

BOWIE STATE UNIVERSITY

APPOINTMENT, RANK, AND TENURE OF FACULTY AND APPOINTMENT, RANK, AND PERMANENT STATUS OF FACULTY LIBRARIANS

I. Search Procedures and Policies for Appointment of Faculty.....	A2-2
A. Search Procedures for Full-time Tenure-Track/Permanent Status Faculty.....	A2-5
B. Faculty Search Committees	A2-5
C. Search Procedures for Other Faculty Positions	A2-6
1. Non-Tenure-Track Faculty	A2-6
2. Non-Permanent Status Faculty	A2-6
D. Offers of Appointment	A2-7
II. TERMS OF APPOINTMENTS.....	A2-7
A. Instructor	A2-7-8
B. Assistant Professor	A2-8-9
C. Associate Professor or Professor	A2-9
D. Other Faculty Ranks	A2-9-10
III. TERMINATION OF APPOINTMENTS	A2-10
A. Resignation	A2-10
B. Termination for Cause	A2-10-11
C. Other Reasons for Termination.....	A2-11
D. Sanctions Other Than Termination	A2-11

H. Review by the Provost	A2-29
I. Appeal to Faculty Appeals Committee.....	A2-30
J. President's Decision.....	A2-30
K. Special Cases	A2-30
VII. PROCEDURES FOR TERMINATION OF FACULTY FOR CAUSE	A2-31
A. Notice of Termination.....	A2-31
B. Request for a Hearing	A2-31
C. Hearing.....	A2-31-32
D. Decision	A2-32-33
E. Appeal to the Board of Regents	A2-33
VIII. POLICIES PERTAINING TO ALL PROCEDURES FOR TERMINATION FOR CAUSE AND APPEAL OF DENIAL OF PROMOTION OR TENURE/ PERMANENT STATUS.....	A2-33-34
IX. APPEALS OF ADVERSE RECOMMENDATIONS REGARDING PROMOTION AND TENURE OR PERMANENT STATUS.....	A2-34-35

Policy on Appointment, Rank, and Tenure of Faculty and Appointment, Rank, and Permanent Status of Faculty Librarians

The Bowie State University Policy on Appointment, Rank, and Tenure of Faculty and Appointment, Rank, and Permanent Status of Faculty Librarians incorporates the University System of Maryland's Policy on Appointment, Rank, and Tenure of Faculty and Appointment, Rank, and Permanent Status of Faculty Librarians. It describes the general criteria and procedures for the appointment, promotion, and granting of tenure or permanent status, as appropriate, to faculty at Bowie State University. In keeping with the University's Mission, appointment, promotion, and tenure criteria for the teaching faculty shall consist of (1) teaching effectiveness, including student advisement; (2) research/scholarship, and, in appropriate areas, creative activities; and (3) relevant service to the community, profession, and/or institution; and permanent status criteria for faculty librarians shall consist of (1) job performance; (2) library service; professional activities; and (3) university service.

The provisions of this Bowie State University Policy on Appointment, Rank, and Tenure of Faculty and Appointment, Rank, and Permanent Status of Faculty Librarians (ARTPS Policy) shall be published in the Faculty Handbook. Except for amendments required by the laws of the University System of Maryland's Policy on Appointment, Rank, and Tenure of Faculty and Appointment, Rank, and Permanent Status of Faculty Librarians, any proposed amendments to the ARTPS Policy shall be submitted for initial review and recommendation to the University Academic Rank, Tenure, and Permanent Status Committee; the University Academic Rank, Tenure, and Permanent Status Committee shall recommend to the Faculty Senate, and the Senate shall make a final recommendation to the Provost. The amendments shall become effective when approved by the President. Final authority for the appointment, promotion, and/or granting of tenure or permanent status to faculty resides with the President of Bowie State University.

Except as provided in this *paragraph*, the provisions in this Policy shall apply to all individuals who were employed as faculty members at the University on July 1, 1997, or whose appointments became effective on or after July 1, 1997. The provisions in *Sections II, III, and IV.A.* of this Policy and *Section I.C.7. (a)* of the University System Of Maryland's Policy on Appointment, Rank, and Tenure of Faculty and Appointment, Rank, and Permanent Status of Faculty Librarians shall apply to a tenure-track or tenured faculty member of Bowie State University who elected to remain subject to his/her written faculty contract in effect on April 4, 1989 and who confirmed this election in a written and signed notification to the President on or before May 12, 1989, to the extent and only to the extent that any provision of that contract is inconsistent with *Sections II, III, or IV.A.* of this Policy or *Section I.C.7.(a)* of the University System of Maryland's Policy on Appointment, Rank, and Tenure of Faculty and Appointment, Rank, and Permanent Status of Faculty Librarians.

