efforts of this instructor track Faculty is identified by 'executive,' 'scholar' or 'practitioner.'
 - b) Instructor – An instructor ordinarily possesses a master's or equivalent degree and offers the promise of future achievement in the areas of teaching, research, creative and/or professional activity, and service.
 - c) Senior Instructor - A senior instructor, in addition to meeting the requirements for instructor, must demonstrate a record as an excellent teacher and mentor for at least five years, produce creative and/or professional work, and demonstrate a reasonable level of service to the department, School or University.
 - d) Distinguished Instructor - A distinguished instructor, in addition to meeting the requirements for senior instructor, must demonstrate a record as an excellent teacher and mentor for five additional years, produce reviewed creative and/or professional work, and demonstrate an exemplary level of service to the department, School or University.

D. Additional Titles that Modify Standard Academic Titles

1. Emeritus - This title indicates a position of honor and high regard in the University community. It is conferred upon those who have had a long-term relationship with the University and have been invited to maintain a continuing collegial relationship with the University after retirement as provided in Section Nine.
2. Research - This title is offered to those who fulfill the research qualifications of the professor or instructor ranks. The principal criterion for this title is scholarly productivity and recognition of original work. Research faculty may be eligible to give seminars and teach occasional courses, but such teaching assignment is at the discretion of the department and/or School. This title may only be used for appointments of up to three years, but may be renewed upon a demonstration of continued research and/or scholarship productivity.
3. Visiting - This title is generally offered to an educator who holds an appointment at another institution, but who is on leave from that institution to be at the University. The conditions of their employment are not governed by this University Handbook.
4. Adjunct or Lecturer - An 'adjunct professor' or 'lecturer' is an expert in a special field appointed to give instruction on a part-time or discontinuous basis. The terms of their employment are not governed by this University Faculty Handbook.

E. Faculty Appointments in More than One Unit

1. Affiliated Faculty – Full-time faculty may be granted an Affiliated Appointment¹ at Suffolk University, which is a secondary appointment in another unit, concurrent with and subordinate to their primary appointment within the university. Affiliated appointments recognize a faculty member's teaching, service, and/or intellectual contributions to a secondary unit and make the best use of multidisciplinary scholarship and teaching. This is a formal appointment, which carries rights and responsibilities, as described below.
 - a. Affiliated Units: The secondary unit with which a faculty member can be formally affiliated is an academic entity within the university such as an academic department, center, institute, program or clinic, or the affiliation may be with the Law School, which has no departments. Approval of the affiliated appointment is subject to the appointment process of the larger units that house the entity providing the affiliated

¹ Affiliated appointments differ from Dual Appointments. Dual Appointments are rare, and granted to faculty who hold a primary appointment in two departments at Suffolk University, within or across schools. Dual appointments will be explained in a future section of the Handbook.

appointment. For example, an affiliated appointment in a secondary department requires approval by the school or college housing that department; an affiliated appointment in a center, institute, program or clinic requires approval by the parent department (if applicable) and the relevant school or college. If the entity is not specifically housed by one academic unit, the primary affiliation of the academic entity's director will determine which unit's process will be followed.

- b. Appointment Process: For current faculty requesting an affiliated appointment with a secondary academic unit, the following process shall be used to insure transparency and agreement:
 1. The process may be initiated by the faculty member, or, with the faculty member's approval, by the academic unit seeking the formal affiliation with the faculty member who has a primary appointment in another unit.
 2. The head of the affiliated academic unit is the point of contact and oversees the process and keeps the Dean informed.
 3. The head of the primary academic unit must confirm that the arrangement will be acceptable.
 4. Faculty in the proposed affiliated academic unit will review the faculty member's CV as well as the purpose and expected scope of the possible affiliation. They may request informal interviews if the individual is not already known to them.
 5. Faculty in the department of the secondary affiliation, or in the case of the Law School, the law faculty, must vote and approve of the appointment, subject to the procedures and policies of the affiliated academic unit's School or College.
 6. The Dean(s) review(s) and approve(s) the affiliated appointment, and prepare(s) a notification that should include all details of the affiliated appointment including title, voting rights (if any), and term, and forwards to the Provost.
 7. The Provost reviews and co-signs the notification, which is provided to the faculty member and the heads of the primary and affiliated academic units.
- c. Term: The term of an affiliated appointment should be defined in the appointment process but should not exceed 5 years. Affiliated appointments are renewable by the process above. Affiliated appointments do not confer tenure in another unit.
- d. Title: Faculty with an Affiliated Appointment will have a title reflecting the relationship using a specific format. In the case of the affiliation with the Law School, the school is listed. In most other cases, the department or center shall be used, e.g., "Professor of Sociology; Affiliated Faculty, Law School," or "Associate Professor of Finance; Affiliated Faculty, Economics." Note: Merged titles (e.g., "Professor of Art & Design and Marketing" or

“Assistant Professor of Biology and Psychology”) are reserved for Dual Appointments and should not be used by Affiliated Faculty.

e. Responsibilities and rights of the primary academic unit:

1. Course staffing needs in the primary academic unit take priority over requests by or for a faculty member to teach in an affiliated academic unit.
2. In the event that the primary academic unit cancels a course that was scheduled to be taught by a faculty member holding an affiliated appointment, the head of the primary unit may consult the head of the affiliated unit about teaching assignments that would allow the faculty member to meet their course load obligations.
3. When a faculty member with an affiliated appointment teaches in the affiliated unit, the primary unit shall receive the student teaching evaluations from the affiliated unit. These will be used in evaluations of annual performance, contract renewal, promotion and tenure, in accordance with the normal procedures of the primary academic unit.
4. The primary academic unit may conduct classroom observations of the affiliated faculty member’s teaching in the affiliated unit, consistent with policies for such observations in the primary unit, or may request that these observations be conducted by the secondary unit. The substance of the observation will be communicated to the head of the primary unit.
5. The head of the primary academic unit may request information from the affiliated academic unit regarding the faculty member’s activities such as interdisciplinary scholarship and collaboration, as applicable. This information will be used in evaluation of annual performance, contract renewal, promotion and tenure, in accordance with the normal procedures of the primary academic unit.

f. Responsibilities and rights of the affiliated academic unit:

1. The affiliated academic unit will provide student course evaluations, classroom observations and information about other activities, if applicable, to the head of the primary unit for performance reviews, as described above.
2. In the event that the affiliated unit cancels a course that was scheduled to be taught by an affiliated faculty member, the heads of the two academic units will work together to determine a solution to meet the faculty member’s course load obligations.
3. The affiliated academic unit makes no guarantee that an affiliated faculty member will be assigned to teach any courses, or any specific courses, in any given semester or year.

4. The faculty of the department hosting the secondary affiliation, or, in the case of the Law School, the law faculty, shall determine what role, if any, the affiliated faculty member will have in governance of the unit at the time the affiliation is considered, and this role will be clearly stated in the notice of appointment.

g. Financial Arrangements and Course loads/Overloads: The typical baseline agreement will be that the primary academic unit has full responsibility for a faculty member's salary and that the affiliated academic unit has no financial responsibility for an affiliated faculty member. The heads of the two units may agree in writing that the faculty member may teach part of the annual course load requirements within the affiliated academic unit. Financial arrangements for overload courses must be specified in the affiliated appointment agreement.

h. Process for Granting an Affiliated Appointment at the Time of Hire: In certain cases, an academic unit may have a highly desirable job candidate for whom an affiliated appointment is attractive. In these instances, the hiring process may be modified to allow for discussions with the proposed affiliated academic unit, following the "Appointment Process" described above. The discussion should include which, if any, courses the affiliated faculty might teach, subject to availability and overload considerations. The maximum initial term of an affiliated appointment made during the hiring process is three years.

F. Term or Duration of Appointments

Suffolk University recognizes the following categories of duration or terms of appointments:

1. Continuous Appointment (Tenured) - A continuous appointment is an appointment offered to those who have achieved tenure.
2. Probationary Appointment (Tenure-track) - A probationary appointment is an annual appointment for those Faculty members on the tenure-track that the University may renew each year, for up to six years, at which point tenure must be either granted or denied.
3. Terminal Appointment (Tenure Track) - A terminal appointment is the final appointment issued to a Faculty member for the year following denial of tenure. A terminal appointment is for one year and is nonrenewable.
4. Presumptively Renewable Appointment (Professional and Instructor Track) - A presumptively renewable appointment is a multi-year appointment that will be

renewed unless just cause is shown why it should not be renewed. An appointment is presumptively renewable only if the letter of appointment designates it as such.

5. Term Appointment (Professional and Instructor Track) - A term appointment is a full-time Faculty appointment issued for a specific period of time.

Full-time Faculty members are eligible for year-round perquisites including: office space, technology, appropriate administrative support, and benefits offered through the human resources office.

G. Locus of Appointments

Each Faculty appointment has as its locus the School(s), department(s), and/or program(s) that is stated in the letter of appointment. To be appointed with tenure in any School, a Faculty member must be approved through that School's tenure process. However, at the discretion of the provost, in consultation with the appropriate deans, department chairs and the Faculty member, the locus of a Faculty member's appointment within a School may be changed to meet the curricular and organizational needs of the institution. A Faculty member's locus of appointment at a School can only be changed to another School with that Faculty member's consent.

Section Four - Search for and Appointment of Full-time Faculty

Suffolk University is a diverse community of teacher-scholars working in numerous areas of study, professions and endeavors. These Faculty members work collaboratively with the administrations of their School and the University to create an institution that offers the greatest opportunities and value to students. The Faculty has primary responsibility for the process of recruiting and vetting new hires. Additionally, because each hire represents a potential long-term relationship of mutual responsibilities between the hire and the University, the Deans of each School and the administration of the University also have an interest and role to play in the consideration of new members of the Faculty. The processes adopted by this University Faculty Handbook, and in school-specific policies and procedures, recognize the diverse needs which drive Faculty recruitment in different schools, departments and programs while setting a minimum standard of process that must be afforded candidates in each search.

A. Definitions

1. **Search Committee.** The Search Committee is the group of Faculty members leading the effort to identify and evaluate candidates seeking an appointment to a full-time Faculty position at the University. The Search Committee structure for each school is governed in school-specific policies and procedures.
2. **Applicant.** Applicant refers to someone who applies for an open and advertised position.
3. **Candidate.** Candidate refers to an applicant who is being evaluated or considered by the Search Committee.

