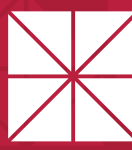

CHAPMAN
UNIVERSITY

FACULTY MANUAL

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CHAPMAN UNIVERSITY FACULTY MANUAL

Approved by the Board of Trustees on September 26, 2025
Effective October 23, 2025

Chapter 1

ABOUT THIS MANUAL

This Manual, as amended, contains the approved policies and procedures of the University concerning the terms and conditions of employment of all full-time faculty and is incorporated into the individual Faculty Agreement (employment agreement or other letter of appointment) between each full-time faculty member and the University. Where the terms and provisions of an individual Faculty Agreement are in conflict with this Manual, the provisions of the Faculty Agreement will supersede this Manual.

The official policies of the University, as appear on University websites, which may be updated from time to time, and as set forth in this Manual, are legally binding on all parties for the specific period covered by a Faculty Agreement or letter of appointment. This Manual supersedes any and all prior Faculty Manuals of Chapman University. The current version of the Manual will be applicable to all faculty at the time it is adopted. This Manual is effective on the first August 1 after final approval by the Board of Trustees. Individuals with administrative appointments who have academic rank (e.g., Deans, Vice Provosts) are not governed by this manual, except in matters relating directly to their academic appointments, including their teaching, research/creative/clinical activities and service.

1.2 Precedence of Faculty Manual

When the terms of an academic unit handbook or unit or departmental policies are in conflict with the Faculty Manual, the Faculty Manual will supersede them.

1.3 Questions about the Faculty Manual

Where a question arises as to the meaning, intent, or application of a provision of the Faculty Manual, the Provost and Senate Executive Board (SEB) shall resolve the question jointly, in consultation with other relevant parties as needed. All disputes relating to the Faculty Manual will be resolved in accordance with the dispute and grievance procedure outlined in Chapter 10.

Chapter 2

ACADEMIC ENVIRONMENT

Chapman University values academic freedom and freedom of expression. The University subscribes to the tenets outlined in the AAUP's "1940 Statement of Principles on Academic Freedom and Tenure with 1970 Interpretive Comments", but it does not constitute official University policy. In the event of a conflict between an AAUP statement and a faculty member's written Agreement or any provision of this Faculty Manual, the terms of the Agreement or Manual will control.

2.1 Commitment to Freedom of Expression

Chapman University is committed to the principle that the widest possible scope for freedom of expression is the foundation of an institution dedicated to vigorous inquiry, robust debate and promoting a balance between freedom and a safe and orderly educational environment. The University seeks to foster an environment in which individuals may express their views as widely and as passionately as possible. At the same time, the University pledges to provide the greatest protection possible for controversial, unpopular, dissident, or minority opinions. The University believes that censorship is always suspect, that intimidation is always repugnant, and that attempts to discourage constitutionally protected expression are antithetical to the central focus of the University's mission of education and discovery. Please see the University statement on Free Speech: https://www.chapman.edu/campus-services/legal-affairs/policy/index.aspx.

2.2 Policy on Academic Freedom

It is the policy of Chapman University to maintain and encourage full freedom, within the law, of inquiry, teaching, and research and creative activity. In the exercise of this freedom faculty members may, without limitation, present and explore subjects related to course content in the classroom. Faculty members should, however, be careful not to introduce into their teaching controversial matter that has no relation to their subject. The principle of academic freedom is accompanied by a corresponding commitment to responsibility.

All members of the University community share the duty to support, protect, and extend the University's commitment to the principle of freedom of expression, and to discuss this commitment with groups or individuals who seek to take part in university life. While all persons may seek peacefully to discourage speech that may be unnecessarily offensive to particular individuals or groups, or speech that may be antithetical to Chapman University's values, those persons must also respect and support the legal right of free speech.

2.3 Academic Freedom and Reasonable Regulation

Chapman University officials or other members of the University community in a position to review posters, publications, speakers, performances, or any other form of expression may establish legitimate time, place and manner regulations for the maintenance of an orderly educational environment; however, they may not restrict expression for any reason related to the content of the expression, except in those narrow areas of expression devoid of federal or state constitutional protection. But these are narrow exceptions to the general principle of freedom of expression, and such exceptions should never be used in a manner inconsistent with the University's commitment to a free and open discussion of ideas.

In their private roles, faculty members have the same freedoms as other citizens. However, faculty members must not state or imply that they are speaking on behalf of the University unless they are acting as an official institutional spokesperson.

2.4 Academic Freedom and Outside Speakers/Performers

Persons invited by Chapman University to speak or perform on campus and other speakers who may be legitimately present on campus are given the utmost protection to communicate their messages without disruptive harassment or interference. Those expressing contrary views of invited speakers and performers enjoy the same protections for expressing their dissent.

2.5 Academic Freedom, Student Expression and Inquiry

Faculty should encourage free discussion, inquiry, and expression regarding the content of their courses. Students should be free to take reasoned exception to views offered in any course of study and to reserve judgment about matters of opinion, but they are also responsible for learning the content of any course of study for which they enroll. Evaluation of student performance should not be based on opinions unrelated to academic standards. Students have protections through orderly procedures against prejudiced or capricious academic evaluation.

Chapter 3

FACULTY APPOINTMENTS

3.1 Definition of Faculty

"Faculty", as used in this Manual, means those Chapman University employees who hold a full-time faculty appointment and whose primary responsibilities include teaching and/or research/creative/clinical activity. Administrators holding faculty appointments are governed by the University's Staff and Administrative Handbook, except for matters relating to their faculty appointment, duties unique to faculty, or academic freedom in connection with teaching, research or creative activities. Faculty holding an administrative appointment in addition to their faculty appointment (e.g., Chair, Associate Dean, Director) are governed by the University's Staff and Administrative Handbook, or other similar policies, in regard to their administrative appointment and duties, and are governed by the Faculty Manual in regard to their faculty duties and activities.

3.2 Faculty with Tenure

Faculty with tenure have continuing appointments with the university, subject to the provisions of their contracts and the Faculty Manual, and they are expected to contribute to the missions of their academic program, school or college, and Chapman University in the areas of research/creative/clinical activity, teaching, and service. Initial tenure-track appointments are probationary faculty appointments until the achievement of tenure status.

3.3 Non-Tenure-Track Faculty

Non-Tenure-Track (NTT) faculty have contracts with the university that do not lead to consideration for tenure. NTT faculty may be expected to contribute to the missions of their academic program, school or college, and Chapman University in the areas of teaching, service, and in some cases research, creative, or clinical activity.

3.4 Faculty Agreements

All faculty are issued an Offer Letter and Faculty Agreement from the Provost outlining the terms of their appointment. In the event of any inconsistencies between an individual Faculty Agreement and this Manual, the Faculty Agreement shall control.

3.5 Locus of Faculty Appointment

Faculty members may be appointed to a college, school, department, or conservatory. For the purposes of evaluation, the University will retain the right to assign a Locus of Appointment (LoA). Those faculty members whose primary research and teaching are within an institute can be appointed to a school/college and not necessarily to a department. The locus of appointment (LoA) will be specified in the Faculty Agreement.

3.5.1 Joint and Affiliate Faculty Appointments

A faculty member may be appointed jointly or as an affiliate to more than one LoA. Chapter 4 describes joint and affiliate appointments.

3.5.2 Changes to Faculty's Locus of Appointment

A change to an individual faculty member's LoA is at the discretion and subject to the approval of the Provost, in consultation with the faculty member, the Dean(s) and the faculty of the proposed LoA. In the event of such a change, a new Faculty Agreement reflecting the change will be issued.

3.6 Faculty of Institutes and Centers

An institute or center is an organizational unit of the University that fosters interdisciplinary activities that transcend the disciplines based in any single school/college. In addition to research, scholarship and service activities, institutes offer interdisciplinary academic programs with their respective schools/colleges that do not duplicate those of other academic units. Institutes may contain (1) full-time faculty who have been appointed to a department or a college and who are assigned to work in the institute; and (2) academic personnel who receive a research or other appointment without faculty rank to conduct research in the institute. Administratively, the director of an institute reports to the Provost, unless indicated otherwise in the Faculty Agreement.

3.7 Faculty Ranks

Tenured, Tenure-track and Non-Tenure-Track faculty are usually assigned one of the following ranks that reflect the stage they have reached in their academic career: Assistant Professor, Associate Professor, Full Professor (or "Professor").

3.7.1 Assistant Professor

The rank of Assistant Professor designates a full-time faculty member who has earned a terminal degree from a nationally accredited institution (or its international equivalent) in their teaching and/or research/creative/clinical field. Exceptions shall be approved by the Provost.

3.7.2 Associate Professor

The rank of Associate Professor designates a full-time faculty member with significant academic experience, professional accomplishment, or the equivalent. Faculty members already employed at the University at the rank of Assistant Professor achieve the rank of Associate Professor by undergoing a successful promotion review. Faculty members may be appointed to the rank of Associate Professor at the time of hire if they: (1) have a terminal degree in the appropriate field; (2) meet the existing Unit Criteria for promotion to Associate Professor including promise of continued productivity; and (3) have substantial full-time academic experience at another college or university, or have extensive professional experience judged to be equivalent. Exceptions shall be approved by the Provost.

Faculty members appointed to the rank of Associate Professor at the time of hire may be appointed with or without tenure. Tenure-track faculty members who are appointed to the rank of Associate Professor without tenure at the time of hire will have the same probationary period as faculty members appointed at the rank of Assistant Professor unless a different probationary period is specified in the Faculty Agreement at the time of hire.

3.7.3 Professor

The rank of Professor ("Full" Professor) designates a full-time faculty member with extensive academic/professional experience, a distinguished record of research/creative/clinical achievement, consistent and substantial contributions to professional and/or institutional service,

or the equivalent. Faculty members already employed at the University at the rank of Associate Professor achieve the rank of Professor by undergoing a successful promotion review.

Faculty members may be appointed to the rank of Professor at the time of hire if they: (1) have a terminal degree in the appropriate field; (2) meet the existing Unit Criteria for promotion to Professor including the promise of continued contribution to their field; and (3) either have a prolonged and distinguished record of academic achievement at another college or university, or an extensive and exemplary record of professional accomplishment judged to be equivalent. Exceptions shall be approved by the Provost. Faculty members appointed to the rank of Professor at the time of hire may be appointed with or without tenure.

3.8. Modifiers to Designate NTT Faculty

Non-Tenure-Track (NTT) faculty at the rank of Assistant, Associate, or Full Professor shall be assigned a professional rank modifier, as and where appropriate, to designate their area of expertise.

3.8.1 Artistic

The special designation "Artistic" is used for NTT faculty in artistic disciplines whose accomplishments are primarily creative in nature. The term is used to modify the titles of Assistant Professor, Associate Professor, and Professor (as in "Artistic Assistant Professor"). Artistic faculty are responsible for teaching, advising, and service, as well as creative, and/or professional activities. The specific responsibilities of individuals appointed as Artistic faculty shall be specified in the Faculty Agreement.

3.8.2 Clinical

The special designation "Clinical" is used for NTT faculty in professional or pre-professional programs whose accomplishments and activities are primarily in the area of clinical or professional practice as opposed to academic research or creative activities. The term is used to modify the titles of Assistant Professor, Associate Professor, and Professor (as in "Clinical Assistant Professor"). Clinical faculty are responsible for teaching, advising, and service, as well as professional or clinical activities, which may include scholarly research. The specific responsibilities of individuals appointed as Clinical faculty shall be specified in the Faculty Agreement.

3.8.3 Instructional

The special designation "Instructional" is used for NTT faculty engaged primarily in teaching, as an alternative to academic research or creative activities. The term is used to modify the titles of Assistant Professor, Associate Professor, and Professor (as in "Instructional Assistant Professor"). Instructional faculty are responsible for teaching, advising, and service, and may pursue scholarly-creative activities. The specific responsibilities of individuals appointed as Instructional faculty shall be specified in the Faculty Agreement.

3.8.4 Of the Practice/Of Practice

The special designation "Of the Practice" or “Of Practice” is used for NTT faculty with special experience or expertise in a field of practice. The designation is used to modify the titles of Assistant Professor, Associate Professor and Professor (as in "Assistant Professor of the Practice").

Of the Practice/Of Practice faculty are responsible for teaching, advising, service, professional, and/or research/creative/clinical activities. The specific responsibilities of NTT faculty appointed as Of the Practice/Of Practice faculty shall be specified in their Faculty Agreement.

3.8.5 Research

The special designation "Research" is used for NTT faculty engaged primarily in research activities, usually supported by external funding. Research faculty may engage in limited teaching and service as an ancillary responsibility. The term is used to modify the titles of Assistant Professor, Associate Professor, and Professor (as in "Research Assistant Professor"). The specific responsibilities of individuals appointed as Research faculty shall be specified in the Faculty Agreement.

3.8.6 Alternative Titles for Non-Tenure-Track Faculty

The special designation "In Residence" is normally used for temporary NTT faculty with special experience, expertise, or renown. Such titles include Artist in Residence, Executive in Residence, Scholar in Residence, and Writer in Residence. Alternative titles must be approved by the Provost. In Residence faculty are not eligible for promotion.

The special designation "Visiting" is used for faculty who are hired for a limited term, not to exceed three years. Visiting faculty may include (1) citizens of another country limited by their visas to temporary service, or (2) individuals on leave from another university or college, or (3) individuals on leave from industry, government, or a profession. The term is used to modify the titles of Instructor, Assistant Professor, Associate Professor, and Professor (as in "Visiting Assistant Professor"). Visiting faculty are not eligible for promotion.

3.9 Additional Faculty Titles

Some faculty, either NTT or Tenured/Tenure-Track, fall into categories not described above and are assigned other titles.

3.9.1 Instructor Tenure-Track and Non-Tenure-Track

The rank of Instructor designates a full-time faculty member who does not have a terminal degree in their field. Upon completion of a terminal degree in their teaching and/or research/creative field, an Instructor on tenure-track will be awarded the rank of Assistant Professor, while a NTT Instructor may be promoted to the rank of Assistant Professor at the discretion of the Provost and in consultation with the Dean. Such a promotion does not require a formal review.

3.9.2 Trustee Professor

The title of Trustee Professor denotes a temporary NTT appointment for an individual whose accomplishments deserve special recognition. Such appointments require the approval of the Board of Trustees. Trustee professors are not eligible for promotion in rank.

3.9.3 Endowed Chair/Professor

The titles of endowed chairs and endowed professorships are normally awarded to tenured faculty but may in certain circumstances be awarded to a Visiting Professor. An endowed professorship may be awarded to a faculty member holding the rank of Associate Professor or Professor. The terms of all such appointments shall be defined in the letter of appointment. The policies governing

the process of selecting and funding an endowed professor or chair can be obtained from the Office of the Provost.

Endowed chairs and professors are appointed for renewable, three-year terms. In the third year of their appointments, and every third year thereafter, faculty members holding endowed chairs or professorships shall submit a report to the Office of the Provost detailing their activities since appointment. The Provost has sole discretion for making or denying renewals of endowed chairs and professorships, after considering the recommendations of the Dean and the FPRC of the appropriate LoA. Non-renewal of an endowed chair or professorship appointment shall not affect the faculty member's tenure status or faculty rank and shall not be subject to grievance by the faculty member.

