

# LAKE ERIE COLLEGE FACULTY HANDBOOK

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## PRELIMINARY STATEMENTS

The Lake Erie College Board of Directors approved and adopted the present *Lake Erie College Faculty Handbook* on October 23, 2010. It replaces all prior versions of the *Faculty Handbook*, effective July 1, 2011. The Board of Directors must approve any amendments to the *Lake Erie College Faculty Handbook*. All recommendations by the faculty are subject to review by the President of the College who, as chief executive officer, bears final responsibility for the operation of the College, with final approval by the Board of Directors.

The *Lake Erie College Faculty Handbook* serves as a repository of policies and procedures governing the academic life of Lake Erie College, focusing primarily on the structure, responsibilities and rights of the faculty and employment considerations that pertain to faculty only. To avoid unintended conflicts among College documents, the *Faculty Handbook* may incorporate by reference other College policy and procedures documents that apply also to Academic Affairs and the faculty, including but not limited to the *Articles of Incorporation*, *Employee Handbook*, *Staff Handbook*, *Student Handbook*, academic standards and policies, and personnel policies and forms. The *Lake Erie College Faculty Handbook*, including all referenced documents, constitutes an essential component of each faculty contract. ***As a condition of employment with the College, faculty members must familiarize themselves with the content of this document and, by signing their annual contract, individual faculty members agree to abide by the Lake Erie College Faculty Handbook.***

Lake Erie College does not discriminate on the basis of race, gender, sexual orientation, age, creed, national origin or disability in employment, admission or access to its programs and activities.

## 1.0 THE COLLEGE

### 1.1 College Mission, Core Values, and Accreditation

#### 1.1.1 Mission of Lake Erie College

In the context of a long liberal arts tradition, Lake Erie College provides distinctive undergraduate and graduate programs that prepare students to meet career and life challenges as educated and responsible citizens of local, national and international communities.

### 1.1.2 Institutional Core Values

The Mission of the College is expressed in the following core values:

- Academic Excellence
- Academic Dynamism
- Internationalism
- Commitment to Diversity
- Beneficial Interpersonal Relationships
- Caring and Student-Centered Attitude

### 1.1.3 Accreditation

Lake Erie College is accredited by the Ohio Board of Regents and the Higher Learning Commission and is a member of the North Central Association of Colleges and Schools. Lake Erie programs are individually accredited by professional accrediting bodies. The current catalogue will contain the most accurate listing of program accreditations.

### 1.1.4 History

Lake Erie College was founded in 1856 as the Lake Erie Female Seminary by graduates of Mount Holyoke College. The first class graduated in 1859. In 1898, the institution became Lake Erie College and Seminary and in 1908 its charter was amended to identify it as Lake Erie College. The College from its inception was a private, non-denominational Christian institution. It was first accredited by the North Central Association of Colleges and Secondary Schools in 1913 and is a founding member of the Ohio College Association.

## **1.2 College Board of Directors**

The chief policy determining body of the College is the Board of Directors. Under the Articles of Incorporation, the Board is vested with the full legal and organizational authority to govern the functioning of the College, which it does by various administrative structures. The Articles of Incorporation, as amended, are incorporated by reference into this document. Policy matters relating to faculty approved by the Board shall be set forth in this document and relevant portions of

the *Lake Erie College Employee Handbook*, benefit plan documents, and various other documents approved by the Board.

As described in Section 3.4.1 of the present document, the President of the Faculty Senate will attend meetings of the Board of Directors as an *ex-officio*, non-voting member, for the purpose of communicating faculty actions and interests to the Board and reporting to the faculty on discussions and actions by the Board. The Faculty Senate President may sit on two committees of the Board and may participate in Board discussions. However, he or she may not participate in executive sessions.

### **1.3 Structure of College Administration**

The following provisions describe the College administration as directly related to the academic mission of the College. It does not attempt to provide complete information about all areas and divisions of the College.

#### **1.3.1 College President**

The President is appointed by the College's Board of Directors. The President is the chief executive officer and spokesperson for the College, reports directly to the Board, and has ultimate responsibility for all aspects of the College in accordance with Board policies and procedures. In accordance with Board policy, the President appoints other administrative officers to assist in carrying out the mission of the College. The President and other administrative officers of the College work collaboratively to apply the College's policies and procedures in the everyday functioning of the institution.

#### **1.3.2 Vice President for Academic Affairs and Chief Academic Officer**

Reporting directly to the President of the College, the Vice President for Academic Affairs/Chief Academic Officer has comprehensive responsibility for providing strategic direction and leadership in all aspects of academic life internally and serves as the primary contact for the College's academic mission externally with government entities, regulatory agencies, business and academic partners, and

professional academic organizations. The position has oversight responsibility for all academic budgets; hiring, promotion, retention and governance of faculty; student academic life; and all academic divisions and services. The VPAA supervises and evaluates the Associate Vice Presidents for Academic Administration and for Academic Planning, the Academic Deans, the College Librarian, the Registrar, the Director of Technology Services, the Director of the Academic Learning Center, the Director for Professional Development, and the Director of the Center for Entrepreneurship. The Vice President for Academic Affairs sits on the President's Cabinet.

### 1.3.3 Vice President for Enrollment Management and Student Affairs

The Vice President for Enrollment Management and Student Affairs has primary responsibility for providing strategic direction and leadership for the areas of admissions, financial aid, student affairs and athletics. The position sits on the President's Cabinet and is responsible for establishing accurate and efficient data management with respect to admission, enrollment and financial aid to support and coordinate with other areas of the College responsible for reporting to governmental agencies.

### 1.3.4 Vice President for Administration and Finance

The Vice President for Administration and Finance has primary responsibility for providing strategic direction and leadership for the management of the College's administrative, business and financial operations; ensures compliance with federal, state and other government requirements; and works closely with the Board of Directors on fiscal management. The position serves on the President's Cabinet and supervises services in accounting, human resources, facility operations, auxiliary enterprises and physical plant.

### 1.3.5 Vice President for Institutional Advancement

The Vice President for Institutional Advancement has primary responsibility for providing strategic direction and leadership to promote the College to a variety of external constituencies and for coordinating and implementing the College's fund

raising programs and activities. The position serves on the President's Cabinet. In carrying out these responsibilities, this Vice President supervises and evaluates personnel in development, alumni relations, public relations and marketing.

#### **1.4 Administrative Committees of the College**

The President and the vice presidents of the College may from time to time establish advisory administrative committees to support the work in the respective areas. Faculty and staff may be invited to serve on the committees at the discretion of the vice president and/or President of the College. Faculty representatives are responsible for reporting on committee business to the Faculty Senate. The permanent committees are the following:

- **Budget Advisory Committee** works with the Vice President for Administration and Finance on budget development and processes. The Vice President for Academic Affairs, two faculty members and a representative from Enrollment Management and Student Life serve on this committee.
- **Space Planning Committee** works with the Vice President for Administration and Finance to develop and implement a comprehensive plan to assure that adequate facilities are available for planned college expansion. The Vice President for Academic Affairs shall represent faculty interests on this committee and invite specifically affected faculty members to provide information as needed. Other members of the committee include the Chief Finance Officer, and two representatives from Administration and Finance.
- **Athletic Council** advises senior administrators, including the Athletic Director, on issues relating to student athletes' welfare, the role of athletics in campus life, compliance with NCAA and GLIAC regulations, and the viability of existing and potential athletic programs. Membership shall include three faculty members, including the Faculty Athletic Representative, the Registrar, one representative from Finance and Administration and one representative from Enrollment Management and Student Affairs.
- **Academic Quality Improvement Project (AQIP) Committee** oversees the College's participation in the accreditation process under the authority of the Vice President for Academic Affairs. It shall include two faculty members as well as representatives from all other administrative areas of the College.

- **Admission Exceptions Committee** determines whether or not an exception to the admissions standards of the College shall be made on a case by case basis. Members of the Admission Exceptions Committee shall include a member of the Academic Standards Committee, the Director of Admissions, the Dean of Students, the Director of the Student Success Center, the Director of the Academic Learning Center, and the Associate Vice President for Academic Administration.

Other committees, either permanent or *ad hoc*, may be established as necessary according to the administrative needs of the College.

## 2.0 ACADEMIC AFFAIRS

### 2.1 Vision Statement for Academic Affairs

Lake Erie College will graduate students who are prepared to engage the most important issues of their local, regional and global communities. This is accomplished through:

- A solid liberal arts foundation in the core curriculum;
- Disciplinary expertise and excellence for each student; and
- Comprehensive attention to personal innovation, active learning experiences and global civic responsibility in academic and co-curricular programs.

### 2.2 Distinctive Characteristics of a Lake Erie College Education

The distinctive characteristics of a Lake Erie College Education are evident in the graduates' ability to innovate, activate and collaborate in a worldwide community.

- **INNOVATE:** The application of innovation and creativity is the heart of entrepreneurship and self-directed engagement. Each program and activity will foster an innovative spirit in students providing them with confidence in themselves and their ability to achieve their objectives.
- **ACTIVATE:** Hands-on, project-based learning in every program area enables students to apply theory to practice allowing them to absorb information more effectively and teaching them how to transfer successes from one area to another in their personal and professional lives.

- **COLLABORATE:** Reflection upon the cultural and social interdependence of the emerging global community and collaboration with others to implement innovative solutions are the specific experiences that will provide graduates with an enduring foundation for living in our complex and demanding society.

### **2.3 Goals of a Lake Erie College Education (Core Curriculum)**

The core curriculum of Lake Erie College is designed to promote these educational goals:

- The ability to exercise skills in critical thinking through an interdisciplinary approach to the liberal arts.
- The ability to carry out careful analysis of sophisticated texts.
- An awareness of the foundations of cultures and values in society as a local and global context.
- Experiences with aesthetic forms both in theory and practice.
- Experiences with the principles and applications of scientific inquiry.
- An understanding of the techniques and strategies appropriate to analysis within the behavioral or social sciences.

### **2.4 Organization of Academic Affairs**

Academic Affairs is administered by the Vice President for Academic Affairs/Chief Academic Officer and two Associate Vice Presidents who report directly to the VPAA. The area is organized into four divisions administered by individual deans. Delivery of academic programming is supported by the College Librarian, the Registrar, the Director of Technology Services, the Director of the Academic Learning Center and Academic Advising, the Director for Professional Development, and the Director of the Center for Entrepreneurship.

#### **2.4.1 Associate Vice Presidents for Academic Affairs**

##### **2.4.1.1 Associate Vice President for Academic Administration**

Reporting directly to the Vice President for Academic Affairs, the Associate Vice President for Academic Administration has comprehensive responsibility for student academic issues, including curriculum, academic assessment, retention, course scheduling, registration, academic advising and support, graduation, AQIP and

academic integrity issues as well as the data recordkeeping and reporting necessary to support these responsibilities. This person directly supervises the Registrar, the Director of the Academic Learning Center and Academic Advising as well as interfaces with Enrollment Management and Student Affairs with respect to recruiting, admissions and athletics.

#### 2.4.1.2 Associate Vice President for Academic Planning and Research

Reporting directly to the Vice President for Academic Affairs, the Associate Vice President for Academic Planning and Research is responsible for strategic planning and development of academic initiatives, interfacing with all units of the college to ascertain, evaluate, develop and implement new academic degree programming (including adult degree completion and undergraduate and graduate degrees). Responsibilities also include assisting the VPAA with regional, national and professional accreditation of new programs and supporting re-accreditation as necessary. With respect to institutional planning and research, the AVP is responsible for strategic planning including technology integration and research/data collection.

### 2.4.2 Academic Divisions

#### 2.4.2.1 Divisions of the College

The Divisions of the College are defined by degree, major and minor programs. They are: Arts and Sciences, Business, Equine Studies, and Education. Within Arts and Sciences, there are two subdivisions, administered by associate deans: (a) Math and Sciences and (b) Social Sciences. The Vice President for Academic Affairs may restructure the administrative units as necessary to support particular academic degrees and programs. The academic quality of such units rests with the Dean in collaboration with the faculty of the Division for that degree or major program.

#### 2.4.2.2 Appointment and Service of Deans/Associate Deans

The Dean of each area is appointed by the President on the recommendation of the Vice President for Academic Affairs and the faculty of the Division. The Deans report directly to the Vice President for Academic Affairs and have primary responsibility for the overall leadership of the Division, including monitoring the quality of instruction, enhancing current programs, and developing new initiatives in

their Divisions, and also for representing their Divisions to appropriate external groups.

Deans must hold a full-time appointment on the faculty of the Divisions in which they are serving as Dean. Unless recommended otherwise by the Vice President for Academic Affairs and approved by the President, appointments shall be for a two year term and are renewable. The terms of individual administrative contracts may vary to reflect the size and complexity of the Division. Employment as Dean is by contract only; no tenure attaches to this administrative position.

Deans shall be evaluated by the Vice President for Academic Affairs annually. Deans' service as administrators of the College will be given equal consideration as the service of other faculty, and the special requirements of their position will be taken into account when decisions on rank and tenure are made; evaluation of their teaching expertise will be based upon their actual performance and not upon any comparison to faculty who do not bear administrative responsibilities. Associate Deans are appointed by the Vice President for Academic Affairs and report directly to the Dean of their division; they have responsibilities and rights within their subdivisions comparable to those of Deans.

Deans will collaborate with all other areas of the College (e.g., Admissions, Student Affairs, Development) to further the mission of the College.