B. Equal Opportunity Policy

Suffolk University is committed to providing an environment that advances equal opportunity and is free from discrimination and harassment on the basis of race, color, national or ethnic origin, religion, sex, age, disability, sexual orientation, gender identity, gender expression, genetic information, military or veteran status or any other characteristic protected under applicable federal or state law. This commitment applies to the University's administration of, operation of and access to its academic and non-academic programs, policies and services as well as to its employment policies and practices.

The University prohibits retaliation against individuals who report discrimination or harassment, assist another in reporting a complaint or otherwise participate in an

investigation. Accordingly, acts of discrimination or harassment or retaliation will result in disciplinary action, up to and including termination of employment or dismissal or expulsion from the University.

The University complies with the prohibitions against discrimination on the basis of sex contained in Title IX of the Educational Amendments of 1972 as well as the requirements under the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act.

The University will provide reasonable accommodation to qualified individuals with disabilities to ensure equal access and equal opportunities with regard to employment, educational opportunities, and the University's programs and services.

C. Authorization for a New Position

New positions may be requested from the provost by the respective Deans of the three Schools. The Dean should include in such a request the following information:

1. How the position relates to the University's strategic plan;
2. How the position relates to the immediate needs and long-range goals of the department and/or School;
3. Area(s) of specialization in teaching and/or scholarship;
4. Proposed rank and tenure status of any new hire and the minimum qualifications for the position, rank, and status.

The provost then will either give approval for the creation of all, some or none of the new positions. For each new position approved, the provost will authorize a search for the following academic year.

D. Authorization for a Replacement Position

The Dean of each School will determine if there is a vacancy that needs to be filled. After meeting with the department chair or with a designated Faculty committee, the Dean will develop a list of open faculty position recommendations ranked by need and preference. Subsequently, the Dean will forward the school's list, if any, to the provost along with a justification for each replacement position as described in paragraph C above.

The provost may authorize a search or searches for the following academic year. If an approved position is not searched in the year following approval, the dean must request the position anew during the following spring approval process.

In situations of unexpected need, a Dean may request the provost approve the commencement of an immediate search. However, such a request will only be granted if the need is specific, immediate and impacts the accreditation or primary functions of the School, department or program.

E. Procedures Related to an Approved Search

Although each search may have unique qualities because of applicable accreditation, membership, and professional standards as well as unique departmental or school needs, every search must use a broad range of appropriate sources to identify candidates to ensure the most qualified and diverse pool.

1. **Provost Approval:** The provost will confirm the approval of any authorized search in writing for both new and replacement positions to the appropriate Dean as soon as practicable. In appropriate circumstances, the Dean will forward a copy of that approval to the Department Chair where the Faculty appointment will be located and/or the Search Committee responsible for the search.
2. **Position Description.** The Dean, in consultation with the Department Chair and/or Search Committee, will develop a position description. This position description will list the position responsibilities and the criteria that will be used to evaluate each applicant. The Dean, in consultation with the Department Chair and/or Search Committee, will also develop a list of the publications and the sites where the position description will be posted. The position description for a full-time faculty position must be explicit, objective, and job-related. Each position must, at a minimum, include statements about the following:
 - a. Discipline/sub-field(s), rank, start date, and tenure status;
 - b. Required and/or preferred educational background;
 - c. Required and/or preferred teaching experience;
 - d. Required and/or preferred scholarly experience;
 - e. Deadline for applications and/or the starting date for application review;
 - f. Required recommendations and teaching evaluations, if available; and

- g. The University Equal Opportunity Policy.

The position description for all approved positions, together with a list of the anticipated electronic and print placements for the position announcement, must be sent to the chief human resources officer.

F. Developing the List of Candidates

Before developing a list of potential candidates the Dean, Department Chair, and/or Search Committee will consult with the chief diversity officer of the University regarding outreach and special considerations related to building a diverse applicant pool. The Search Committee will develop a list of potential candidates after reviewing all of the materials submitted by applicants, employing those criteria listed in the published position description. The list that the Search Committee develops will include the name, the current address, and the current place of employment for the potential candidates.

G. Interviewing Candidates

Before any candidate is invited to interview, the Search Committee will establish in writing the procedures for conducting the on or off-campus interviews (e.g., presentation of research, creative work, or professional activities to the Faculty; a classroom presentation; meeting with students; meeting with administrators or staff). The procedures selected by the Search Committee must be applied consistently to every candidate in that search, including internal candidates. Final candidates must interview with a Dean or associate dean before any offer may be conveyed. The interview process must be conducted in accordance with the University Equal Opportunity Policy.

H. The Conclusion of the Search and Offer

Rank by Department or Search Committee. When the candidate interviews are concluded, the Search Committee will determine whether each candidate is acceptable or unacceptable. The Search Committee will then rank their preferences among the acceptable candidates. The results of both the decision regarding whether the candidates are acceptable or unacceptable and the Search Committee's rank as to preference will be forwarded to the Department Chair. The Department Chair will meet with the chair of the Search Committee, and others if appropriate, to develop a final ranked list of acceptable candidates which will be forwarded to the Faculty eligible to vote on the candidate's appointment in the department or School as described in the school-specific policies and procedures.

1. Making an Offer. The Dean or individual delegated to negotiate the offer will meet with the chair of the Search Committee and/or the relevant Department Chair(s), if any, to discuss the process and timing of extending an offer. The conditions of the appointment will be negotiated between the candidate and the Dean based on the guidelines delineated in school-specific policies and procedures. Any offer made to a candidate will be made contingent on the Office of Human Resources receiving a copy of the candidate's official transcript and other represented degrees and certificates directly from the institution that awarded the degree required for the position prior to the start date of employment.

I. Letters of Appointment and Terms of Appointment

Once the negotiation is completed, all details of the resulting agreement will be specified in a letter of appointment. The Dean of the School from which the offer originates will send a letter of appointment to the candidate outlining the term or duration, locus, tenure status, appointment track, title, and salary of the appointment. The letter will also indicate any other specific resources pledged by the University as part of the appointment. The signed letter of appointment forms an agreement between the University and the Faculty member. Any inconsistency between the agreement and this Handbook must be approved by the provost prior to the issuance of the letter of appointment. In the event of any inconsistency, the letter of appointment will be binding on all parties.

Section Five – Faculty Rights and Responsibilities

Teacher-scholars are engaged in teaching; scholarship, research, creative and/or professional activities; and service to the University, the profession and the community. Teacher-scholars are dedicated, hardworking professionals who are expected to put forth exceptional efforts, inside and outside the classroom, for the benefit of their students, discipline, school and the University. Suffolk University supports and defends the academic freedom of Faculty members. As privileged members of the University, important role models for students, and participants in civic, social, and professional communities, Faculty members must adhere to the highest standards of ethics and professionalism.

As a general guideline, it is expected that Faculty members will spend their working time on teaching, scholarship and service. Each department and/or school will develop clearly defined work-load expectations for Faculty members across the three responsibilities of teaching, scholarship and service. *Individual Faculty members in any year may be assigned a work load allocation different from the school and/or department norms provided that the Faculty member is meeting the expectations and needs within their school and department reflective of their position as determined by the Dean.*

A. Teaching and Advising

1. Teaching Load. The normal teaching load for Faculty varies from School to School and is detailed in the school-specific policies and procedures. Based on the expected workload, the Department Chair or Dean, in consultation with the Faculty member, assigns individual Faculty members to courses based on curricular and student need. Faculty members may be assigned to evening courses as part of their regular teaching load. Faculty members are not required to teach during the summer term, intercession or spring break week. Upon the request or consent of the Faculty member, a Dean may count the teaching of summer term, intercession, spring break, or other irregularly timed courses toward a Faculty member's teaching load requirement.
2. Course Cancellations. Impact on Full-Time Faculty²
 - a. Administrators should consider a range of factors before canceling a course, including, but not limited to: University budget constraints; overall trends in course enrollments and institutional teaching needs; periodic "dips" due to scheduling aberrations; the nature of the course, *i.e.*, a survey-level course that traditionally attracts higher enrollments vs. a specialized seminar or skills course where enrollments are naturally lower; the impact of cancellation on maintaining a diverse and robust array of curricular offerings; and

² In curricular areas experiencing falling enrollments, full-time faculty members shall be accorded the same protections from dismissal as exists in Section 9G of the Faculty Handbook concerning Program Closure.

accreditation requirements. The Deans/Chair shall provide a reasonable explanation of the rationale for canceling a course to the faculty member.

b. If a course is canceled, the Deans/Chairs should consider assigning another course in that or the subsequent semester, or assigning alternative work responsibilities, such as service or developing a new course, that may substitute for a cancelled course so that course debt is not accrued. This process should be an interactive one between the Deans/Chair and the faculty member. In any event, no faculty member shall be required to accrue more than two courses in accumulated “debt.” Moreover, faculty members shall not carry any course “debt” beyond the two semesters following the course cancellation, unless the faculty member is granted a leave during that period.

c. In the event that a course needs to be cancelled, Deans/Chairs should use their best discretion when assigning the affected faculty member to new teaching assignments. Faculty should make their best effort to accept new teaching assignments, including courses at introductory levels within their general area of expertise, or courses compatible with their area of expertise in another department or program, as deemed feasible by the Dean/Chair.

d. If a course cancellation is related to deficiencies in teaching quality that do not rise to the level of just cause, deans/department chairs and faculty shall engage in an interactive process to address the situation; or, in those situations where the deficiencies in teaching quality rise to a sufficient level to warrant just cause, the procedures of Section 5H should be followed. Where the interactive process is being followed, Deans/Department Chairs will make best efforts to provide guidance and support for the improvement of teaching quality and course design, including peer mentoring or professional development programs offered by the University or the assignment of a different course within the general area of their expertise or courses compatible with their area of expertise in another department or program, as deemed feasible by the Dean/Chair.

e. In circumstances covered by paragraph (d), unilateral administrative actions consistent with constructive discharge, including, but not limited to, unilateral pay reductions, or punitive teaching schedules or assignments, shall be prohibited.

f. Pending the adoption of a formal grievance procedure under this Handbook, in the event of a material disagreement over a determination made by a Dean/Chair concerning these provisions, a faculty member may petition the next highest-ranking senior academic administrator for reconsideration of that determination. Reconsideration may include discussions with the parties involved. A decision by the relevant administrator shall be deemed final.