3.9.4 Emeritus/Emerita Professor

Faculty members who have attained the rank of Associate Professor or higher who retire after a minimum of fifteen years of full-time service at Chapman may be nominated post-retirement for the title of Faculty Emeritus. All nominations for emeritus status are reviewed by the Dean, the FPRC, the Faculty Personnel Council, and the Provost. Criteria for granting emeritus status include: (1) a record of distinguished teaching, research/creative activity, or service; and (2) a likelihood of continued connection with the University. The President of the University will make the final decision and may grant exceptions to the criteria above.

Emeritus status may not be conferred posthumously. Emeritus status is at-will and as such may be terminated at any time by the faculty member, by a majority vote of the FPRC, or by the University, acting through the President. Granting of emeritus status entitles the faculty member to University email, as well as library and Faculty Athenaeum privileges. It does not entitle the faculty member to assigned office space or university equipment, such as computers.

3.10 Tenure-Track Faculty Appointments

A tenure-track appointment is one that may lead to tenure under the terms of this Manual. Prior to the tenure decision, tenure-track faculty members are in a probationary period.

3.10.1 Tenure-Track Probationary Period

The probationary period for tenure-track faculty members is seven years unless the faculty member (1) is assigned a different probationary period at the time of initial appointment; (2) is appointed to an LoA that stipulates a different probationary period in its procedures and is approved by the Provost; (3) is granted an extension by the Provost as a result of an extenuating circumstances (see Chapter 6) or (4) petitions for early review after hire, with Provost approval.

The Faculty Agreement will specify when the first year of the probationary period begins. Tenure-track faculty members must undergo tenure review by no later than the final year of their probationary period. As specified in Chapter 6, faculty members may apply for tenure before the final year of their probationary period, in exceptional cases, but they may be considered for tenure only once.

3.10.2 Reappointment of Tenure-Track Faculty

Tenure-track faculty in probationary periods are appointed for a specified term with no right to reappointment beyond the term specified in the Faculty Agreement regardless of the content of prior reviews or the number of times a faculty member has been previously reappointed.

In the case of non-reappointment after the fourth-year Critical Year review or denial of tenure, the faculty member will normally be offered a terminal appointment for one additional academic year. In the case of non-reappointment after the second-year Critical Year review, the faculty member will not be offered a terminal appointment year, except in unusual circumstances.

The decision to reappoint a faculty member during the probationary period is at the sole discretion of the Provost.

3.11 Tenured Faculty Appointments

Initial appointments with tenure require the approval of the Board of Trustees, following the recommendation of the Dean, the Faculty Review Committee (FRC or FPRC) of the LoA, the Faculty Personnel Council, and the Provost. An appointment with tenure is defined as a continuing appointment to full-time employment through each successive academic year, with duties appropriate to the faculty member's training and experience. Tenure resides within the University and is not necessarily affected by the elimination or reorganization of academic units or by the discontinuance of degree programs.

In the event of program discontinuation or financial exigency, the institution will make a good faith effort to protect and retain its tenured faculty members and to provide them with opportunities for professional development and training for other roles in the University (see Chapter 9).

3.12 Non-Tenure-Track Faculty Appointments

NTT faculty appointments are for a specific period of time, between one and six years, that will be specified in the Faculty Agreement. The Faculty Agreement also specifies the term of appointment and the particular responsibilities of each NTT faculty member. The reappointment of NTT faculty does not carry a presumption of promotion in rank based on experience or time in rank.

NTT faculty appointments cannot be converted to tenured or tenure-track appointments, but NTT faculty members may apply for any tenure-track position that has been posted.

3.12.1 Appointment and Re-appointment of Non-Tenure-Track Faculty

The initial term of appointment for NTT faculty members is normally for two years, with the exception of one-year appointments for business exigency (e.g., emergency substitutions, temporary enrollment surges) unless the Provost approves a longer term of appointment as a result of exceptional circumstances. The Provost, in consultation with the Dean, makes the final decision on whether to offer a new appointment and length of appointment.

3.13 Administrators with Academic Rank and Tenure

The Provost may confer academic rank on an administrator, following consultation with the FRC/FPRC, the FPC and the Dean of the LoA. The President and the Board of Trustees may

confer rank and tenure upon an administrator following the recommendation of the Provost, who will consult with the FRC/FPRC, the FPC and the Dean of the LoA.

Administrators with academic rank and tenure have the right to relinquish their administrative appointments and return to full-time faculty status. Administrators transitioning to faculty status will be assigned to an LoA by the Provost following consultation with the FRC/FPRC, the FPC and the Dean of the LoA.

Chapter 4

FACULTY RECRUITMENT AND HIRING

4.1 Authority to Hire

The final authority to hire and retain faculty is vested in the President and in the Board of Trustees. This authority is exercised through the Provost in consultation with Deans and faculty.

4.2 Compliance with Applicable Laws

Chapman University complies with all applicable local, state, and federal employment laws. University policies regarding equal opportunity employment and non-discrimination are available on the Chapman website.

4.3 Equal Opportunity Statement

Chapman University is an equal opportunity employer. The University prohibits harassment and discrimination as outlined in university policy: https://www.chapman.edu/campus-services/legal-affairs/policy/index.aspx.

4.4 Office of Faculty Affairs

The Office of Faculty Affairs (OFA) together with the Office of Human Resources (HR) consult with faculty and provide training referrals to ensure compliance with applicable University policies and applicable laws, and to promote lawful hiring and employment practices. Faculty members should contact the Office of Faculty Affairs with questions, concerns, or requests relative to compliant hiring and employment practices. OFA will direct the question or complaint to the appropriate University office.

Questions, concerns or requests relative to this policy statement should be directed to the Chief Human Resources Officer .

4.5 Hiring of Family Members or Individuals with Close Personal Relationships

Family or relationship status is neither an aid nor impediment to employment. Family members or individuals with close personal relationships (as defined by HR) to current University employees will be considered for employment on the basis of their qualifications and experience. A spouse or partner of a potential or current University employee may be considered for a faculty appointment through either a competitive or a non-competitive process, as outlined in Section 4.6. Hiring and supervising of a family member or individual with a close personal relationship requires review, approval and, if necessary, a mitigation plan by the relevant administrator (e.g., Dean, Provost), including restructuring supervisory assignments.

4.6 Non-competitive Faculty Hires

A faculty member may be hired through a non-competitive process only in the following situations: (1) the candidate is hired as a non-tenure-track (NTT) faculty at the rank of Instructor; (2) the candidate is an emergency hire (owing to a sudden, unexpected need or vacancy (e.g., due to illness); (3) the candidate is being appointed as a Trustee Professor; (4) the candidate is the spouse or partner of a candidate being appointed through another search (i.e., an "accompanying partner"); (5) the candidate is a spouse/partner of a current faculty member; or (6) the University has an opportunity to hire a candidate with an outstanding record of achievement and/or who will

enrich a program, including members of a cluster or group hire. A faculty member hired through this non-competitive process requires a recommendation from a duly appointed advisory committee established by the Provost to review credentials after consultation with the Dean and Institute Director, where appropriate, and the faculty of the LoA. If an advisory committee has not been appointed, the FRC in the college closest to the discipline, in consultation with the faculty in the LoA, shall serve as the advisory committee.

4.7 Competitive Faculty Hires

Except for the situations detailed above, all full-time faculty hires are to be competitive in nature. The position should be advertised as broadly as possible and allow adequate time to achieve the goal of building a diverse, robust and competitive pool of applicants. Competitive faculty hires shall follow the process in Sections 4.7.1- 4.7.6. Any exceptions must be approved by the Provost.

4.7.1 Approval of Faculty Search

All faculty searches must be approved by the Provost before posting the position. As a first step, the Dean or Dean's designee, in consultation with the search committee members, formulates and submits a job announcement, including suggested rank and salary range, to the Office of Faculty Affairs for the Provost's approval. Once the Provost approves the job announcement, the position may be posted and advertised. The Dean or the Dean's designee shall consult with the Office of Human Resources before posting.

4.7.2 Formation of the Search Committee

The faculty in the relevant discipline(s) and LoA(s) where the prospective new hire is to be located shall form the search committee in consultation with the Dean or Dean's designee. In the case of institutes, the Institute Director and the Dean of the college to which the faculty member will be appointed, shall appoint the search committee. In the event that the Institute Director and Dean cannot agree, the Provost shall decide. The search committee shall have at least three (3) full-time faculty members, with at least one member being tenured, where possible. The search committee may include one faculty member from outside the LoA. The members of the search committee shall select one of their tenured members, where possible, to serve as chair. An effort should be made to consider diversity in appointing members to serve on a search committee. If the search is to fill an endowed chair or professorship, the Provost will appoint one of the faculty members to the search committee.

4.7.3 Evaluation of Applicants

After reviewing application materials and conducting preliminary interviews, the search committee identifies candidates to bring to campus. The search committee submits its list of finalists to the Dean or the Dean and Institute Director, where appropriate, who authorizes on-campus invitations. If the Dean or Dean and Institute Director and the search committee cannot come to an agreement on the selection of finalists, the Provost will resolve the disagreement.

During their campus visits, finalists should give a presentation that is open to faculty. They may also undertake additional activities, such as a teaching demonstration or performance, as decided by the Dean and/or Director. Each finalist should be interviewed by the Dean (or designee). Finalists for tenured and tenure-track positions should also be interviewed by the Provost (or designee). Full reference checks should be made after the campus visit, but before an offer of

employment is extended. Background checks are the responsibility of the Office of Human Resources. All records pertaining to the search should be maintained, and any written records and notes should be returned to the Office of Faculty Affairs.

4.7.4 Search Committee Recommendation

After discussing candidates with the faculty in the unit, the search committee submits a written recommendation - either for a preferred candidate or a ranked list of suitable candidates - to the Dean and Provost regarding the final pool of candidates. This recommendation should provide the rationale for each recommended candidate. If the Dean disagrees with the recommendation, they must meet with the search committee and attempt to resolve the disagreement with respect to the written recommendation. If agreement cannot be reached about the final recommendation, the Provost will resolve the disagreement.

4.7.5 Provost Decision

The Provost will communicate acceptance or non-acceptance of the recommended candidate(s) to the Chair or Director (as appropriate), the Dean and the search committee. If the Provost does not approve the recommended candidate(s), the Provost will communicate the reason for non-acceptance to the Dean and the search committee.

4.7.6 Offers and Contracts

Once the Provost approves the candidate, and the candidate has gone through the Office of Faculty Affairs process, the Dean and Institute Director (as appropriate) discusses the potential terms with the candidate within approved parameters and, if agreement is reached, the Provost's office extends the offer and contract. If an agreement is not reached, the Dean may discuss potential terms with the next ranked and approved candidate, if any. The offer of employment to the candidate is formally communicated by way of an Offer Letter and Faculty Agreement issued by the Office of the Provost. The Provost has sole authority to make an offer on behalf of the university.

4.8 Appointments with Tenure

An appointment with tenure requires a recommendation from the Faculty Review Committee, the Faculty Personnel Council and the Dean. All such recommendations (both favorable and unfavorable) must be submitted in writing to the Provost. Tenured appointments require the approval of the Provost and the Board of Trustees. These requirements also apply to administrators hired with tenure.

4.9 Joint Appointments

The Faculty Agreement will describe the appointment as a joint appointment, indicating the privileges and limitations and specifying, where appropriate, which LoA is responsible for the evaluation of the faculty member. A joint appointment requires a written recommendation from the Faculty Review Committee of the second (and any subsequent) LoA. All joint appointments require the approval of the Provost.

4.10 Affiliate Appointments

A faculty member may be designated as an affiliate of an academic unit other than their LoA. Such appointments are made by the Dean and/or Institute or Center Director. Affiliate appointments ordinarily do not include voting rights or participation in the departmental FRC/FPRC.

Chapter 5

FACULTY RESPONSIBILITIES

5.1 Institutional Policies

Faculty are responsible for abiding by a number of institutional policies, most of which can be found at the university website and are incorporated by reference into this Manual. https://www.chapman.edu/campus-services/legal-affairs/policy/index.aspx.

5.2 Professional Ethics

Faculty members are expected to uphold the ethical standards of their respective professions and professional associations. Faculty members are expected to adhere to the ethics policy of the University. Faculty are required to participate in ethics training as assigned by the Office of Human Resources.

All faculty at Chapman University are responsible for adhering to the Integrity in Research policy and the University Conflict of Interest policy. Those faculty who receive external funding for research have an additional responsibility for adhering to the policies governing research.

The university believes that the "Statement on Professional Ethics" promulgated by the AAUP serve as a reminder of the obligations assumed by all members of the professoriate.

5.3 Academic Integrity in the Classroom

Chapman University is committed to academic integrity on the part of all members of the community, and faculty must always follow best practices with respect to academic integrity. A faculty member's expectations of students with respect to academic integrity should be communicated to students verbally at the beginning of the course and described also in the course syllabus. Faculty are encouraged to employ common-sense strategies to ensure academic integrity such as robust proctoring of exams, minimal reuse of exam questions, and use of plagiarism-detection software to discourage and detect plagiarism in written assignments. Faculty are reminded that Chapman has an Academic Integrity Committee whose responsibilities include explaining Chapman's Academic Integrity Policy, consulting with faculty as they seek to limit academic integrity violations, and handling violations of academic integrity when they occur.

5.4 Outside Employment

The University encourages faculty members to keep current with developments in their disciplines and to gain practical experience in their fields. In many instances, this work affords faculty valuable opportunities to pursue and attain professional development, and to bring added prestige to the University. The policies governing outside employment can be found at: Institutional Conflict of Interest for Employees Policy https://www.chapman.edu/campus-services/legal-affairs/policy/index.aspx.

5.5 Conflicts of Interest

As a matter of sound judgment and professional ethics, faculty members are responsible for avoiding any perceived, apparent or actual conflicts of interest in their professional activities. A conflict of interest shall be deemed to exist whenever an interest held by the faculty member, or relationship maintained, prohibits or inhibits, or could reasonably be considered to prohibit or

inhibit the faculty member from exercising independent judgment in the best interests of the University. Institutional Conflict of Interest for Employees Policy https://www.chapman.edu/campus-services/legal-affairs/policy/index.aspx.

5.6 Faculty Workload
Workloads for faculty of all ranks and titles are determined by the Provost in accordance with the needs and expectations of the academic unit(s) to which the faculty member is appointed. The workload for each individual faculty member includes responsibility for some combination of teaching, research/creative/clinical activity, service, and advising/mentoring, and/or any other responsibilities as set forth in the individual's Faculty Agreement. Faculty workloads may be adjusted from time to time by the Provost to allow individual faculty members to assume administrative responsibilities or to perform alternative duties.

5.7 Teaching Loads
Faculty teaching loads are based on an assignment of 24 teaching credit hours per academic year but may vary according to each individual Faculty Agreement and the needs and expectations of each school/college. Expectations for a faculty member's research/creative/clinical activity and/or any other responsibilities are commensurate with teaching load.

Teaching loads described in the Faculty Agreement may be reduced or increased, with justification, at the discretion of the Provost. For example, the Provost, in consultation with the Dean, may reduce a faculty member's assigned teaching load as part of an administrative assignment or to permit a faculty member to take advantage of a specific opportunity for increased research/creative/clinical activity. An assigned teaching load may also be adjusted upwards by the Provost, after consultation with the faculty member and the Dean, if the faculty member's activity has declined over a period of years and no longer meets the expectations described in the Faculty Agreement. Faculty will receive written notice of any such adjustment.