#### 2.4.2.3 Duties of Deans and Associate Deans

Subject to supervision by the Vice President for Academic Affairs, the regular duties of the Deans and Associate Deans include:

- Monitoring the budget for the division and developing funding initiatives as appropriate;
- Scheduling and staffing classes;
- Developing and assessing the curriculum to assure academic quality;
- Participating in the hiring, development, supervision and evaluation of all permanent faculty;

- Conducting annual observations and evaluations of all permanent faculty for the purposes of reappointment, advancement, and/or bonus rewards;
- Interviewing and recommending adjunct faculty for hiring; supervising adjunct faculty;
- Coordinating the advising and placement of students majoring in programs in their divisions;
- Giving final approval for graduation for each student after reviewing graduation audits;
- Assisting the College Librarian in maintaining the collection in the division disciplines;
- Monitoring supply and maintenance needs as well as facilities and equipment for the division;
- Monitoring recruitment, admissions, retention, and publicity for the division;
- Keeping division records, including official advising files, and forwarding records to Academic Affairs for permanent retention;
- Monitoring accreditation and assessment efforts within the division and coordinating with college-wide efforts; and
- Meeting bi-monthly with the Vice President for Academic Affairs, or as scheduled, for the Deans' Cabinet.

### 3.0 FACULTY RESPONSIBILITIES AND GOVERNANCE

#### 3.1 Overview

The primary responsibility of the College faculty is to promote the quality and integrity of the academic mission and vision of the College. The faculty consists of both academic and administrative faculty. Academic faculty shall consist of all full time and half time permanent ranked instructors, serving under a faculty contract, who teach at least six credit hours per year. Division Deans will be considered academic faculty as long as they meet the minimum teaching requirement. Administrative faculty shall consist of the President, the Vice President for Academic Affairs, the Associate Vice Presidents for Academic Affairs, and the College Librarian. The faculty shall meet as a body no less than twice per fall and spring

term in order to carry out the responsibilities and obligations as described in Section 3.2.

## **3.2 Responsibilities of the Faculty**

### **3.2.1 Responsibilities**

The faculty is responsible to make recommendations to the Vice President for Academic Affairs on the following matters:

- The academic goals of the College;
- The standards for admission to the College, requirements for graduation, and the granting of degrees of any type;
- The standards for the general education requirements for baccalaureate degrees;
- The guidelines, standards, and procedures for introducing curricular changes in the core curriculum and the major or minor programs of study;
- The award of degrees upon students' completion of the degree requirements;
- The general guidelines, standards, and procedures: for the appointment of faculty; for defining faculty workload; for the evaluation of faculty for reappointment, promotion, and tenure; for the compensation of faculty; and for the continued professional development of faculty;
- The priorities for educational programs and the allocation of resources among programs;
- The quality and appropriateness of programs and services which support teaching and the curriculum, including the library, academic computing, writing, and study skill centers, and specialized study programs;

These responsibilities may be delegated to permanent committees as discussed below in Section 3.3. The faculty responsibilities shall be carried out in a manner consistent with the provisions of this handbook.

### **3.2.2 Advisory Role of the Faculty**

The faculty may be consulted in the administrative functions that support the academic mission of the College but for which the primary responsibility rests with the Board of Directors, the President of the College, or a Vice President. These include but are not limited to:

- The mission, vision, and strategic plan of the College;

- The budget of the College;
- The selection of the chief administrative officers of the College;
- Plans for substantial additions or changes to the physical plant (e.g. renovation or new construction) of the College;
- Practices for the recruiting, admission and enrollment of students;
- Employment practices, including the determination of salary and benefits; and
- Policies and procedures for the general operation of the College.

### **3.3 Faculty Governance**

#### **3.3.1 General**

The faculty recognizes and accepts the authority of the Board of Directors and College President for final decisions on all matters. In appreciation of the principles of participatory governance and for the general well-being of the College, the faculty may offer advisory recommendations to the President or Vice Presidents, as delineated more fully in this document.

#### **3.3.2 Faculty Senate**

The Faculty Senate facilitates faculty participation in College governance. The Senate serves as a recommending and advising body only, without final decision making authority. The Senate shall meet as a body no less than twice per fall and spring term in order to carry out its responsibilities and obligations. The business of the Senate shall be conducted by the Executive Committee and the following permanent committees: Faculty Evaluation Committee; Faculty Development and Welfare Committee; Academic Standards Committee; Educational Planning and Policies Committee; Institutional Review Board; and Internships, Honors and Programs Abroad Committee. The Senate may establish *ad hoc* committees as necessary for conducting its business and carrying out its obligations. Faculty Senate meetings shall be conducted according to *Robert's Rules of Order* according to the interpretation of the Parliamentarian.

##### **3.3.2.1 Membership**

The membership of the Faculty Senate shall include all permanent faculty members, including full and part time faculty members, whether academic or administrative.

At least one half of the total full and part time permanent academic faculty members must be present as a quorum for official business of the Senate. Permanent academic faculty and visiting faculty shall be eligible to vote. In the case of a tie vote, the deciding vote shall be cast by the Vice President for Academic Affairs. Emeritii and replacement faculty members may attend Faculty Senate meetings but are not eligible to vote and may not serve on permanent committees.

### 3.3.2.2 Committee Elections

The election of faculty members to serve on the Executive Committee or any of the permanent committees shall be conducted during the spring semester at a meeting date established by the Executive Committee. Prior to the meeting date, the Faculty Senate President shall identify the open committee positions and faculty candidates eligible to serve each open position; this information shall be circulated to the full faculty at least one month prior to the election with a call for nominations. Any faculty members may nominate a colleague or his/herself for committee service. The Faculty Senate President shall then circulate the nominated slate to the full faculty, at least one week prior to the date of the meeting set for elections.

The Faculty Senate President shall conduct all elections and, with the assistance of the members of the Executive Committee, shall count votes and determine the winner of the election. Elections for committee service shall be conducted separately in the following order: President; Vice President/Parliamentarian; Secretary; at large members of the Executive Committee; new members for the Faculty Evaluation Committee; new members for the Faculty Development and Welfare Committee; new members for the Academic Standards Committee; new members for the Educational Planning and Policies Committee; new members for the Institutional Review Board; and new members for the Internships, Honors and Programs Abroad Committee. Faculty members with the highest votes shall be assigned to the open slots; in the case of a tie, there will be another vote limited to the tied candidates.

### 3.3.2.3 Committee Business

The role of Faculty Senate committees is to make final recommendations to the Vice President for Academic Affairs on issues arising within the scope of the delegated authority. However, the full Faculty Senate may revise the recommendation of any

committee through a resolution passed by majority vote at a regular meeting duly convened. Unless otherwise indicated in subsequent sections, all committees shall:

- Meet on a regular basis no less than once per semester and as needed during recesses and the summer months to conduct committee business;
- Receive proposals for decisions within the delegated authority of the committee and formulate a recommendation that is supported by a majority or more than one recommendation, in the event there is no majority support;
- Establish and publish procedures and forms appropriate for the conduct of committee business;
- Report on committee recommendations to the Faculty Senate; recommendations reported by a committee on any matters within its authority shall be final, unless the Faculty Senate shall pass a resolution to the contrary by majority vote at a regular meeting duly convened;
- Keep regular minutes of committee meetings and decisions, and forward one copy to the Vice President for Academic Affairs for official recordkeeping; committee minutes shall be available to any faculty member upon request; and
- Consult with the Vice President for Academic Affairs to develop and update annually a procedure manual for the work of the committee, including appropriate forms, to be made available to any faculty member upon request.

#### 3.3.2.4 Committee Service and Leadership

Unless otherwise indicated, the term of service on a committee is two years for each member, beginning on May 15 and extending through two academic years. Terms of service shall be staggered so that approximately half of the committee will consist of new members in each year. A faculty member is not eligible to serve a second consecutive term on any permanent committee (with the exception of the Institutional Review Board) and is not eligible to serve on two permanent committees in any given year, except in unusual circumstances as defined by the Faculty Senate President.

The committee chair shall be selected during the final meeting of the committee prior to May 15 from among the returning members; the chair shall serve from May

15 through the following academic year. The responsibility of the chair shall be to assure that the functions of the committee are carried out in a fair, professional and equitable manner. The responsibility for keeping minutes of committee business may be performed by the chair or delegated to one of the committee members. With the exception of the Executive Committee, committees may select additional officers from among their members as necessary to perform their obligations.

If a committee member becomes unable to complete his or her term of service, the Executive Committee of the Senate shall appoint a replacement from eligible members of the *ad hoc* pool until the next regularly scheduled committee elections. The replacement member may be re-elected to serve an additional full term subsequently, for a total of no more than four years including the year(s) of replacement service.

### **3.4 Executive Committee of the Faculty Senate**

The Executive Committee shall consist of the Faculty Senate President, Vice-President/Parliamentarian, Secretary, two members at large and the Vice President for Academic Affairs *ex-officio*. Members of the Executive Committee may not serve on any permanent committee and may decline to serve on any *ad hoc* committee. With the exception of the Secretary who serves one year, the terms of the Executive Committee are two years. The terms of the Executive Committee shall be staggered so that the Faculty Senate President and one member at large are elected in one year and the Vice President and one member at large are elected in the alternate year. The Senate Secretary is elected every year.

#### **3.4.1 President**

The Faculty Senate President shall be responsible for: convening the Faculty Senate generally once per month, but in no event less than twice per semester; establishing the meeting times, locations, and agendas; running all meetings in an orderly and effective manner; conducting committee elections for the next academic year; recommending faculty to fill *ad hoc* committee positions and vacated permanent committee positions, if necessary; attending the Board of Directors meetings *ex-officio* (See Section 1.2); and meeting at least monthly with the President of the College and the Vice President for Academic Affairs to represent

faculty interests. The President must be tenured and shall serve for one term, beginning on May 15 and extending through the following two academic years.

#### 3.4.2 Vice President/Parliamentarian

The Faculty Senate Vice President shall be responsible to: conduct Senate business in the absence of the President; and serve as Parliamentarian to assure order and protocol at Faculty Senate meetings. The Vice President shall serve for one term, beginning on May 15 and extending through the following two academic years. The Vice President must be a tenured faculty member. The Vice President shall be elected in alternate years from the President so that their terms will be staggered.

#### 3.4.3 Secretary

The Secretary of the Faculty Senate shall be responsible for: publishing notices of meetings and agendas; recording minutes of meetings; circulating minutes for approval; forwarding approved minutes to the faculty and to the Vice President for Academic Affairs for official recordkeeping; and for handling correspondence as necessary. The Secretary shall serve for a one year term, beginning on May 15 and extending through the following academic year. Any permanent member of the academic faculty is eligible to serve as Senate Secretary.

#### 3.4.4 At Large Members

The At Large Members of the Faculty Senate Executive Committee shall be responsible for: supporting the work of the Senate as a whole and for acting collaboratively with the President, Vice President and Secretary to make decision for the Senate in the event a quorum cannot be convened. The At Large Members shall serve a two year term, beginning on May 15 and extending through the following two academic years. Any permanent member of the academic faculty is eligible to serve as an At Large Member.

#### 3.4.5 Responsibilities of the Executive Committee

The Executive Committee is responsible for setting the agenda and maintaining the minutes of the Faculty Senate; and for facilitating communication within the faculty and between faculty members and other parties on campus. When the full Faculty

Senate is not available to convene in a timely manner, the Executive Committee may act on its behalf.

### **3.5 Faculty Evaluation Committee**

The primary responsibility of the Faculty Evaluation Committee (FEC) is to assist the VPAA in assuring the excellence and quality of the faculty body.

#### **3.5.1 Membership**

Membership shall consist of five members, one full time tenured academic faculty from each of the four Divisions and one other full time tenured academic faculty member. Deans are not eligible to serve on the Faculty Evaluation Committee; faculty members seeking promotions are also excluded.

#### **3.5.2 Functions**

The functions of the Faculty Evaluation Committee are to:

1. Evaluate faculty members for promotion and the award of tenure according to the criteria set forth in this Handbook and to make recommendations to the Vice President for Academic Affairs by December 1;
2. Evaluate tenure track faculty members every other year according to the criteria set forth in this Handbook and make recommendations to the Vice President for Academic Affairs by December 1 regarding continuation on tenure-track;
3. Evaluate contract faculty members annually according to the criteria set forth in this Handbook and to make recommendations to the Vice President for Academic Affairs by February 1 regarding reappointment;
4. Evaluate tenured faculty members every two years according to the criteria set forth in this Handbook and make recommendations to the Vice President for Academic Affairs by February 1;
5. Provide guidance and direction for faculty members regarding advancement in rank and tenure;
6. Make recommendations to the Vice President for Academic Affairs regarding prior years of service for candidates for tenure-track faculty positions; and

7. Inform the faculty of deadlines set by the committee that are necessary for the completion of the evaluation cycles.

The minutes of the committee will remain confidential except as required by law to be disclosed or as specifically required to be disclosed according to other provisions in this Handbook.

### **3.6 Faculty Development and Welfare Committee**

The primary responsibility of the Faculty Development and Welfare Committee (FDWC) is to assist the Vice President for Academic Affairs in assuring the development of faculty talents to support the academic mission of the College.

#### **3.6.1 Membership**

Membership shall consist of five members, two full time tenured academic faculty members and three non-tenured academic faculty members. The committee must contain at least one member representing each of the four Divisions. Members of the committee may not request any award of money while they are serving on the committee.

#### **3.6.2 Functions**

The functions of the Faculty Development and Welfare Committee are to:

1. Recommend to the Vice President for Academic Affairs a plan and resource needs for the development of the faculty as a whole and individual needs, according to the criteria for advancement and tenure as well as the academic mission and vision of the College; this plan shall be forwarded to the Vice President for Academic Affairs by May 1 for the following academic year;
2. Collaborate with the Vice President for Academic Affairs to provide an orientation for new faculty members;
3. Provide support to improve the teaching performance of faculty members;
4. Recommend policies to the Vice President for Academic Affairs regarding workload, salaries and workplace conditions that impact faculty welfare;
5. Evaluate faculty requests for support for professional development and faculty sabbatical proposals according to the criteria for advancement and tenure set forth in this Handbook and make recommendations for the award

of professional development funds and sabbatical leaves to the Vice President for Academic Affairs;

6. Inform the faculty of deadlines set by the committee that are necessary for the conduct of its business;
7. Recommend revisions to this *the Lake Erie College Faculty Handbook* to the Faculty Senate for discussion and vote, as appropriate; and
8. Select one member to serve *ex-officio* on the Excellence in Teaching Award recommendation committee, as facilitated by the Mortar Board/student committee.

