**Members of the Joint Faculty Senate-Provost Committee on the Faculty Manual (2017-2018)**

Douglas Rush, Faculty Senate President
Douglas Williams, Faculty Senate Past President

*Faculty Representatives Appointed by the Faculty Senate Executive Committee*

Patricia Lee, Associate Professor of Law (term ends May 2019)
Leslie Hinyard, Associate Professor, Center for Health Outcomes Research and School of Medicine (term ends May 2018)

Miriam Joseph, Assistant to the Provost for Academic Policy and Educational Compliance [CHAIR]
Michael Lewis, Associate Provost for Faculty Development
Jane McHowat, Interim Associate Dean for Faculty Affairs and Professional Development (SOM)
Danielle Uy, Senior Associate General Counsel

**Timeline to Roll Out Proposed Amendments***

1. **September 19, 2017** → Faculty Senate Meeting – Initial presentation
2. **September 20 - October 12, 2017** → Comment period for faculty-at-large (including Qualtrics feedback form and one open forum each on the north and south ends of campus)
3. **October 17, 2017** → Faculty Senate Meeting – Follow-up Q&A
4. **November 14, 2017** → Faculty Senate votes
5. **Early December 2017** → Board of Trustees meetings and vote

*Consultation with Provost, VP-General Counsel, and President to occur concurrently

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**KEY:**
- Text to be added appears in **bold**
- Deletions appear **red** with strikethrough
- Explanations appear in **blue**
- *Italicized* notes identify current text that remains unchanged
- **Except for #7**, modifications presented to the Senate on October 17, 2017, appear highlighted in yellow
- The revised proposal of #7, including the explanation, reflects changes made in response to faculty feedback throughout the Fall 2017 semester AND shows those changes in the context of the full current Manual provision.
ITEM #1—WITHDRAWN FROM CONSIDERATION FOR FALL 2017
Sec. II.D.1: University Committee on Academic Rank and Tenure (p. 7)

The University Committee on Academic Rank and Tenure (UCART) considers and recommends to the Provost nominations for promotion and the awarding of tenure. It also reviews all new appointments to the faculty as provided in Sec. III.B.1, reviews the College, School, or Library evaluation standards for making such appointments as provided in Sec. III.E.3 and recommends changes to the Provost, and performs the other duties assigned to it in Sec. III. The Chairperson of the University Committee on Academic Rank and Tenure is a tenured Professor appointed by the Provost for a three-year term, renewable once, from a list of at least three names recommended by the Faculty Senate Executive Committee. The Chair votes on matters before the Committee only in the case of tie votes. Re-appointment is made by the Provost on the recommendation of the Faculty Senate Executive Committee following the Provost's consultation with current UCART members. The Chair may be removed by the Provost only for good cause shown. The members of the Committee are ordinarily tenured Professors. The Committee is composed of one member of the faculty of each College or freestanding School and of the University Libraries, appointed by the Provost from among two nominees identified by their respective Faculty Assembly or equivalent group. Members serve three-year terms, renewable once if nominated by their respective Faculty Assembly as one of two candidates and appointed to a second consecutive term by the Provost. If a member is completing an unfilled term for some reason, that term will not count toward the member's full terms.

EXPLANATION: This change is requested by the Provost for two reasons: (1) It provides an opportunity to better ensure a more diverse UCART membership, in keeping with the University's goal to have a diverse community; and (2) it provides an alternative in situations in which a college/school/library faculty elects (as called for under the current process) a colleague who, for personnel reasons which may not be widely known, should not serve on this committee. Such reasons may be known to the Dean and/or Provost through grievance procedures. Since the UCART is advisory to the Provost, it is the Provost who should make the appointment following appropriate consultation with the Dean.

ITEM #2
III.B.2.: Secondary and Joint Appointments (p. 11) → Joint Appointment Tenure Home

Current Paragraph #1 that begins “A faculty member who...” is unchanged

A joint appointment is made for an indefinite period of time and does involve sharing of salary between academic units, or between academic units and programs. Absent a written exception from the Provost, joint appointees holding tenure possess it only in their primary academic unit joint appointees follow the advancement and tenure guidelines of their primary academic unit or program. In cases of termination of a contract for cause during the contract period, the procedure that will be followed is described in Sec. III.I.6. Should a faculty member be terminated, all of that person's faculty appointments would cease. The primary academic unit bears the ultimate responsibility for the faculty member's salary, unless there is a written agreement with the faculty member providing otherwise.