5.8 Faculty Availability
Unless their Faculty Agreements outline alternative expectations, faculty members are expected to be regularly available on campus for teaching and other responsibilities when the academic programs in which they participate are in session. Faculty members should also be regularly available to mentor students, to attend meetings, and to meet their service obligations. Each faculty member who teaches should establish, keep and make students aware of regular office hours throughout the week to be convenient for students. All faculty members should be available via email, regularly checking their Chapman account and responding to emails in a timely and appropriate fashion.

5.9 Teaching
As a student-centered institution, Chapman University places great value on teaching. Faculty are expected to strive for excellence in all their teaching activities. Faculty members are expected to hold classes as scheduled and to conduct their classes at a level appropriate to the assigned course. Each instructor is responsible for providing a learning environment conducive to achieving the learning outcomes specified for each course by planning and presenting the assigned course material; establishing and communicating course objectives and requirements; selecting and ordering required texts and supplemental materials by assigned deadlines; publishing course

syllabi; preparing and administering assignments and examinations; and grading assignments and posting grades in a timely manner.

5.9.1 Course Offerings

All course offerings should be in accord with the general requirements of Chapman University, the needs of academic programs, and the needs of the student body. All university policies regarding course approvals shall be followed for any and all course offerings.

5.9.2 Teaching Assignments

Specific teaching assignments for any given term are assigned by the LoA Administrator and/or the Dean and Provost, in consultation with the faculty member. A faculty member may be assigned a teaching responsibility outside of the faculty member's unit as determined by the LoA Administrator and/or Dean in consultation with the Provost.

Summer and Interterm teaching assignments as well as travel courses may count towards a faculty member's teaching load only with the approval of the faculty member's Department Chair or Program Director, and/or Dean, and Provost.

5.9.3 Class Meetings

Faculty are expected to hold their classes punctually and as scheduled. Classes should be held on campus or at some other location appropriate for a special class or project. If a faculty member is unable to attend a scheduled class session, arrangements must be made to offer alternative instruction to satisfy student expectations and the faculty member's contractual obligations with regard to University policies on contact time and credit hours. If more than one scheduled class session must be missed, the faculty member must receive the approval of the LoA Administrator/Dean.

5.9.4 Grading

A faculty member will provide timely feedback and, as required, timely intervention to support successful academic performance by students. The faculty member shall provide the University with grades or evaluations of each student by the posted deadline.

5.9.5 Underload

If an underload occurs for a faculty member, whether due to a course cancellation or other cause, the faculty member shall be assigned alternative teaching responsibilities in the academic term of the underload or in a subsequent academic term within one calendar year of the underload. Alternatively, the faculty with an underload may be assigned other duties as recommended by the Dean/Institute Director, with the approval of the Provost.

5.9.6 Overload

Overload teaching must be approved by the LoA administrator/Dean/Provost (or Provost's designee). Faculty who teach an overload class will receive compensation or, with the approval of the LoA administrator/Dean, may receive teaching credit for a subsequent academic term, usually within the same academic year. No overload will be permitted in the case of a faculty with an administrative appointment or a reduced teaching load except in an emergency, although an overload is allowed in Interterm. Teaching an overload class does not diminish the faculty

member's responsibilities in other areas such as research/creative/clinical activities, service, or administrative activities. Any exceptions must be approved by the Provost.

5.9.7 Team Teaching

Credit for team-taught classes will be divided proportionately among the faculty members unless the Dean and the Provost give prior approval for each instructor to receive full credit for the course.

5.10 Responsibilities for Student Classroom Behavior

Faculty members are responsible for ensuring an effective learning environment for their students. Consequently, faculty members have the authority to maintain appropriate student behavior in their courses. Faculty members should immediately report inappropriate student behavior to the LoA Administrator/Dean and to the Dean of Students. The faculty member may also request the assistance of the Dean of Students to provide advice or to resolve issues with inappropriate student behavior.

If any student behaves in a way that interferes with the learning of other students or refuses to fulfill the academic requirements of the course, the faculty member may have the student removed from the class, in accordance with the policy as it appears in the undergraduate and graduate catalogs.

5.11 Intimate Relationships with Students

Faculty shall not engage in intimate relationships with students enrolled in their classes or where the faculty member is acting in a supervisory role. Such relationships are inappropriate in light of the power differential between faculty and students and create serious perceptions of impropriety in the minds of other students. Faculty are expected to use good judgment in deciding whether to get intimately involved with students who are not enrolled in their classes or otherwise being supervised, recognizing that power imbalances and negative perceptions by others may still be an issue. Faculty must cooperate in any inquiry regarding the nature of their relationship with students enrolled at the University in accordance with the Cooperation with Investigations Policy https://www.chapman.edu/campus-services/legal-affairs/policy/index.aspx.

5.12 Harassment and Discrimination Policy

The University is committed to providing an environment in which all members of the community are treated at all times with dignity and respect. Faculty are expected to foster such an environment. The Chapman University Harassment and Discrimination Policy prohibits any form of harassment and discrimination based upon protected status. The Chapman University Harassment and Discrimination Policy and the Title IX Policy, which is considered to be incorporated into this Manual as if reproduced in full, is available on the university website:
https://www.chapman.edu/campus-services/legal-affairs/policy/index.aspx.

5.13 Research/Creative/Clinical Activity

Research/creative/clinical activities are integral to the life of the University. Tenured and tenure-track faculty have a responsibility to engage in significant research/creative/clinical activity. NTT faculty may or may not be expected to engage in research/creative/clinical activity, depending on the nature of their appointments and the terms of their individual Faculty Agreements. Specific

expectations regarding research/creative/clinical activity are outlined in the Unit Criteria of each school/college or LoA.

5.14 Integrity in Research/Creative/Clinical Activity

Faculty engaged in research/creative/clinical activities are responsible for adhering to the highest standards of intellectual honesty and integrity in these activities. The University has adopted policies on integrity in research, copyright, intellectual property, fiscal and other policies. These policies can be found on the university website: https://www.chapman.edu/campus-services/legal-affairs/policy/index.aspx. In addition to these policies, Chapman faculty are expected to adhere to all applicable state and federal laws and regulations.

5.15 University Governance and Service

The faculty shares responsibility for the governance of the University. All faculty members are expected to participate in faculty meetings within the University, school/college, and LoA, and to participate in formal University events, such as commencement exercises. Faculty serve the University by sitting on faculty councils and committees, or by assuming administrative duties. Faculty who are involved in the evaluation of other faculty are expected to conduct such evaluations in confidence. Any breach of confidentiality will be grounds for disciplinary action.

Faculty may serve the purposes of the University and bring recognition to it by serving in their academic or professional communities on advisory boards, as consultants, or in various other activities in which they have special expertise. Tenured faculty are expected to engage in significant service activities; service expectations for tenure-track faculty in their probationary period are more modest. Service expectations for NTT faculty depend on the nature of their appointment and the terms of their individual Faculty Agreements. Specific expectations regarding service are outlined in the Unit Criteria of each school/college or LoA.

5.16 Academic Mentoring and Advising

The faculty plays an important role in the mentoring and academic advising of students. This may include curriculum advisement, collaborating with or mentoring students in their research/creative/clinical pursuits, or offering career advice. Mentoring and advising expectations for individual faculty members depend on the nature of their appointment and the terms of their individual Faculty Agreements. Specific expectations regarding mentoring and advising are outlined in the Unit Criteria.

Chapter 6

FACULTY EVALUATION

6.1 Evaluative Procedures

All full-time faculty are subject to annual evaluation. Faculty who apply for tenure and/or promotion in rank, as well as tenure-track faculty undergoing Critical Year reviews, are evaluated through a more extensive review process, which includes submitting an electronic portfolio. Each unit may develop their own criteria for more extensive NTT reviews, to be categorized as Unit Progress Reviews.

This chapter outlines the general procedures for the evaluation of full-time faculty.

6.2 Definition and Eligibility for Tenure

Tenure means a continuing appointment to full-time employment through each successive academic year with duties appropriate to a faculty member's training and experience. Faculty members on the tenure-track normally apply for tenure during the final year of their probationary period. Under exceptional circumstances (and with their Dean's approval, see 6.10.4), a faculty member may apply for tenure early, but not before their second year. The tenure decision will be made no later than the final year of the probationary period. A faculty member shall be considered for tenure only once.

Tenure is awarded after completing a series of progressive reviews in which faculty demonstrate that their work meets both the university standards and Unit Criteria of excellence. Once awarded tenure, a faculty member remains on full time continuing appointments through each successive academic year with duties appropriate to the faculty member's training and experience as assigned by the Dean or administrator of the LoA. A faculty member meeting the university standards and appropriate Unit Criteria may be hired with tenure.

6.3 Timetable

The Faculty Personnel Council, in consultation with the Office of Faculty Affairs (OFA), establishes the annual timetable with appropriate deadlines for the evaluation of faculty. The OFA publishes this timetable on its website. All participants in the process are responsible for knowing and meeting applicable deadlines.

6.4 University Criteria

The University Standards and expectations for excellence in teaching, research/creative activity, clinical/practice/licensure expectations, advising/mentoring, and service are set forth below. Unit Criteria shall be based on these broad University expectations and provide discipline-specific guidelines for faculty working to achieve excellence in these areas.

1. Promotion to Associate Professor comes after demonstrated excellence in teaching as well as an established record of high-quality research/creative accomplishments or clinical/practice/licensure expectations, that shows clear promise of continuation. In addition, candidates are expected to demonstrate service participation in the life of the university, particularly at the departmental level. Tenure and promotion to Associate Professor are normally granted simultaneously, although individual situations may arise in

which a faculty member is promoted to Associate Professor by the Provost without the granting of tenure.

2. Promotion to Professor comes after demonstrated excellence in teaching and prolonged active and respected service participation in one's professional field and in the life of the University. Additionally, the candidate must demonstrate an exemplary record of achievement through clinical/practice/licensure work or research/creative work such as publications, performances, exhibitions, or other forms of peer-reviewed research/creative materials along with a record of demonstrated excellence in teaching and student mentorship. Consideration for promotion to Professor normally occurs during the seventh year in rank as Associate Professor.

6.5 Unit Criteria

The FRC/FPRC of each LoA (defined below in section on Evaluative Procedures) is responsible for developing, publishing, and updating Unit Criteria, which are unit-specific guidelines to assist tenure-track faculty seeking tenure, tenured faculty who seek promotion to full professor, and NTT faculty who seek promotion to associate or full professor. Though consistent with the broad guidelines outlined in 6.4, Unit Criteria describe with much greater clarity and detail the specific evaluative criteria used within the academic unit for evaluation of faculty at all ranks.

All Unit Criteria must be approved by the Dean, the Faculty Personnel Council, and the Provost. Units shall review and update their Unit Criteria at least once every five years and submit updated Unit Criteria, with the date of the next review indicated, to the Dean, the FPC and the Office of the Provost for approval.

Faculty members shall be reviewed under the same set of Unit Criteria by each of their evaluators. If Unit Criteria are updated and approved during a faculty member's evaluative period, the faculty member may elect to be evaluated under the new Unit Criteria or under those in effect when they were first appointed. Unit Criteria may be obtained by the faculty member from the Dean. The OFA shall also maintain all versions of the Unit Criteria.

Unit Criteria shall clearly outline any and all expectations for excellence in research/creative activity, clinical/practice/licensure expectations, teaching, and service at each rank, as appropriate.

With respect to research/creative/clinical activity, Unit Criteria shall provide guidelines and a range of numbers and/or kinds of publications, presentations, exhibitions, shows, performances, research/creative activity or clinical/practice/licensure accomplishments that might constitute evidence of excellence to be expected at an R2 institution in order to secure reappointment, tenure, and/or promotion at each rank, commensurate with teaching load. In addition, Unit Criteria should describe how faculty in the unit can provide concrete evidence of the quality of their research/creative work, through such means as journal impact factors, acceptance rates of publishers, published performance reviews, or awards. Finally, in the case of collaborative work, Unit Criteria should explain how candidates are to make explicit and clear the role they played in the work described.

With respect to teaching, Unit Criteria shall describe what constitutes excellence in teaching within the unit and also how excellence can be demonstrated through such means as curricular

development, course syllabi, student evaluations, peer teaching reviews, and pedagogical awards or grants. Candidates for tenure and promotion must possess a consistent history of demonstrated excellence in teaching and the potential for sustained excellence in the future. Teaching shall be interpreted to include appropriate work and involvement with students beyond, as well as within the classroom, and may include both formal and informal mentoring and advising of students. Unit Criteria shall specify the nature and extent of mentoring and advising activity that is expected of candidates.

With respect to service, Unit Criteria shall specify the kind and extent of service (including within the unit, University or profession) that is expected for reappointment, tenure, and/or promotion and how quality of service may be demonstrated within the unit.

With respect to administration, it should be indicated in the faculty file if the administrative work has been undertaken for a teaching load reduction and/or for a stipend.

6.6 The Electronic Portfolio

All faculty members undergoing Critical Year, tenure, and/or promotion, are required to submit an electronic portfolio by the published deadline. The basic components of the electronic portfolio are outlined in the next section. This portfolio must provide reviewers with sufficient representative materials to perform a thorough evaluation of the candidate's professional activities. Faculty preparing electronic portfolios are strongly urged to attend workshops sponsored by the OFA, the Provost, and the Chair of the FPC, aimed at assisting them in building their electronic portfolios to make their case for tenure and/or promotion. New faculty are also advised to begin collecting electronically the evidence indicated below during their first semester at Chapman and to update these files as needed to facilitate timely completion of Critical Year, tenure, and promotion portfolios.

6.6.1 The Basic Components of the Electronic Portfolio

1. Letter of Intent to apply for tenure and/or promotion.
2. Unit Criteria as defined in 6.4.
3. Executive summary - A brief overview (no more than 500 words) of the candidate's professional activities, including research/creative/clinical activity, teaching, service, and administrative activity (as applicable). In addition, the summary should specify any and all contractual duties outlined in the candidate's Faculty Agreement about which reviewers should be made aware.
4. Evidence of research/creative/clinical activity - A narrative section of no more than 1000 words that includes a brief overview of the candidate's research/creative/clinical activities and their particular role in the work. This narrative section should be followed by representative materials relative to these activities, including copies of significant published or presented works; works-in-progress; and evidence of external and internal grants and awards. Candidates must provide materials to help reviewers appreciate the quality and impact of their work and the places in which this work appears. Candidates, for instance, might point to journal impact factors and acceptance rates; positive reviews and citations; awards, prizes, or honors; and decisions to reprint, commission, perform, exhibit, anthologize, or translate a given work. Candidates should be aware that reviewers are compelled by the Faculty Manual to assess the quality of portfolios for any Critical Year,

tenure and promotion review; therefore, reviewers at any level may use information within the public domain (e.g., Journal Citation Reports; reviews of performances; notices of honors or awards) to assess the quality of a candidate's work, if such information is not included in the electronic portfolio. Candidates must also clearly indicate what course releases they have received, if any, to enable their research/creative/clinical activities.