### **3.7 Academic Standards Committee**

The primary responsibility of the Academic Standards Committee (ASC) is to assist the Vice President for Academic Affairs in setting and upholding the academic standards for students at the College.

#### **3.7.1 Membership**

Membership shall consist of three faculty members, at least one of whom shall be a full time tenured academic faculty member. The committee may not contain more than one member representing any of the four Divisions. The Associate Vice President for Academic Administration (or designate), the Director of the Academic Learning Center, the Registrar and the Dean of Students shall serve *ex officio* on this Committee.

#### **3.7.2 Functions**

The function of the Academic Standards Committee is to assist the Vice President for Academic Affairs by recommending academic policies, which will then be implemented by Division Deans or College administrators, as provided in the individual policies. The ASC shall recommend to the Vice President:

1. New policies (or revisions) regarding academic standards for admission to the College, academic progress and standing, separation from the College, graduation criteria, and readmission standards;
2. New policies (or revisions) regarding academic standards for admission to the Honors Program;

3. Guidelines and policies regarding student academic matters, including but not limited to academic integrity, academic load, absences and accommodations;
4. Resolutions for student appeals from the implementation of any academic policy by Division Deans or College administrators on matters of grades, dismissal, readmission, transfer of credits, probation and academic standing; and
5. Adjustments or revisions to admission standards after reviewing the exceptions to the admissions granted by the Admission Exceptions Committee for the prior admission cycle. See Section 1.4 regarding the Admission Exceptions Committee.

At the direction of the Vice President for Academic Affairs, the Registrar shall communicate final decisions with respect to ASC matters to students and update official records.

### **3.8 Educational Planning and Policies Committee**

The primary responsibility of the Educational Planning and Policies Committee (EPP) is to assist the VPAA to develop, maintain, and promote excellent academic programs consistent with the mission of the College.

#### **3.8.1 Membership**

Membership shall consist of five academic faculty members, at least two of whom shall be a full time tenured academic faculty member. The committee must contain at least one member representing each of the four Divisions. The Vice President for Academic Affairs (or designate) and the Registrar shall serve *ex officio* on this Committee. The Vice President for Academic Affairs may also invite one person not affiliated with the College to serve *ex officio* on this committee where that person's professional expertise will be beneficial to the deliberations of the committee.

#### **3.8.2 Functions**

The functions of the Educational Planning and Policies Committee are to:

1. Make recommendations to the Vice President for Academic Affairs regarding the addition or deletion of courses, curriculum requirements, programs, majors or degrees;
2. Make recommendations to the Vice President for Academic Affairs regarding revisions to the academic calendar at least 18 months prior to the start of the academic year;
3. Recommend revisions to the Vice President for Academic Affairs regarding the standardization of credit hours and course requirements; and
4. Establish and implement a regular process to assess the viability of all programs, including but not limited to enrollment, student learning outcomes, faculty resources, and finances; and recommend appropriate action to the Vice President for Academic Affairs.

In conducting its business, the Committee may invite the advice of others within and outside the College community.

### **3.9 Institutional Review Board**

The primary responsibility of the Institutional Review Board (IRB) is to assist the VPAA in assuring the protection of human research subjects at the College.

#### **3.9.1 Membership**

Membership shall consist of three academic faculty members, at least one of whom shall be a full time tenured academic faculty member. The committee may not contain more than one member representing any of the four Divisions. The Vice President for Academic Affairs (or a delegate) shall serve *ex-officio* on this committee. Members may serve for consecutive terms to preserve continuity and expertise in this area.

#### **3.9.2 Functions**

The functions of the Institutional Review Board are to:

1. Recommend to the VPAA a regular process for evaluating requests to use human subjects in research that complies with applicable laws and the standards of professional organizations;

2. Review requests for use of human subjects in research by any member of the College community and make recommendations to the Vice President for Academic Affairs; investigations using human subjects may not begin until permission is secured from the Institutional Review Board; and
3. Educate members of the College community of the importance of securing approval prior to commencing research using human subjects.

Interview and surveys conducted by members of the College community that will not be used for scientific and academic research projects are excluded from these provisions. This includes, by way of example, student conducted surveys for activities programming or admissions inquiries regarding customer service or applicant interests.

### **3.10 Internships, Honors and Programs Abroad Committee**

The primary responsibility of the Internships, Honors and Programs Abroad Committee (IHPAC) is to assist the VPAA in assuring the academic excellence and quality of internships, the Honors Program and international travel opportunities.

#### **3.10.1 Membership**

Membership shall consist of three academic faculty members, at least one of whom shall be a full time tenured academic faculty member. The committee may not contain more than one member representing any of the four Divisions. The Vice President for Academic Affairs (or designate) and the Director of the International Studies shall serve as voting members of this Committee. The Director of Career Services shall serve as a non-voting member.

#### **3.10.2 Function**

The function of the Internships, Honors and Programs Abroad Committee is to assist the Vice President for Academic Affairs by recommending:

1. A comprehensive policy regarding the purpose and qualities of co-curricular academic experiences to assure that such programs support both individual disciplines and the academic mission and vision of the College;
2. With respect to internships, standards for student internships for academic credit and a manual of procedures to implement the internship standards;

3. Criteria and procedures, consistent with the academic mission and vision of the College, for International Study Tours, including content, administration and faculty implementation;
4. Academic standards for student participation in an academic program abroad;
5. Learning outcomes, curricular requirements and academic policies for the Honors Program, in consultation with the director of that program; and
6. Resolutions for student appeals regarding the denial of participation in International Study Tours or an academic program abroad.

### **3.11 Ad Hoc Committee Pool**

*Ad hoc* committees may from time to time be created and appointed by the Faculty Senate President and/or the Vice President for Academic Affairs to conduct faculty business. Committee members shall be selected from the *ad hoc* pool, which shall consist of all faculty members not elected to a permanent committee or who have resigned from committee service. Faculty members serving on permanent committees may agree to serve on any *ad hoc* committee, if requested.

## **4.0 EMPLOYMENT POLICIES AND PROCEDURES**

### **4.1 Definition of Faculty Status**

The full faculty consists of both academic and administrative members. Academic faculty includes all full time and part-time permanent ranked academic instructors, serving under a faculty contract, who teach at least six credit hours per year. Permanent faculty members are all instructors hired on an academic year contract, whether or not full time; part-time per course faculty (adjuncts) are not permanent faculty. The four regular academic ranks are Instructor, Assistant Professor, Associate Professor, and Professor. See Section 4.2 below. Division Deans will be considered academic faculty as long as they meet the minimum teaching requirement. Administrative faculty shall consist of the President, the Vice President for Academic Affairs, the Associate Vice Presidents for Academic Affairs, and the College Librarian. Division Deans who do not meet the teaching load requirement shall be considered administrative faculty.

## **4.2 Rank of Permanent Faculty Upon Hire**

The Vice President of Academic Affairs, in consultation with the Dean of the Division, will recommend to the College President the award of initial rank upon hiring. The Faculty Evaluation Committee may be consulted in unusual cases.

### **4.2.1 Instructor**

An Instructor must possess a Master's degree or have attained professional experience commensurate with her/his instructional responsibilities. Generally, this rank is awarded to adjunct faculty and permanent academic faculty who have not yet earned a terminal degree in their field, including those who commit to completing a terminal degree prior to a pretenure review. The specific emphasis of an Instructor is participation in the Division and program of appointment.

### **4.2.2 Assistant Professor**

An Assistant Professor must possess a generally recognized terminal degree appropriate to his/her discipline or present evidence of having completed a body of research or scholarship equivalent in scope to such terminal degree as determined by the Faculty Evaluation Committee. The specific emphasis of an Assistant Professor is participation in the Division and the total life of the College.

### **4.2.3 Associate Professor**

An Associate Professor must possess a generally recognized terminal degree appropriate to her/his discipline or present evidence of having completed a body of research or scholarship equivalent in scope to such terminal degree as determined by the Faculty Evaluation Committee. The person must have held the rank of Assistant or Associate Professor in the most recent prior position held and must have years of experience commensurate with Associate rank. The specific emphasis of an Associate Professor is to assume leadership roles and make professional contributions within the College community.

### **4.2.4 Professor**

A Professor must possess a generally recognized terminal degree appropriate to her/his discipline or present evidence of having completed a body of research or scholarship equivalent in scope to such terminal degree as determined by the Faculty Evaluation Committee. The person must have held the rank of Associate Professor or Professor in the most recent prior position held and must have years of experience commensurate with the rank of Professor. The specific emphasis of a Professor is to assume leadership roles and make professional contributions within the College community and the community at large.

#### **4.3 Contracts for Permanent Academic Faculty**

##### **4.3.1 Administration of Contracts**

Faculty contracts will be prepared by the Academic Affairs Office and signed by the Vice President for Academic Affairs and the President of the College. Contracts for permanent faculty members will ordinarily be issued in May and must be signed and returned to the Academic Affairs Office within fourteen days of issuance. Contracts for adjunct faculty will ordinarily be issued one month before the start of the academic term.

##### **4.3.2 Full-Time Tenure Track/Tenured Faculty:**

1. Have full-time teaching duties or teaching and other duties as indicated in the individual contract (e.g., research, academic administration, advising, etc.) equivalent to a full-time teaching load;
2. Fulfill the duties and responsibilities of a faculty member;
3. Hold academic rank as described above;
4. Possess a recognized terminal degree; however, the College may employ an individual who does not yet possess the terminal degree while requiring such individual to show progress toward earning the terminal degree as a condition for continuing on tenure track;
5. Will be offered a probationary notice or tenure continuous contract for one year increments; and
6. Can expect reappointment from year to year, except under circumstances occurring in Section 7.0, below.

Tenured faculty who are less than full time shall have all the rights, duties and obligations of full-time tenured faculty, with the exception of carrying a proportionate share of full workload obligations.

#### 4.3.3 Full-Time, Non-Tenure Track Faculty (Contract Faculty):

1. Have full-time teaching duties or teaching and other duties as indicated in the individual contract (e.g., research, academic administration, advising, etc.) equivalent to a full-time load;
2. Fulfill the duties and responsibilities of a faculty member;
3. Hold rank of either Instructor or Assistant Professor, but are not eligible for advancement toward tenure or for advancement in rank beyond Assistant Professor;
4. Do not necessarily possess a recognized terminal degree;
5. Will be issued a one-year contract, unless special conditions apply; and
6. Have no right to reappointment.

Faculty originally hired as non-tenure track who are later converted to tenure-track contracts must follow all rules regarding tenure; exceptions may be negotiated with the Vice President for Academic Affairs and approved by the College President. Non-tenure track faculty may also be referred to as contract faculty.

#### 4.3.4 Part-Time Pro Rata Faculty:

1. Are considered permanent members of the faculty;
2. Have teaching duties equivalent to half-time or more but less than full-time load;
3. Fulfill the duties and responsibilities of a faculty member on a pro-rata basis consistent with their pro-rata share of load;
4. Hold academic rank of either Instructor or Assistant Professor and may, at the discretion of the College, be eligible for promotion as described in Section 6 below;
5. Are employed on term contracts but may receive tenure continuous contracts, at the discretion of the Vice President for Academic Affairs if they are shifting from full time tenured status to part-time pro-rata status;

6. Have employment benefits described in the *Lake Erie College Employee Handbook*, according to their pro rata status; and
7. May participate in all faculty development programs offered by the College, but are not eligible for sabbatical leave or bonus pay.

#### 4.3.5 Part-Time Per-Course Faculty (Adjunct Faculty):

1. Usually have less than a half-time teaching load;
2. Have no other faculty duties or responsibilities other than teaching, except as negotiated with the Division Dean;
3. Are employed through an individually negotiated contract issued usually each term;
4. Receive no fringe benefits; and
5. Do not accrue time toward tenure, promotion, or sabbatical leave.

#### 4.3.6 Special Appointment Faculty

##### 4.3.6.1 Emerita/us

The rank of Professor Emerita/us may be awarded to Associate Professors or Professors whose responsibilities end because of retirement (not resignation) after 15 years or more of distinguished service to Lake Erie College. The faculty member must have made demonstrable and valuable contributions to the College. Faculty members initiate the process by requesting emeritus status in writing to the Chair of the Faculty Evaluation Committee by December 1 in the year prior to retirement. A Professor Emerita/us is appointed by the Board of Directors, after recommendations in support by the President, the Vice President for Academic Affairs, and the Faculty Evaluation Committee.

##### 4.3.6.1.1 Privileges and Benefits of Emerita/us Faculty

The College is committed to retaining close ties with emerita/us faculty members. To this end, the following assistance and privileges are provided. Emeritii may:

1. Retain their Employee Identification Card. These cards will provide (subject to current policies and restrictions applicable to full-time faculty) access to the College recreational and educational facilities, library, bookstore, campus parking permits, access to network privileges, and artistic, athletic, and educational events;

2. Take any course at the College tuition-free. Further, if a spouse and/or dependent(s) is (are) receiving benefits under the tuition remission plan in force at the time of retirement, such benefits will continue until the spouse and/or dependent(s) has (have) completed their program of study or for five years, whichever occurs first;
3. Attend Faculty Senate meetings but may not serve on any committee and may not vote regarding faculty business; and
4. March in academic regalia in all College ceremonies and may attend all College sponsored social events generally open to the entire faculty body.

#### 4.3.6.2 Visiting Faculty

A visiting appointment, either full or part-time, shall be for a specified rank in a specific discipline or disciplines. Visiting faculty appointments include any scholars in residence, any externally funded appointments, “professors of practice” and any other non-permanent faculty position, which may or may not include teaching responsibilities. Compensation is determined at time of hire. The search for a visitor is conducted by a Division Dean in conjunction with interested Division faculty and a recommendation made to the Vice President for Academic Affairs. Visiting appointments are offered for a contractually defined period of time, not to exceed three years. The appointments may be extended for one or more additional years, but in no case beyond six consecutive years. Prior to renewal, visiting appointments must be reviewed by the Division Dean and a recommendation made to the Vice President for Academic Affairs on or before February 1.