I. SEARCH PROCEDURES AND POLICIES FOR APPOINTMENT OF FACULTY

A. Search Procedures for Full-time Tenure-Track Faculty and Permanent Status Faculty Librarians

1. In principle, the procedures that lead to faculty appointments should hold to standards at least as rigorous as those that pertain to promotions to the same academic ranks. Recruitment of full-time tenure-track faculty or permanent-status faculty is an integral part of the long-range plan of each academic department and the Library, respectively. The School Dean, in consultation with the Department Chair, Program Coordinator, and Faculty, shall determine the department's needs, and the Dean of the Library in consultation with the faculty librarians.
2. When a position vacancy occurs in the faculty, the disposition of that vacancy will be determined by the School Dean/Dean of the Library in consultation with the Provost. Upon determining that the vacancy is to be filled, the School Dean/Dean of the Library, in consultation with the Department Chair/Librarians, will prepare the *Personnel Requisition Request* and the *Cost of Support Form*, for submission to the Provost. Upon the Provost's approval, the School Dean/Dean of the Library shall identify and authorize a Faculty Search Committee to recruit for a specific rank.
3. In consultation with the EEO Officer and the Office of Human Resources, the Department Chair/Dean of the Library shall develop a detailed position advertisement for the vacancy. The Department Chair shall forward the position announcement to his/her Dean for submission to the Provost for final approval, and the Dean of the Library shall submit directly to the Provost.
4. The announcement of a position vacancy may be published, as appropriate, via agencies of the State, regional and national professional organizations, discipline web sites, other higher education institutions, and professional publications to ensure the broadest range of potential candidates. The announcement shall include the following:
 - a. the name of the institution and department/unit;
 - b. the academic rank(s) of the position(s);
 - c. minimum degree and experiential requirements;
 - d. description of special characteristics or expertise desired;

- e. brief description of teaching, research, and service responsibilities;
 - f. the nature of the appointment (i.e., tenure-track, federally-funded, etc.);
 - g. employment period (semester, academic year, or calendar year);
 - h. salary range or statement that salary is competitive;
 - i. indication of required application materials (transcripts, letters of references, etc.);
 - j. name, title, and address of person to whom inquiry should be made;
 - k. closing date for application or date upon which consideration of applications will begin; and
 - l. the statement "Bowie State University is an equal opportunity/affirmative action employer."
5. In preparation for the search process, the EEO/AA Officer will conduct a review of EEO/AA guidelines for the Faculty Search Committee (FSC). This review will include the kinds and details of documentation that must be kept and reported by the Search Committee and acceptable procedures for interviewing and recommending candidates to the Chair, the Dean, and the Provost, respectively.
6. After the closing date for receipt of applications or the announced date upon which consideration of applications will begin, the (FSC) shall review and evaluate applicants on the basis of the established selection criteria and the applicant's resume and supporting documentation. Each member of the FSC, working individually, will select three (3) to seven (7) unranked candidates to be interviewed.
7. The Screening procedure shall result in the determination of an interview pool. The names and credentials of the top candidates to be interviewed must be reviewed by the Department Chair and the appropriate Dean. As appropriate, the FSC should arrange for the candidates to visit the campus. Before granting permission to interview, the Provost and appropriate Dean may review the profile of the applicant pool with the EEO/AA Officer and/or the Search Committee. No department/unit may invite persons for interviews until it has received approval from the appropriate Dean.

NOTE: Preliminary and unofficial interviews of applicants at a conference or annual meeting of a professional association may be conducted. However, such applicants will

be required to complete the official interview process, and offers of employment shall not be made at preliminary and unofficial interviews.

8. Once approval has been given to begin interviewing, the Chair of the FSC is responsible for contacting each person in the interview pool to arrange a date for an interview. The terms under which travel expenses for applicants are reimbursed should be explained to the candidates. (A copy of the policies governing interviews and travel reimbursements is available in the Finance and Budget Office.)
9. Candidates invited to interview should meet with the FSC, departmental/library faculty, students majoring or minoring in the discipline, the Department Chair, the appropriate Dean, the Provost or his/her designee, and others, as the Chair, Dean, and Provost may deem appropriate. All interviews should be scheduled so that the interview period for all candidates can be completed in no more than two weeks. The President or his/her designee shall interview all faculty for ranks of Associate Professor or higher.
10. A core of similar questions, approved by the EEO/AA Officer, should be asked of all candidates. The criteria used to develop these questions should be agreed upon by the FSC and should include qualifications listed in the position advertisements.
11. Unsuccessful candidates must be notified in writing that the position has been filled and thanked for their applications. The Office of Human resources is responsible for keeping copies of letters of acknowledgment and rejection; interview notes and criteria used in making selection; applicant credential files; and all other correspondence (including copies of the published advertisement) relative to the search for a period of three years.
12. Upon completion of the interviews with all candidates, the verification of each candidate's credentials, and consultation with references, the FSC will select the three (3) to five (5) candidates to recommend to the Department Chair/Dean of the Library. Upon the request of the Department Chair, the list of persons recommended may be placed in rank order from highest to lowest. A complete file with credentials, including a copy of all transcripts, letters of reference, and all related search documents for each person shall accompany each recommendation to the Chair/Dean of the Library.
13. After consultation with the FSC, the Department Chair shall forward the names and credentials (which shall include a job application, copy of all transcripts, letters of recommendation, and evaluation) of his/her recommended candidates to the School Dean, and the Dean of the Library will forward these recommendations, with his/her recommendation, to the Provost for his/her approval and recommendation to the President. The President shall make the final decision.
14. The official *Letter of Appointment* (which shall include under *Special Conditions* the note: "Official transcripts must be received in the Office of the Provost within thirty (30)

days after your signing of this *Letter of Appointment*.”) to faculty at Bowie State University shall provide for both the general terms of employment and any special terms that may be agreed to by the University and the new faculty member at or prior to appointment.