3. Overloads. With the approval of the chair or dean as appropriate, a faculty member is permitted to teach (and receive additional compensation for) courses beyond the faculty member’s assigned teaching load, but only if the faculty member is satisfying the teaching, scholarship and service expectations that have been set during the faculty member’s annual review process. There is no limit to the number of credits that a faculty member can teach during the summer terms or winter session. A faculty member may teach up to four credits of overloads in any given fall or spring semester. In exceptional circumstances, the dean may allow for additional overloads during the fall and spring

semesters. Faculty members may not take on overloads during sabbaticals or semesters in which they have received a course release for professional development. The acceptance of a teaching overload by a faculty member does not diminish or reduce the faculty members assigned or expected scholarship and service work.

4. Teaching Expectations. Each Faculty member is responsible for designing and conducting courses at the appropriate level within the context of the School's or department's curriculum; creating a classroom environment conducive to student learning; meeting the course's stated learning objectives; providing timely feedback on course assignments; preparing and implementing appropriate assessment tools and efficiently managing the course.
 - a. Syllabi. Faculty will provide students in each class with a syllabus containing the course's learning objectives, descriptions of the materials to be covered, required readings, course policies, and course requirements.
 - b. Class Meetings. Faculty members are expected to conduct all of their classes at the place and times assigned. If a Faculty member is absent from regularly scheduled classes, the Faculty member will ensure there is sufficient coverage of the classroom material either through make-up classes, substitution of instructors or alternative instruction methods.
 - c. Credit Hour Fulfillment. Each Faculty member is responsible for conducting class in a manner which demonstrably complies with the U.S. Department of Education's "credit hour" definition and any additional credit hour requirements of a School's accrediting body.
 - d. Final Examinations. If a course has an examination, Faculty members are expected to give the final examination when scheduled. The Faculty member may not cancel or change the date of the final examination without approval of the Department Chair and/or the Dean and the registrar. In courses that do not require a final examination, the Faculty member is responsible for the appropriate use of the scheduled class time (including the time scheduled during the exam period in the CAS and SBS) for teaching and assessments.
 - e. Grades. Course grades must be submitted by the deadline set by the registrar. Grades should be submitted electronically
 - a. Office Hours. All faculty members are expected to schedule appropriate office hours for each class taught each week while classes are in session

- f. Assessments of Learning Outcomes. Faculty members must employ assessment methodologies that fairly evaluate students regarding the stated course goals and objectives. Assessment procedures should allow students to demonstrate their command of material covered and the assignments given. Assessments should, in accordance with the University's obligations under the Americans with Disabilities Act and other state and federal laws and policies, be made in formats that are accessible to all students.
- g. Academic Advising and Mentoring. Academic advising and mentoring are critical for student success and all faculty members are expected to dedicate time to these activities as an important aspect of teaching responsibilities.
- h. Faculty Monitoring of Student Attendance. Federal regulations require universities that receive Title IV federal funding to implement a policy monitoring student attendance in class. Faculty are required to implement the University student attendance policy, responsible for informing students of this requirement at the beginning of each course, and tracking student attendance. Faculty may only allow students who are registered for a course to attend regularly.

B. Scholarship—Research, Creative Endeavors, Professional Activities

The University recognizes that research, creative endeavors, and/or professional activities are an integral part of faculty life. Scholarly research, creative work, and/or professional work is expected as part of the normal workload for all tenured, tenure-track and other Faculty. The school-specific requirements of scholarship for Faculty are further defined in the school-specific policies and procedures.

C. Service

Service activities draw on Faculty skills, knowledge, and experience in order to maintain the central role of Faculty regarding academic and University matters. Additionally, in order for Faculty to have a meaningful role in the University's shared governance system, those able to serve the community must do so as part of their responsibilities as a member of the Faculty. Faculty service helps all members of the University community achieve their individual and collective goals.

The vitality of the University is predicated on Faculty participation in a broad range of operational matters, outreach events and ceremonial occasions. Additionally, Faculty participate in service to the University by serving on various departmental, School or

University committees, attending department and School Faculty meetings, and ceremonial events such as University convocation, and School commencement. It is important that Faculty serve the broader community, therefore service also includes service to the profession or discipline (e.g., editorial boards, professional committees).

D. Faculty Conduct – Statement of Responsibility and Ethics

1. **Civil Conduct.** Faculty members have an obligation to treat students, staff and colleagues with civility and respect and to foster a stimulating and productive learning environment. Faculty should nurture and protect intellectual freedom for their students and colleagues.
2. **Discriminatory conduct** including harassment based on such factors as race, color, national or ethnic origin, religion, sex, age, disability, sexual orientation, gender identity, gender expression, genetic information, military or veteran status or any other characteristic protected under applicable federal or state law is unacceptable in the University community. Faculty members must act in accordance with the University Equal Opportunity Policy
3. **Proper Attribution of Other's Work.** A basic responsibility of any community of higher education is to refine, extend, and transmit knowledge. When another's scholarship is used, whether that of another published author, professional colleague or student, it should be fairly summarized and candidly acknowledged. Attribution of work should include proper attribution of one's own previously published work. Significant contributions require acknowledgment in every context in which ideas are exchanged. Publication permits at least three ways of doing this: shared authorship, attribution by footnote or endnote, and discussion of another's contribution within the main text.
4. **Duty to Independently Participate in Governance.** The Faculty has substantial collective responsibility to provide institutional leadership. Faculty have a responsibility to assume a fair share of that leadership, including serving on faculty committees and participating in faculty deliberations. Matters of University governance deserve the exercise of independent judgment by each voting member of the Faculty.
5. **Privacy and Confidentiality Policies.** Faculty must comply with all laws, institutional rules and policies requiring confidentiality concerning oral or written communications. Such laws, rules and policies frequently exist with respect to personnel matters and evaluations of student performance. If there is a doubt whether such a law, rule or policy effects a particular communication, a Faculty member should seek clarification with the Department Chair or Dean

E. Employment Outside the University

Faculty members must consult with their Department Chair or Dean before they engage in outside employment that has any potential to interfere with their responsibilities as a Faculty member. Additional restrictions may apply, as described in school-specific policies and procedures. In no case is a Faculty member allowed to teach a course or participate in sponsored research or a sponsored program at another School, college or university without the permission of the Dean. All compensated external employment must be reported in each Faculty member's annual review.

F. Non-Fraternization Policy

1. Individuals in positions of power must be aware that romantic or sexual relationships with students are fraught with danger for exploitation and pose a legal risk to both the individual and the University.
2. There are special risks in any sexual or romantic relationship between individuals in inherently unequal positions of power. These relationships may be subject to concerns about the validity of consent and unfair treatment of students or employees. Such relationships can undermine the atmosphere of trust essential to the educational process and the employment relationship. They may be less consensual than the individual whose position confers power believes. The apparent consensual nature of the relationship is inherently suspect due to the fundamental asymmetry of power in the relationship and it thus may be difficult to establish consent as a defense to an allegation of sexual harassment. The greater the institutional power differential that exists, the greater risk there is for exploited consent. Exploited consent exists when consent to a relationship is given as a function of the position of power one person occupies over another within an institution. Even when both parties consented at the outset to a romantic or sexual involvement, this past consent does not remove grounds for or preclude a charge or subsequent finding of sexual harassment based upon subsequent unwelcome conduct.

Romantic and/or sexual conduct between a Faculty member and a student enrolled at the University may violate the Faculty member's ethical obligation to the student and to the student body as a whole, may create a conflict of interest, and may contribute to a hostile environment for other students. Therefore, such relationships are prohibited.

Faculty members must notify the Dean of their School of any relationship that pre-exists the enrollment in the University of the student member of the relationship that would otherwise be prohibited by this policy.

A violation of this provision by a Faculty member constitutes a violation of the University's Equal Opportunity Policy and will subject the Faculty member to appropriate sanctions, up to and including termination of employment.

G. Intellectual Property Policy

The University encourages and supports the teaching, research, creative endeavors, and professional activities of the Faculty. To foster these activities and support its mission as a talent catalyst, the University acknowledges Faculty ownership in faculty-created course materials and works of scholarship. The University may be considered a joint author where a work is created with the substantial use of University resources. The University may also assert an exclusive copyright interest where a work is created or commissioned for use by the University (fee for service); or created under the terms of a sponsored project where the terms of the project require the copyright be owned by the University.

With respect to potentially patentable inventions or discoveries, the University will assert a limited ownership interest only where the invention was made by an employee (1) within the scope of his or her employment, (2) while working on a sponsored project, or (3) with the substantial use of University resources. If the University pursues a patent for the invention, the University will share royalties on a 50-50 basis with the inventor-employee, after the costs of the patents are recovered, or on the percentage of royalties as established in existing external agreements.

H. Termination and Other Sanctions for Just Cause

1. Applicability. Section H applies only to
 - a. Tenured Faculty;
 - b. Presumptively Renewable Faculty as defined by school-specific policies and procedures;
 - c. Other Faculty during their specified contract terms, provided, however, that Section H does not apply to decisions about whether to renew contracts of these Faculty.
2. Just cause. Just cause exists in those circumstances in which a Faculty member engages in conduct, exclusive of protected speech or the exercise of academic freedom that demonstrates material neglect of duty, unfitness in one's professional capacity, a pattern of serious personal misconduct, or a single case of extreme or gross misconduct.

Examples include, but are not limited to:

- Professional misconduct relevant to one's role as a Faculty member, including

but not limited to plagiarism and research misconduct.

- Material misrepresentation in securing an appointment or promotion.
- Extreme failure to maintain professional levels of skill and knowledge deemed necessary to fulfill the obligations of a Faculty member as described in this handbook, or in the applicable policies and procedures of the College or Schools.
- The final resolution of a conviction, or a guilty plea to, a state or federal felony, including all appeals.
- Disbarment from the practice of law.
- A violation of the university policies on discrimination, non-fraternization, and/or harassment.