Visiting faculty may participate in Division affairs, are eligible to apply for professional development grants, may vote on Faculty Senate issues and may serve on *ad hoc* committees. They may not serve as student advisors or as members of permanent faculty committees. They may not be involved in faculty reviews/evaluations and are not eligible for sabbatical leaves or bonus pay.

#### 4.3.6.3 Replacement Faculty

Replacement appointments are offered to faculty members hired on term contracts to replace a faculty member who is granted leave of absence, removed or incapacitated, or who resigns before the completion of her/his contractual

obligations. Service on these contracts does not count toward tenure, promotion, or sabbatical leave unless the service is recognized by the Vice President for Academic Affairs. Faculty originally hired as replacements who are later converted from term contracts to tenure-track contracts must follow all rules regarding tenure.

#### **4.4 Administrators with Faculty Rank**

##### 4.4.1 Administrative faculty members (administrators with faculty rank):

1. Qualify for appointment as a full-time faculty member, i.e., possess the requisite advanced degree and experience appropriate for appointment to the faculty;
2. Have full-time duties as an administrator, as indicated in the position description;
3. May teach from time to time as part of these duties;
4. Hold academic rank as described in Section 4.2;
5. Are employed at will or by contract in the role of administrator; and
6. Retain their tenure track/tenure appointment in the Division awarded, regardless of administrative appointment.

##### 4.4.2 Administrative Years of Service

Faculty members who assume full-time or part-time administrative responsibilities may count their years of service as administrators toward length-of-service requirements for promotion in rank and academic tenure. Faculty members who assume administrative responsibilities also retain, during their years of service as administrators, all rights and privileges guaranteed to faculty members under this Handbook. However, nothing in this Handbook shall be construed as conferring rights to continued employment in an administrative capacity.

##### 4.4.3 Administrators Returning to Full Time Teaching

Faculty members who assume full-time or part-time administrative responsibilities and who acquire tenure either before or during their years of administrative service may receive a position equivalent to the position vacated at the time they accepted the administrative position, if such a position is available. Faculty members who return to full-time teaching no longer receive stipends that may have supplemented their base salaries in compensation for administrative service. Salaries will be determined by the Vice President for Academic Affairs in consultation with the

Division Dean according to years of service, rank and achievements comparable to similarly situated full time faculty members. The President of the College will make the final decision regarding compensation.

## **4.5 Faculty Hiring Process**

### **4.5.1 Position request**

1. The Dean of the Division, in consultation with members of that Division, submits a detailed position request to the Vice President for Academic Affairs. The request should include: required academic rank/rank at hire degree and type of faculty contract needed.
2. The Dean shall present reasons justifying the hire, including, but it not limited to: the size of the current Division faculty; current or projected increases or shifts in enrollment; credit hour history and projections; new programs offered supported by a market analysis; and/or the need to staff online or off-site programs.
3. If the Vice President for Academic Affairs, after discussion with the Division Dean and the Vice President for Finance and Administration, accepts the position request, he or she shall create a job requisition, and forward this to Human Resources for publication, indicating the time frame for hire, the salary range, credentials, experience and other requirements for the position. If the Vice President for Academic Affairs denies the position request, he or she shall provide a brief rationale.

### **4.5.2 Search Process**

1. Full-time positions will be advertised nationally. Full-time positions include visitors serving for more than one year. Positions of one year or less in duration may be advertised locally. The ad may be placed in professional journals, newsletters, with graduate schools, *The Chronicle of Higher Education*, and/or any education-specific hiring websites that may be appropriate; e.g., Higherjobs.com.
2. The Vice President for Academic Affairs will appoint the members of the search committee. The committee shall include one permanent faculty member from the Division to serve as chair and four additional members, with at least one member from another Division and one member of the

Faculty Evaluation Committee; the Vice President and the Division Dean will serve *ex-officio*.

3. Human Resources shall send all applicants notification from the College that the application has been received and will forward all applications to the Search Committee chair.
4. The Search Committee will screen all applications to select finalists who demonstrate the requisite qualifications. Before telephone interviews, the Search Committee chair notifies the finalists of the salary range that accompanies the position. All finalists, up to a total of five, shall be screened by one or more search committee members through a phone interview with standardized questions.
5. After the telephone/electronic interviews, the Search Committee shall identify to the Vice President for Academic Affairs three candidates to invite for campus interviews. The costs of such interviews shall be taken from the Academic Affairs budget. The Search Committee will contact references provided by any candidate accepting an invitation to visit the campus prior to the visit.
6. The remaining applicants receive letters from the chair of the Search Committee indicating that they are not being considered. Dates will be determined on a case-by-case basis.
7. Candidates visiting campus will meet with the Search Committee, the Division Dean, the members of the Division, VPAA, the Director of Human Resources, and the President, if available. Candidates will be asked standardized questions and notes will be retained by the committee members. All candidates visiting campus will be asked for a formal presentation open to the campus according to the discretion of the Search Committee and the Division Dean. The chair of the Search Committee is responsible for coordinating these presentations in an efficient manner prior to each candidate's arrival.
8. The Search Committee provides feedback forms to all attendees at all presentations, collects completed forms, and keeps the data for use in the selection process.
9. After completing its interviews, the chair of the Search Committee, in consultation with the Dean of the Division, forwards a recommendation to

the Vice President for Academic Affairs to hire one of the candidates or to reopen the search. This report must state the strengths and weaknesses of each candidate along with the rationale for the rankings. The recommendation must be signed by all members of the Committee.

10. After consultation with the Division Dean, the Vice President of Academic Affairs recommends the final candidate to the President, along with prior service credit where appropriate. The Director of Human Resources will complete a background check on the candidate at this time. The Vice President of Academic Affairs will conduct employment negotiations with the candidate. The President shall send a letter of appointment and a contract to the candidate.
11. If negotiations are unsuccessful, another candidate may be selected or the search reopened if no suitable candidate is available.
12. The records of any search shall remain confidential and kept on file by the Division Dean and the Director of Human Resources for six years.

## **4.6 Personnel Records for Faculty**

### **4.6.1 Pre-employment File**

A pre-employment file contains all material required or received by the College related to the faculty member's original employment. Prior to appointment, this file is available only to the Vice President for Academic Affairs, her/his professional staff, the Division Dean and the members of the search committee considering the candidate. After employment, items in the file that are not of a confidential nature (e.g., the original letter of application, academic transcripts, and reprints) shall be copied and sent to the faculty member's official faculty file in the office of the Vice President for Academic Affairs. The remaining material (e.g., evaluations, notes, and other confidential material) is shredded after six years.

### **4.6.2 Official Faculty File**

Because the appointment of a ranked faculty member leads to a continuing relationship with the College, the Office of Academic Affairs shall retain documentation to support every action concerning each faculty member, especially

those actions pertaining to appointment, promotion, tenure, layoff, or dismissal. The Human Resources office shall retain a separate file relating the faculty member as an employee of the College. The contents of the official faculty file shall include:

1. The original letter of application;
2. The original appointment and acceptance letters;
3. Personal data (emergency contact information, updated annually);
4. Updated official transcripts;
5. Copies of all contracts indicating changes in salary, rank and status;
6. Signed self-evaluations prepared by the faculty member for annual review and for promotion and tenure reviews;
7. Signed evaluations by the Division Dean, the FEC, and the Vice President for Academic Affairs, as appropriate;
8. Any responses by the faculty member to evaluations within the official faculty file;
9. Information relating to the faculty member's academic and professional accomplishments, submitted by the faculty member or placed in the file at her/his request.

The information contained in this file is available to the individual faculty member at any time. In addition, it is available as required by law to the Board of Directors, the President, Legal Counsel, the Vice President for Academic Affairs, the Chair of the FEC, the Dean of the Division in which the faculty member holds appointment, and the Director of Human Resources. The information is made available to these persons only when it is necessary to the process of making professional decisions. The faculty member may also authorize in writing access to her/his file by a person not indicated above and, for the cost of duplication, may obtain copies of materials in her/his official file. These copies are made by a staff member of the Office of the VPAA. Further, the College may permit access to and copying from files in response to the lawful requests of federal or state agencies that are relevant to investigations, hearings, or other proceedings pending before such agencies.

#### 4.6.3 Faculty Roster

The Office of Academic Affairs shall publish a roster of all permanent faculty members currently employed by the College at the beginning of the fall and spring semesters.

## **5.0 FACULTY RIGHTS, RESPONSIBILITIES AND WORKLOAD**

In addition to the rights and responsibilities held by the faculty in common and exercised through the faculty governance structures, individual faculty members hold certain rights necessary for the accomplishment of the academic mission of Lake Erie College. Because these rights exist to foster and promote the academic mission, they impose upon the faculty members corresponding obligations and responsibilities recognized as professional conduct. Faculty members also have defined responsibilities with respect to teaching, advising and committee work.

### **5.1 Academic Freedom**

Lake Erie College, in and through its faculty, students and administrators, is committed to upholding the principles of academic freedom. It recognizes the expression of these principles in the *1940 Statement of Principles of Academic Freedom and Tenure* developed by the Association of American Colleges and the American Association of University Professors, along with the 1970 *Interpretive Comments* and all additional statements concerning regulations of Academic Freedom and Tenure (AAUP Policy Documents and Reports, 2006 Edition).

### **5.2 Teaching Rights**

Faculty members are free to discuss their subject matter in the classroom without constraint on the content, provided that they present their courses as they have been approved by the Educational Planning and Policies Committee and have been announced to students in the College catalogue.

### **5.3 Research Rights and Rights of Expression**

Faculty members are free to research and publish the results of their research, subject to the adequate performance of other duties. Research for monetary remuneration must be approved by the Division Dean and the Vice President for Academic Affairs. Faculty members have full freedom of expression in public forums, without fear of College censorship, subject to the constraints of accuracy and the opinions of others. They should at all times indicate that they are speaking for themselves and not on behalf of the College.

### **5.4 Responsibilities**

#### 5.4.1 Intellectual Integrity

Guided by a deep conviction of the worth and dignity of the advancement of knowledge, faculty members recognize the special responsibilities placed upon them. Their primary responsibility to their subject is to seek and to state the truth. To this end they are expected to spend energy on developing and improving their scholarly competence. Faculty members are obligated to exercise critical self-discipline and judgment in using, extending, and transmitting knowledge. They are expected to practice intellectual honesty. Although faculty members may follow subsidiary interests, these interests must never seriously hamper or compromise their freedom of inquiry.

#### 5.4.2 Currency in Discipline

Members of the faculty should expect of themselves what they demand of their students, namely, an attempt at independent thinking about a subject that is then submitted for evaluation. Faculty members are expected to enliven what they teach by staying abreast of the newest developments in the field or the current standards of professional practice, depending on the nature of their discipline, and by contributing to the development of knowledge and practice in their respective fields.

#### 5.4.3 Collegueship

The College can function effectively only if its faculty members participate actively in College governance. All permanent academic faculty members must be willing to undertake a reasonable number of non-teaching assignments, attend meetings, contribute their ideas and experience during the decision-making process, and shoulder their fair share of the work. The faculty member's first line of responsibility is to the Division and program to which s/he is assigned. The faculty member should maintain regular communication with other faculty members within her/his academic unit and perform the various duties assigned within this unit. All permanent faculty members are expected to attend their respective Division meetings and to participate actively in the work of the academic unit related to library purchases, assessment, accreditation, curriculum development, student advising, academic policy evaluation, and personnel matters.

All permanent academic faculty members are expected to serve on College committees and perform other non-teaching assignments, including but not limited to, serving as advisor to a student group, and assisting at admission events, assessment, orientation, and registration of students. All such faculty members are expected to attend meetings of the Faculty Senate, Founders' Day, Convocation, Commencement, and Honors Commencement. They are also encouraged to attend special meetings and workshops, lectures, concerts, dramatic presentations, openings of exhibits, student athletic events, and other events sponsored by the College, divisions, departments, or student groups.

#### 5.4.4 Professional Ethics

The faculty of the College are bound by professional ethics in their disciplines and among institutions of higher education, particularly as set forth in the *Statement of Professional Ethics* by the American Association of University Professors, as amended.

### 5.5 Academic Service

The primary responsibility of a full-time faculty member is to devote full-time service to Lake Erie College during the contract period of nine months from August 15 (or the nearest workday) to May 15 (or the nearest workday). During this time they are to pursue those academic activities that will be of benefit to the students, the Division, the program area, the College and the faculty member's own professional growth. These activities include teaching, advising, serving on committees, participating in Division and program activities, and keeping office hours adequate to respond to student needs. Permanent part time faculty members are expected to be devoted to academic service to the College proportionately according to the part time status.

#### 5.5.1 Teaching

The teaching requirement for faculty holding full-time appointments is 24-credit hours per contract year regardless of whether the courses are graduate or undergraduate level. The teaching load for permanent part-time faculty is defined by contract. Faculty members are expected to teach four days per week and to hold at least six office hours per week. The Division Deans will schedule teaching

assignments each semester after consultation with individual faculty members, but shall not assign back to back classes except in extra-ordinary circumstances.

#### 5.5.1.1 Cancellation of Courses

If a course that is part of an academic faculty member's load is cancelled for low enrollment, the Division Dean, in consultation with the faculty member, may make an appropriate alternate assignments, including teaching another course during the semester in which the original course was cancelled, teaching during a summer session, or teaching an unpaid overload in the next regular semester or making another contribution to the College that requires a commitment similar in time and scope to the class cancelled.