5. After the submission date, candidates may only add items to their file related to updates in research/creative/clinical activity if those items were specifically referred to in the submitted file.
6. Evidence of teaching - A narrative section of no more than 1000 words that includes a brief overview of the candidate's teaching activity and a statement of teaching philosophy. This narrative section should be followed by representative materials relative to teaching, including a summary table showing all courses taught, and number of students taught during the evaluative period; peer teaching evaluations; original copies of Chapman-generated student evaluations for all courses taught during the evaluative period; responses to or explanations of student evaluation scores or comments, if the faculty member deems it appropriate; a statistical summary of student evaluation scores for all courses taught during the evaluative period; Chapman-generated grade distributions for all courses taught during the evaluative period; and syllabi from selected courses. Candidates should describe new or revised courses, and well as new pedagogical approaches undertaken. Candidates must provide materials to help reviewers evaluate the quality of their teaching activity, including such items as mentoring and advising activity, number of advisees (graduate and undergraduate); description of advising sessions; attendance at advising/mentoring workshops; evidence of teacher training; signs of improvement; rationale for particular grading practices; program objectives; and average evaluation scores and grade distributions among comparable courses or within the school/college or LoA. Candidates should also bear in mind that teaching includes appropriate work and involvement within and beyond the classroom.
7. Evidence of service - A narrative section of no more than 1000 words that includes a brief overview of the faculty member's specific accomplishments in the area of service to the school/college, the University, the profession, and the broader community. This narrative section should be followed by representative materials relative to these activities. Candidates must clearly indicate what course releases and/or stipends they have received, if any, to enable their service activities, which can include service on a committee or a council.
8. Evidence of administrative activity - Unlike service activities, administrative activities generally result in additional compensation to the faculty member. Supporting materials, including a brief overview (no more than 500 words) of the candidate's administrative activity should be included in the electronic portfolio. Candidates must clearly indicate what course releases they have received, if any, to enable their administrative activity, which can include serving as Chair or Assistant/Associate Dean.
9. A current C.V. shall be included in the electronic portfolio.
10. All previous annual reports/reviews and their associated reviews, and internal and external evaluations shall be included in the electronic portfolio.
11. Faculty Response (optional) - Candidates may submit written responses to internal (e.g., Dean, FRC) and/or external review letters within 7 (seven) business days, if they feel these are warranted.

12. Other (optional) - Candidates may include additional documentation as applicable. This section may include materials from time spent at other institutions for faculty who have been granted time toward tenure or promotion for such time.

6.6.2 Electronic Portfolio for External Reviewers

Tenure-track faculty members undergoing external review, tenured faculty applying for promotion, and NTT faculty applying for promotion in certain cases are required to submit an electronic portfolio for external reviewers by the published deadline. The electronic portfolio for external reviewers focuses primarily on research/creative activity or clinical/practice/licensure work, as appropriate. Candidates should provide external reviewers with sufficient context about their other professional activities to help external reviewers make a fair and thorough evaluation of their research/creative/clinical accomplishments but need not include material that pertains to teaching and service activity. Under no circumstances should the electronic portfolio for external reviewers include peer evaluations of teaching or any letters, solicited or otherwise, from other reviewers or any Chapman University faculty member or administrator.

6.7 Candidate Responsibility for Evaluative Materials

Candidates are responsible for submitting all required materials in the required format by published deadlines. Candidates must understand that the burden of proof in making their case for tenure or promotion case falls upon themselves, not the reviewer. Thus, candidates should provide reviewers with all the materials and information they need to perform a thorough evaluation. Moreover, candidates should organize and present their materials in such a way as to clearly, persuasively, and succinctly demonstrate to a wide range of reviewers both within and outside their disciplines how they have fulfilled the expectations set forth in this Manual and in the Unit Criteria of their school/college or LoA. Demonstration of the quality of their research and creative activity requires that candidates explain such factors as the impact of scholarly outlets for their published work and/or the significance of venues where their work is displayed or performed.

Candidates should take particular care to explain to reviewers the precise role they played in research or creative activity that is collaborative. Such an explanation might require candidates to describe discipline-specific norms with regard to co-authorship and collaboration, and the candidate's specific contributions to any co-authored or collaborative work.

6.8 Annual Performance Review

Per 6.13.5, all full-time faculty undergo an annual performance review (annual evaluation). The basis for the annual evaluation is the Annual Report. This is a summary report and supporting evidence of the faculty member's productivity during the covered academic year. The Annual Report shall document the faculty member's record of accomplishments in those areas considered for retention, tenure, and promotion, using the Unit Criteria established by the LoA. The Annual Report shall include sections relating to each area of professional responsibility, such as activities, teaching, service, and advising.

1. If the faculty member reports to an LoA administrator such as a Department Chair or Director as well as a Dean, both generate a review letter. The Dean may delegate their review to a tenured Assistant or Associate Dean.
2. If the faculty member reports only to a Dean, the Dean conducts the review and generates a letter. The Dean may delegate their review to a tenured Assistant or Associate Dean.

These evaluations shall include (1) a review of the quality and quantity of the progress of the faculty member toward retention, tenure/promotion and/or eligibility for merit pay; (2) constructive feedback on where and how the faculty member might improve as they move toward tenure and/or promotion. Each unit shall develop both criteria and process guidelines on the use of the Annual Evaluation for determining merit increases in pay.

6.9 Tenure, Promotion, and Critical Year Reviews

Faculty who apply for tenure and/or promotion in rank, as well as those faculty who are subject to a Critical Year review, must undergo a more extensive review process than the annual review. The basis for tenure, promotion, and Critical Year review is the electronic portfolio, which documents the accumulated accomplishments and performance of the faculty member. The faculty member is responsible for submitting a completed electronic portfolio by the published deadline.

In addition to the Dean and/or LoA administrator, the review process for tenure, promotion, and Critical Year review will include evaluations and recommendations by (1) the LoA's Faculty Review Committee (FRC) or Full Professor Review Committee (FPRC) and (2) the Faculty Personnel Council (FPC). For tenure and/or promotion reviews, evaluative letters are also required from 4 (four) external reviewers. All evaluative letters are submitted to the Provost who makes the final decision regarding tenure and/or promotion.

6.10 Review Process for Tenure-Track Faculty

6.10.1 Critical Year Review for Tenure-Track Faculty

Tenure-track faculty undergo more extensive reviews in the second and fourth years of their probationary periods. These more extensive reviews are known as Critical Year Reviews because successful completion of these reviews is required to stay on the tenure track, while failure results in termination as provided in 6.10.3. Unit Progress Reviews of NTT faculty will not be designated as "critical" because they judge progress towards voluntary promotion.

6.10.2 Critical Year Review Process for Tenure-Track Faculty

Faculty members initiate a Critical Year review by filing a notice of intent with the Provost (email is acceptable with a cc to the FRC and FPC Chairs, the Dean, and the Office of Faculty Affairs). The basis for the Critical Year review is the electronic portfolio, which all faculty members undergoing promotion review are required to submit by the published deadline.

Critical Year reviews involve the following levels of review:

1. LoA Administrator review – The administrator of the faculty member's LoA (e.g., the Department Chair) reviews the electronic portfolio and submits an evaluative letter (i.e., a letter that makes a recommendation regarding retention, tenure, or promotion on the basis of an evaluation of a candidate's file). In schools and colleges that do not subdivide their faculty into LoA, this review is not required; however, in schools and colleges without defined LoA, an LoA Administrator review may be performed by another faculty member if the school/college procedures make provision for such a process.
2. Faculty Review Committee (FRC) review - The tenured members of the LoA FRC review the electronic portfolio and submit an evaluative letter. The letter must include names of the participating FRC and a vote count.

3. Dean review – The Dean of the LoA reviews the electronic portfolio and submits an evaluative letter. Per 6.8 and 6.13.5, the Dean may delegate this letter to a tenured Assistant or Associate Dean.
4. Faculty Personnel Council (FPC) review – For fourth-year Critical Year reviews, the tenured members of the FPC review the electronic portfolio and submit an evaluative letter. The letter must include names of the participating FPC and a vote count. Second-year Critical Year reviews are not reviewed by the FPC unless evaluative letters from the LoA Administrator, FRC, and/or Dean have conflicting retention recommendations.
5. Provost review and decision - The Provost reviews the electronic portfolio and makes a decision. The Provost, in making their decision, may consider pertinent job-related information not contained within the electronic portfolio.

6.10.3 Outcomes of the Critical Year Review for Tenure-Track Faculty

Following the Critical Year Review, evaluative letters are shared with the faculty member as they are submitted by the various reviewers. The faculty member may include a written response to each letter, within seven business days, which is added to the file. On or before April 15, the Provost notifies the faculty member of reappointment or non-reappointment. Faculty members who are not reappointed after their fourth-year critical review are typically offered a one-year terminal contract for the following academic year. Faculty members who are not re-appointed after their second-year critical review are normally not offered a one-year terminal contract.

6.10.4 Tenure Review

Faculty members with tenure-track appointments must undergo a tenure review no later than the final year of their probationary period and can do so only once. The standard probationary period is seven years but may be longer or shorter if the faculty member (1) is assigned a different probationary period at the time of initial appointment; (2) is appointed to a school/college that stipulates a different probationary period in its approved school/college procedures; (3) is given an extension, as outlined in 6.16, as a result of an event or circumstance that has a significant impact on the faculty member's professional activities; or 4) receives permission from the Dean, who consults with the Provost.

6.10.5 Institutional Expectations for Tenure Candidates

Tenure-track faculty members applying for tenure are expected to demonstrate (1) a record of high-quality creative/research/clinical activity that shows excellence with a clear promise of continuation, and in which the candidate's particular role is described carefully. Candidates must clearly indicate what course releases they have received, if any, to enable their activity; a reduced load normally creates an expectation of increased productivity; (2) demonstrated excellence in teaching and the potential for sustained excellence in the future, interpreted to include appropriate work with students within and beyond the classroom, which may include mentoring and advising; and (3) demonstrated level of engagement and service, particularly at the level of the school/college or LoA. Specific expectations for tenure candidates in each school/college or LoA are described in greater detail in the respective Unit Criteria.

6.10.6 Tenure Review Process

Faculty members initiate a tenure review by filing a notice of intent with the Provost (email is acceptable with cc to the FRC and FPC Chairs, the Dean, and the Office of Faculty Affairs). The

basis for the tenure review is the electronic portfolio, which all faculty members undergoing promotion review are required to submit by the published deadline.

Tenure reviews involve the following levels of review:

1. External review. At least four tenured peer reviewers of a rank (preferably above the one that is being sought by the candidate), posing no reasonable conflict of interest (e.g., not a co-author, close collaborator, or graduate advisor) and from outside the University review the candidate's research/creative materials and submit an evaluative letter. In those situations where four external reviewers cannot be identified or when fewer than four external reviewers complete their reviews, the Provost may approve acceptance of fewer than four, but never fewer than two external reviewers. The Dean's Office shall invite the outside reviewers to review the faculty member's file. A sample letter of invitation to external reviewers can be obtained from the Office of Faculty Affairs. Under no circumstances should external reviews be solicited by the candidate.
2. LoA Administrator review. The administrator of the faculty member's LoA (e.g., the Department Chair) reviews the electronic portfolio and submits an evaluative letter. In schools and colleges that do not subdivide their faculty into LoA, this review is not required; however, in schools and colleges without defined LoA, an LoA Administrator review may be performed by another faculty member if the school/college procedures make provision for such a process. The Dean's Office shall notify the Office of Faculty Affairs when a LoA Administrator review will be performed by a faculty member other than a Department Chair.
3. Faculty Review Committee (FRC) review. The tenured members of the LoA FRC review the electronic portfolio and submit an evaluative letter. The letter must include names of the participating FRC and a vote count.
4. Dean review. The LoA Dean reviews the electronic portfolio and submits an evaluative letter. Per 6.8 and 6.13.5, the Dean may delegate this letter to a tenured Assistant or Associate Dean.
5. Faculty Personnel Council (FPC) review. The FPC reviews the electronic portfolio, including previous evaluation letters, and submits an evaluative letter. The letter must include names of the participating FPC and a vote count.

6.10.7 Provost Review and Decision

The Provost reviews the complete electronic portfolio as well as all prior evaluative letters to determine if tenure is warranted. The Provost may consult with any previous reviewers regarding their evaluations. The Provost, in making their decision, may consider pertinent job-related information not contained within the electronic portfolio and may consult with the President. Once the Provost has made a decision regarding tenure, the Provost presents all candidates recommended for tenure to the Academic Committee of the Board of Trustees for final confirmation by the Board of Trustees.

6.10.8 Outcomes of the Tenure Review

Following the evaluative review, the evaluative letters are shared with the faculty member as they are submitted by the various reviewers, and the faculty member may include a written response to each letter, within seven business days, which is added to the file. On or before April 15, the Provost notifies the faculty member of the tenure decision. A faculty member granted

tenure is assured of continuing full-time appointment for each successive academic year. A faculty member denied tenure is typically offered a one-year terminal contract for the subsequent academic year following consultation with the Provost Thereafter, a faculty member denied tenure is ineligible for a tenure-track appointment at the University.

Faculty who apply for tenure as an assistant professor will be simultaneously and automatically considered for promotion to associate professor. Faculty who are hired at the rank of associate professor without tenure may apply for tenure without promotion, unless (1) another arrangement is stipulated by the school/college procedures; or (2) another arrangement has been reached by the faculty member and the Provost.

6.11.1 Promotion Review for Tenured and Tenure-Track Faculty

Tenure-track faculty members are considered for promotion to Associate Professor at the time of their tenure review only, unless (1) another arrangement is stipulated by the school/college procedures; or (2) another arrangement has been reached by the faculty member and the Provost in consultation with the Dean and/or Chair.

Tenured faculty members may apply for promotion to the rank of Professor after an appropriate time of service at the rank of Associate Professor (usually six years or more). Associate Professors with fewer than six years of service at that rank may apply for promotion to Professor earlier if (1) they have appointments in schools/colleges that stipulate shorter promotion schedules in their school/college procedures; or (2) they obtain the approval to seek early promotion from their Dean, who shall consult with the Provost.

Promotion to the rank of full professor is not automatic and requires excellence in all areas of responsibility. The expectations for promotion to full professor are significantly greater than those for promotion at lower ranks, especially in the areas of research/creative/clinical activity and service.

6.11.2 Promotion Review Process for Tenured Faculty

Faculty members initiate a promotion review by filing a notice of intent with the Provost (email is acceptable with cc to the FPRC and FPC Chairs, the Dean, and the Office of Faculty Affairs). The basis for the promotion review is the electronic portfolio, which all faculty members undergoing promotion review are required to submit by the published deadline.

Promotion Reviews for tenured faculty involve the following levels of review:

1. External review. At least four tenured peer reviewers, posing no reasonable conflict of interest (e.g., not a co-author, close collaborator, or graduate advisor of the candidate) and from outside the University review the faculty member's research/creative materials and submit an evaluative letter. In those situations where four external reviewers cannot be identified or where fewer than four external reviewers complete their reviews, the Provost may approve acceptance of fewer than four, but never fewer than two external reviewers. The Dean shall invite the outside reviewers to review the faculty member’s file. Under no circumstances should external reviews be solicited by the candidate.

2. LoA Administrator review. The administrator of the faculty member's LoA (e.g., the Department Chair) reviews the electronic portfolio and submits an evaluative letter. In schools and colleges that do not subdivide their faculty into LoA, this review is not required; however, in schools and colleges without defined LoA, an LoA Administrator review may be performed by another faculty member, if the school/college procedures make provision for such a process.
3. Full Professor Review Committee (FPRC) review. The tenured members of the LoA FPRC review the electronic portfolio of tenured associate professors seeking promotion to full professor and submit an evaluative letter to the Provost. The letter must include names of the participating FPRC and a vote count.
4. Dean review. The LoA Dean reviews the electronic portfolio and submits an evaluative letter. Per 6.8, the Dean may delegate this letter to a tenured Assistant or Associate Dean.
5. Faculty Personnel Council (FPC) review. The FPC reviews the electronic portfolio and submits an evaluative letter to the Provost. The letter must include names of the participating FRC and a vote count.
6. Provost review and decision. The Provost, in making their decision, may consider pertinent job-related information not contained within the electronic portfolio. The Provost may also consult with the President.