3. Sanctions and Support Prior To Imposition of Sanctions.

Sanctions for a finding of just cause shall be proportionate to the severity and prevalence of the covered conduct and any past record of sanctionable conduct.

Sanctions for a finding of just cause may include, but are not limited to:

- a warning or reprimand, written or oral, with written documentation that the oral reprimand was made;
- a period of suspension, with pay;
- suspension or removal of eligibility for specific privileges, such as travel funding or sabbatical;
- a period of suspension without pay;
- a reduction in rank;
- termination.

In determining sanctions, consideration may be given in appropriate circumstances to relevant mitigating factors which may include, but are not limited to, evidence of mental or physical illness, extreme personal circumstances affecting behavior, evidence of remorse and acceptance of responsibility for actions, and evidence that sanctionable conduct constituted an exceptional, aberrant instance.

A dean or designee may use other informal measures such as referrals to professional counseling, work with a coach or mentor, specific training programs, or other professional development tools in an effort to avoid the imposition of sanctions.

4. Suspension Prior to University Investigation and Proceedings. The dean or designee

may suspend a Faculty member with pay, pending an investigation and the conclusion of any proceedings following an investigation. This authority to suspend a Faculty member can be invoked only if the dean or designee could reasonably conclude, based on a credible report or evidence that just cause may exist, that the Faculty member poses an immediate threat of substantial detriment to students or the university community. The university must provide an opportunity for an appeal of the necessity of the suspension within 14 days after the suspension using the procedure specified in paragraph 5.

5. Investigation. The dean or designee shall investigate the report of conduct that may constitute just cause and make reasonable efforts to interview the Faculty member whose conduct is at issue. In the course of the investigation, the Faculty member will have an opportunity to present written and/or other evidence and has the right to the assistance of counsel or other representation at the Faculty member's expense. The investigation shall be complete within 45 days of the initial report of conduct that may constitute just cause, or within 45 days of the conclusion of an outside investigation that is essential to the dean's or designee's determination that just cause exists. If allegations of discrimination and/or harassment are involved, the chief human resources officer or Title IX coordinator, as applicable, or their designee, shall investigate the allegations.
6. Proceedings after Investigation. The dean or designee shall determine upon completion of the investigation whether there is substantial evidence constituting just cause and whether a sanction will be imposed. The dean or designee shall send the Faculty member and the provost a written notice within seven days of the completion of the investigation that sets forth the report of conduct that may constitute just cause, the findings of the completed investigation and the sanction, if any, to be imposed.
7. Appeal of Sanctions.
 - a) If the Faculty member disagrees with the findings of the investigation or the proposed sanction, the Faculty member may, within fourteen working days of the receipt of the written notice, request that the provost reverse or modify the sanction to be imposed. The provost shall thereafter make reasonable efforts to meet with the Faculty member to discuss the findings of the investigation and the sanction. By agreement with the Faculty member, the provost may hold other meetings with the Faculty member and the dean and/or others to reach an agreed-upon resolution. The provost shall send the Faculty member a written decision within five working days of the final meeting explaining whether the provost is reversing or modifying the findings of the investigation or the sanction.
 - b) If the Faculty member disagrees with the findings of the investigation or the proposed sanction, the Faculty member may, within fourteen working days of the receipt of the written notice, request that the provost reverse or modify the findings and/or the sanction to be imposed. Upon receipt of the notice of appeal, and as soon as practicable, the provost shall convene a hearing panel, which will be composed of three Faculty members randomly selected from the Senate with one member drawn

from each school. Any Faculty member shall be disqualified from participating on a hearing panel when the Faculty member cannot be impartial or the Faculty member's impartiality might reasonably be questioned because the Faculty member has a personal bias or prejudice concerning individuals involved in the proceeding, or the Faculty member has direct personal knowledge of facts that are in dispute in the proceeding. The integrity of the hearing process and proper concern for shared burdens among university colleagues require that a Faculty member not use disqualification merely to avoid cases that present difficult, controversial, or unpopular issues.

The Provost shall resolve any disputes regarding a Faculty member's eligibility to serve on the hearing panel. The Faculty members on the hearing panel shall designate one individual to serve as the chair of the hearing panel.

8. Hearing Proceedings.

The Faculty member who is the subject of the proceeding shall be provided in advance of the hearing with all information considered in reaching the findings of the investigation and imposing the sanction. The chair of the hearing panel shall preside over the hearing to determine the order of procedure during the hearing; assure that all interested parties have the opportunity to participate; assure that all participants have a reasonable opportunity to present and substantiate their arguments; and maintain civility. The proceedings need not follow rules related to court proceedings. Both the Faculty member and the University shall have the right to be represented by counsel at the hearing. The Faculty member will have the right to present arguments and evidence on his or her own behalf. The dean or the dean's designee will bear the burden of providing substantial evidence that the Faculty member engaged in conduct constituting just cause and warranting sanction.

The Faculty member may request to have the hearing recorded. In such a case, the recording will be made available to the Faculty member at the conclusion of the proceedings.

In the event that the relevant conduct includes allegations of discrimination, the University will ensure that the Faculty members who serve on the hearing panel receive appropriate training regarding investigation of such allegations.

The hearing panel shall submit its report to the President for final disposition, and shall also submit a copy of the report to the Faculty member. Within fourteen days from receipt of the report, the President shall take one of the following actions: find that no sanction is warranted, accept the decision of the hearing panel, adopt the decision of the Provost imposing a sanction, impose a lesser sanction than recommended either by the hearing panel or the Provost, or in the limited circumstance where the President finds a material violation of applicable procedures or that there is new evidence not previously available, the President may order a new hearing by either the original panel or a new panel as appropriate. If the decision of the President is different from the recommendation

of the hearing panel, the President shall set forth in writing the reasons for rejection of that recommendation. The President shall not reject the recommendations contained in a report of a hearing panel unless the President concludes that there is new evidence not previously available, or that the recommendations are: arbitrary; capricious; inconsistent with legal obligations, university policies, or actions taken in similar circumstances; in material violation of applicable procedures; or unsupported by substantial evidence based on the entire record of the proceeding. The President shall send a written notice of the final decision to the Faculty member.

The final decision of the President is binding and shall not be subject to further review at the University.

A Faculty member's participation in any of the proceedings proscribed in paragraphs 4,5,6,7, and 8 of this Section does not constitute a waiver of rights the Faculty member may have to pursue other available remedies provided by law.

I. Statement of Principles on Academic Freedom

Suffolk University adheres to the following statement, adopted from the "AAUP 1940 Statement of Principles on Academic Freedom and Tenure".

The purpose of this statement is to promote public understanding and support of academic freedom and tenure and agreement upon procedures to ensure them in colleges and universities. Institutions of higher education are conducted for the common good and not to further the interest of either the individual teacher or the institution as a whole. The common good depends upon the free search for truth and its free exposition.

Academic freedom is essential to these purposes and applies to both teaching and research. Freedom in research is fundamental to the advancement of truth. Academic freedom in its teaching aspect is fundamental for the protection of the rights of the teacher in teaching and of the student to freedom in learning. It carries with it duties correlative with rights.

Tenure is a means to certain ends; specifically: (1) freedom of teaching and research and of extramural activities, and (2) a sufficient degree of economic security to make the profession attractive to men and women of ability. Freedom and economic security, hence, tenure, are indispensable to the success of an institution in fulfilling its obligations to its students and to society.

Academic Freedom

1. 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; but research for pecuniary return should be based upon an understanding with the authorities of the institution.

2. Teachers are entitled to freedom in the classroom in discussing their subject, but they should be careful not to introduce into their teaching controversial matter which has no relation to their subject. Limitations of academic freedom because of religious or other aims of the institution should be clearly stated in writing at the time of the appointment.
3. College and university teachers are citizens, members of a learned profession, and officers of an educational institution. When they speak or write as citizens, they should be free from institutional censorship or discipline, but their special position in the community imposes special obligations. As scholars and educational officers, they should remember that the public may judge their profession and their institution by their utterances. Hence, they should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that they are not speaking for the institution.

Source: <https://www.aaup.org/report/1940-statement-principles-academic-freedom-and-tenure>

J. Faculty Grievance Process

1. Purpose

The faculty grievance process (“Process”) provides a means to resolve disputes that have not been resolved through informal consultation. The goal of the Process is to assure that the faculty member’s grievance is presented to and considered by appropriate University officials and bodies and to assure that decisions involving grievances brought by University faculty under this Process are fully considered in a timely manner.

Nothing in this Process is intended to limit the exercise of faculty members’ rights under applicable law, including without limitation to file a complaint with any federal, state or local enforcement agency or to use the University’s [Whistleblower Policy](#).

For all procedural timeframes set forth below, it may be necessary to hold a grievance in abeyance during times of the year when classes are not in session. All Parties will be notified in this case.

2. Grounds for Grievances

This Process is available to any members of the Faculty who have a grievance with respect to their appointment, assignment of duties, academic freedom or working conditions. This Process is not designed to alter any other University policies or procedures, including, for example, other sections of this Handbook.

The following matters are covered by other University and/or statutory procedures and are excluded from this grievance process:

- Faculty who have allegations of unlawful discrimination or harassment (for example, race, gender, disability, gender identity and expression) should bring them to the Office of Human Resources.
- Faculty who have grievances that relate to a decision regarding promotion and tenure should follow the process described in Section 7(K) of this Handbook.
- Faculty subject to a proceeding under Section 5(H) of this Handbook relating to termination or other sanctions for just cause shall follow the process described in Section 5(H).
- Faculty who have a grievance concerning compensation other than those related to discrimination or harassment should consult with their Dean or the Provost.
- Faculty who have allegations or grievances regarding the University's compliance with local, state, or federal law (for example, Occupational Safety and Health Act, Massachusetts Paid Family Medical Leave Act) should bring them to the attention of the appropriate University administrative office. If faculty members are not sure which office to contact, they may ask for advice from the Office of Human Resources.
- Faculty who have grievances related to their annual review under Section Six of the University Faculty Handbook should follow the process set out in that section.
- Decisions relating to financial exigency or Program closures shall be subject to the procedures set out in Section 9(G) of this Handbook and shall not be subject to a grievance under this Process.