#### 5.5.1.2 Expectations for Course Management

Faculty members, regardless of rank or contractual status, must teach their courses so that they are consonant with the content and design recommended by the Educational Planning and Policies Committee and approved by the Vice President for Academic Affairs. Faculty members are expected to strive for excellence in teaching. Specifically, faculty members are responsible for the following:

1. Maintaining the intellectual integrity of all classroom work;
2. Promoting exemplary standards of linguistic expression in speech and writing;
3. Providing students with course outlines indicating material to be covered, related assignments, and methods of evaluation;
4. Selecting in consultation with appropriate colleagues, textbooks, materials, and methods for their courses and utilizing all required textbooks as integral parts of the course, with due attention to cost and availability of course materials in electronic form;
5. Explaining in writing the learning outcomes of the course;
6. Explaining in writing the grading system to be used and applying it fairly and consistently throughout the course;
7. Beginning and ending classes promptly to allow the full amount of time to which students are entitled;
8. Maximizing opportunities for all students to learn in the manner most effective for the attainment of their educational goals;

9. Returning all student work promptly with appropriate evaluation remarks;
10. Being available to meet with students during posted office hours;
11. Maintaining up-to-date records of each student's performance in the College learning management system (Jenzabar) so that this information is available to students;
12. Submitting all grades to the Registrar's Office by the deadlines published in the academic calendar; and
13. Participating in assessment programs related to accreditation and any other quality control initiatives.

#### 5.5.2 Release Time

With approval of the Division Dean, the teaching service requirement of a full-time faculty member may be reduced when he or she undertakes the following activities:

1. Extensive research funded by a grant from an external source, which shall offset the cost of hiring an adjunct instructor;
2. Continuing administrative duties, including serving as Dean or Associate Dean; or
3. Periodic administrative assignments (e.g., writing a major accreditation report, chairing a significant task force, designing a new program).

Non-routine variations from the expected twenty-four annual credit hours of teaching require the approval of the Vice President for Academic Affairs.

#### 5.5.3 Absences

Regular and reliable faculty attendance is essential to maintaining the academic integrity of College programs. The College calendar, which is available on the College website, includes the beginning and the end dates for all classes as well as scheduled academic holidays. Each faculty member is responsible for adhering to these dates and for notifying the Division Dean if, for serious reasons, he or she needs to deviate from these dates. Dismissing classes before the scheduled end of the semester, or at times other than scheduled holidays without permission, is considered a serious departure from College policy and creates unfair pressures on other faculty members. In case of a foreseeable absence, the faculty member should first request permission from the Vice President for Academic Affairs and if granted, notify students in class or via email or phone.

#### 5.5.4 Advising and Faculty Office Hours

All permanent faculty members are expected to participate in the advising of students. Advising assignments will be made by the Division Dean in consultation with the program faculty. The primary purposes of advising are: to assist students with selection of courses, registration and progress toward the completion of their major and all other degree requirements; to assist students in setting appropriate academic goals; to assist any student with work in classes taught by the faculty member or with general academic performance issues; and to recognize when a student needs professional assistance with academic performance by directing the student to the Academic Learning Center.

In order to provide students with adequate opportunity to confer and consult with their advisors, all faculty members are expected to post their class schedules and maintain a minimum of six office hours per week. They must arrange extra hours for advising and consultation during the first week of each semester until final decisions regarding schedules have been made. During orientation and registration, faculty must be available for those who wish to have academic advising. Division Deans shall also be available for advising during the first week of each semester.

#### **5.6 Outside Employment**

Every permanent faculty member's first responsibility is to the College. Outside employment, business interests, or consulting activities must not diminish a faculty member's effectiveness as a faculty member. These outside activities must be clearly subordinate to the faculty member's teaching and College service functions, and must be held to a minimum during the academic year. A full-time faculty member who desires to establish an outside employment relationship or business interest during the regular academic year must request permission from the Division Dean and Vice President for Academic Affairs in writing. Failure to receive written permission can be grounds for disciplinary action. The outside employment should not be in competition with the interests of the College, for example teaching more than one class at another academic institution. The burden of proof of this noncompetition rests with the faculty member to substantiate during his or her negotiations with the College.

## **5.7 Consulting**

In some fields there are opportunities to do consulting work within a faculty member's professional area. Within reasonable limits, this kind of pursuit may provide valuable experience for the faculty member and thereby promote his or her professional growth and development. The work done, however, must be of a professional character commensurate with the individual's capabilities, experience, and status. Insofar as consulting work is most often akin to outside employment, the faculty member is bound by the guidelines set forth in Section 5.6. He or she should not expect any reduction in load for engaging in consulting work unless the work is for the College, or the faculty member and the Vice President for Academic Affairs have mutually agreed to such arrangements in writing.

## **5.8 Sabbatical Leave**

A sabbatical leave is a privilege granted to eligible faculty members for the mutual benefit of the College and the person granted the leave. By providing a period of released time for study, research, or other creative activity, sabbaticals enable faculty members to develop areas of academic specialization, to improve their professional skills, to strengthen their teaching effectiveness, and to increase the quality of their future service to the College and to higher education.

### **5.8.1 Eligibility**

Any full-time faculty member with the rank of Assistant Professor or higher who has served seven or more consecutive years at the College is eligible for a sabbatical leave. Leaves of absence or time spent in part-time service cannot be used to fulfill this requirement. To qualify for a second sabbatical, a faculty member must complete another seven years of full-time service. Those who intend to retire within three years of the deadline for application are not eligible for a sabbatical. Sabbatical leaves are not granted automatically. -

### **5.8.2 Criteria of Award of Sabbatical Leaves**

The faculty member must demonstrate in writing, as part of the application, evidence of sound research, creative activity, or other academic achievement to support the program of work planned for the sabbatical period and show that the proposed activity meets one or more of the goals of the program of sabbatical

leaves. Furthermore, the President has complete discretion to determine whether, in any given year, the College has the available personnel or financial resources to grant requests for sabbaticals.

The number of full-year sabbaticals granted will depend on the College's ability to obtain qualified replacements and on departmental and division needs. The following are the priorities for ranking sabbatical requests:

1. Faculty member who has requested but not received a sabbatical leave in a previous year;
2. The benefit of the request to the College and the department;
3. The length of service of the faculty member;
4. The rank of the faculty member;
5. The total years at an institution of higher education; and
6. Faculty members who have never had a professional leave.

### 5.8.3 Stipend

Stipends for sabbatical leaves are either one semester at full salary or one academic year at one-half of full salary. Normal raises and benefit increases will not be withheld because of the sabbatical leave. Moreover, while the faculty member is on sabbatical leave, both the faculty member and the College continue to pay their normal full share toward retirement, group life, health, dental, long-term disability, and federal programs to the extent permitted by law.

In the case of a sabbatical leave granted to a faculty member who will receive a salary, grant, or stipend from another source for her/his work while on leave, the College may reduce the normal stipend accordingly. In such a case the College assures that its normal full share of retirement, group life, health, dental, and long-term disability insurance are paid; it may also bill, if necessary and appropriate, the faculty member for his or her normal share of these items.

### 5.8.4 Procedure for Requesting Leave

The procedure for requesting a sabbatical leave is as follows:

1. In a letter to the Vice President for Academic Affairs, the applicant formally requests a sabbatical leave and demonstrates eligibility under the provisions of this Handbook;

2. The faculty member must submit a plan describing some project or program in artistic, scientific, literary, or professional pursuits which will demonstrate measurable progress or yield some demonstrable results;
3. The plan must be supported by a written recommendation from the Division Dean;
4. All of this material is in the hands of the Vice President for Academic Affairs by February 1 of the year preceding the leave;
5. The requests and supporting materials are forwarded to the Faculty Development and Welfare Committee for review and recommendation to the Vice President for Academic Affairs by March 1;
6. The Vice President for Academic Affairs forwards a recommendation to the President for final decision by March 15 and a final decision will be made on or before March 31.

#### 5.8.5 Obligations for Sabbatical Leave

Faculty members granted a sabbatical assume the following obligations:

1. To make every reasonable effort to fulfill the terms of the sabbatical;
2. To provide at least three years of full-time service to the College after the sabbatical;
3. To file a detailed report on the actual results of the project with the Division Dean and the Vice President for Academic Affairs within 90 days after the beginning of the semester following the sabbatical leave. At the request of the Vice President for Academic Affairs, such reports may be made orally to interested faculty and students;
4. To reimburse the College for the sabbatical salary and benefits if the faculty member does not return to the College or complete the three-year commitment.

### 5.9 Bonus Stipend Policy

From time to time, individual faculty members may exceed the expectations set forth in this Handbook and deserve acknowledgement for their accomplishments. It is the purpose of the bonus stipend policy to describe the manner in which that acknowledgement is made.

### 5.9.1 Definitions and Eligibility

A bonus stipend is a financial award for meritorious accomplishment that is not added to the base salary. It is taken from a line item in the annual budget of Academic Affairs, which budget amount will be determined by the President in consultation with the President's Cabinet. Each faculty member who believes that he or she has performed at a meritorious level in specific ways in any given year may make application for a bonus stipend. Faculty members or Deans may also nominate colleagues for a bonus stipend.

### 5.9.2 Procedure

Stipends are awarded for activities accomplished in the previous calendar year, coincident with the evaluation cycle. During the fall semester, the Vice President for Academic Affairs, in consultation with the chairs of the permanent faculty committees,<sup>1</sup> shall recommend the criteria for evaluating applications for bonus stipends to the President. With approval of the President, the Vice President for Academic Affairs shall invite applications for bonus stipends from the faculty and Deans on or before January 15. Applications for bonus stipends are submitted to the Office of Academic Affairs by March 1.

The Vice President for Academic Affairs, in consultation with the chairs of the permanent faculty committees, evaluates the applications and makes recommendations to the President regarding the quality of the meritorious activity for each applicant and the amount of the merit stipend to be awarded, if any. Not all funds in the budget set aside for this purpose need to be awarded. The President makes the final decisions by June 1 and informs the applicants and the College community of the names of the awardees and their contributions. The bonus stipend disbursements are made in the first paycheck of the next academic year, i.e., August.

## **6.0 FACULTY EVALUATION AND PROMOTION [Approved by the Board May 2017]**

### **6.1 Performance Criteria**

<sup>1</sup> This includes the Executive Committee of the Faculty Senate, the Academic Standards Committee, the Faculty Evaluation Committee, the Faculty Development and Welfare Committee, the Educational Planning and Policies Committee, the Institutional Review Board, and the Internships and Programs Abroad Committee.

Faculty members are expected to demonstrate meritorious contributions and sustained excellence in the areas of teaching effectiveness, professional development , and college and community service to achieve and promote the academic mission, vision, goals, and distinctive characteristics of the College. The following measures are listed to explain the criteria, but are not intended to be exhaustive. Some activities may be applicable to other areas of evaluation. The determination of whether a faculty member has demonstrated the requisite performance criteria rests on the professional judgment of the Faculty Evaluating Committee, the School Dean, the Vice President for Academic Affairs/Chief Academic Officer, and the President of the College, as appropriate.

### **6.1.1 Teaching Effectiveness**

Teaching effectiveness is a priority at the College. This criterion shall bear heavy, but not exclusive, weight in the evaluation of faculty performance. Evidence of excellence in teaching effectiveness may include but is not limited to the following activities and categories (which are examples):

1. Imaginative course development, planning and preparation
  - a. Incorporating engaging in-class activities or demonstrations
  - b. Inviting guest speakers
  - c. Arranging relevant external activities and the inclusion of intentional experiential opportunities
  - d. Curricular development, review and enhancements
2. Documenting student outcomes and assessment
  - a. Incorporating assessment measures such as learning objectives and outcomes
  - b. Document graduate program acceptance/major-related employment rates
  - c. Providing examples of student work at or above class expectations
  - d. Students receiving nominations or awards
3. Providing timely and useful feedback on student performance
  - a. Use of scoring rubrics or other means of quantifying student performance

- b. Demonstrated use of formative feedback or other means of student performance evaluation measures
- 4. Commitment to a supportive learning environment
  - a. Effectiveness in advising
  - b. Demonstrated commitment to individual student learning and development
- 5. Development of successful classroom techniques
  - a. Use of emerging technologies
  - b. Incorporation of collaborative learning strategies
- 6. Appropriate utilization of student feedback
  - a. Including but not limited to student feedback instruments
  - b. Responsiveness to informal student feedback

### **6.1.2 Professional Development**

Full-time faculty members are expected to demonstrate ongoing engagement in their respective disciplines. This is valuable because it ensures that faculty remain abreast of current activities in their field, provides opportunities for collaborative and scholarly activities with students and among faculty, and promotes awareness of the college. The types of activities may be dependent upon the types and extent funding available from the institution. Evidence of excellence for professional development may include but is not limited to the following activities and categories (which are examples; types of evidence may vary according to discipline):

:

1. Enhancing teaching skills and acquiring new knowledge
  - a. Identification of personal strategies and goals for the continuous improvement of teaching skills
  - b. Attending or viewing teaching seminars
  - c. Acquiring knowledge that leads to curricula improvements or development
  - d. Learn or refine the use of emerging technologies for application in the classroom or support functions outside the classroom

2. Active Participation in one's field
  - a. Attend or present at conferences or participate in seminars which may include webinars
  - b. Participation or leadership in professional societies or organizations relevant to one's field
  - c. Professional consultation
3. Application for and the receipt of grants or external funding
  - a. Grants from foundations, agencies, or external organizations
  - b. Collaborative activities that relate to external funding
4. Producing scholarly works
  - a. Publication of scholarly works in print or electronic media or in other media appropriate to the discipline that are peer-reviewed
  - b. In the Arts, exhibitions, performances, displays, shows, and other creative endeavors as appropriate to the disciplines
  - c. Book reviews, or other types of reviews in one's field, may be considered scholarship

### **6.1.3 College and Community Service**

Full-time faculty members are expected to support and enhance the college and the wider communities. In addition, it is recognized that an important component of governance is the participation in committees, college-wide initiatives, and other endeavors that may constitute service. As a result, participation in such activities shall be taken into consideration. Evidence of college and community service may include but is not limited to the following activities and categories (which are examples):

1. Serving on committees
  - a. Standing, ad hoc, or administrative committees
  - b. Search committees
2. Acting as an advisor to student organizations, advising, and mentoring
  - a. Honor societies
  - b. Campus student organizations
  - c. Participating in retention and persistence initiatives

3. Participation in Admissions Office recruiting efforts and events
  - a. Meeting with prospective students
  - b. Participation in “open house” type events
4. College event involvement and participation
  - a. Including but not limited to events that are required by contract
  - b. Hosting and presentation of public lectures and Arts events
  - c. Involvement in sporting events
5. Community Involvement
  - a. Participation in volunteer or community service organizations, including recognitions, presentations and awards
  - b. Participation in fundraising drives
  - c. Presentations to community groups
  - d. Initiation of programs that strengthen the capacity of the college to fulfill its mission
  - e. Serving on boards
  - f. General contributions to the cultural, intellectual, and residential life of the college and the community.