6.11.3 Outcomes of the Promotion Review for Tenured Faculty

Following the review process, the evaluative letters are shared with the faculty member as they are submitted by the various reviewers. The faculty member may include a written response to each letter within 7 (seven) business days, which is added to the file. On or before April 15, the Provost notifies the faculty member of the decision.

Unless the school/college procedures stipulate otherwise, there is no limit on the number of times a faculty member may apply for promotion: however, faculty members denied promotion may not undergo promotion review in the subsequent review cycle.

6.11.4 Reapplying for Promotion

A faculty member who is denied promotion to Full Professor and who wishes to be reconsidered for promotion as permitted under the provisions of this Manual must prepare a new electronic portfolio that includes evidence of work completed since the last consideration, as well as relevant materials submitted in previous considerations. Where applicable, the file may include names and rationale for new letters of evaluation from outside reviewers.

6.12 Review Process for Non-Tenure-Track (NTT) Faculty

In most cases, faculty in the clinical, instructional, research, artistic, or of the practice categories shall be eligible to apply for promotion following a review process.

6.12.1 Promotion Review for Non-Tenure-Track (NTT) Faculty

NTT faculty members applying for promotion are expected to demonstrate excellence in those areas of responsibility associated with their special designations (see Chapter 3.8). In addition to successfully maintaining a higher teaching load than tenure-track and tenured faculty, they must show outstanding contributions to the University through service, mentoring, and/or administrative responsibilities that go beyond what is expected of newer faculty and are commensurate with their

greater experience. Specific expectations for faculty members in each school/college or LoA are outlined in the respective Unit Criteria.

6.12.2 Promotion Review Process for Non-Tenure-Track (NTT) Faculty

Faculty members initiate a promotion review by filing a notice of intent with the Provost (email is acceptable with cc to the FRC/FPC Chairs, the Dean, and the Office of Faculty Affairs). The basis for the promotion review is the electronic portfolio, which all faculty members undergoing promotion review are required to submit by the published deadline.

Promotion reviews for NTT faculty involve the following levels of review:

1. External review. In general, external reviews are not required for NTT faculty unless indicated in the specific LoA Unit Criteria. If so indicated, peer reviewers outside the University review the faculty member's research/creative materials and submit an evaluative letter. It is the responsibility of the Dean or Dean's designee to contact potential external reviewers. Under no circumstances should external reviews be solicited by the candidate.
2. LoA Administrator review. The administrator of the faculty member's LoA (e.g., the Department Chair) reviews the electronic portfolio and submits an evaluative letter. In schools and colleges that do not subdivide their faculty into LoA, this review is not required; however, in schools and colleges without defined LoA, an LoA Administrator review may be performed by another faculty member, if the school/college procedures make provision for such a process.
3. Faculty Review Committee (FRC) or Full Professor Review Committee (FPRC) review. All members of the LoA's FRC or FPRC at or above the rank being sought meet to review the electronic portfolio and submit an evaluative letter. The FRC/FPRC shall include all NTT faculty in the LoA at or above the rank being sought, according to school/college procedures. The letter must include names of the participating FRC/FPRC and a vote count.
4. Dean review. The Dean reviews the electronic portfolio and submits an evaluative letter. Per 6.8 and 6.13.5, the Dean may delegate this letter to a tenured Assistant or Associate Dean.
5. Faculty Personnel Council (FPC) review. The FPC reviews the electronic portfolio and submits an evaluative letter. The letter must include names of the participating FPC and a vote count.
6. Provost review and decision. The Provost reviews the electronic portfolio and all evaluations, and makes a decision. The Provost, in making their decision, may consult with any previous reviewers regarding their recommendations and may consider pertinent job-related information not contained within the electronic portfolio. The Provost may also consult with the President.

6.12.3 Outcomes of the Promotion Review for Non-Tenure-Track Faculty

Following the review process, the evaluative letters are shared with the faculty member as they are submitted by the various reviewers. The faculty member may include a written response to each letter within seven business days, which is added to the file. On or before April 15, the Provost notifies the faculty member of the decision. Unless the school/college procedures stipulate otherwise, there is no limit on the number of times a faculty member may

apply for promotion; however, faculty members denied promotion may not undergo another promotion review in the subsequent review cycle.

6.12.4 Reapplying for Promotion

A NTT faculty member who is denied promotion to Associate or Full Professor and who wishes to be reconsidered for promotion as permitted under the provisions of this Manual must prepare a new electronic portfolio that includes evidence of work completed since the last consideration, as well as relevant materials submitted in previous considerations. Where applicable, the file may include names and rationale for new letters of evaluation from outside reviewers.

6.13 Types of Reviewers

6.13.1 External reviewers

External reviewers are required in all tenure and promotion reviews, and in some NTT promotion reviews where required by accrediting bodies. External reviewers should have particular expertise in the candidate's area of research/creative activity.

Candidates will provide their Dean with a list of at least four (4) potential tenured peer reviewers posing no reasonable conflict of interest (e.g., not a co-author, close collaborator, or graduate advisor of the candidate). In consultation with the candidate's FRC or LoA Administrator, the Dean selects two of the candidate's suggested reviewers and adds two reviewers not suggested by the candidate, providing for a total of four external reviewers for each candidate. Under no circumstances should external reviews be solicited by the candidate.

6.13.2 LoA Administrator

The LoA Administrator (e.g., the Department Chair) reviews annual reports and participates in Critical Year, reappointment, tenure, and promotion. In schools and colleges that do not subdivide their faculty into LoA, the evaluative roles of the LoA Administrator are performed by a faculty member or committee of faculty members designated by the Dean or elected by the faculty to fulfill these roles. In such cases, the school/college procedures must clearly indicate who performs the evaluative functions of the LoA Administrator.

6.13.3 Faculty Review Committee (FRC)

The Faculty Review Committee participates in Critical Year, reappointment, tenure, and promotion reviews. By default, the FRC is convened at the level of the school/college; however, FRCs may be convened at the level of the LoA, if the school/college procedures stipulate such an arrangement. Because Assistant and Associate Deans may be involved in the Dean's Review on a formal or informal level, no faculty with those titles may serve on the FRC. Any other faculty member delegated to serve in a Dean's Review is likewise exempted. (See 6.14.1)

6.13.4 Full Professor Review Committee (FPRC)

The Full Professor Review Committee participates in reviews for promotion to full professor. By default, the FPRC is convened at the level of the school/college; however, FPRCs may be convened at the level of the LoA, if the school/college procedures stipulate such an arrangement. Because Assistant and Associate Deans may be involved in the Dean's Review on a formal or

informal level, no faculty with those titles may serve on the FPRC. Any other faculty member delegated to serve in a Dean's Review is likewise exempted. (See 6.14.2)

6.13.5 Dean

The Dean reviews annual reports and participates in Critical Year reviews, reappointment reviews, tenure reviews, and promotion reviews. The Dean may delegate the review of annual reports to another faculty member, such as an Assistant Dean, Associate Dean, or senior faculty member within the school/college, provided this delegation is clearly outlined in the school/college procedures on file with the OFA. The Dean may use a delegate in the case of Critical Year, reappointment, tenure, and promotion reviews, but in these cases, that designation must be clearly specified and communicated to the candidate upon receipt of the letter of intent.

6.13.6 Faculty Personnel Council (FPC)

The Faculty Personnel Council participates in Critical Year, tenure, and promotion reviews.

6.13.7 Provost

The Provost makes the final decision in Critical Year, reappointment, promotion reviews and tenure decisions. The awarding of tenure is subject to the final confirmation of the Board of Trustees.

6.14 Composition and Responsibilities of Internal Review Committees

6.14.1 Faculty Review Committee (FRC) Composition

The Faculty Review Committee (FRC) consists of all Associate and Full Professors within a given LoA. All members of the FRC participate in the review of NTT faculty seeking promotion to Associate Professor. Only tenured members of the FRC participate in the review of TT faculty seeking tenure and/or promotion to Associate Professor.

By default, the Faculty Review Committee is convened at the level of the school/college; however, FRCs may be convened at the level of the LoA, if the school/college procedures stipulate such an arrangement. In either case, the FRC includes all eligible faculty members who have appointments of 50% or more in the unit. LoA Administrators, Assistant Deans, and Associate Deans are not eligible to serve on Faculty Review Committees.

Faculty will not serve simultaneously in two evaluation capacities, e.g., on an FRC/FPRC and on the FPC. Later stages of review have the priority over the earlier stages in terms of recusal. Furthermore, faculty who hold a joint appointment in more than one school, college or institute will participate in only one FRC, usually in that school/college where they regularly teach 50% or more of their load, or as indicated in the Faculty Agreement.

FRCs are chaired by an individual or group of individuals elected by the FRC to perform this role. Each LoA must inform the Office of Faculty Affairs by the end of May who will be chairing its FRC for the following academic year.

FRCs must have at least five participating members. In cases where a unit FRC does not meet this minimum number, the FRC must augment its numbers by inviting faculty from outside the

unit to participate. The FRC Chair prepares a list of six possible choices, from which the faculty member may strike three. The FRC Chair then selects from among the unstricken names to bring the FRC to full strength. If the strikethrough and invitation process does not yield enough members the first time, it is repeated until the FRC achieves the required number of members. Whenever an FRC augments itself by recruiting faculty members from outside the unit, the FRC Chair is responsible for communicating the results of the recruitment process to the candidate and to the Office of Faculty Affairs before the FRC begins its formal review.

Faculty members who object to the composition of their FRC must communicate their objections in writing to the Office of Faculty Affairs within 5 (five) business days of the time they are advised of their FRC membership. If candidates do not lodge objections at this time, they are considered to have accepted the composition of their FRCs and are precluded from raising such an objection at a later date.

6.14.2 Full Professor Review Committee (FPRC) Composition

The FPRC consists of all faculty members holding the rank of Professor within a given LoA. The full FPRC participates in the review of NTT faculty seeking promotion to Full Professor. Only the tenured members of the FPRC participate in the review of tenured faculty seeking promotion to Full Professor, the review of prospective faculty members to be appointed at the rank of Full Professor, and the review of candidates for emeritus status.

By default, the FPRC is convened at the level of the school/college; however, FPRCs may be convened at the level of the LoA, if the school/college procedures stipulate such an arrangement. In either case, the FPRC includes all eligible faculty members who have appointments of 50% or more in the unit. LoA Administrators, Assistant Deans, and Associate Deans are not eligible to serve on Faculty Review Committees.

Faculty will not serve simultaneously in two evaluation capacities, e.g., on an FRC or FPRC and the FPC. Furthermore, faculty who teach or hold a joint appointment in more than one school, college or institute participate in only one FPRC, usually in that school/college where they regularly teach 50% or more of their load.

FPRCs are chaired by a tenured individual or group of individuals elected by the FPRC to perform this role. Each unit is responsible for informing the Office of Faculty Affairs by the end of May who will be chairing its Full Professor Review Committee for the following academic year.

FPRCs must have at least five participating members. In cases where a unit FPRC does not meet this minimum number, the FPRC must augment its numbers by inviting faculty from outside the unit to participate. The FPRC Chair prepares a list of six possible choices, from which the faculty member may strike three. The FPRC Chair then selects from among the unstricken names to bring the FPRC to full strength. If the strikethrough and invitation process does not yield enough members the first time, it is repeated until the FPRC achieves the required number of members. Whenever an FPRC augments itself by recruiting faculty members from outside the unit, the FPRC Chair is responsible for communicating the results of the recruitment process to the candidate and to the Office of Faculty Affairs before the FPRC begins its formal review.

Candidates who object to the composition of their FPRC must communicate their objections in writing to the Office of Faculty Affairs within 5 (five) business days of the time they are advised of their FPRC membership. If candidates do not lodge objections at this time, they are considered to have accepted the composition of their FPRCs and are precluded from raising such an objection at a later date.

6.14.3 Faculty Personnel Council (FPC) Composition

The Faculty Personnel Council participates in Critical Year, tenure, and promotion reviews. The FPC consists of (a) one tenured full professor from each school or college, serving a two-year term, and (b) one NTT full professor from each school or college, serving a two-year term. In exceptional cases, tenured associate professors or NTT associate professors may serve on the FPC. Only tenured members of the FPC will review the files of tenure-track candidates or tenured candidates for promotion, and Unit Criteria for tenure-track/tenured faculty, whereas both NTT and tenured FPC members will review NTT files and NTT Unit Criteria.

Faculty will not serve simultaneously in two evaluation capacities, e.g., on an FRC/FPRC or in the Dean's Review, and on the FPC. Later stages of review have the priority over the earlier stages in terms of recusal.

FPC representatives are elected by the faculty of their school/college and are confirmed by a majority vote of the Faculty Senate.

FPC representatives may serve up to two consecutive terms. The FPC Chair shall be a tenured full professor elected by the corporate faculty and is normally one of the continuing members of the FPC. The FPC Chair will serve for one year, during which year they will also serve on the Senate Executive Board.

6.14.4 Eligibility

To participate in the review process, internal reviewers must hold the rank of Associate Professor or Professor. If an LoA Administrator does not hold this rank, the Dean shall designate a senior faculty member within the school/college to perform the evaluative roles assigned to the LoA Administrator. To participate in the review of tenure-track faculty, internal reviewers must be tenured. To participate in promotion reviews, internal reviewers must be at or above the rank being sought.

6.14.5 Recusal

No person may participate in more than one level of review for a given candidate. Reviewers with roles in later stages of the review process must recuse themselves from earlier stages. Faculty members must also recuse themselves if they have a conflict of interest. In cases where the LoA Administrator has a conflict of interest, the Dean appoints another faculty member to perform the evaluative roles assigned to the LoA Administrator. In cases where the Dean has a conflict of interest, the Provost appoints another faculty member within the school/college or another sitting Dean to perform the evaluative roles assigned to the Dean. In cases where the Provost has a conflict of interest, the President shall perform the evaluative roles assigned to the Provost.

6.14.6 Confidentiality
All reviewers are required to respect the confidential nature of the review process, including all committee discussions and all materials reviewed. Violations of this policy may be pursued by the university under guidelines described in Chapters 8 and 9.

6.14.7 Scope of Review
The basis of the review is the candidate's electronic portfolio. However, reviewers may consult publicly available, well-known and reliable indices of quality (e.g. Journal Citation Reports; reviews of performances; notices of honors or awards) in order to assess the quality of a candidate's work, according to the existing Unit Criteria for that school/college. All such sources must be acknowledged and described fully in the evaluative letter so that other reviewers and the candidate may verify the source and comment on its use.

6.14.8 Evaluative Letters
All reviewers, except for the final decision-maker, must submit an evaluative letter by the published deadline. Evaluative letters should be addressed to the Provost and should be clear, candid, rigorous, and meaningful. These evaluative letters shall discuss the quality and quantity of the faculty member's productivity in comparison to the unit's established criteria for tenure and/or promotion. Each evaluative letter should (1) clearly indicate all person(s) who participated in the review, and (2) explicitly recommend for or against reappointment, tenure, and/or promotion (as the case may be) and (3) include a vote count to show the level of support for the committee's overall recommendation. In cases where the opinion of the committee/council is not unanimous, the letter should carefully articulate both majority and minority viewpoints.