Faculty with questions about this Process, including whether a concern should be addressed under this Process or another University policy or procedure, may contact the Chief Human Resources Officer or the Provost for further information.

3. Grievance Process

The following steps apply to this Process:

1. A faculty member (the "Grievant") who has a grievance with respect to appointment, assignment of duties, academic freedom or working conditions should first attempt to seek an equitable solution through informal discussions with their Department Chair, Program Coordinator or Program Director, and then with their Dean. A Grievant should raise such matters within a reasonable period of time (typically within 30 days of becoming aware that there may be a basis for a grievance). Many grievances become more difficult to address with the passage of time.
2. If the matter cannot be resolved informally within a reasonable period of time (typically within 30 days of raising the matter informally), then faculty members, at their option, may choose to pursue a formal grievance process. The faculty member can initiate a formal grievance process by preparing a letter to the Provost (or, if the grievance is against the Provost, to the President) that describes the nature of the grievance and contains all supporting documentation.
3. The Provost shall first review the grievance to determine whether the subject matter of the grievance is appropriate for this Process. If the subject matter does not fall within the scope of this Process, the Provost shall inform the faculty member in writing of that decision, typically within five business days of receiving the grievance. If the Provost

determines that the subject matter of the grievance includes a mix of issues within and outside of the scope of this Process, the Provost shall inform the faculty member in writing of that decision and shall proceed with this Process for that portion of the grievance which is within the scope of the Process.

4. Where the grievance falls within this Process, the Provost shall notify the faculty member in writing of a decision, typically within 30 days of receipt of the grievance. If a delay is necessary, the Provost shall explain to the Grievant in writing the reason for the delay and provide an expected resolution date. During this stage, the Provost may meet with the Grievant and with other faculty members and administrators who may have information relevant to the grievance.
5. If the Grievant disagrees with the Provost's resolution of the grievance, the Grievant may file an appeal with the University Grievance Committee (UGC) within 14 days of receipt of the Provost's written decision. The appeal must be made in writing with all supporting documentation. Upon receipt of the appeal the UGC will have 14 business days to decide using the procedure below whether the grievance merits an appeal hearing.
6. A panel of 3 members of the UGC (the "Panel") shall be appointed by the chair of the UGC to review the appeal. Any members of the UGC who are in the same academic department as the Grievant, who have direct personal knowledge of facts that are in dispute in the grievance, or who otherwise have a conflict of interest must recuse themselves from serving on the Panel. The Panel shall elect its own Chair who will preside over the hearing, if applicable, and all deliberations of the Panel.
7. If the Panel determines that a hearing is not appropriate or needed, the Panel will inform the Grievant and Provost in writing of that decision, and the basis for that decision. If the Panel decides to move forward with a hearing, it should typically schedule the hearing within 14 business days; if a delay is required, the Panel shall explain to the Grievant in writing why the decision is delayed and provide an expected hearing date.
8. All deliberations of the UGC or a Panel shall be confidential. Only the written recommendations or determinations of the UGC or a Panel shall be shared with the Parties and the Provost.

4. Hearing Procedures

Neither the Panel nor any of the Parties shall be entitled to representation at the hearing. The Panel and the Parties are not precluded, however, from seeking legal or other advice outside of the hearing. The federal and state rules of civil procedure shall not apply. The UGC will develop rules and procedures for hearings and revise them as appropriate. For individual hearings, the Panel Chair shall decide questions on the interpretation and application of rules and procedures, without right of appeal. At the hearing, the Panel should typically receive oral and written testimony from the Grievant and the party against whom the grievance was made (collectively, the "Parties"). Upon the conclusion of the hearing, the Panel will typically have 14 business days to render its recommendation, in writing, to the Provost and to the Parties.

5. Following a UGC Decision

Within 14 days, excluding University closures and holidays, after receipt of the Panel's

recommendation, the Provost will provide a written final decision (“Decision”) to the Parties, the UGC and (if applicable) the President. If the Decision differs from the Panel’s recommendation, the Decision shall provide a written explanation of why the Panel’s recommendation was not accepted. In rendering the Decision, the Provost will give reasonable deference to the Panel’s recommendation. The Decision shall be final and without further appeal.

6. Membership on the Grievance Committee

The UGC shall be comprised of 9 faculty members holding Tenure or who have served in a full-time capacity on a continuous basis for at least 7 years, provided that no dean or department chair shall serve on the UGC. There will be 2 members elected from the faculty of the Law School, Sawyer Business School, and College of Arts and Sciences. The other 3 faculty will be appointed by the Provost and the Chair of the Faculty Senate by mutual agreement, one from each school or college. Members of the UGC will serve two-year terms beginning on July 1, which may be renewed for up to three consecutive terms, provided that initial appointments to the UGC will include at least 3 members with an initial one-year term.

*Approved by the Board of Trustees June, 16, 2023
Effective January 1, 2024*

Section Six – Annual Faculty Review

It is the obligation of the Faculty at the University to strive for continued excellence in teaching, scholarship and service. Each member of the Faculty will be reviewed annually for the purposes of evaluation, development, and available pay increases.

Reviews of tenure-track Faculty also will focus on the faculty member's progress towards tenure.

A. Annual Review Policy for University Faculty Handbook

Each school must have specific procedures for annually and meaningfully reviewing each Faculty member's teaching, scholarship, and service. Each school has the discretion to develop the procedures for these reviews, but at a minimum, each Faculty member must provide information to the Dean or the Dean's designee about the Faculty member's contributions to teaching, scholarship, and service. Moreover, each school must provide each Faculty member meaningful written feedback on the Faculty member's work in these areas. When significant differences arise between a Faculty member and the initial reviewer regarding the conclusions of an annual review, the Faculty member may refer the matter to the Dean by providing the written feedback received along with a detailed written basis for the objection. If there is further disagreement with the Dean the Faculty member may refer the matter to the Provost by providing the written feedback received along with a detailed written basis for the objection. The Provost's resolution of the disagreement is final.

Section Seven –Third-Year, Tenure, and Promotion Review

The tenure-track is designed to offer the teacher-scholar a path to an enduring relationship of mutual commitment between a Faculty Member and the University. The process from an initial appointment to the tenure decision and beyond is intended to support the development of the Faculty member, create clear expectations for achievement along the Faculty member's career path and to allow regular and fair consideration of each Faculty member's progress through promotion, tenure and maintenance of professional credentials. The specific tenure requirements and rules for each school are outlined in the school-specific in school-specific policies and procedures.

A. Confidentiality

The Faculty and administrators involved in promotion, tenure and review processes shall operate with a policy of strict confidentiality regarding deliberations. Confidentiality is a critical procedural safeguard that ensures the most robust consideration of the faculty portfolios reviewed for third-year, promotion, tenure, and periodic review. It also ensures that the process will be focused on the information included in the portfolio and file. Further, confidentiality is necessary to protect against possible pressure that might be exerted on the relevant committees or on members of the Faculty at critical points in the process. Faculty members subject to review retain the right of access to all materials in their third-year, promotion, tenure, and periodic review files, subject to the limitations imposed in the school-specific policies and procedures.

The Dean will make an independent judgment regarding the merits of any tenure and/or promotion review after consultation with the Promotion, Tenure and Review Committee of the School.

B. Timing

By July 1 of each year, the Office of the Provost will publish a University Faculty Calendar indicating the specific deadline dates for the third-year review, tenure review, and promotion review processes for the year starting July 1 and ending the following June 30.

C. Third-year Review

The third-year review is a cumulative evaluation of a Faculty member on a probationary appointment in order to assess progress toward tenure and promotion.

The review is both formative and evaluative, providing the Faculty member with a clear understanding of the strengths and weaknesses of his or her tenure progress. The process and criteria for the third-year review is in each School's section of this Handbook.

D. Initiation of Tenure and/or Promotion Process

An eligible candidate initiates the tenure and/or promotion review process by delivering a written request for such review to the Dean by April 1 of the year before the academic year in which the necessary decanal recommendation will be produced. The Dean will notify the provost, the Department Chair, and the appropriate Faculty committee of the Faculty member's request for review. Absent extraordinary circumstances, approved by the Dean, failure to meet this deadline will preclude consideration for tenure.

E. Tenure Review

Tenure is conferred solely by a positive action of the Board of Trustees after a comprehensive review in accordance with school-specific policies and procedures, and approval by the Dean, the provost and the president.

Faculty members seeking tenure who do not gain a favorable recommendation from their School's Promotion Tenure and Review committee and also do not gain a favorable recommendation from the Dean will not proceed further and will be considered to have been denied tenure. The recommendation of the Promotion Tenure and Review Committee and the Dean should be forwarded to the provost for review. The provost will make a recommendation to the president regarding each Faculty member who has not been denied tenure. The president reviews the recommendations of the provost. The provost presents to the Board of Trustees only those Faculty members that the president concludes are appropriate for tenure.

A Faculty member must seek a tenure decision within six years of initial appointment unless that period has been extended in writing in accordance with University policies and the time limits contained in each School's tenure procedures as laid out in school-specific policies and procedures. The Board of Trustees will consider a faculty member for tenure only one time. A Faculty member denied tenure will receive a terminal appointment for the next academic year, unless that denial is the product of a special tenure process after appeal described in Paragraph I below.

The substantive decision whether to grant tenure is non-reviewable in any forum. Any complaint or appeal alleging inappropriate denial of tenure, as described Paragraph I below, is limited to whether the proper procedure was followed.

F. The Tenure, Promotion, and Periodic Review File

The tenure and/or promotion or periodic review file will comprise materials submitted by the Faculty member, the School, and the University, as required in each School including a candidate statement, any third-year policies, the annual reports for the previous three years, and a current curriculum vitae.

G. Decanal Review

In any review, the Dean's office may provide additional materials relevant to the case under review. The Dean may meet with the School's Promotion Tenure and Review committee or its chair to discuss the committee's recommendation.

For each third-year review, tenure review, and separate promotion review, the Dean independently evaluates the candidate's file based on the School's criteria contained in school-specific policies and procedures, and submits a recommendation to the provost for or against:

1. tenure and promotion, when considering a tenure and promotion case;
2. tenure when considering only a tenure case; or
3. promotion when considering only a promotion case.