## **6.2 Documents and Evidence**

Generally, faculty shall be evaluated based upon annual faculty self-evaluations, annual observations conducted by the School Dean, and student course evaluations. The criteria for review for tenure and advancement in rank are set forth above in Section 6.1. These will be used by the Faculty Evaluation Committee and the School Deans for periodic evaluations. In addition, at all levels of review, approved School-specific documents pertaining to rank, tenure, and evaluation will be taken into consideration.

### **6.2.1 Types of Evidence**

To facilitate reviews for promotion in rank and/or the award of tenure, faculty members are expected to submit supplemental evidence to demonstrate excellent performance. This evidence should be submitted in portfolio form, which includes a summary of performance

and a narrative identifying how the evidence submitted demonstrates the performance criteria. Evidence may include:

- Documents providing verification of any of the performance criteria in Section 6.1;
- Recommendations, letters of support and/or evaluations from colleagues and/or supervisors, whether affiliated with the College or not;
- All student course evaluations from the past three years; and
- All self-evaluations, Dean's evaluations, and committee evaluations/recommendations

### **6.3 Student Course Evaluations**

The Office of Academic Affairs is responsible for administering student course evaluations to ensure effective, timely and confidential student assessment of teaching effectiveness and course content. Evaluations shall be administered during the final week of all classes in each term. Course evaluations shall be distributed to the teaching faculty after all grades for the students in the course have been submitted. Access to the course evaluations will be limited to the faculty member, the School Dean, the Vice President for Academic Affairs/Chief Academic Officer, the Administrative Assistant in the Office of Academic Affairs, and the Faculty Evaluation Committee.

### **6.4 Annual Self-Evaluations**

The faculty self-evaluation shall be in the format determined by the Faculty Evaluation Committee and submitted to the School Dean by June 30 of each academic year. The self-evaluation will address the faculty member's performance and involvement in each of three areas, as set forth in Section 6.1 above.

### **6.5 Annual Dean's Evaluation**

Deans shall evaluate each faculty member in their schools annually. This evaluation shall be based upon the faculty member's self-evaluation, student course evaluations, the Dean's in-class observations conducted each semester, and an annual interview with the faculty member. The Dean's evaluation shall be committed to writing, signed by both the Dean and the faculty member and forwarded to the Academic Affairs Office to be placed in the faculty

member's permanent file on or before September 15. The School Dean must conduct an evaluation of first year faculty members by January 5. The Vice President for Academic Affairs/Chief Academic Officer may take the information in this evaluation under advisement when determining whether to reappoint a non-tenured faculty member.

## **6.6 Periodic Evaluations by the Faculty Evaluation Committee**

Within ten working days of the beginning of classes, the Chair of the Faculty Evaluation Committee will meet with the Vice President for Academic Affairs/Chief Academic Officer to review a list of those faculty who will undergo evaluation. The Committee shall evaluate faculty members for specific purposes according to the schedule below in this section.

### **6.6.1 First Year Faculty Members**

The Committee shall evaluate newly hired tenure-track or potential tenure-track faculty (i.e., faculty members whose line may be converted to tenure-track) members in the spring of their first year of appointment for the purposes of providing guidance regarding teaching, professional growth and college and community service. Non-tenure track or contract faculty evaluations are conducted by the appropriate School Dean for the first five years of appointment; this process is covered in further detail in Section 6.6.7. For tenure-track or potential tenure-track faculty, however, the evaluation shall be conducted between January 15 and March 15. The evaluation shall be forwarded to the Vice President for Academic Affairs/Chief Academic Officer on or before March 15 and may be taken under advisement in determining whether to reappoint the faculty member.

#### **6.6.1.1 Evidence Considered**

The Committee shall consider all available and completed student course evaluations, the faculty member's annual self-evaluation, and the School Dean's evaluation for the purposes of this section. As noted in Section 6.5 above, the School Dean's evaluation shall be based upon the School Dean's fall evaluation and spring evaluation.

#### **6.6.1.2 Process**

FEC evaluations shall be conducted after the annual self-evaluations are due, but in any case no later than March 15. Evaluations shall be forwarded to the School Dean and the Vice President for Academic Affairs/Chief Academic Officer. The Dean shall meet with the individual faculty member to discuss the recommendations of the FEC. In the event that the faculty member is a dean, the FEC will consult with the VPAA to determine how to proceed.

### **6.6.2 Third Year Review of Tenure-Track Faculty**

Tenure-track faculty are to be reviewed every year by the dean and FEC according to the criteria in Sections 6.1 and 6.6.3. However, in the fall of the third year of appointment, tenure-track faculty will submit a portfolio no later than October 1 to Academic Affairs. Portfolios will be held in a secure location when not in the custody of an FEC member. The FEC deadline for review is November 1. The annual reviews and the third year portfolio review by both the dean and the FEC shall indicate definitively whether or not the faculty member is making appropriate progress toward tenure and shall indicate the specific strengths and weaknesses of the faculty member's performance. In the event that the dean, FEC, or the VPAA determine that a candidate is not making progress toward tenure, formative feedback will be offered.

#### **6.6.2.1 Evidence Considered**

The FEC shall consider all documents in the faculty member's permanent file as well as the portfolio submitted by the faculty member demonstrating his or her performance in the areas of teaching effectiveness, professional growth, and college and community service. See Section 6.2.1 regarding the content of portfolios.

#### **6.6.2.2 Process**

The faculty member must initiate the process by formal written request to the Vice President for Academic Affairs/Chief Academic Officer and the Faculty Evaluation Committee before September 1 in the fall semester during which he or she is seeking reappointment.

The Vice President for Academic Affairs/Chief Academic Officer shall determine whether the terminal degree and length of service requirements have been met.

The Chair shall then meet with each third year review candidate individually to explain the evaluation process and provide guidance on preparing and submitting the review portfolio. Portfolios are due to the FEC by October 1.

Between October 1 and November 1, the Faculty Evaluation Committee shall review all portfolios submitted as well as all documents in the faculty member's permanent file to determine whether the evidence demonstrates that the faculty member is making adequate progress toward tenure according to the criteria in Sections 6.1 and 6.6.3.

On or before November 1, the Faculty Evaluation Committee shall state whether or not the faculty member is making adequate progress toward tenure and include reasons to support the decision. Where progress is not being made adequately, the Committee may recommend that the faculty member not be reappointed or be reappointed with conditions for an additional review in the following academic year. In cases where a faculty member does not make adequate progress in the following academic year, the Committee may recommend that he or she not be reappointed.

On or before December 15, the Vice President for Academic Affairs/Chief Academic Officer will notify faculty members of the results of the third year review process. For candidates making adequate progress and for those who are not making adequate progress but who will be reappointed, the notification will identify performance strengths and areas needing reinforcement as well as the timing for the next review. For faculty members who failed to make adequate progress and who will not be reappointed, the notification will identify the reasons for the decision. This written notification will be placed in the faculty member's permanent file in the Office of Human Resources.

### **6.6.3 Tenure Review**

The granting of tenure to a faculty member is one of the most important decisions made in an educational institution. In granting tenure, the College offers to employ the faculty member for the balance of her/his professional life unless cause for separation exists as defined under Section 7.0. It entails, therefore, a major institutional commitment to the individual, which must be earned by the faculty member. The College will make such a commitment only after thorough evaluation, appropriate consultation, and serious consideration on the faculty member's merits and contributions.

Tenure, therefore, is never automatic. It is conferred only by action of the Board of Directors of Lake Erie College on a faculty member holding a tenure track appointment when the Board anticipates exemplary professional contributions from the faculty member demonstrated by:

- Sustained effective teaching, including a practice of reflection and intentional improvement of skills;
- Sustained activity in scholarly and professional activities demonstrating expertise acknowledged by peers in the discipline;
- Continuous participation and leadership in collegial and community life; and
- Significant contributions to the attainment of the mission of Lake Erie College.

The faculty member must also have completed the appropriate review process and been recommended for tenure by the Faculty Evaluation Committee, the Vice President for Academic Affairs/Chief Academic Officer, and the President. Based on these recommendations, the Board of Directors makes a final decision. The award of tenure is made during the sixth year of service to the College and becomes effective in the next academic year.

#### **6.6.3.1 Eligibility for Tenure**

To be eligible to be considered for tenure, the faculty member must:

- Possess the recognized terminal degree in the discipline to which he or she is seeking tenure;
- Have served at least five years of full-time service at Lake Erie College, unless a specific contractual arrangement for a lesser period was made upon the hiring;

- Have received an evaluation of adequate progress during the third year review, where applicable; and
- Demonstrate the requisite performance according to the criteria of teaching effectiveness, professional development and college and community service, as described in Section 6.1 above.

### **6.6.3.2 Evidence Considered**

The FEC shall consider all documents in the faculty member's permanent file as well as the portfolio submitted by the faculty member demonstrating his or her performance in the areas of teaching effectiveness, professional growth, and college and community service.

### **6.6.3.3 Process**

1. The faculty member must initiate the process by formal written request to the Vice President for Academic Affairs/Chief Academic Officer and the Faculty Evaluation Committee before September 1 in the fall semester during which he or she is seeking tenure review, usually the beginning of the sixth year of service unless the contract of hire awards one or more years for prior service.
2. The Chair of the Faculty Evaluation Committee shall confer with the Vice President for Academic Affairs/Chief Academic Officer to determine that the terminal degree, length of service and third year review requirements have been met.
3. The Faculty Evaluation Committee Chair shall then meet with each tenure candidate individually to explain the tenure review process and provide guidance on preparing and submitting the review portfolio.
4. Portfolios are due to the Faculty Evaluation Committee by October 1; portfolios will be held in a secure location in the Office of Human Resources when not in the custody of a FEC member.
5. Between October 1 and November 1, the Faculty Evaluation Committee shall review all portfolios submitted as well as all documents in the faculty member's permanent file to determine whether the evidence demonstrates adequate performance in the areas of teaching effectiveness, professional growth, and college and community service.

6. On or before November 1, the Faculty Evaluation Committee shall make a recommendation to the Vice President for Academic Affairs/Chief Academic Officer. The evaluation shall recommend either: the award of tenure based upon whether or not the faculty member has met the criteria for tenure and include reasons to support the decision; or the denial of tenure, including reasons why the faculty member has not met the criteria for tenure.
7. On or before January 1, the Vice President for Academic Affairs/Chief Academic Officer shall review the recommendation of the FEC and determine whether or not to make a recommendation to the President regarding the award of tenure for each faculty member reviewed by the FEC. The recommendation shall contain a summary of the tenure review file and the recommendation of the FEC.
8. On or before February 1, the President shall review the Vice President for Academic Affairs/Chief Academic Officer's recommendation and determine whether or not to make a recommendation to the Academic Policy and Planning committee of the Board of Directors regarding the award of tenure for each faculty member reviewed by the Faculty Evaluation Committee. The recommendation shall contain a summary of the tenure review file and the recommendation of the FEC and the Vice President for Academic Affairs/Chief Academic Officer/Chief Academic Officer.
9. On or before the first regularly scheduled Board of Directors meeting each calendar year, the Academic Policy and Planning Committee of the Board shall determine whether or not to make a recommendation to the full Board of Directors regarding the award of tenure for each faculty member reviewed by the Faculty Evaluation Committee. The Board shall render a final decision whether to grant tenure. A summary of the tenure review file and all prior recommendations shall be made available to the Board of Directors upon request.
10. The Vice President for Academic Affairs/Chief Academic Officer will notify applicants for tenure of the Board of Directors' decision within one week of the date of the meeting.

#### 6.6.4 Implementation of Tenure/Non-Tenure Decisions

1. If the Board of Directors awards tenure, tenure takes effect at the beginning of the next contract period, generally July 1.
2. If the Board of Directors does not award tenure, the faculty member will be offered a one year terminal contract for the next academic year.
3. Any faculty member denied tenure may appeal the decision according to the Grievance Procedure set forth in this Handbook. Grounds for appeal must allege a violation of individual civil rights or a violation of the tenure process as set forth in this Handbook. The appeal must be filed within thirty days of the date of notification of the Board of Directors' final decision.

#### 6.6.5 Promotion Review for Advancement in Rank

Promotion is an advancement in rank intended to recognize excellent performance of faculty members. Applicants for promotion must demonstrate appropriate credentials, sufficient length of service, and address each of the criteria in Section 6.1 above. The Vice President for Academic Affairs, may waive any of these requirements when the best interest of the College is served. Advancements in rank will take effect at the beginning of the next contract period, generally July 1.

##### 6.6.5.1 Eligibility for Advancement in Rank

- **Assistant Professor:** Tenure track faculty members holding the rank of Instructor may apply for an advancement in rank to Assistant Professor by demonstrating: (1) achievement of the recognized terminal degree in the discipline; (2) a minimum of three years of full-time service to the College at the rank of Instructor; and (3) sustained performance according to the criteria in Section 6.1. See also section 4.2.2 defining Assistant Professor.

Any tenure track faculty member employed at the rank of Instructor who completes his or her studies toward the recognized terminal degree before completing three years of service at the College may present written documentation to the Vice President for Academic Affairs on or before August 1 to receive an advancement to

the rank of Assistant Professor for the academic year beginning on or about August 15.