Evaluators shall upload the evaluative letter on the due date, share the letter, and set a candidate response deadline date of 7 (seven) business days of the date the evaluation is received by OFA or the due date, whichever is greater, should the candidate wish to respond.

6.14.9 Reviewers' Commitment to Cast a Yea/Nay Vote
Every member of a review committee or council (i.e. FRC, FPRC, or FPC) should be prepared to offer a yea/nay vote on each file that they are eligible to review. Votes of abstention are often ambiguous and are strongly discouraged since the candidate deserves the thoughtful judgement of the entire committee or council.

6.15 Joint Appointments
Unless specified otherwise in the Faculty Agreement, one LoA is responsible for the review of jointly appointed faculty members, and the Unit Criteria of that LoA establish the parameters of the review. The faculty member may request letters for their electronic portfolio from colleagues and/or the Dean in the academic unit where the joint appointment is held.

6.16 Extending the Probationary Period
Faculty members who experience personal circumstances or events that have a significant impact on their academic and professional activities may request to extend their probationary period. The faculty member should submit a written request to their Dean and the Provost as soon as they are aware of the need for an extension. The Provost, in consultation with the Dean, will determine if such an extension is warranted. This decision is not subject to the grievance process. It is not

permitted to request an extension of the probationary period once the electronic portfolio has been submitted for tenure or promotion review.

Chapter 7

SABBATICALS AND DEVELOPMENT LEAVES

7.1 Purpose of Sabbaticals and Faculty Development Leaves

In order to increase the value of their service to the University, all faculty members who meet minimum eligibility requirements are encouraged to apply for sabbatical or faculty development leaves. The purpose of sabbatical or faculty development leaves is to support research/creative activity and/or pedagogical development, thereby promoting professional growth. The University shall allocate resources to allow the tenured faculty to receive sabbatical leaves and to allow the NTT faculty at the rank of Assistant Professor or higher to receive development leaves in any given year. The Dean shall develop and maintain a plan detailing the number and timing of sabbaticals and development leaves within their school or college in order to minimize the disruption to academic programs.

7.2 Eligibility, Duration, and Compensation

7.2.1 Sabbaticals for Tenured Faculty on 9- or 10-month contracts

Faculty on 9- or 10-month contracts may apply for Sabbaticals of the following given lengths and portion of salary in effect during the period the leave is taken:

Tenured faculty on 9- or 10-month contracts must amass 6 semesters of full-time service to the University to be eligible for a one-semester Sabbatical at 80% of contractual salary.

Tenured faculty on 9- or 10-month contracts must amass 12 semesters of full-time service to the University to be eligible for a one-semester Sabbatical at 100% of contractual salary.

Tenured faculty on 9- or 10-month contracts must amass 12 semesters of full-time service to the University to be eligible for a two-semester Sabbatical at 50% of contractual salary.

7.2.2 Sabbaticals for Tenured Faculty on 12-month contracts who are on a trimester system

Faculty on 12-month contracts who are on the trimester system may apply for Sabbaticals of the following given lengths and portion of salary in effect during the period the leave is taken:

Tenured faculty on 12-month contracts must amass 9 trimesters of full-time service to the University to be eligible for a one-trimester Sabbatical at 80% of contractual salary.

Tenured faculty on 12-month contracts must amass 18 trimesters of full-time service to the University to be eligible for a one-trimester Sabbatical at 100% of contractual salary.

Tenured faculty on 12-month contracts must amass 18 trimesters of full-time service to the University to be eligible for a three-trimester Sabbatical at 50% of contractual salary.

7.2.3 One-Year Scholarly Release Award

To apply for this special one-year release at 100% of contractual salary in effect during the period the leave is taken, a tenured faculty member must be eligible to apply for a one-year Sabbatical or development leave as noted above, provided their research or creative project meets the criteria.

7.2.4 Non-Tenure-Track (NTT) Faculty Development Leaves

Non-tenure-track faculty on 9 or 10-month contracts must amass 6 years of full-time service (equivalent to 12 semesters) to the University to be eligible for a one semester development leave. Non-tenure-track faculty on 12-month contracts must amass 6 years of full-time service (equivalent to 18 trimesters) to be eligible for a two-trimester development leave. Development leave salary shall be 100% of the contractual salary in effect during the period the leave is taken.

7.3 Statutory Compensation Requirements

Any faculty member who is approved for a sabbatical at less than 100% of their normal salary such that their sabbatical compensation falls below the minimum statutory salary for exempt employees will receive an additional stipend to increase their compensation to the minimum statutory level.

7.4 Outside Employment during Sabbatical or Development Leave

Faculty members taking a sabbatical or development leave at or above 80% salary agree not to accept outside employment for the period of their leave unless the employment is approved by the Dean and Provost. Faculty members on sabbatical or development leave are eligible to participate in all benefit programs available to the faculty. The University will continue to make its regular contributions to these programs.

7.5 Awarding of Sabbaticals and Faculty Development Leaves

Faculty sabbaticals and development leaves are awarded by the Provost, upon receiving the recommendations of the Faculty Development Council (FDC). The FDC solicits, reviews, and ranks applications for sabbaticals and faculty development leaves on an annual basis by way of an open and competitive process with established deadlines that also includes administrative review by the Dean and the Provost.

7.6 Applying for Sabbaticals and Faculty Development Leaves

Faculty members who wish to be considered for sabbatical or development leaves should make application in the academic year prior to the academic year in which the leave is to be taken. Specific deadlines are set by the FDC, in consultation with the Office of Faculty Affairs, which is also responsible for specifying what each application should contain and how each application will be evaluated. Current members of the FDC are not eligible to apply for sabbatical or development leaves.

Faculty members are expected to prepare their applications carefully. Applications should (1) clearly state the specific goals and objectives of the project to be completed while on leave; (2) demonstrate some preliminary investigation or activity supporting the feasibility and desirability of the project; and (3) clarify the significance of the project to the professional growth of the faculty member. A current C.V. shall be included in the application.

Faculty members submit their applications to their Dean and to the FDC. The Dean reviews the application, recommends acceptance or denial, and justifies this recommendation in writing to the FDC. After reviewing the faculty applications and the Dean recommendations, the FDC makes and submits its recommendations to the Provost.

7.7 Altering a Sabbatical or Faculty Development Leave

Any alteration in the timing, duration, or substantive purpose of a sabbatical or faculty development leave must be requested and approved in advance by the Dean and the Provost.

7.8 Returning to Service

Faculty members who accept a sabbatical or development leave are required to return to the University for at least one academic year of full-time service at the conclusion of their leave, or to refund the full salary and institutional costs of fringe benefits received while on leave. Faculty members who cannot fulfill their return-to-service obligations due to death or permanent or total disability are released from all repayment obligations, as is their estate. Determination of a faculty member's permanent or total disability to perform shall be made by the Office of Human Resources.

Upon returning from sabbatical or development leaves, faculty members resume their former positions or are assigned positions of like nature and status. Faculty members returning from development leaves are eligible for merit increases as if they had served at the University during the time of their leave.

7.8.1 Subsequent Sabbatical or Development Leaves

Once a faculty member completes their sabbatical or development leave and returns to full- time service at the University, the accumulation of service-time credit towards eligibility for the next sabbatical or leave will begin. The minimum service-time requirement for subsequent sabbaticals shall be the same as the time requirement for the initial sabbatical.

7.9 Reporting on Sabbaticals and Faculty Development Leaves

Within thirty days of the beginning of the academic term following the completion of a faculty development leave, faculty members who have been awarded leaves must submit to their Dean a written report of their activities and accomplishments during their development leave. This report should address the specific goals and objectives of the leave, as outlined in the original application. The Dean reviews the report and provides a written evaluation to the Office of Faculty Affairs. The faculty member's report and the Dean's evaluation are kept on file and are used to establish the merits of the sabbatical or development leave and for the purpose of awarding merit increases, future sabbaticals or faculty development leaves, and promotions in rank (if applicable). The faculty member may amend their initial report to update progress on the sabbatical or development leave project if they so choose. For example, if the project leads to the publication of a manuscript, that publication may be added to the report.

Chapter 8

FACULTY DISCIPLINE

8.1 Guiding Principles

The University's approach to faculty discipline is informed by the relevant portions of the "AAUP Statement on Academic Freedom and Tenure" and to the "University's Commitment to Free Speech and Academic Freedom".

All faculty members have an obligation to comply with the policies, rules and regulations of the University, its schools, colleges and departments. These rules protect the rights and freedoms of all members of the academic community.

8.2 Cause for Disciplinary Action

Cause for disciplinary action will be directly and substantially related to the performance and behavior of faculty members in their professional capacity as professors of all titles and ranks. Disciplinary action will not be used to restrain faculty members in their exercise of academic freedom or their legal and Constitutional rights. Disciplinary action may occur at any time during the term of a faculty member's appointment for any of the following reasons:

- Incompetence or a pattern of failure to perform duties;
- A pattern of neglect of duty, including the failure to adhere to class or examination schedules; the failure to maintain academic standards; the failure to attend faculty or committee meetings, or the failure to prepare and grade assignments and examinations in a timely fashion as described in Chapter 5;
- Violation of University rules and policies;
- Disruptive behavior or breaches of confidentiality;
- Professional misconduct, including but not limited to plagiarism and research misconduct;
- Material misrepresentation in securing an appointment or promotion;
- Sexual harassment or unlawful conduct and discrimination based on an individual's race, sex, religion, age, disability, or any other basis protected by federal, state, and county law;
- The final conviction of a state or federal crime; or
- Debarment, disbarment from the practice of law or loss of any professional license or lesser professional sanctions imposed by an external authority, depending upon the circumstances surrounding the imposition of sanctions.

8.3 Disciplinary Action

As warranted by the circumstances, the University may take any of the following disciplinary actions for violations of the Faculty Manual or the policies of the University, its schools, colleges, and departments. Such violations will be investigated by the grievance process or by HR, as appropriate. These disciplinary actions shall include, but are not limited to any one or more of the following:

- Reprimand. This is non-grievable, but may be removed after a period of not less than two years at the request of the faculty member, and the approval of the Provost;
- Reassignment;
- Reduction or revocation of stipend or other university-provided funds or awards;
- Removal of named/endowed chair and professorship designation;
- Demotion, with or without salary reduction;

- Suspension; or
- Dismissal.

8.4 Disciplinary Procedures

Disciplinary actions may occur for a variety of reasons, and each instance is unique. As a result, the institutional response may take a number of forms. The University is not required to take any particular steps prior to imposing disciplinary action, except that the University must provide the faculty member with a written statement of charges and/or the intended action and will provide no less than seven (7) calendar days for the faculty member to submit a response. However, the University's action will typically be preceded by one or more of the following:

- The formulation of a plan by the Dean to rectify the situation and/or evaluate the faculty member's future progress and/or compliance;
- Discussions between the faculty member and appropriate institutional representatives, with the aim of resolving the matter and/or arriving at a mutual settlement;
- Referral by the Provost to the Ombudsperson, who may undertake to resolve the matter or may recommend additional/further actions;
- A statement of charges framed with reasonable particularity and basis thereof by the Provost and communicated to the faculty member.

8.5 Misconduct in Research

Specific procedures for handling allegations of research misconduct are set forth in the Chapman University Integrity in Research Policy, which can be found at: https://www.chapman.edu/campus-services/legal-affairs/policy/index.aspx.

8.6 Faculty Member Rights

Except in the case of a reprimand, faculty members may challenge the imposition of disciplinary actions by filing a grievance, as outlined in chapter 10.

8.7 Temporary Exclusion

If a faculty member's continued presence at the University represents a risk of substantial harm to themselves, other members of the University community, University property, or the University itself, or the Provost determines their presence may interfere with the ongoing investigation or preservation of evidence, the Provost may place the faculty member on Investigatory Leave. If this occurs, Human Resources shall be informed, and the faculty member may be immediately removed from all campus facilities and properties or temporarily reassigned until the situation has been assessed and deemed resolved, or an investigation has been concluded. In all such cases, the salary of the faculty member will be unaffected.

Chapter 9

SEPARATION FROM SERVICE

9.1 Non-reappointment of Contract or Denial of Tenure for Tenure-Track Faculty

Tenure-track faculty members who are not reappointed or who are not granted tenure will no longer be employed by the University. Tenure-track faculty members who are not reappointed after their fourth-year critical review and tenure-track faculty members who are denied tenure are normally offered a one-year terminal contract for the subsequent academic year. Tenure-track faculty members who are not reappointed after their second-year critical review will normally not be offered a one-year terminal contract. In cases of non-reappointment or denial of tenure, the Provost need not provide reasons equivalent to cause to support the decision.

9.1.2 Non-reappointment of Non-Tenure-Track (NTT) Faculty

NTT faculty members who have served more than 6 (six) years who are not reappointed are normally offered a one-year terminal contract for the subsequent academic year.

9.2 Resignation

Faculty members may voluntarily terminate their appointments through resignation. Professional courtesy dictates that resignations should generally become effective at the end of an academic year, and faculty members should give written notice to the Dean, copying the Office of Faculty Affairs, as soon as possible.

9.3 Retirement

Retirement from active service is the voluntary cessation of duties and responsibilities by the faculty member. There shall be no mandatory retirement age for faculty members. Chapman University offers a phased retirement plan. Specific details of the plan are available from the Office of Human Resources. Retirements should generally become effective at the end of an academic year, and under ordinary circumstances, faculty members are expected to give written notice to the Dean, copying the Office of Faculty Affairs at the start of the academic year prior to retirement or the start of the phased retirement.

9.4 Dismissal

Dismissal is a severance action by which the University severs the employment of a faculty member. The elimination of an academic unit or the discontinuance of a degree program are not valid reasons for termination of a tenured appointment but can be the reason for termination of an NTT appointment.

9.4.1 Medical Reasons

A faculty member may be considered for medical separation if the faculty member becomes unable to return from leave and/or perform the essential functions of their jobs with or without reasonable accommodation due to a disability. Prior to medical separation, Chapman will engage in discussions with the faculty member in an effort to reasonably accommodate their needs and the Office of Human Resources will receive and review the required documentation related to disability.

9.4.2 Financial Exigency or University Enrollment Emergency

Financial exigency is defined as an imminent and significant financial crisis which threatens the financial stability and ongoing viability of the institution as a whole, and which cannot be alleviated by less drastic means than the reduction of faculty salaries or the termination of faculty appointments.

9.4.3 Procedures for Termination due to Financial Exigency or University Enrollment Emergency

Before faculty members may be terminated due to financial exigency or university enrollment emergency, the Board of Trustees must declare that a financial exigency or university enrollment emergency exists. Prior to making such a declaration, the President working together with the Provost shall explore reasonable alternatives to the declaration and shall involve the Faculty Senate in the determinations that lead to such a declaration.

A declaration by the Board of Trustees of a financial exigency initiates a process of retrenchment which may involve the termination of full-time faculty appointments. The involuntary termination of faculty appointments will be a last resort.

Should involuntary terminations become necessary, the Provost and senior administration in consultation with the Deans and the Senate Executive Board, will be jointly responsible for developing the criteria to be used in determining which faculty appointments will be terminated. Except in extraordinary circumstances where serious disruption of the academic program would otherwise result, faculty members with tenure shall not be terminated in favor of retaining faculty members without tenure.