Current Paragraph #3 that begins “The titles of record...” is unchanged
Except where noted, the following conditions apply to both secondary and joint appointments:
Current Conditions (i) and (ii) are unchanged

(iii) Faculty members holding secondary or joint appointments must be willing and able to participate in the activities of each unit according to the standards established by the separate units and specified in writing at the beginning of the secondary or joint appointment. In cases where a tenure-track faculty member is given a joint appointment before the tenure year, procedures to be followed for promotion and tenure should be specified in writing at the time of appointment.

EXPLANATION: Clarification of current provision which erroneously states that tenure resides at the unit level. Per Sec. III.I.1.: Faculty: Contract Rules: Contractual Status (p.34), tenure resides at the University level, i.e., “Tenure involves a contractual recognition by the University of a faculty member’s right to continuing employment.”

ITEM #3
Sec. III.D.1.: Tenure-Track and Tenured Faculty (p.12-13) → Probationary Period and Bites of the Apple

Current Paragraphs #1, #2, and #3 remain unchanged

Insert this new paragraph PRIOR TO THE CURRENT PARAGRAPH #4 that begins “Subject to the qualifications...”. Text that does not appear in bold type or with strikethroughs is in the current Manual and has been relocated from current Paragraph #5 (that begins “It is the responsibility...”).

A faculty member who is hired on a tenure-track appointment is considered to be in a probationary period subject to the rights contained in the Faculty Manual. The probationary period expires at the end of the completion of the sixth year of service with the exception that the probationary period ends at the completion of the eighth year of service for faculty members in the School of Medicine. A faculty member who begins service during the course of an academic year will normally be considered to begin their probationary period for purposes of tenure at the beginning of the following academic year. The University does not recognize de facto tenure. A tenure-track faculty member who is not awarded tenure by the end of their probationary period before or during the year in which the decision must be made will be given a one-year terminal contract, at the conclusion end of which the faculty member’s appointment ends.

Subject to the qualifications noted below, the University will make a final decision to award tenure to a faculty member by the end of their probationary period no later than the completion of the sixth year of service (eighth year of service in the School of Medicine) as a tenure-track faculty member at Saint Louis University. An academic year normally corresponds to one year of service. In exceptional, individual cases, the Provost or designee may grant written approval to count an academic year as less than one year of service for purposes of the probationary period. Such situations include, but are not limited to, leaves of absence and administrative assignments. Where required by law, the probationary period may also time toward tenure will be adjusted. Additionally, where an adjustment of the probationary period adjustment of time toward tenure is available pursuant to University policy or where special adjustment is requested in writing by the candidate, written approval for the individual case must be obtained well in advance of the end of the probationary period (e.g., at the time of an administrative appointment or at the granting of a leave of absence) from the Dean or comparable administrator and the Provost. An extension of the probationary period Adjustment of
time toward tenure may also be obtained in accord with the Policy on Extension of the Probationary Period That Applies to the Granting of Tenure (see Sec. III.E.2). The Provost will forward a copy of the written approval to extend the probationary period is forwarded to the Dean or comparable administrator and the University Committee on Academic Rank and Tenure by the Provost. In no case will more than eight calendar years constitute less than six years of service.

It is the responsibility of the faculty member to apply for tenure prior to or during the final year of the probationary period in accordance with administrative procedures and guidelines consistent with the academic year in which a final decision must be made, according to the provisions of Sec. III.E. A faculty member has the responsibility and the right to seek and rely upon a written statement from the Provost indicating the year of the final decision. However, each College or School may establish procedures for the timely and accurate notification of faculty regarding time toward tenure. Appropriate administrative procedures should be established to ensure proper consideration of tenure requests. Each person in the decision-making process shall act in a proper and timely manner. The University does not recognize de facto tenure; a tenure-track faculty member who is not awarded tenure before or during the year in which the decision must be made will be given a one-year terminal contract, at the end of which the faculty member's appointment ends.

A faculty member who applies early for promotion to associate professor with tenure and is unsuccessful may reapply in subsequent years during their probationary period.

Notes on Sec. III.D.1. continue as Item #4

EXPLANATION: The proposed text defines the probationary period (which the existing Manual did not clearly do), cleans up the existing text, and provides for more than one application for tenure should an initial, early, application be unsuccessful. TWO SCENARIOS: (1) PERSON NEGOTIATES 3 YEARS CREDIT AT TIME OF HIRE. THEY STILL HAVE A PROBATIONARY PERIOD BUT MAY APPLY FOR TENURE IN THEIR 3RD YEAR AT SLU. IF UNSUCCESSFUL, THEY STILL HAVE 3 MORE YEARS (BEFORE UP OR OUT) IN THEIR PROBATIONARY PERIOD TO RE-APPLY. (2) NO NEGOTATION FOR CREDIT PRIOR TO HIRE --- SO PROBATIONARY PERIOD IS 6/7 YEARS. PERSON MAY STILL APPLY FOR TENURE IN 3RD OF PROBATIONARY PERIOD. IF UNSUCCESSFUL, THEY STILL...REPEAT FROM (1).