H. Right to Withdraw (Tenure and/or Promotion)

A Faculty member applying for tenure and/or promotion has the right to withdraw their application by September 1 of the review year. Except in extraordinary circumstances approved by the Dean, a Faculty member who fails to meet deadlines set forth in this section will be considered as having withdrawn from the tenure process.

If the Faculty member who withdraws is in the final year of a probationary appointment then the Faculty member will receive a terminal appointment for the next academic year.

I. Provostial Review

The provost reviews all applications from Faculty members for tenure. The provost will consider the file based upon accumulated reviews and any responses of the Faculty member at the School level. The provost concludes their review by sending a recommendation to the president.

The provost will not independently review a third-year review with or without promotion.

J. Presidential Review and Board of Trustee Action

The provost will bring those cases in which the president recommends tenure or promotion to professor to the Board of Trustees or the committee designated by the Board for such consideration. Following a presentation by the provost regarding each file, including the recommendations from the School and the provost, the president will make a recommendation to the Board or appropriate committee for tenure and/or promotion to professor. If the presentation is made to a designated committee of the Board, that committee will vote for or against awarding the Faculty member tenure or promotion to professor and will report its vote to the whole of the Board of Trustees in accordance with the Board by-laws.

The Board of Trustees will vote for or against awarding a Faculty member tenure and/or promotion to professor. The decision of the Board of Trustees is final. The Board will direct the provost to send notification of the Board's decision to the Dean and the Faculty member within five business days after the vote.

If the Board of Trustees votes to award tenure or promotion to professor, the Dean will issue a continuous appointment letter at the appropriate rank commencing the next academic year. If the Board of Trustees votes to deny tenure, then the provost will direct the Dean to issue a terminal appointment for the next academic year.

K. Tenure Denial Review

The substantive decision whether to grant tenure is non-reviewable in any forum. An unsuccessful tenure candidate may request that the provost review a final decision to deny tenure only in circumstances in which the denial of tenure was the result of improper procedure(s).

1. **The Tenure Process Defined for Review.** For the purposes of any review under this section, the tenure process is defined as beginning with the Faculty member's submission of an application for tenure and ending when the Faculty member is informed of the denial. The events that occur during this time period are within the scope of this procedural review.
2. **The Denial Review Process.** A tenure candidate who has been denied tenure initiates the tenure denial review by requesting in writing a review by the provost within thirty days of the notification of denial. For the review to proceed, the request must identify a particular procedure during the tenure process that the candidate for tenure

believes was improper.

There are three situations in which the procedures employed might make the tenure process improper:

- a. When the tenure process failed to include a required procedure,
- b. When the tenure process included a procedure that was not permissible during the process, and/or
- c. When there was some aspect of the tenure process which was so improper as to be fundamentally unfair to the candidate.

If the tenure candidate identifies a procedure which appears on its face to suggest that any of these three preliminary situations occurred, then the provost will notify the Dean of the School, the chair of the Promotion Tenure and Review committee and the candidate for tenure that a further inquiry will occur.

The provost may delegate her or his responsibilities under this process to a designee.

3. Inquiry and Decision. When an inquiry occurs, the provost will examine the relevant parts of the record of the tenure process and the procedures used during that process. The purpose of the inquiry is to determine first whether the identified procedural error did in fact occur. If such a procedural error is found to have occurred during the tenure process, the provost will then determine whether the procedure likely had an impact on the decision to deny tenure. Only in those circumstances where both a procedural error is found and the error is likely to have had an impact on the decision to deny tenure will the provost determine that a procedure was improper.

The provost will conclude the review by conveying the provost's decision to the Dean of the School and the candidate for tenure by the first of August after the tenure decision was made. The decision of the provost regarding whether a procedural error was likely to have had an impact on the decision to deny tenure is final.

4. Remedy. The only remedy available is the commencement of a special tenure review. If such a special tenure review is granted, the tenure candidate's application will be considered *de novo*, which means the special tenure review will be heard by a committee chaired by and composed of Faculty other than those who were on the Promotion Tenure and Review Committee that considered the original application. This special tenure review committee will be selected by the provost in consultation with the Dean of the relevant School.

If a special tenure process is granted, it will take place in the academic year following the denial pursuant to the University's regular tenure schedule timeline. Insofar as

possible, the process in the new tenure review will be the same as that outlined in this Handbook and school-specific policies and procedures. The teaching, scholarship and service record of the tenure candidate will be reviewed as if the special tenure process were the original tenure process.

The grant of a special tenure review process does not affect the Faculty member's appointment which may be a terminal year appointment.

Section Eight - Faculty Development and Leaves

Faculty members are responsible for constantly improving their teaching abilities; understanding new pedagogical methods and modalities; developing and implementing a research, creative and/or professional agenda; and participating in the broader professional discourse in their academic field of interest. The University assists Faculty in that pursuit by providing technological training, teaching skills and knowledge-based learning opportunities, speakers and materials. The departments and/or Schools also will create opportunities for paid travel for appropriate conferences in which the Faculty member is presenting or attending in the capacity of an officer or board member of a regional or national organization related to the Faculty member's field, or when the conference enriches the Faculty member's skills as a teacher or a scholar. Additionally, the University recognizes two types of leave for professional development – a leave with pay and a leave without pay. A Faculty member who is on an approved leave will not count for purposes of quorum, unless he or she participates in a Faculty meeting at which a vote is taken.

A. Professional Development Leave with Pay – Sabbatical Leave

The purpose of a sabbatical leave is to allow a Faculty member a focused period to pursue concentrated work leading to substantial academic, research, pedagogical, creative and/or professional projects that contribute to the mission of the University and enhance the Faculty member's capacity as a teacher and scholar.

A sabbatical leave may be requested for one semester at full salary or for two semesters at half salary. The fiscal and academic needs of the department(s) affected and/or School and the University may affect the timing of leaves.

Faculty members on sabbatical will be treated for purpose of salary review and cost of living reviews as if they had continued to teach at the University during the sabbatical period.

1. **Eligibility for Initial Sabbatical Leave.** A Faculty member may not apply for a sabbatical in the same academic year that the Faculty member has applied for tenure. Otherwise, full-time tenured Faculty members on a continuous appointment or on presumptively renewable multi-year contracts who have completed at least six years of full-time employment are eligible to take a sabbatical leave in their seventh year of appointment.
2. **Eligibility for Subsequent Sabbatical Leaves.** A recipient of a sabbatical leave becomes re-eligible to take a sabbatical leave in the seventh year of appointment at the University following the prior sabbatical leave.

3. Application Process for a Sabbatical Leave. A Faculty member who is eligible and seeks to apply for a sabbatical leave must submit a current CV and a detailed sabbatical leave proposal to their Department Chair and Dean by October 1 of the year proceeding the academic year for which the leave is sought.

Sabbatical Leave Proposals must include the following:

- a) A clear, concise, and comprehensive description of the project;
- b) An explanation of the project's significance for the applicant and for the University;
- c) A statement regarding the availability of external sources of funding for support of the project;
- d) A list of intended resources and locations at which portions of the proposed activity will be carried out (e.g., libraries, field sites, institutions, publishing houses);
and
- e) A copy of the summary report of the previous sabbatical leave (if any).

The specific procedures for consideration of a proposal for sabbatical leave will be governed by each School's policies as described in school-specific policies and procedures.

Once a determination is made within a School regarding sabbatical proposals, the Dean will submit recommendations and a rank-ordered list along with the original proposals and related materials and a sabbatical replacement budget plan to the provost by the date specified on the University's Calendar.

The provost will notify the applicant of the sabbatical decision no later than March 1

4. Outside Employment During a Sabbatical Leave. A Faculty member who takes a sabbatical leave agrees not to undertake any remunerative activity that has the potential to intrude on the proposed sabbatical work. Faculty on sabbatical leave may not teach at the University, may not be assigned to serve on University committees, and is not required to participate in department and/or School activities. Faculty on sabbatical are required to complete their annual review report.
5. Return from Sabbatical. Sabbatical recipients are obligated to resume their faculty responsibilities at the conclusion of the sabbatical leave and must remain on the University Faculty for the subsequent academic year.

Within one semester after returning from leave, sabbatical recipients are required to submit a summary report of sabbatical activities to the Department Chair and the Dean.

Sabbatical recipients may be expected to make a presentation to the Faculty of their

School concerning the results of their sabbatical work within one academic year following the sabbatical leave. In addition, the provost may ask the Faculty member to make a presentation to the Board of Trustees outlining the Faculty member's sabbatical accomplishments.

B. Professional Development Leaves Without Pay

Faculty may be granted a leave of absence without pay to enable a Faculty member to take a temporary position of special interest to pursue a unique professional development opportunity (including visit at another school), or, in limited circumstances, to take an unspecified leave. To initiate a leave without pay, a Faculty member submits a written request to their Dean outlining the nature of the proposed leave, the professional development benefits of the leave to the Faculty member, the value of the leave to the School and University, and the specific duration of the proposed leave. The Faculty member may request that the leave be counted as continuous service toward tenure and promotion and sabbatical calculations or may request that the probationary period be extended.

The Dean will consider the request and base a recommendation for or against granting the leave request on the nature of the request, the timing of the proposed leave, the professional development benefit to the Faculty member, and the various needs of the department and/or School. The Dean will send that recommendation to the provost who will consider the request for a leave without pay and the recommendation of the Dean in light of the needs of the University. The provost will communicate their decision either granting or denying the leave without pay in writing to the Faculty member and Dean. Professional development leaves without pay may only be granted for a maximum of two years. An application for an extension beyond two years will only be granted in extraordinary circumstances.

C. Parental Leave

When a full-time Faculty member becomes the parent of a child, either by the birth of the child or by adoption of the child, the Faculty member shall, upon written request to their Department Chair and Dean, be eligible for a parental leave of one semester at full pay.

If two Faculty members would otherwise both be eligible for parental leave for the same child under this policy, both, may take parental leave.