9.4.4 Elimination of Academic Unit or Discontinuance of Degree Program

The recommendation to eliminate an academic unit or discontinue a degree program will be based upon educational considerations as determined jointly by the faculty of the unit, which shall be provided an opportunity to voice any disagreement with the proposed closure, the Faculty Senate and the administration. Such educational considerations must reflect long-range judgments that the educational mission of the institution as a whole will be enhanced by the discontinuation.

Tenured and tenure-track faculty members who are adversely affected by the elimination of an academic unit or the discontinuance of a degree program will be given opportunities to join other academic units and to participate in other degree programs, as befits their academic expertise and interests. Before terminating an appointment, the University, after consulting the Senate Executive Board, will make a demonstrated and documented effort to place each faculty member in another suitable position within the University for which the faculty member is qualified. If placement in another position would be facilitated by a reasonable period of not more than one calendar year of training, financial and other support, such training and support will be offered. If no position is available within the University, with or without retraining, the faculty member's appointment may then be terminated. If an appointment is terminated, the faculty member receives salary or notice in accordance with their contract or, if the faculty member is tenured, for at least one year. In all cases of layoff, the place of the faculty member will not be filled by a replacement within a period of three years, unless the released faculty member has been offered reinstatement and a reasonable time in which to accept or decline it. The University shall have no obligation to offer reinstatement

to laid-off faculty members unless the faculty notifies the University in writing that they wish to be considered for reinstatement.

Those NTT faculty members who are adversely affected by the elimination of an academic unit or the discontinuance of a degree program shall be allowed to serve out the term of their current contracts with some modification of their job responsibilities, as necessary.

9.5 Dismissal for Cause

The University may terminate the appointment of any faculty member for cause, as defined in Chapter 8. Cause shall be determined by the University but may not be used to restrain a faculty member's academic freedom. The burden of proof that cause exists rests with the University.

Chapter 10

GRIEVANCE PROCEDURES

10.1 Grievance Principles

Chapman University recognizes and endorses the importance of academic due process and of adjudicating grievances properly without prejudice or fear of reprisal. Accordingly, the University encourages the informal and prompt settlement of grievances. This grievance procedure is designed to protect academic due process, academic freedom, and tenure. All disputes or issues subject to these processes must be resolved in accordance with these provisions, and these processes shall be the sole internal method for the resolution of all grievances to the fullest extent permitted by applicable law.[1]

In all cases, the filing of a grievance does not change the date of separation or termination from the University.

10.2 Definitions

A grievance is generally defined as an allegation by a faculty member, or a group of faculty members, that there has been a breach of the faculty member's contract or a breach, misinterpretation, or misapplication of University policy or procedure as set forth in this Faculty Manual. The grievance may be against the process used and/or against the outcome. A grievance under this policy may be filed based on any of the following:

1. Violation of academic freedom;
2. Violation of academic due process;
3. Compensation;
4. Disciplinary action in the form of suspension or reassignment of a tenured faculty member;
5. Disciplinary action in the form of suspension of an untenured faculty member during the term of the individual's contract or appointment;
6. Disciplinary action in the form of a demotion;
7. Disciplinary action other than demotion or dismissal, including but not limited to reprimand or suspension;
8. An egregious breach of confidentiality in the evaluation process;
9. Breach of a faculty member's employment agreement;
10. Dismissal of a tenured faculty member for Cause;
11. Dismissal of an untenured faculty member during the term of the individual's contract or appointment for Cause;
12. Termination of a faculty member for financial exigency, enrollment emergency, or change in the educational program;
13. Non-reappointment of a tenure-track faculty member; or
14. Denial of promotion or tenure.

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[1] Prior to and outside of the formal grievance process, faculty members may address concerns by consulting with the faculty ombudsperson. Consultation with the Office of the Ombudsperson is separate from the formal grievance process and does not extend the deadlines for the formal grievance process. More information about the Office of the Ombudsperson can be found on the Office of Faculty Affairs website.

10.3 Initiation of a Grievance

As provided in this Faculty Manual, a grievance is initiated when a faculty member presents a written grievance to the Senate Executive Board (SEB), which works in conjunction with the Faculty Grievance Board (FGB) for processing of the grievance. The FGB shall consist of nine (9) members of the Chapman faculty, each of whom must meet the following qualifications:

1. Each member shall be a tenured Full Professor according to a comprehensive public list published annually on August 1 by the Office of the Provost. In exceptional circumstances, an associate professor may serve.
2. Each member shall attend at least one training in the prior two years designed to provide FGB and SEB members with information about this grievance procedure, conducting hearings required under this procedure, and preparing a written report of findings following a hearing prior to serving on a Faculty Grievance Committee. Such training shall have been provided by an external third party, as arranged by the Office of the Provost.
3. The FGB may not have, at any time, more than four (4) Associate Professors. Such Associate Professors may not participate in grievances involving the promotion of an Associate Professor to Professor or the demotion, dismissal or termination of a Professor. FGB members shall serve two-year terms. A faculty member may serve no more than four consecutive years on the FGB, but may return to FGB service at a future date, subject to the aforementioned term limit.

10.4 Faculty Grievance Board (FGB)

The FGB shall consist of nine (9) tenured members of the Chapman faculty, each of whom must meet the following qualifications:

1. Each member shall have tenure according to a public list published annually on August 1 by the Office of the Provost; and
2. Each member shall attend at least one training in the prior two years designed to provide FGB members with information about grievance procedures, the conduct~~ing~~ of required hearings, and preparing a written report of findings following a hearing, *prior* to serving on the FGB. Such training shall have been provided by an external third party, as arranged by the Office of the Provost.
3. In exceptional cases, tenured associate professors may serve on the FGB. Such associate professors may not participate in grievances involving the promotion of an associate professor to professor or the demotion, dismissal or termination of a professor. FGB members shall serve two-year terms. A faculty member may serve no more than four consecutive years on the FGB, but such faculty member may return to FGB service at a future date, subject to the aforementioned term limit.

10.4.1 Method of Selection of Members of the Faculty Grievance Board (FGB)

A Selection Committee composed of the President of the Senate, the Vice President/President-Elect, and the Provost shall meet in May to compile a list of potential FGB members which may include those currently serving on the FGB. Each potential FGB member must have tenure and must have the rank of either Professor or Associate Professor. The Selection Committee must unanimously approve the list of potential FGB members. From the list of potential FGB members, the Selection Committee will select candidates to replace FGB members whose terms are expiring or will expire in the upcoming year. The identification of each candidate must be unanimously approved by the Selection Committee. Should vacancies arise during the year, the Selection

Committee shall initiate the above process to select a replacement faculty to invite. The members of the FGB shall select a Chair at or before its first meeting of the Academic Year. If the Chair is replaced during the Academic Year, the FGB shall select a Chair at its next meeting.

10.4.2 Hearing Committees of the Faculty Grievance Board (FGB)

For each grievance, the FGB forms a Hearing Committee consisting of three of its members who will thereafter conduct hearings on the validity of a grievance, and submit its findings and conclusions to the Senate Executive Board (SEB), which will issue a determination accepting or rejecting, in whole or in part, the submitted findings and conclusions, and provide its recommendation on the outcome of a grievance to the Vice Provost for Faculty Advancement and Institutional Effectiveness who shall provide them to the parties and to the Provost.

10.4.3 Hearing Committees are Recorded

All hearings may be held in person and/or through the use of live video meeting technology (e.g., Zoom). The specific manner and method of conducting any hearing shall be subject to the discretion of the Hearing Committee. However a hearing is conducted, it shall be recorded, by audio or video as determined by the Hearing Committee.

10.4.4 Burden of Proof before the Hearing Committee

At the hearing, the grievant shall bear the burden of proving the validity of the grievance by a preponderance of the evidence (i.e., more probable than not).

10.5 Limitations on Scope of Grievances

In connection with a grievance relating to the termination of a faculty member for alleged financial exigency, enrollment emergency, or change in the educational program within the term of the individual's contract or appointment, the validity of a change(s) in the educational program cannot be the grounds for a grievance if such change(s) conform to academic due process as specified in the current edition of Policy Documents & Reports (i.e., the "Redbook") of the American Association of University Professionals (AAUP). Nor can the existence of financial exigency be the grounds for a grievance if the financial exigency was agreed to by the Senate Executive Board, based upon AAUP guidelines for financial exigency.

1. The grievant can allege, however, that
    a. the decision to terminate was based on considerations in violation of the faculty member's academic freedom; or
    b. the decision to terminate was based on considerations in violation of the governing policies bearing upon nondiscrimination with respect to race, gender, age, religion, national origin, ethnic background, marital status, sexual orientation or identity, disability, veteran's status, or other factors which cannot lawfully form the basis for an employment decision; or
    c. the grievant’s tenure rights were not properly taken into consideration; or appropriate University, committee or Faculty Manual procedures were violated, and such violation had a material impact on the outcome of the decision that adversely affected the grievant.

2. In connection with a grievance relating to the denial of promotion or tenure, the imposition of disciplinary action including the termination of a faculty member's employment, or the non-reappointment of a tenure-track faculty member, the only permissible grounds for a grievance are that:
    a. University or committee policies or procedures, as set forth herein or in the Unit Criteria, were violated; or,
    b. the faculty member's employment agreement was violated; or,
    c. the decision was based upon considerations in violation of the faculty member's academic freedom; or
    d. the decision was based on considerations in violation of governing policies bearing upon nondiscrimination with respect to race, gender, age, religion, national origin, ethnic background, marital status, sexual orientation or identity, disability, veteran's status, or other factors which cannot lawfully form the basis for an employment decision.

    The Senate Executive Board (SEB) and any Hearing Committee shall be empowered to determine the validity of grievances under (a), (b), (c) or (d) but shall not be empowered to reevaluate the academic qualifications or professional competence of the grievant.

3. Any allegations of sexual harassment, including sexual misconduct, are excluded from this grievance process, and will be processed in accordance with the University's Sexual Harassment Prohibited Title IX Policy or the Harassment, Discrimination and Retaliation Prevention Policy https://www.chapman.edu/campus-services/legal-affairs/policy/index.aspx.

    In the event a faculty member challenges a decision of the University regarding the imposition of disciplinary action based on a determination made pursuant to the Sexual Harassment Prohibited Title IX Policy or the Harassment, Discrimination and Retaliation Prevention Policy in such grievance the Title IX or Harassment, Discrimination or Retaliation determination shall be established as fact and not subject to challenge as part of the grievance.

10.6 Submission and Initial Processing of Grievances

1. As used in these provisions regarding the processing of grievances, "calendar days" means consecutive calendar days, except that the days in the months of January, June, July, and August are to be excluded from any calculation under these provisions. If the last day to act under any of these provisions falls on a weekend or a day on which classes are not in session (in the academic unit that includes the faculty member), the next day in such unit on which classes are in session shall be the final day to act.
2. A notice of intent to grieve must be submitted in writing to the President of the Senate within 90 calendar days, either after the grievant(s) received notice of the occurrence of the event(s) upon which the grievance is based, or after the grievant knew or through the exercise of reasonable diligence should have known of the occurrence of the event(s) upon which the grievance is based. This 90-day period may be waived at the discretion of the SEB if it concludes that both the claim and the reason for delay appear justified. The written notice to grieve must identify the individual(s) against whom the grievance is to be

directed, and the applicable sections of the Faculty Manual each individual is alleged to have violated using the template form provided by the SEB. A notice to grieve that does not conform to these requirements will be returned by the President of the Senate to the grievant for revision and must be resubmitted within fourteen (14) days. The notice to grieve will be returned and amended until all pertinent information requested from the grievant(s), including any relevant supporting documents has been included. The President of the Senate shall maintain the initial record of the filing and inform the Vice Provost for Faculty Advancement and Institutional Effectiveness that a grievance has been filed. The Vice Provost shall serve as the representative on all grievances to facilitate record-keeping, communications, and process.

3. Within fourteen (14) calendar days from receipt by the President of the Senate of a written notice of intent to grieve that satisfies the requirements of 10.6.2, the President of the Senate shall bring the matter to the SEB and provide the respondent(s) with a copy of the grievance. If the grievant or the respondent(s) is a member of the SEB, the SEB shall consider the matter without the SEB member, and such member shall have no further involvement in the process. If the President of the Senate is involved in the grievance, the Vice President of the Senate shall preside, and the President of the Senate shall have no further involvement in the process. Within twenty-one (21) days from the presentation of the grievance by the President of the Senate to the SEB, the SEB shall determine whether the grievant has made out a prima facie case. This determination shall be limited to a review of the written grievance and written statements, if any, prepared in connection with the Preliminary Grievance Procedure.
4. Prima Facie Case Determination. The SEB shall determine whether a grievance states a prima facie case by determining whether the facts alleged as the basis for the grievance, if true, could constitute a violation of the faculty member's rights or privileges as defined in this grievance procedure. The SEB determination should identify each issue on which a prima facie case has been stated by the grievant. In the event of a tie vote, the presumption shall be that a prima facie case has been made, and the case will go forward with respect to those issues on which at least half the voting members of the SEB have found a prima facie case exists. The SEB shall advise the grievant, the respondent(s) and the Vice Provost of its determination in a written communication stating the basis for its conclusion. The SEB shall notify the Vice Provost of its determination as to whether grievant has made out a prima facie case in a written communication identifying all issues on which prima facie was or has been stated, and the basis for its conclusions on each. The Vice Provost shall promptly provide the SEB's determination to the parties.
5. Preliminary Grievance Procedure. Within ten (10) days of the Vice-Provost's notification to the grievant of the SEB's determination that the grievance states a *prima facie* case, the faculty member must schedule a meeting with the President of the Faculty Senate for the purpose of determining the viability of the early resolution of the grievance, and the best steps for achieving early resolution.
6. Within seven (7) days of the meeting between the President of the Senate and the grievant, the President of the Senate will inform the grievant in writing of any steps required before the continued processing of the grievance. The President of the Senate shall have broad discretion to determine what steps shall be required. Such steps may include, without limitation, submission of additional materials by the grievant, meetings between the grievant and other faculty or administrators (e.g., Department Chair, Dean or Associate

Dean, Division Head, etc.) and the preparation of a statement(s) detailing the results of such meetings, engagement of the Faculty Ombudsman, or a mediated settlement meeting between the grievant and respondent. If the President of the Senate recommends a mediation, all parties must agree to the selection process for a mediator. With the consent of the parties to the grievance, the SEB may assist in the selection of an appropriate mediator if the grievance goes to mediation. Other relevant parties may be invited to participate in the mediation. A negotiated or mediated resolution is permissible and appropriate at any stage of these grievance procedures. If a negotiated or mediated resolution is reached after a written grievance is filed, the SEB and Vice Provost shall be given notice that the matter has been resolved. The President of the Senate shall have broad discretion to defer the processing of the grievance if it appears reasonably likely that discussions and negotiations might lead to a resolution of the grievance without additional formal proceedings. Formal proceedings will be deferred until the President of the Senate notifies the grievant, the respondent and the Vice Provost in writing that the Preliminary Grievance Procedure is concluded; provided, however, the Preliminary Grievance Procedure shall be concluded in the absence of such notification from the President of the Senate if more than sixty (60) calendar days have passed from the President of the Senate's notification to the grievant of steps required for the Preliminary Grievance Procedure and the grievant has informed the President of the Senate in writing that the grievant wishes to proceed with the processing of the grievance.