PROPOSED MODIFICATIONS: (1) Paragraph 1 - Word "normally" deleted to ensure consistency from person to person. (2) Paragraph 3 - Retain most of current Manual sentence "A faculty member has..." to ensure a response from the Provost.

ITEM #4
Sec. III.D.1.: Tenure-Track and Tenured Faculty (p.13) → Credit for Prior Service Elsewhere

Except in rare circumstances, time served in faculty positions other than tenure-track cannot be counted as years of service toward tenure. Such exceptions must be supported by compelling justification, provided in writing by the faculty member's Department Chairperson to the Provost, and with the knowledge and consent of the Dean of the College or School in which the faculty member holds a primary appointment.

For tenure-track faculty appointments at the rank of Tenure-Track Assistant Professor, previous faculty appointment(s) service at institutions comparable to the University may be substituted for not more
than three years of service. Those hired without tenure at the rank of Tenure-Track Associate Professor or Tenure-Track Professor are eligible to receive up to three years of prior service credit for tenure purposes and normally are reviewed for tenure in their second year at Saint Louis University. The amount of previous service to be substituted must, in each case, be agreed to in writing by the faculty member, the appropriate Dean, and the Provost, prior to initial appointment. Unless thus agreed, previous service may not be claimed, and, once claimed, credit for prior service can only be rescinded with approval of the Provost. The request to consider previous faculty appointment(s) at institutions comparable to the University must be made in writing by the faculty member, and agreed to in writing by the appropriate Dean and the Provost, prior to the initial appointment. An agreement to consider previous faculty appointment(s) does not require the faculty member to use this time toward tenure and/or promotion, and the faculty member can still use the probationary time-frame before submitting their promotion and tenure application.

Time served in a Non-Tenure-Track faculty position is not counted toward against the probationary period. However, teaching, research, and service during the non-tenure-track faculty position may be considered toward the promotion and/or tenure decision.

Promotion and tenure decisions will normally be made based on the candidate’s previous five years of teaching, research, and service (seven years for School of Medicine faculty), and if a faculty member has been approved to include previous faculty appointments at comparable institutions, it is their prerogative to do so. If the faculty member decides to use approved previous faculty appointments toward their application, a copy of the agreement with the signature of the appropriate Dean and the Provost should be included with the application.

The current last two paragraphs on page 13 are unchanged

EXPLANATION: The proposed text retains the possibility of credit for three years of prior service at a comparable institution for recruiting purposes. But an agreement to count that credit does not require the faculty member to actually use it and eliminates the need for the faculty member to officially rescind that credit if s/he decides not to use it.

PROPOSED MODIFICATION: Substitute "against" for "toward" to provide latitude in situations where, for example, faculty come to SLU from institutions that don't have tenure.

ITEM #5
Sec. III.D.5.: Emeriti/ae Faculty (p.16) ➔ Emeritus Application Review

Upon recommendation of the department chair, the College, School, Center, or Library Rank and Tenure Committee, the appropriate Dean or comparable administrator, the University Committee on Academic Rank and Tenure, and the Provost, emeritus/a status may be granted to retiring tenured or non-tenure-track faculty members with at least ten years of full-time service who resign their faculty appointment. In extraordinary circumstances, retiring faculty members with a shorter period of service may be considered for emeritus/a status. Emeritus/a status recognizes the achievement of high distinction on the part of tenured or non-tenure-track the faculty members and their ongoing relationship with the University as described in. The Retired and Emeritus/a Faculty Policy available on the website of the Office of the Provost details the eligibility criteria, application process, and benefits.
ITEM #6
Sec. III.E.1: Advancement: Applications (p.16) → Early Promotion and/or Tenure Applications AND General Time Line Clarification

Application for advancement—whether for promotion, for tenure, or for both—is the responsibility of the faculty member. Applications for advancement should be submitted by the date specified by, and according to the procedures established by, the College, School, or Library Rank and Tenure Committee or comparable faculty committee, in compliance with the schedule of the University Committee on Academic Rank and Tenure. An early application must specifically address and substantiate a request for an early recommendation. Early applications for tenure and/or promotion must demonstrate they have met the standards of their department's/college's guidelines.