Non-tenure track faculty members who do not hold the terminal degree are eligible to apply for promotion to Assistant Professor during or after the fifth academic year of full-time service. Promotion to Assistant Professor will be awarded based primarily on teaching effectiveness and service to the College. The promotion, if granted, is effective at the beginning of the next academic year.

- **Associate Professor:** Normally this rank is awarded with the award of tenure. The procedures and criteria in Section 6.6.3 apply to the award of Associate Rank with tenure. See also section 4.2.3 defining Associate Professor.
- **Professor:** The award of the rank of Professor recognizes regional or national level contributions to the individual's discipline and evidences an expectation that such contributions will continue. Faculty members holding the rank of Associate Professor may apply for an advancement in rank to full Professor by demonstrating: (1) achievement of the recognized terminal degree in the discipline; (2) a minimum of seven years of service at the rank of Associate Professor; and (3) demonstrated performance according to the criteria in Section 6.1 above. See also section 4.2.4 defining Professor.

#### 6.6.5.2 Evidence Considered

The FEC shall consider all documents in the faculty member's permanent file since the last review (whether for third year review, tenure or rank) as well as the portfolio submitted by the faculty member demonstrating his or her performance in the areas of teaching effectiveness, professional growth, and college and community service.

#### 6.6.5.3 Process

1. The faculty member must initiate the process by formal written request to the Vice President for Academic Affairs and the Faculty Evaluation Committee before September 1 in the fall semester during which he or she is seeking promotion.
2. The Vice President for Academic Affairs shall determine whether the terminal degree and length of service requirements have been met.
3. The Chair of the Faculty Evaluation Committee shall then meet with each promotion candidate individually to explain the evaluation process and provide guidance on preparing and submitting the review portfolio.
4. Portfolios are due to the FEC by October 15.
5. Between October 15 and December 1, the Committee shall review all portfolios submitted as well as all documents in the faculty member's permanent file to determine whether the evidence demonstrates eligibility for promotion according to the criteria in this section.
6. On or before December 1, the Committee shall make a recommendation to the Vice President for Academic Affairs. The evaluation shall recommend either: a promotion based upon whether or not the faculty member has met the criteria for such promotion and include reasons to support the decision; or the denial of promotion, including reasons why the faculty member has not met the criteria.
7. On or before January 1, the Vice President for Academic Affairs shall make a recommendation to the President regarding the promotion of each faculty member so reviewed by the Faculty Evaluation Committee. The recommendation shall contain a summary of the promotion review file and the recommendation of the FEC.
8. On or before February 1, the Vice President for Academic Affairs will notify applicants for promotion of the President's decision.
9. The promotion will take effective at the beginning of the next academic year.

#### 6.6.6 Review of Tenured Faculty

The FEC shall evaluate tenured faculty members every two years in the spring semester for the purposes of providing guidance regarding teaching, scholarship and professional

contribution. The reviews shall also be used to support promotion in rank, salary increases and applications for leaves and sabbaticals.

#### 6.6.6.1 Evidence Considered

For the purposes of this section, evidence shall consist of student course evaluations, the faculty member's annual self-evaluations, and the Division Dean's periodic evaluations, including in-class observations.

#### 6.6.6.2 Process

1. FEC evaluations shall be conducted after the faculty annual self-evaluations are due and completed no later than March 30. Evaluations shall be forwarded to the Division Dean and the Vice President for Academic Affairs. The Dean shall meet with the individual faculty member to discuss the recommendations of the FEC. The Committee evaluation will be placed in the faculty member's permanent file in the Office of Academic Affairs.
2. The Faculty Evaluation Committee shall provide specific written assessment of the faculty member's performance according to the criteria.
3. In the event the Committee determines that the faculty member's performance must be improved, the evaluation shall include constructive recommendations for improvement and a timeline for action. The faculty member's adherence to the plan and progress toward improvement will be evaluated annually by the Division Dean and by the Faculty Evaluation Committee at the next regularly scheduled review of tenured faculty members, usually two years. At that time, the Committee may recommend to the Vice President for Academic Affairs that remedial action be taken, up to and including disciplinary action.

#### 6.6.7 Review of Contract Faculty

The review of contract faculty shall follow the provisions of Section 6.5 above for an annual review by the Division Dean. During the fifth year of employment and every five years thereafter, contract faculty shall be reviewed by the Faculty Evaluation Committee instead of the Dean following the process provided in Section 6.5.

## **6.6.8 Review of Full-Time, Non-Tenure Clinical Track Faculty [Approved by the Board in May 2017]**

### **Definition of the Clinical Track**

6.6.8.1 The Clinical Track is designed for LEC faculty members pursuing a career track that focuses predominantly on teaching clinical material and providing community or professional service. This track is available to those faculty who may provide medical or health related services as part of their faculty responsibilities and who choose to focus to a lesser degree on engaging in scholarly activities.

6.6.8.1.2 Faculty members who elect for the Clinical Track will share the same rights and privileges as other members of the LEC faculty and are voting members of the Faculty Senate and have representation on Faculty Senate Committees and other College Committees.

6.6.8.1.3 Faculty members who elect for the Clinical Track may be appointed at the rank of Clinical Instructor; Clinical Assistant Professor; Clinical Associate Professor; and Clinical Professor.

6.6.8.1.4 The titles specified above will be utilized in promotional correspondence, human resource records, contracts, and the curriculum vitae of faculty members opting for this track.

6.6.8.1.5 Time in rank alone is NOT sufficient for advancement in rank.

6.6.8.1.6 Clinical Track Faculty are eligible for advancement toward tenure (if converted to tenure track) and/or for promotion to a higher academic rank based on their performance in teaching, community and professional service, college service, and clinical service.

6.6.8.1.7 Clinical track faculty may apply to transition to non-clinical tenure track faculty with approval of area Dean and VPAA. Service, including clinical practice and years of service, in the clinical track will transition to non-clinical tenure track upon approval. Upon transition to non-clinical tenure track, faculty will adhere to standards and guidelines for non-clinical tenure track as defined in the area handbook.

### **6.7 Clinical Ranks Defined**

### 6.7.1 Clinical Instructor

- 6.7.1.1 Must possess a generally recognized terminal degree (Masters degree or higher) or in the process of completing a Master's degree, appropriate to his/her discipline
- 6.7.1.2 Must be qualified to provide medical or health related education and/or patient care
- 6.7.1.3 Generally, this rank is awarded to adjunct faculty and permanent academic faculty who have not yet earned a terminal degree in their field, including those who are in the process of completing a master's degree.

### 6.7.2 Clinical Assistant Professor

In addition to the requirements of the lower clinical ranks, the Clinical Assistant Professor:

- 6.7.2.1 Must possess current certification through the relevant professional certifying agency (if one exists for the area of instruction and appropriate for the responsibilities of the position)
- 6.7.2.2 Must have demonstrated experience in clinical practice and/or teaching in the clinical or classroom setting

### 6.7.3 Clinical Associate Professor

In addition to the requirements of the lower clinical ranks, the Clinical Associate Professor:

- 6.7.3.1 Must have held the rank of Clinical Assistant Professor for at least 5 years
- 6.7.3.2 Teaching – A Clinical Associate Professor must demonstrate contributions to education in his/her field of practice. This may be through teaching (lectures, clinical instruction of students and residents, mentorship pairing, or scholarly work)
- 6.7.3.3 Scholarship - A Clinical Associate Professor must have evidence of scholarship that influences knowledge in their field. Clinical practice, invited presentations, as well as publication of articles in professional journals are examples of scholarly contributions of faculty at this rank.
- 6.7.3.4 Service – A Clinical Associate Professor must demonstrate clinical, professional, community, or institutional service as appropriate. Providing or supporting

professional organizations, community organizations, departmental committees, and institutional committees are examples of service at this rank. Academic administration, budgetary, and organizational responsibility are also valued activities at this rank

6.7.3.5 Individuals at this rank are expected to be role models of collegiality, integrity, scholarship, and excellence in their professions

#### 6.7.4 Clinical Professor

Appointment and promotion to this highest rank in the Clinical Track requires continued outstanding teaching, scholarship, mentoring, and clinical service. In addition to the requirements of the lower clinical ranks, the Clinical Professor:

6.7.4.1 Must have held the rank of Clinical Associate Professor for at least 7 years

6.7.4.2 Teaching – A Clinical Professor must demonstrate significant contributions to education in his/her field of practice. This may be through teaching (lectures, clinical instruction of students and residents, mentorship pairing, or scholarly work with trainees), preparation of innovative educational materials, including educational brochures, learning aids, textbook chapters, reviews, videotapes, web based learning, and other instructional interfaces

6.7.4.3 Scholarship - A Clinical Professor must have evidence of scholarship that influences knowledge or clinical care in their field. Clinical practice, invited presentations, as well as publication of articles in professional journals, chapters, reviews, abstracts, textbooks, videotapes, web based publications, or other educational materials or curricular innovations are examples of scholarly contributions of faculty at this rank.

6.7.4.4 Service – A Clinical Professor must demonstrate clinical, professional, community, or institutional service as appropriate. Providing healthcare and / or supporting professional state and national professional organizations, community organizations, departmental committees, and institutional committees are examples of service at this rank. Academic administration, budgetary, and organizational responsibility are also valued activities at this rank.

6.7.4.5 Individuals at this rank are expected to be role models of collegiality, integrity, scholarship, and excellence in their professions.

## 6.8 Advancement in Rank

Advancement in rank is intended to recognize excellent performance of faculty members. Applicants for advancement must demonstrate appropriate credentials, sufficient length of service, and address each of the criteria for the next rank. The Vice President for Academic Affairs may waive any of these requirements when the best interest of the college is served. Advancements in rank will take effect at the beginning of the next contract period, generally July 1. Salary adjustments with change in rank will mirror non-clinical tenure track adjustments.

### 6.8.1 Eligibility for Advancement in Rank

#### 6.8.2 Clinical Associate Professor:

Faculty holding the rank of Clinical Assistant Professor may apply for an advancement in rank to Clinical Associate Professor by documenting:

6.8.2.1 Advancement of the recognized terminal degree in the discipline

6.8.2.2 A minimum of five years of full-time service to the College at the rank of Clinical Assistant Professor

6.8.2.3 Sustained performance to the criteria for the rank of Clinical Assistant Professor

#### 6.8.3 Clinical Professor:

The award of the rank of Clinical Professor recognizes regional or national level contributions to the individual's discipline and evidences an expectation that such contributions will continue. Faculty members holding the rank of Clinical Associate Professor may apply for an advancement in rank to Clinical Full Professor by demonstrating:

6.8.3.1.1 Achievement of the recognized terminal degree in the discipline

6.8.3.1.2 A minimum of seven years of service at the rank of Clinical Associate Professor

6.8.3.1.3 Demonstrated performance according to the criteria in 1.2.4 above

6.8.4 Evidence considered by the faculty evaluation committee for advancement to any rank shall be all documents in the faculty member's permanent file since the last

review as well as a portfolio submitted by the faculty member demonstrating his or her performance in the areas specified in this document and the area handbook.

6.8.5 The process by which clinical faculty seek advancement in rank will be the same as described in the Faculty Handbook section 6.6.5.3.

## **7.0 SEPARATION FROM THE COLLEGE**

When it may become necessary for either the College or the individual faculty member to sever their contractual relationship, the various types of separation are here defined, and the policies and procedures related to each category are set forth, to protect the interests of both parties.

### **7.1 Resignation**

A resignation is an action by which a faculty member voluntarily severs his or her relationship with the College. Except in unusual circumstances, resignations take effect at the end of an academic year. Because of the extreme hardship which is often caused by untimely resignation, all faculty members are asked to provide the earliest possible notice of their intent to resign. Ordinarily, faculty are expected to give notice to their Division Dean and the Vice President of Academic Affairs no later than sixty (60) days prior to the end of the academic year of their intent not to return in the following academic year. If a resignation is for personal reasons, the Vice President for Academic Affairs, in consultation with the individual faculty member, may consider whether a leave of absence would be appropriate and beneficial for all parties concerned. A written recommendation to this effect is then made to the President by the Vice President for Academic Affairs.

### **7.2 Retirement**

One year in advance of intended retirement, faculty members shall contact the Human Resources office to obtain information about retirement benefits and their Division Dean to plan transition of workload and responsibilities.

### **7.3 Non-Reappointment of Tenure and Tenure Track Faculty**

The term “non-reappointment” means that the College has decided not to renew a faculty appointment at the conclusion of the stated tenure-track or tenured faculty

contract term. The decision not to reappoint a ranked faculty member is made solely at the discretion of the President, except that any such decision may not be unlawfully discriminatory, arbitrary, or capricious. The President acts after receiving the recommendation of the Vice President for Academic Affairs.

In cases where the faculty member believes that her/his non-reappointment has been unlawfully discriminatory, arbitrary, or capricious, he or she may commence a grievance procedure in accordance with procedures established in Section 8 of this Handbook. The burden of proof is on the faculty member. The review of the decision is limited to determining whether the non-reappointment was unlawfully discriminatory, arbitrary, or capricious.

#### 7.3.1 Notice of Non-Reappointment

Notice of non-reappointment is given in writing by the President on or before December 15 of the final year of academic service. Since a notice of non-reappointment is not a dismissal for cause, it is not necessary for the College to set forth its reasons in the initial notice of non-reappointment. Non-reappointments arise due to institutional conditions short of financial exigency that nevertheless indicate the need to reduce faculty staffing. Legitimate reasons for non-reappointment include, but are not necessarily limited to, the following:

1. Cancellation of or major change in a program or curricular requirements, either in whole or in part;
2. Declining enrollment;
3. Need for reduction in academic staffing; or
4. Unfavorable reviews of a faculty member's major appointment responsibilities, including administrative responsibilities where applicable.

### 7.4 Lay-Off

Lay-off is a separation action by which the College terminates the services of a permanent faculty member before the expiration of his or her contract, without prejudice as to performance. The rights and expectations of faculty members subject to lay-off are governed by law and the provisions of this Handbook.