In order to minimize the administrative burden of ensuring adequate coverage of responsibilities, an eligible Faculty member must give their Department Chair and Dean at least three (3) months' written notice of their intention to take a parental leave, the anticipated date of the start of the leave and the expected date of return. Medical emergencies or the uncertainties of adoption that prevent the giving of three months' notice

will not disqualify an eligible Faculty member from obtaining parental leave. The written request for leave shall include the following:

- The anticipated start and end of the leave period; and
 - A commitment to return to active status for at least an equivalent period immediately following the paid parental leave.
1. **When Taken.** At the option of the Faculty member, the parental leave may be taken during the semester in which the child is born or adopted or, if not then taken, the leave must be completed within one year after the birth or adoption placement.
 2. **Benefit Provided:** A Faculty member who takes a semester of parental leave shall receive the same salary and benefits that they would have received that semester if not on leave, and shall be relieved of their normal duties and responsibilities during the leave. In the semester immediately upon returning from the leave, the faculty member should be assigned no more than 50% of their base academic teaching load.
 3. **Interaction with Other Leave Benefits.** The benefits afforded under this policy are intended to be consistent with and not conflict with rights afforded under the Family and Medical Leave Act (FMLA) and the Massachusetts Parental Leave Act (MPLA). Any leave taken under this policy, to the extent that it also qualifies for FMLA and/or MPLA, will count as FMLA and/or MPLA. Further, nothing in this policy is intended to limit a Faculty member's rights under the FMLA and/or MPLA or any other applicable law.
 4. **Effect of Leave on Tenure Clock.** Faculty members who take leave pursuant to this Parental Leave Policy shall have their tenure clock extended by one year, unless otherwise requested by the Faculty member taking the leave.

D. Unspecified Leave

A Faculty member who has been employed by the University for at least twenty years may request a one-time, unpaid leave for up to one year. The Faculty member applying for an unspecified leave must submit their request to the Dean no later than October 1 of the year preceding the academic year for which the unspecified leave is sought. The Dean will decide whether to grant an unspecified leave and will report that decision to the provost.

Upon return to the Faculty, the Faculty member granted an unspecified leave will be treated for purpose of salary review as if they had continued to teach at the University during the unspecified leave period. The Faculty member will be responsible for all benefit contributions, if any, during the unpaid leave.

E. Administrative Leaves

A tenured Faculty member who accepts an administrative appointment at the School or

University level retains the right to return to the Faculty of the School from which they came. Upon return to the Faculty, the Faculty member receives the salary held at the beginning of the administrative leave plus any appropriate pay increases. A Faculty member's salary will be adjusted accordingly when the Faculty member is promoted during an administrative leave and the salary will be re-adjusted accordingly once the Faculty member leaves the administrative appointment.

Section Nine – Leaving Suffolk Faculty Employment

A. Expiration of Term Appointments

Faculty members with a one- year term appointment who do not receive a new appointment before the expiration of their term appointment are terminated.

Faculty members with a two-year term appointment who are not reappointed will be notified of non-reappointment at least four months prior to the expiration of their appointment.

Faculty members with a three year or greater term appointment who are not re- appointed will be notified of non-reappointment at least one year prior to the expiration of their appointment.

B. Non-Reappointment of Faculty on Tenure Track Appointments

The Dean will notify a tenure-track Faculty member if the Faculty member's appointment will not be renewed according to the following schedule:

1. Not later than March 15th of the first academic year of service if the initial appointment is not to be renewed, or at least three months prior to the expiration of an initial, one-year appointment, if the initial appointment ends during the academic year;
2. Not later than January 15th of the second or third academic year of service if the appointment is not to be renewed;
3. Not later than twelve months prior to the expiration of an appointment after three or more years of service at the University.

B. Denial of Tenure

Tenure candidates who are not awarded tenure by the Board of Trustees will receive a terminal appointment for one year of employment, after which they may no longer hold a Faculty position at the University.

The substance of a tenure decision cannot be appealed or reviewed. If a Faculty member believes that there were serious process violations during the tenure review, the Faculty member may ask that the process be reviewed according to the process outlined in Section Seven.

C. Resignation

Faculty members may voluntarily terminate their appointments by resigning. As a courtesy to the University and its students, resignations should generally be effective at the end of an academic year, and Faculty members should give notice to the Dean in writing at the earliest possible opportunity, preferably not later than March 1st of the academic year preceding the year for which the resignation is effective.

The Dean will notify the provost of any resignation from the Faculty.

D. Retirement

The retirement of Faculty does not necessarily mean a severing of ties with the University. Rather, retirement may be the creation of a new relationship with, and status within, the University. Retired Faculty members are often called upon to perform valuable services for the University and often maintain mentor relationships with colleagues and students. Retired Faculty may retain their library privileges in order to insure a useful and familiar space for the continuation of their academic inquiries at the discretion of the Dean.

E. Faculty Status After Retirement

1. Emeritus/Emerita Status: Emeritus/Emerita status is an honorary title that may be conferred only upon individuals who are retired from the University and who have had a long full-time association with Suffolk University.
 - a. Eligibility. Emeritus/Emerita status is limited to full-time Faculty and full-time senior administrators retiring after distinguished service at the University. In particular, such appointments will be made in view of demonstrated distinction in many or all of the following factors:
 - length of service (twelve or more years of full-time service at the University to be eligible for such recognition);
 - high professional achievement and quality of teaching and research or performance in the administrative position(s);
 - sustained, outstanding service and contribution to the University; and
 - service to society beyond the University community.

- b. One's title will be consistent with the title at retirement plus "emeritus." (e.g., Associate Professor Emeritus at Suffolk University). Individuals granted emeritus/emerita status that have held a concurrent senior administrative title of dean or higher may also be granted emeritus/emerita status for the administrative title.
- c. Process for Obtaining Emeritus/Emerita Status
- i. A retiring Faculty member may be nominated by the appropriate Department Chair or Dean; a retiring senior administrator may be nominated by the head of their administrative unit. In addition, a Faculty member or senior administrator may nominate themselves to the appropriate Department Chair, Dean or head of administrative unit (president or vice president), as applicable. Nominations shall be submitted in writing and shall be made prior to the Faculty member or administrator's intended date of retirement.
 - ii. A faculty nomination must be supported at each higher level of review (Department Chair, Dean and provost) to be presented to the president for recommendation. If the president approves the recommendation, the president will make a recommendation to the Board of Trustees, which also must approve the recommendation. Decisions at each level of review are final.
 - iii. A senior administrator nomination must be supported by the appropriate vice president and senior vice president, if applicable, to be presented to the president for recommendation. If the president approves the recommendation, the president will make a recommendation to the Board of Trustees, which also must approve the recommendation. Decisions at each level of review are final.
 - iv. The recommendation must include the following items:
 - A letter of support from the Department Chair or Dean or, in the case of a senior administrator, the vice president or president;
 - A final copy of a narrative summary or CV citing the professional accomplishments and record of University service of the retiring Faculty member or administrator;
 - The expected date of retirement (e.g., a copy of the letter of retirement); and
 - If the employee holds a tenured or affiliate appointment in another

department, that department must also submit a letter of recommendation approving the Faculty member for emeritus/emerita status.

- v. In addition, the president of the University may also recommend to the Board that any other Faculty or senior administrator be awarded emeritus/emerita status in accordance with the eligibility factors in paragraph 1.a. above.
- d. Privileges Retained After the Award of Emeritus/Emerita Status: The privileges of the emeritus/emerita designation are as follows:
 - i. In writing, speaking and submissions to print and electronic media, the professor or senior administrator may identify themselves with the emeritus/emerita designation (e.g., Professor of Law Emeritus at Suffolk University Law School). The emeritus/emerita professor or senior administrator shall be listed in relevant Suffolk University publications (e.g., on the academic unit website for listing of faculty) with the emeritus/emerita designation, and invited to attend University commencements and other similar functions.
 - ii. Identification Card - The professor or senior administrator is able to retain their Suffolk University identification card to use the University libraries, recreational, and other facilities.
 - iii. The emeritus/emerita professor or senior administrator shall be entitled to continued (i) use of regular mail and University email addresses as are provided for active faculty or administrators, and (ii) access to all Suffolk University libraries.

Other privileges of emeritus/emerita status are discretionary and are provided at the discretion of the Dean or, in the case of senior administrators, at the discretion of the head of the administrative unit.

- Office and/or Laboratory Space - Departmental prerogatives for emeritus/emerita professors, such as office and/or laboratory space with furnishings, telephone, use of a computer (and related on-line services such as LexisNexis or Westlaw) and secretarial support, are within the purview of the Deans or their designee, or in the case of senior administrators, the head of the administrative unit and shall be reviewed annually. They are not entitlements associated with emeritus/emerita status, but the authorized individuals have discretion to offer these amenities on a space available and resource available basis.

- As requested from time to time by the Dean or the Dean’s designee, and by mutual consent, the emeritus/emerita professor or administrator may be asked to advise Faculty on teaching or scholarship and students on studies and course selection, as well as career plans, and may participate from time to time in alumni events.

Employment of Emeritus/Emerita Professors and Senior Administrators for Limited Terms. In special circumstances, a Dean may request that an emeritus/emerita professor or senior administrator teach courses as needed or work on special projects relating to the administration of the School and its programs, for a mutually agreed upon stipend. The compensation arrangement will be decided by the appropriate Dean or administrator, as appropriate

- ii. Nothing in this policy is intended to alter other University policies or practices concerning priorities for use of certain facilities by students, Faculty, or staff, nor is there any intent to limit the authority of individual academic units to recommend such priority-use policies.
 - iii. The appointment of the emeritus/emerita title is subject to all University regulations on conduct and performance.
2. Research Professor Status after Retirement. In certain cases, retiring Faculty may apply for a position as a research professor. This title may afford professional opportunities to the retiring Faculty member that an emeritus/emerita status might preclude. One’s title will be consistent with the title at retirement plus “Research” (e.g., Associate Research Professor at Suffolk University).
 - a. Eligibility. The research professor status after retirement is available to those who meet all of the requirements related to the eligibility of emeritus/emerita status. Additionally, a Faculty member who seeks appointment as a research professor must demonstrate a history of meaningful research, creative and/or professional work as well as a concrete proposal to continue the creation and dissemination of that work.
 - b. Privileges Retained after the Award of Research Professor Status. The privileges of the research professor are identical to those enjoyed by emeritus/emerita professors. The appointment of the research professor title is for three (3) years, which may be renewed upon application demonstrating meaningful research, creative and/or professional work over the past research professor appointment as well as a concrete proposal to continue the creation and dissemination of such work. A retired research professor may apply for

consideration for an emeritus/emerita designation.