10.7 Grievance Resolution Procedure

1. If the SEB finds that a *prima facie* case exists, and the grievance has not been resolved through the Preliminary Grievance Procedure, the President of the Senate shall inform the Chair of the FGB that a filed grievance has been determined to include issues on which a *prima facie* case exists and turn all documentation over to the FGB for further action.
2. The FGB will proceed based on the following procedure:
   A Hearing Committee consisting of three members of the FGB as of September 1 of a given calendar year shall be selected by the parties as follows. Working together in meeting, the grievant and the respondent shall each choose one member of the Hearing Committee, and the final member is agreed on together. If the final member of the committee cannot be agreed on, each party shall identify two members of the FGB, and the parties will create a list with the names of the four candidates to complete the Hearing Committee, without identifying which party placed the candidate on the list. The list shall be provided to the Chair of the FGB, who shall select from the list the final member of the Hearing Committee. This selection process must fulfill the following:
   a. No member of the grievant(s)'s department, those aggrieved against, or any member of the Faculty Personnel Council or Faculty Review Committee who previously rendered a recommendation regarding the grievant may serve on the Hearing Committee.
   b. Prior to the final constitution of the Hearing Committee, those deeming themselves disqualified for bias or conflict of interest will remove themselves from the case.
   c. In addition, within seven (7) calendar days from the date the Chair of the FGB formally notifies the grievant and respondent of the members of the Hearing Committee, the grievant or respondent may challenge any Hearing Committee member on the basis that the member harbors unfair bias. This challenge shall be

made in writing and supported by wishes to submit. The Chair of the FGB shall make a final determination on this challenge within seven (7) calendar days from the submission of the challenge. iv. If, as a result of a recusal or removal of a member of the Hearing Committee it is necessary to appoint a new Hearing Committee member, that replacement will be selected as provided in (iii) above, however, that each party may only use the challenge process set forth above to obtain the removal of a member of the Hearing Committee once.

3. The Chair of the FGB shall appoint one of the Hearing Committee members to serve as Hearing Committee Chair. If the selected Chair is removed from the Committee for any reason, the Chair of the FGB shall select a new Chair once a replacement Committee member has been appointed.
4. Once a Hearing Committee has been appointed and the time for challenges has passed, the Vice Provost shall coordinate a pre-hearing training session for the Hearing Committee, to provide information regarding how to conduct the hearing, collect evidence, and prepare a hearing report.
5. Schedules permitting, the Chair of the Hearing Committee should convene a preliminary hearing no later than fourteen (14) calendar days from the date of the final formation of the Hearing Committee at a date, time, and place agreeable to members of the Committee and the parties.
6. Communications among the grievant, respondent(s), and members of the Hearing Committee concerning the matter (other than communications pursuant to 10.6.2.iv or scheduling issues) shall not commence prior to the initial preliminary hearing.
7. At the preliminary hearing of the Hearing Committee, in consultation with the parties, the Committee should attempt to:
    a. Determine the facts about which there is no dispute. These facts should be reduced to writing and signed by both parties. Any such facts will be deemed true for all purposes and will not be the subject of proof by either party during the hearing.
    b. Define the issues to be decided by the Hearing Committee. The issues will be based upon the issues on which the FGB found a prima facie case exists. The Hearing Committee shall restrict the parties to the presentation of evidence that is relevant and probative on the issues as defined by the Hearing Committee.
    c. Set a time for both sides to exchange a list of witnesses and copies of exhibits to be presented at the hearing. Absent extraordinary circumstances, the Hearing Committee shall limit each party to those witnesses and documents disclosed to the other party on or before the designated exchange date.
    d. Specify whether pre-hearing and post-hearing briefs will be submitted by the parties as well as the deadlines for those briefs. The Hearing Committee may revise its decision on the need for briefing at any time.
    e. In order to preserve the confidentiality of the hearing, persons whose presence is not essential to a determination of the facts shall, as a general rule, be excluded from the hearing.
    f. Set a date(s) for the evidentiary hearing. The hearing should be set as soon as possible in view of any necessary pre-hearing activities and the schedules of the participants. A hearing on a grievance defined in 10.3 1 through 9 shall be completed in no more than two (2) hearing days, and a hearing on any grievance that includes any grievance defined in 10.3 shall be completed in no more than three

(3) hearing days. If the hearing is set for one (1) day, it should be concluded within twenty-one (21) days of the preliminary hearing, and if includes multiple sessions, it should be concluded within 45 days of the preliminary hearing. The President of the Senate may extend these deadlines on the application and showing of good reason by the grievant, the respondent(s) and/or the Chair of the Hearing Committee.

8. Subject to the discretion of the Hearing Committee, the grievant and respondent(s) will generally be entitled to equal time to present their respective case and response. If either party believes the hearing cannot be completed within the specified number of hearing days, that party must submit a written request of no more than five pages (double-spaced) in length to the Vice Provost, the Chair of the Hearing Committee and the President of the Senate, that the Hearing Committee schedule a specific number of additional hearing dates. This request must (1) be submitted at least seven (7) days before the initial meeting of the Hearing Committee; and (2) provide an explanation as to why additional dates are required, including an overview of the evidence that party intends to submit that will consume the additional time. The other party may submit a response to the Vice Provost, the Chair of the Hearing Committee and the President of the Senate of the same length no more than three (3) days before the initial meeting. The Vice Provost shall provide the request and any response to the SEB, and the SEB shall announce its decision at or before the initial meeting of the Hearing Committee. The maximum number of hearing days for any grievance is five (5) days.
9. There is no right to representation by counsel in connection with the hearing. However, if the grievant and respondent mutually agree on representation by counsel, then each side may be represented by counsel at the hearing. The Hearing Committee may exclude from the hearing any non-party, including counsel for either party, upon a finding that the person is unduly disrupting the conduct of the hearing.
10. Each party shall be afforded an opportunity to obtain necessary witnesses and documentary or other evidence. All such requests should be directed to the Hearing Committee, with a copy to the other party. The Hearing Committee will determine the appropriate process for the request. The Hearing Committee may, upon an appropriate showing of need by any party or on its own initiative, request relevant files and documents under the control of the administration, or request the administration's assistance in securing the presence of material witnesses. Where confidential information is provided, the Hearing Committee shall preserve confidentiality to the fullest extent possible. If a witness declines to appear before the Committee personally or via live video (e.g., Zoom), the Committee should generally decline to consider any offered written statements of that witness.
11. The parties (and if counsel is agreed to, their counsel) shall be entitled to be present at all sessions of the Hearing Committee when evidence is being received. Each party shall have the right to present its case by oral and documentary evidence, to submit rebuttal evidence, and to conduct such cross examination as may be required for a full and true disclosure of the facts.
12. All communications regarding the grievance or the substance or procedure for the hearing between either party and any member or members of the Hearing Committee shall include all parties and all Hearing Committee members, except for communications between the Chair of the Hearing Committee and both parties simultaneously, which need not include other members of the Hearing Committee.

13. The hearing need not be conducted according to technical legal rules relating to evidence and witnesses. The Hearing Committee may call witnesses or make evidentiary requests on its own volition. Where a witness is unavailable, written statements may be considered. The Hearing Committee shall require that all witnesses affirm the truthfulness of their testimony.
14. No evidence other than that presented at the hearing shall be considered by the Hearing Committee or have weight in the proceedings, except that the Hearing Committee may receive into evidence any facts that are of public record, commonly known, or otherwise not reasonably subject to dispute. Parties present at the hearing shall be informed of matters thus received, and each party shall be given a reasonable opportunity to object to the Hearing Committee's consideration of such matters. The acceptance of any evidence shall be noted in the record, and such evidence shall be maintained in the grievance file.
15. At the hearing, the grievant shall bear the burden of proving the validity of the grievance by a preponderance of the evidence (i.e., more probable than not).
16. All hearings may be held in person and/or through the use of live video meeting technology (e.g., Zoom). The specific manner and method of conducting any hearing shall be subject to the discretion of the Hearing Committee. However, a hearing is conducted, it shall be recorded, by audio or video as determined by the Hearing Committee. If either side requests recording by any other method, the Hearing Committee shall consider that request and may, in its discretion, recommend to the Provost that the hearing be recorded in the requested manner. The Provost shall have the discretion to determine whether the cost of such recording is justified and necessary in light of the nature of the grievance. Upon approval by the Provost, the cost of this recording will be borne by the University. The parties and their representatives shall have the right to a copy of any recording of the proceedings within seven (7) days of the conclusion of the hearing. The cost of the copy shall be assumed by the requesting party. In addition, written minutes shall be kept. All evidence, minutes, recordings, and correspondence become part of the official grievance file and must be maintained in the Office of Faculty Advancement and Institutional Effectiveness.
17. Within twenty-one (21) calendar days from the conclusion of the hearing process, the Hearing Committee shall provide a decision containing findings of fact, conclusions supported by a statement of reasons based on the evidence, and a recommendation. The findings and conclusions should address each issue on which the SEB determined that the grievant had articulated a prima facie case. The Committee's decision shall be provided to the Vice Provost, who shall distribute to the parties and to the SEB. The findings, conclusions, recommendations, and record of the proceedings shall be confidential to the extent allowed by law and University policy. Notwithstanding the preceding sentence, the President of the Senate shall, at his or her discretion, have full access to all items referred to in the preceding sentence.
18. Under extraordinary circumstances, the Chair of the Hearing Committee may request that the President of the Senate grant a one-time extension of the twenty-one (21) day deadline, not to exceed an additional thirty (30) days.
19. All actions of the Hearing Committee shall require the presence and participation of all three (3) members of the Committee. Committee action and decisions shall require at least two (2) Committee members in concurrence.

20. Questions of procedure arising during the hearing process shall be resolved by the Hearing Committee, which in its discretion, may consult with the Chair of the FGB and/or the Vice Provost regarding such procedural matters.
21. Within seven (7) calendar days of receipt of the findings of the Hearing Committee (the "Findings"), the parties may submit a response to the Findings (the "Response"). The Response must be limited to the issues on which the SEB determined that the grievant had articulated a prima facie case. The Response shall not mention or rely on any information not submitted to the Hearing Committee.

10.8 Action by the Senate Executive Board (SEB)

1. Within twenty-one (21) calendar days of receipt of the findings of Hearing Committee, the SEB will issue a determination accepting or rejecting, in whole or in part, the submitted findings and conclusions, and making a recommendation as to the outcome of the grievance. The SEB's determination and recommendation shall be provided to the Vice Provost, who shall provide them to the parties and the Provost.
2. Within fourteen (14) calendar days of receipt of the SEB's findings, the Provost shall provide the Vice Provost with a decision with respect to the outcome of grievance, who shall provide the decision to the parties and the SEB, and under if required under 10.8 to the President of the University.
3. Except where action by the President of the University is required as provided in 10.8 below, the decision of the Provost shall be the final decision of the University with respect to the grievance.

10.9 Action by the President of the University

In any grievance involving denial of tenure or promotion, demotion, or involuntary termination of either a tenured or tenure-track faculty member during the term of an appointment, or non-reappointment of a tenure-track faculty member, within fourteen (14) calendar days of the Provost's decision, the President of the University shall provide the Vice Provost with a written decision either upholding or rejecting, in whole or in part, the Provost's decision, and specifying the outcome of the grievance. The Vice Provost will provide notice to all parties, including the grievant, respondent, the Chair of the FGB, the President of the Senate, and the Provost.

10.10 Flow Chart of Grievance Process

Grievance filed by Faculty member or Group of Faculty members

↓

Determination of *prima facie* case by the Senate Executive Board (SEB)

↓

The FGB forms a three-member Hearing Committee

↓

Hearings are conducted

↓

The Hearing Committee submits Report to the SEB

↓

The SEB makes a Determination and forwards that to the Vice Provost for Faculty Advancement and Institutional Effectiveness

↓

The Vice Provost for Faculty Advancement and Institutional Effectiveness provides the Determination to the Parties and to the Provost

↓

The Provost makes the final decision in most cases and provides that decision to the Parties and to the SEB, or in some cases to the President, who makes the final decision and provides that to the Vice Provost for Faculty Advancement and Institutional Effectiveness to provide to the Parties and to the SEB.

Chapter 11

REVISIONS TO THE FACULTY MANUAL

11.1 Procedures for Revisions

Revisions of the Faculty Manual may be proposed by the Board of Trustees, the University President, the Office of the Provost, or the Faculty Senate. In recognition of the fact that the Board of Trustees is ultimately responsible for the operation of the University, a revision shall only be incorporated into the Faculty Manual after approval by the Board of Trustees.

There are two possible pathways by which the Faculty Manual can be revised (see Summary Table 11.2):

First Pathway - The Faculty Senate votes on revisions to the Faculty Manual proposed by the Board of Trustees, the University President or Provost.

a. Upon receipt, the Faculty Senate must vote on any such proposed revision within a period of sixty days, excluding vacation breaks, summer, and Interterm.
b. A member of the Board of Trustees, the University President or Provost shall present the proposed revision and its rationale to the Faculty Senate.
c. A proposed revision shall be considered to have been approved by the Faculty Senate if it receives a two-thirds majority vote. Whether or not the Faculty Senate approves the revision, the vote of the Faculty Senate is transmitted to the Academic Committee of the Board of Trustees.
d. The Academic Committee of the Board of Trustees (ACBOT), whose members include the Faculty Senate President and Vice-President, considers the revision. The Chair of the Faculty Governance Council shall be included to present the proposed revision and any rationale in favor or in opposition from the Faculty Senate. The ACBOT votes to approve the revision or not. If the ACBOT approves the revision, they transmit it to the Board of Trustees.
e. The Board of Trustees considers and votes on the revision. If they approve the revision, it goes into effect on the next August 1st.

Second Pathway - The Faculty Senate may propose revisions to the Faculty Manual.

a. A proposed revision shall be considered to have been approved by the Faculty Senate if it receives a two-thirds majority vote. The actual vote of the Faculty Senate shall be transmitted to the Academic Committee of the Board of Trustees.
b. If the revision is not approved by the Faculty Senate, it fails, and no further action is taken. If the revision is approved by the Faculty Senate, the Academic Committee of the Board of Trustees, whose members include the Faculty Senate President and Vice-President, considers and votes to approve or not approve the revision. In this case, the Chair of the Faculty Governance Council presents the proposed revision and the rationale in favor of it.
c. If the revision is not approved by the ACBOT, it fails, and no further action is taken. If the revision is approved by the ACBOT, they transmit it to the Board of Trustees.
d. The Board of Trustees (BoT) considers and votes on the revision. If the revision is not approved by the BoT it fails, and no further action is taken. If the BoT approves the revision, it goes into effect on the next August 1st.

11.2 Summary Table of Process for Revisions to the Faculty Manual

	FIRST PATHWAY	SECOND PATHWAY
STEP 1	Revision proposed by BOT, President or the Office of the Provost	Revision proposed by Faculty Senate
STEP 2	BOT, President, Office of the Provost, propose revision, send to Senate	Senate proposes revision, or receives faculty-generated proposed revision
STEP 3	Senate votes on proposed revision	Senate votes on proposed revision
STEP 4	Whether approved *or* rejected by Senate, proposed revision sent to ACBOT	If approved by Senate, proposed revision sent to ACBOT. If not, the process stops here.
STEP 5	ACBOT vote on proposed revision; if approved, sent to BOT	
STEP 6	BOT votes on proposed revision; if approved, promulgated	
STEP 7	Revision is incorporated into the FM, usually effective in the fall, start of the next academic year	

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