Typically, a faculty member is expected to complete five years in rank at the University (seven years for School of Medicine faculty) in order to apply for promotion and/or tenure. Exceptions to this norm include authorized credit for previous faculty appointment(s) at comparable institutions, Provost-approved promotion and tenure guidelines of individual units, and early applications for promotion and or/tenure.

Applications for advancement with tenure must be submitted no later than the first semester of the faculty member's sixth year in a tenure-track position, or the first semester of the faculty member’s eighth year if in the School of Medicine. Tenure-track assistant professors seek promotion to associate professor and tenure in the same application and decision process. Both promotion and tenure must be granted or denied together. Applications submitted after established calendar deadlines in any academic year or not in accord with written procedures normally will not be reviewed until the next academic year, and may result in the faculty member not being granted advancement. Exceptions to deadlines may only be made in rare and unusual circumstances, with the concurrence of both the appropriate Dean or comparable administrator and the Provost. Such exceptions, if approved, must be filed with the application for advancement.

The current last two paragraphs of the “Applications” provision on page 13 are unchanged

EXPLANATION:
(1) Per the Provost's April 28, 2017, memo: “Successful applicants for early tenure must demonstrate that they have met the applicable standards—not that they have exceeded them.”
(2) New paragraph added; begins with “Typically, a faculty member...” This new text makes clear that, with the noted exceptions, the norm is for faculty to complete five years in rank (seven for SOM faculty) prior to applying for promotion and/or tenure. Existing text is ambiguous, raising questions, i.e., Do faculty normally apply in their fifth year so that advancement/tenure becomes effective as they start their sixth year? OR Do faculty normally complete five years in rank prior to applying, with advancement/tenure becoming effective as they start their seventh year?
ITEM #7
Sec. III.E.2: Policy on Extension of the Probationary Period That Applies to the Granting of Tenure (p.16)

Policy on Extension of the Probationary Period That Applies to the Granting of Tenure

The Policy on Extension of the Probationary Period That Applies to the Granting of Tenure is posted on the website of the Office of the Provost. A tenure-track faculty member is eligible to apply for an extension of the tenure probationary period, whether or not a leave of absence is involved, in accordance with the provisions of this policy, for reasons including but not limited to, the birth or adoption of a child, a serious health condition of a family member requiring faculty caregiving, a serious health condition of the faculty member, or if required by law.

when any of the following events occurs while the individual is a member of the Saint Louis University faculty:
— (i) a child is born or adopted into the faculty member’s household; or

— (ii) by reason of a serious health condition (as defined under the Family and Medical Leave Act of 1993) persisting for a substantial period, the faculty member is required to act as the primary caregiver for a parent, child, spouse, or person living in the faculty member’s household; or

— (iii) by reason of a serious health condition (as defined under the Family and Medical Leave Act of 1993) persisting for a substantial period, the faculty member is unable to perform a material portion of the functions of his/her position.

In the event that spouses are members of the full-time faculty, this policy covers both of them.

The length of the extension, when granted, is one year. The maximum number of times a faculty member may extend the probationary period under this policy is two, resulting in no more than a two-year extension of the probationary period. Tenure expectations for a faculty member who extends the probationary period under this policy are the same as the expectations for a faculty member who has not extended the probationary period.

A faculty member who wishes to extend the probationary period under this policy must apply within 30 days of returning to active service following the event that supports the application for extension. The faculty member applies in writing to his/her Department Chairperson, School Director, or Dean, as applicable, setting forth his/her reasons for requesting an extension. The Dean, after conferring with the Department Chairperson or School Director, if applicable, will transmit the faculty member’s application to the Provost unless specific and compelling factors require its denial.
Applications will be submitted to the Provost via the applicant’s Chair/Director and/or Dean, who will provide a recommendation concerning approval or denial of the application to the Provost with supporting rationale. The Provost will make a decision on the application and communicate approval or denial of the application in writing to the faculty member and, if approved, specify the revised date of tenure review and termination date of the probationary period. If the Provost denies the request, the applicant may ask the grounds for the denial and may appeal the Provost’s decision to the President of the University, whose decision is final and not subject to further appeal.