Research professors are subject to all University regulations regarding conduct and performance.

F. Financial Exigency and Program Closure

This section of the handbook covers obligations to tenured faculty members or faculty members subject to a presumptively renewable contract in the context of: (1) financial exigency and (2) Program closure in the absence of financial exigency. Financial exigency and program closure may have serious consequences for the University, School, Faculty and current and prospective students. Discontinued employment of a tenured faculty member or faculty member subject to a presumptively renewable contract in the absence

of just cause shall only occur under extremely rare circumstances due to financial exigency which threatens the university as a whole or the discontinuance of an academic Program according to the process laid out below.

I. Financial Exigency Warranting the Termination of Faculty

A state of financial exigency warranting the termination of tenured Faculty or Faculty members subject to presumptively renewable contracts shall only exist when an imminent financial crisis is so serious that it threatens the ability of the University as a whole to achieve its mission. The determination of such a financial exigency shall be made using the process described below.

The Board of Trustees has the ultimate authority to determine that financial exigency exists and that a declaration of financial exigency is in the best interests of the University. Before the Board makes this determination, the President will report to the Board after consultation with the Faculty Senate.

The President's consultation with the Faculty Senate shall include information on the consequences to educational programs if a state of financial exigency is declared, and material objective evidence regarding:

- a. whether a bona fide financial exigency exists with respect to the University as a whole
- b. alternative measures that can be taken to avoid declaring financial exigency
- c. the extent to which termination of faculty positions is demonstrably necessary to relieve the financial exigency, and
- d. whether the termination of tenured faculty positions is being considered only after rigorous budgetary adjustments in all other segments of the institution, including reductions in the budget of central administration or other administrative units have

been made, and only after all possible means of improving the institution's revenues or reducing and expenses have been exhausted.

The Faculty Senate will make a recommendation to the President on whether a bona fide financial exigency exists requiring the elimination of tenured faculty positions, taking into consideration such information as the Faculty Senate deems relevant. The President will forward the recommendation of the Faculty Senate to the Board of Trustees, to be considered by the Board along with the President's own recommendation. The ultimate decision of the Board of Trustees in regards to financial exigency will be communicated to faculty and staff in writing.

II. Program Closure Warranting the Termination of Faculty

On occasion, program closure may be necessary for strategic or budgetary purposes. Closure of a Program cannot be based on short term enrollment or budget constraints, but must be consistent with the long term strategy of the university. The decision to close a Program must be based on demonstrable evidence of its lack of viability and alignment with the University's mission. Program closure warranting the termination of tenured faculty or faculty members subject to presumptively renewable contracts shall occur only as a result of the process outlined below.

Definition

For the purpose of this section a "Program" is:

- 1) any academic unit whose curriculum leads to a degree,
- 2) a major, a minor, or certificate, but not including concentrations.

Process for Program Closure

- a. The relevant academic unit(s), dean, or provost may initiate a recommendation for Program closure.
- b. When a recommendation to close a Program is made, the dean will inform the Program Closure Committee that a Program is under consideration for discontinuance and shall provide the committee with all the necessary information.
- c. This committee consists of a senator from each school, the Dean of the school of the Program under review (nonvoting), a Dean from another school, a faculty member who teaches in the Program (nonvoting), two faculty members who are at the school of the Program under review but do not teach in the Program, and a faculty member from each of the other schools.

- d. The dean will meet with the faculty who teach in the Program. The affected Program will be given six months to respond to the dean's concerns with a plan that shows how performance targets will be reached and any major changes that will occur to realign the Program with the school's strategy and goals.
- e. The dean, after receiving the Program's response, recommends either continuing the Program with or without modifications or discontinuing the Program. The dean will discuss this recommendation with the provost.
- f. If the provost concludes that the Program should be continued with or without modifications, the provost will direct the dean to proceed with any appropriate changes.
- g. If the dean and the provost conclude that the Program should be closed, the decision will be reviewed by the Program Closure Committee. To reach a specific recommendation, the committee will collect information from the provost, dean, Program director, faculty, staff and students. The committee will be given access to relevant budgetary data.
- h. The committee's recommendation will be forwarded to the provost. The provost must respond to the committee's recommendation by indicating the reasons for accepting or rejecting the recommendation. The recommendations of the committee, the dean, and the provost, and appropriate supporting documentation, will be forwarded to the President. The President will make the final decision in Program closures, except in the case of degree closures, in which case the final authority rests with the Board of Trustees.

III. Obligations to Faculty with Tenure or Presumptively Renewable Contracts

Termination of faculty with tenure or presumptively renewable contracts is to be considered a very rare event in the absence of a finding of Just Cause in Section H. Before terminating the appointment of a faculty member with tenure or explicitly presumptively renewable contracts, the University will exhaust every reasonable possibility to find another suitable position for such faculty members within the University, including the provision of retraining to such Faculty members if a reasonable period of retraining would qualify the affected faculty member for another position.

In the case of Program closures, with the exception of rare and extraordinary circumstances, the University will not consider the termination of the appointment of a Faculty member with tenure or presumptively renewable contracts until after the termination of faculty in the closed Program who are not tenured and do not hold a presumptively renewable contract.

In the case of financial exigency, with the exception of rare and extraordinary circumstances, the University will not consider the termination of the appointment of a

faculty member with tenure or presumptively renewable contracts until after the termination of Faculty in the same department, discipline or field, as applicable, who are not tenured and do not hold a presumptively renewable contract.

The provost shall ensure that affected Faculty members are given opportunities to find another suitable position within the University. The affected Faculty members shall not be replaced within a period of at least three years.

If a Program is reopened or positions are restored within three years after program closure or termination of positions, tenured faculty who were terminated or whose presumptively renewable contracts were terminated shall be offered reinstatement on the same status as their previous appointment contingent on the number of positions available.

If the University, after exhausting every reasonable effort, is still unable to find other suitable positions for an affected Faculty member with tenure or a presumptively renewable contract, or if the affected faculty member chooses not to accept the alternative position offered, the University shall provide a terminal year appointment or at least one academic year of severance pay.

Section Ten – Amendments to this Handbook

Amendments to the University Faculty Handbook

A. Initiation of Proposed Amendments. Proposed amendments to this handbook can be initiated only by:

- A majority vote of the members present and eligible to vote at an official meeting of the University Handbook Committee (UHC);
- A majority vote of the members present and eligible to vote at an official meeting of the University Faculty Senate;
- The President or Provost of the University; or
- An individual school of the University with a majority vote of the members present and eligible to vote at an official meeting of that school's faculty.

B. Procedures for Adopting Proposed Amendments

1. Procedures for Adopting Proposed Amendments Initiated by the UHC
 - a) The UHC will submit the proposed amendment to the faculty assembly of each school of the University. The University Faculty Senate will facilitate opportunities for faculty discussions about the proposed amendment.
 - b) If a majority of the members present and voting at an official faculty meeting of each school of the University votes in favor of the proposed amendment, the proposed amendment will be forwarded to the University's Provost.
 - c) If the University's Provost approves the proposed amendment, the proposed amendment will be forwarded to the University's President.
 - d) If the University's President approves the proposed amendment, the proposed amendment will be forwarded to the University's Board of Trustees.
 - e) If the University's Board of Trustees approves the proposed amendment, the proposed amendment is adopted and becomes a part of the University Faculty Handbook.
2. Procedures for Adopting Amendments Not Initiated by the UHC
 - a) A proposed amendment initiated by a party other than the UHC will be submitted to the UHC for its review. The UHC will consider the proposed amendment and if a majority of the members present and voting of the UHC approve the proposed amendment, the UHC will submit the proposed

amendment to the faculty assembly of each school of the University. The University Faculty Senate will facilitate opportunities for faculty discussions about the proposed amendment

- b) If a majority of the members present and voting at an official Faculty meeting of each school of the University votes in favor of the proposed amendment, the proposed amendment will be forwarded to the University's Provost.
- c) If the University's Provost approves the proposed amendment, the proposed amendment will be forwarded to the University's President.
- d) If the University's President approves the proposed amendment, the proposed amendment will be forwarded to the University's Board of Trustees.
- e) If the University's Board of Trustees approves the proposed amendment, the proposed amendment is adopted and becomes a part of the University Faculty Handbook.

3. Procedures for Amendments Initiated by Another Party and Rejected by the UHC

- a) If the UHC does not approve a proposed amendment initiated by a party other than the UHC, the UHC will notify the initiating party of the UHC's decision and its reasons. The initiating party may choose to revise the proposed amendment and resubmit it to the UHC or may choose to submit the proposed amendment to the University Faculty Senate.
- b) The University Faculty Senate may revive the proposed amendment with approval of 75% of the University Faculty Senate. The University Faculty Senate will then submit the proposed amendment to the faculty assembly of each school of the University for approval and will facilitate opportunities for Faculty discussions about the proposed amendment.
- c) If a majority of the members present and voting at an official faculty meeting of each school of the University votes in favor of the proposed amendment, the proposed amendment will be forwarded to the University's Provost.
- d) If the University's Provost approves the proposed amendment, the proposed amendment will be forwarded to the University's President.
- e) If the University's President approves the proposed amendment, the proposed amendment will be forwarded to the University's Board of Trustees.
- f) If the University's Board of Trustees approves the proposed amendment, the proposed amendment is adopted and becomes a part of the University

C. Amendments to school-specific policies and procedures are determined by the individual schools.

D. University Handbook Committee Policies and Membership

1. Membership. Effective September 1, 2019, the UHC shall be composed of both administrators and elected members. Administrative members include the Provost, and the Deans of each of the schools, or their respective designees. Faculty members shall include the Chair of the Faculty Senate, one Faculty Senator from each school as selected by the Senators of each school, and two other Faculty members elected from each school of the University. The University's general counsel or designee shall serve the committee in an advisory capacity.
2. Terms. Elected members of the UHC serve two-year terms, starting in the fall of the academic year. The procedures for electing UHC members, including the determination of who is eligible to serve and vote for UHC members, are determined by the individual schools.
3. Quorum. A quorum shall consist of a majority of the UHC membership.