#### 7.4.1 Grounds for Lay-Off and General Provisions

The decision to lay-off will be reached only after there has been appropriate consultation among the faculty member, the Division Dean, the Vice President for Academic Affairs, and the President. The faculty member must be informed in writing of the basis of the proposed action and afforded an opportunity to present his or her position. Reasons for lay-off are either prolonged mental or physical illness, precluding the faculty member from substantially performing his or her duties for more than six months despite reasonable accommodations; curricular or program changes; or financial exigency of the College.

#### 7.4.2 Lay-Off due to Curricular or Program Changes

Lay-off of permanent faculty members may occur as a result of a major change, including discontinuation of a curricular requirement, an academic program, or a Division in whole or in part. Such decisions are based on educational considerations, as determined by the President in consultation with the Vice President for Academic Affairs that the educational mission of the College as a whole will be enhanced by the change.

#### 7.4.3 Lay-Off due to Financial Exigency

Financial exigency is defined as an imminent financial crisis that threatens the College as a whole. It is a rare and serious institutional crisis as determined by the Board of Directors. Once a state of financial exigency has been declared, the Vice President for Academic Affairs, in consultation with the Division Deans, and the Educational Planning and Policies Committee, recommends action to the President, who then makes recommendations to the Board of Directors. The College may eliminate some Divisions or programs in whole or in part, or distribute lay-offs throughout the Divisions or programs. The President and the Board of Directors have final authority in all matters related to financial exigency and lay-offs so caused.

### **7.5 Procedures Regarding Lay-Offs**

#### 7.5.1 Rehiring of Laid-Off Faculty

If a tenured or tenure-track faculty member is to be laid-off, no replacement for his or her position will be hired within a period of two years unless the laid-off faculty member has been offered reappointment under conditions comparable to those

held at the time of lay-off and has been given sixty days after written notice of the offer of reappointment within which to accept, in writing, the reappointment.

#### 7.5.2 Procedures for Lay-Off

1. Layoffs of specific faculty are recommended by the Vice President for Academic Affairs to the President, who makes the final decision.
2. In the case of financial exigency, the following procedures are followed:
  - The Vice President for Academic Affairs may advise the President to hold all contracts until May 31 and to serve notice to untenured faculty regarding non-renewal of contracts pending a final decision on the seriousness of the financial exigency.
  - All tenured faculty will receive six months notice of termination calculated from the date of the Board of Directors' declaration of financial exigency. Untenured and term faculty will complete the academic term in progress on the date of the decision by the Board.
  - The College will make reasonable attempts to assist displaced tenured faculty to find employment in industry, government or other educational institutions.

#### 7.5.3 Order of Lay-Offs within a Program or Division

The Vice President for Academic Affairs shall retain appropriate documentation supporting program integrity, as well as rank, degrees and seniority. The decision to lay-off a faculty member in a particular program will be according to the following procedures:

1. Prior to involuntary dismissals, the following voluntary measures should be considered:
  - If a program or department must get by with one less person, the VPAA first considers retaining all faculty, but on a reduced salary and workload.
  - The possibility of voluntary early or phased retirement is investigated.
2. Involuntary procedures are invoked in the following order:
  - Term contract faculty are laid-off within the program/department involved, except as necessary to avoid serious harm to program integrity.

- In making a recommendation about the lay-off of a tenured faculty member, program integrity, professional competence, rank and seniority are considered.
- A faculty member with tenure will not be laid off in favor of retaining a faculty member without tenure, except in extraordinary circumstances where serious harm to the integrity of the academic program would otherwise result. A recommendation that extraordinary circumstances exist is made to the President by the Vice President for Academic Affairs.
- The President will have final decision regarding lay-off of a faculty member with tenure.

## **7.6 Appeals of Lay-Offs**

Any faculty member receiving a notice of lay-off may request a review under the grievance procedures in this Handbook within ten days of receiving such notice. The issue of the grievance is confined to procedural issues. The findings from this process shall be forwarded to the President, who shall have the final decision in the matter. The lay-off is not delayed in the event the grievance is not settled by its effective date; nor is the grievance procedure interrupted or denied because of the lay-off.

## **7.7 Dismissal for Cause**

Dismissal for cause is an action by which the College suspends or terminates its contract with a faculty member for just cause. Any teaching contract is subject to action under this section. Dismissal for cause must be substantially related to the fitness of a faculty member to continue in his or her professional capacity as a teacher. It may not be used to restrain a faculty member's academic freedom.

### **7.7.1 Grounds for Dismissal for Cause**

Dismissal proceedings may be instituted on the basis of the following grounds, but they are not limited to these grounds:

1. Professional incompetence;
2. Insubordination and/or continued neglect of academic duties or failure to follow standards of the College with respect to guidelines within this Handbook after oral and written warnings;

3. Serious personal misconduct directly related to the faculty member's fitness to practice his or her profession;
4. Deliberate and serious violation of the rights and freedom of fellow faculty members, administrators, staff or students;
5. Conviction of a crime directly related to the faculty member's fitness to practice his or her profession;
6. Serious failure to follow the professional ethics of one's discipline or the provisions of the *Statement of Professional Ethics* by the American Association of University Professors, as amended;
7. Falsification of credentials and/or experience; or
8. Failure to obtain or maintain required licensure/certification in one's profession where required.

#### 7.7.2 Procedures for Dismissal for Cause

Dismissal for cause is in normal circumstances preceded by one or more of the following:

1. Written warning in the official personnel file from the Division Dean, Vice President for Academic Affairs or President of the College indicating that the faculty member's contract status is in jeopardy, the reasons why and specific actions necessary to correct the problem and the faculty member's written response, if any; or
2. Disciplinary action short of dismissal, for example, suspension or loss of sabbatical time.

When the Vice President for Academic Affairs has been determined that there is just cause for dismissal of a faculty member based upon either situation above, whether on personal initiative or at the recommendation of the Division Dean, the procedures are as follows:

1. Written notice is given to the faculty member by the Vice President for Academic Affairs that the procedures for dismissal for cause are being initiated. The notice must contain a written statement of the grounds for dismissal and a brief summary of supporting information.
2. Within ten working days after receiving this notice, the faculty member may respond in writing and request a meeting with the Vice President for

Academic Affairs and the President of the Faculty Senate to discuss the statement of grounds. This meeting shall occur within five working days of the request for it.

3. Within ten working days after the meeting, and before any action is taken by the Vice President for Academic Affairs, the faculty member has the right to request an opportunity to present information to the Faculty Evaluation Committee. This committee meets no later than ten working days following the faculty member's request to review the information provided by the Vice President for Academic Affairs and any information provided by the faculty member.
4. No later than fifteen working days after the first meeting, the Chair of the FEC presents a confidential written recommendation to the Vice President for Academic Affairs. The recommendation is advisory and non-binding.
5. The Vice President for Academic Affairs may either terminate the process of dismissal or make a recommendation of dismissal for cause (or some lesser sanction) to the President. Sanctions short of dismissal may include, e.g., suspension for less than one year (with loss of pay and/or benefits), the temporary suspension or withdrawal of faculty privileges, or the suspension of all promotion and salary increments, where appropriate.
6. If the faculty member being suspended or dismissed for just cause is untenured, the President makes the final decision. If the faculty member has tenure, the Board of Directors makes the final decision upon the recommendation of the President, who also includes the FEC's recommendations and the Vice President for Academic Affairs' recommendation in the materials sent to the Board. An Executive Session of the Board may be convened in person or electronically to make a final determination.

In any case involving dismissal for cause, the burden of proof that cause exists is on the College. This proof is provided by reliable, probative, and substantial evidence in the record considered as a whole. The faculty member continues with pay until the final decision is made in the matter. Sanctions prior to dismissal and decisions of dismissal by the President and the Board of Directors may be the basis of a grievance as described in this Handbook.

## **7.8 Exit Procedures**

When a faculty member separates employment from the College either voluntarily or involuntarily, the Division Dean informs the Human Resources Office of the separation immediately. The Dean shall participate in the exit procedures as requested by that Office. All forms relating to dismissal shall be kept in the personnel file. The faculty member is responsible for returning all College property and equipment no later than the last day of work.

## **8.0 PROCEDURES FOR DISPUTE RESOLUTION**

### **8.1 Grounds for Seeking Dispute Resolution**

The procedures for dispute resolution, including informal mediation and formal grievance procedures, are available to any faculty member seeking review of (1) a decision affecting his or her status or workload as a faculty member in a substantial and negative manner made with inadequate consideration; (2) any decision regarding dismissal or discipline made with inadequate cause; (3) any claim that a faculty member's academic freedom has been infringed; or (4) a dispute with faculty colleagues or other members of the College community relating directly to the academic mission of the College.

Claims, disputes and grievances based upon sexual harassment, any legally prohibited form of discrimination, or any criminal charges, will be resolved according to the provisions of the *Lake Erie College Employee Handbook*.

#### **8.1.1 Inadequate Consideration**

Inadequate consideration means disregard for established procedures and standards; judgments not conscientiously arrived at or that include irrelevant evidence and/or standards; or inadequate and unreasonably untimely consideration from the administration when a faculty member requests the resolution of a problem.

#### **8.1.2 Inadequate Cause**

Inadequate cause means arbitrary or unfounded discipline or dismissal of a faculty member or any substantive breach of a procedure found in this Handbook.

## **8.2 Informal Mediation Process**

Informal mediation must be attempted before a formal grievance procedure is commenced.

1. To initiate the resolution procedures of this section, the faculty member must file a written request to the Faculty Development and Welfare Committee (FDWC) within ten days of the incident. If the incident involves a member of the Committee, the request shall be made to the Executive Committee of the Faculty Senate.
2. The request for resolution must include a brief statement of the facts, clearly identify the party (ies) responsible for the decision or incident, and the relief requested.
3. Within five working days of receiving the request, the FDWC shall choose an impartial mediator agreed upon by the aggrieved participant and the charged participant from among the tenured faculty or from administrative staff outside the Division of the aggrieved party.
4. The mediation shall be held as soon thereafter as practicable but at least within ten working days from the selection of the mediator. It shall consist of a meeting between the participants and the mediator with the focus being on a clear presentation of the facts and a review of the decision or incident in an effort to reach a consensus about the appropriateness of the decision and future action. The mediation shall be audio recorded and transcribed, which is the responsibility of the mediator to arrange with the assistance of staff in the Office of Academic Affairs.
5. Within five days of the mediation, the mediator shall submit to the FDWC and the Vice President for Academic Affairs a written dispute resolution report and the transcribed recording. If an agreement has been reached, the report shall so indicate and outline the details of the agreement. If no agreement has been reached, the report shall so indicate. It is not the function of the mediator to determine which participant should prevail on the merits.
6. After review by the FDWC, the official copy of the mediator's report and a transcript of the audio recording shall be forwarded to the Office of Academic

Affairs to be retained for three years and a copy of both items shall be provided to each participant.

### **8.3 Formal Grievance Process**

A formal grievance process may only be initiated if the prior informal mediation process has not led to a resolution.

1. To initiate the process, a faculty member shall submit a formal written grievance to the Vice President for Academic Affairs. If the grievance is against the Vice President for Academic Affairs, then all responsibilities in this section shall be carried out by the President of the College. The grievance must state a specific violation, according to Section 7.1 above. The grievance must also affirm that the mediation process was unsuccessful.
2. The Vice President for Academic Affairs shall convene a panel to review the grievance within five working days of receiving the written grievance. The panel shall consist of five faculty members: two members, one of whom must be tenured, selected by the aggrieved party; two members, one of whom must be tenured, selected by the Vice President for Academic Affairs; and one other member selected from among the Executive Committee of the Faculty Senate, agreed upon by the Vice President for Academic Affairs and the grievant. The panel selects a chair from among the members.
3. The panel shall begin its investigation within ten (10) days after the filing of the written grievance. The procedures set forth below shall be followed by the Panel of Review and shall constitute due process:
  - a. The faculty member filing the grievance bears the responsibility for demonstrating by a preponderance of the evidence that the violation occurred.
  - b. At a hearing called for this purpose, the panel will call witnesses and review documents designated by the parties. Both parties shall be afforded an opportunity to be present. The panel shall not consider information other than that presented by the parties nor consider any matter outside the scope of the grievance.
  - c. The chair of the panel shall be responsible for having the hearing recorded on audio or video tape. A transcript of the recording shall be

produced within one week and the parties shall meet within three days with the chair of the panel to resolve any clear errors in the transcript.

4. After considering the evidence, panel shall determine whether there has been a violation as set forth in Section 7.1 above. The panel shall submit the written report of its decision to the Vice President for Academic Affairs within twenty-one (21) days after beginning deliberations unless both parties approve an extension for a specific number of days. The panel's decision will provide a specific determination of responsibility and recommendation for future action.
5. The Vice President for Academic Affairs will make a recommendation to the President within twenty-one (21) days after receiving the panel's report and implement that decision accordingly. The President will make a final decision within seven days and communicate this to the parties and the Vice President for Academic Affairs along with a specific determination of responsibility and a determination about future action.
6. Confidentiality: The proceedings under this section shall be kept confidential. The official copy of the panel's recommendation, the decision of the Vice President for Academic Affairs, the final decision by the President, the original audio recording and the transcript of the recording shall be kept on file for three years in the Office of Academic Affairs.
7. In the event that a tenured faculty member is grieving dismissal for inadequate cause, the following procedures shall be followed in addition to those set forth above:
  - a. The President of the College shall provide the panel reviewing the grievance written reasons justifying adequate cause for the decision.
  - b. All members of the panel shall be tenured faculty members.
  - c. All relevant documents contained in the faculty member's file shall be available to the panel for purposes of its final determination in addition to the evidence and documents presented at the hearing.
  - d. The decision of the panel will not be forwarded to the Vice President for Academic Affairs, but shall become effective unless either the faculty member or the President appeals the decision to the Academic Policy and Planning Committee of the Board of Directors, whose decision shall be final.