EXPLANATION: Full policies are now to be referenced, but not appear, in the Manual. This policy had been the only policy to appear in full in the Manual and is now available on the Provost’s website (https://www.slu.edu/Documents/provost/policies_procedures/Policy-on-Extension-of-Probationary-Period.pdf). It needs major revision, which will be facilitated by the removal of its text from the Manual. The proposed text specifies the most important reasons for extensions as articulated by faculty who provided feedback, but makes clear that they are not necessarily the only reasons; others may be noted in the actual policy. Furthermore, the application process is modified to give both chairs/directors and deans input, with all applications coming to the Provost who is the decider—which lends greater consistency to the process. It also retains current Manual language that policy coverage extends to spouses and the point about tenure expectations.

ITEM #8
Sec. III.F.: General Norms for Appointment and Advancement (p.19-20) → Promotion from Instructor to Assistant Professor AND Collegiality as a Qualification for Promotion AND Time in Rank Clarification

All of the norms below apply to tenure-track faculty members. For other faculty members, appropriate modifications of these norms may be adopted by the Dean or comparable administrator and the College, School, or Library Faculty Assembly or equivalent group and approved by the Provost following review by the University Committee on Academic Rank and Tenure.

An exception to the length of service requirements specified in these norms constitutes an early application which must meet the requirements in Sec. III.E.1.

In reviewing the norms for tenure and promotion, applicants should recognize that the items that follow are not simply lists of qualifications to be “checked off”; rather, tenure and promotion decisions involve professional judgments about the overall merit of an individual’s achievements. Faculty members are also expected to demonstrate the qualities of collegiality, such as the ability to work cooperatively and professionally with others, in all aspects of academic life.

Promotion and tenure decisions are not based on quotas within Divisions, Departments, Schools, Colleges, or Libraries.

1. Instructor
The current provision regarding “Instructor” is unchanged

2. Assistant Professor
Appointment or promotion to the rank of Assistant Professor presupposes the qualifications for the rank of Instructor and the following qualifications in addition:
The current qualifications a – f in the provision regarding “Assistant Professor” are unchanged. Promotion to the rank of Assistant Professor requires, in addition, demonstration of effectiveness in areas 2.b-2.e above, as well as evidence of recognition by colleagues in the same Department and College, School, or Library that the candidate possesses qualities of collegiality, such as the ability to work cooperatively and professionally with others.

3. Associate Professor
The current provision is unchanged except for qualification a.

a. At least five years of service (in some units, more) at the rank of Assistant Professor at the University or at another university of equal standing. A faculty member is expected to complete five years at the rank of Assistant Professor in order to apply for promotion to Associate Professor and/or tenure. Exceptions to this norm include authorized credit for previous faculty appointment(s) at comparable institutions, Provost-approved promotion and tenure guidelines of individual units, and early applications for promotion and/or tenure.

4. Professor
The current provision is unchanged except for qualification a.

a. In most of the Colleges, Schools, and Libraries, at least five years of service at the rank of Associate Professor at the University or at another university of equal standing. A faculty member is expected to complete five years at the rank of Associate Professor in order to apply for promotion to Professor. Exceptions to this norm include authorized credit for previous faculty appointment(s) at comparable institutions, Provost-approved promotion and tenure guidelines of individual units, and early applications for promotion.

EXPLANATION:

(1) One proposed revision eliminates the quality of “collegiality” as an additional criterion for advancement and/or tenure (as presented at the bottom of p.19 and top of p.20) because it isn’t a best practice. In accordance with the AAUP Statement, On Collegiality as a Criterion for Faculty Evaluation (2016), evaluators should instead address the topic in the context of their reviews of an applicant’s contributions to teaching, research, and service. See https://www.aaup.org/file/AAUP%20Collegiality%20report.pdf. The new sentence that begins “Faculty members are also expected...” , added to Paragraph 3 of Sec. III.F., appears here (it also appears in Sec. III.G.5.: University Citizenship) to reinforce this point. [Note: The forms provided to writers of evaluation letters have already been revised to reflect this proposed change, per the Provost’s 4/28/17 memo. These forms are available on the Provost’s website at https://www.slu.edu/the-office-of-the-provost/office-of-faculty-affairs/promotion-and-tenure-resources.]

(2) Another proposed revision, under “Assistant Professor,” gives more prominence to the fact that promotion from Instructor to Assistant Professor is possible. Readers tended to overlook the text following the lettered list of qualifications that made clear this promotion in rank is possible.

(3) The proposed revisions to qualification “a” under both Associate Professor and Professor address the “five year” problem explained in (2) under Item #6.

PROPOSED MODIFICATIONS: Same as #6, for consistency -- The newly proposed text, “Provost-approved promotion and tenure guidelines of individual units,” recognizes that the approved guidelines of some units (i.e., Law), allow for shorter time in rank than the University norm.