15. Upon the return of the candidate's signed *Letter of Appointment*, the Office of the Provost shall forward the signed *Letter of Appointment* and all credentials, including copies of the transcripts, to the Office of Human Resources.
16. If, at any point of the search process, the FSC agrees that none or an insufficient number of applicants meets the advertised position criteria, the Committee shall request the appropriate Dean to reopen the search or return to any prior stage as necessary to enhance the field of candidates.
17. When the offer of employment has been made to and accepted by the chosen candidate, all other applicants shall be notified of the results of the search by the Office of Human Resources.
18. Upon completion of the search, all documents and records of unsuccessful candidates shall be forwarded by the Chair of the FSC to the Office of Human Resources, where they shall be kept on file for a period of three years.
19. In the event that the position is not filled, the Human Resources Office shall notify the applicants.

B. Faculty Search Committees

1. When the Provost has authorized the search for a full-time tenure-track or permanent status faculty member in a department/unit, the Department Chair/Dean of the Library, in consultation with departmental/library faculty and the School Dean for a teaching faculty position, shall appoint a FSC composed of full-time faculty, with the rank of Associate Professor/Librarian III or Professor/Librarian IV and, the terminal degree in the discipline, or the M.L.S. This requirement can be waived with the approval of the appropriate Dean and the Provost. Upon being notified of the formation of a FSC, the Senior Director of Human Resources shall appoint an ex-officio Human Resources Staff member to the Committee to facilitate the search process in keeping with the guidelines of this *Policy*.
2. In those instances in which a department with more than one specific academic subject area is seeking a new faculty member, the FSC shall consist of a majority of full-time senior faculty members who hold terminal degrees in the specific subject area for which the new faculty member is sought.

3. When a new academic unit is established in a School, it shall be the responsibility of the School Dean, in consultation with the Provost, to appoint a FSC to staff the unit in accordance with the search procedures in this Policy.
4. When an academic unit is established outside of Schools in the Division of Academic Affairs, it shall be the responsibility of the Provost to appoint a Search Committee to staff the unit in accordance with search procedures in this Policy.
5. When academic departments request inter-departmental appointments, the School Dean(s), in consultation with the Chairs of the respective involved departments, shall appoint a FSC to conduct the search process in accordance with this Policy.
6. Whenever inter-institutional appointments are needed, the Provost, in consultation with the School Dean and the appropriate authority at the Cooperating Institution, shall appoint full-time senior faculty to an inter-institutional search committee, based on agreed upon guidelines of this Policy, the University System of Maryland's Policy on Appointment, Rank, and Tenure of Faculty, and Appointment, Rank, and Permanent Status of Faculty Librarians, and the Cooperating Institution's ARTPS. The Inter-institutional Search Committee shall recommend search procedures to the Provost and appropriate authority at the Cooperating Institution to govern its search consistent with, wherever feasible, the procedures established in this Policy.

C. Search Procedures for Other Faculty Positions

Non-Tenure Track, Non-Permanent Status Faculty

- a. When the Dean, after consultation with the Provost, has authorized the search for a full-time non-tenure-track, non-permanent status faculty member in a department/unit, the Department Chair/Dean of the Library, in consultation with the appropriate faculty body, shall appoint a FSC composed of full-time faculty with the terminal degree in the discipline or Librarian IIs and above and provide the FSC the department/unit agreed upon selection criteria.
- b. The Department Chair, in consultation with the School Dean and the Office of Human Resources, and the Dean of the Library, in consultation with the Office of Human Resources, shall develop an appropriate position advertisement for the vacancy, conforming to the guidelines for tenure-track, permanent status announcements in I.A.4. of this Policy.
- c. After the closing date for receipt of applications or the announced date upon which consideration of applications will begin, the FSC shall review and evaluate applicants on the basis of the established selection criteria and the applicant's resume and supporting documentation. Each member of the FSC, working individually, will select three (3) to five (5) candidates to be interviewed. Only after

approval from the appropriate Dean, shall the FSC invite faculty candidates for interviews.

- d. A core of similar questions, approved by the EEO/AA Officer, shall be developed and asked of all candidates. The department/unit agreed upon criteria provided to the FSC by the Department Chair/Dean of the Library and the qualifications listed in the position advertisements shall guide the FSC's development of such questions.
- e. Upon completion of the interviews of all candidates, the verification of each candidate's credentials, and consultation with references, the FSC will recommend a minimum of three (3) candidates to the Department Chair, who will forward his/her recommendation to the School Dean, who will make a recommendation to the Provost. For faculty librarians, the FSC will forward its recommendations to the Dean of the Library, who will make a recommendation to the Provost. All unsuccessful interviewees must be notified in writing that the position has been filled and thanked for their applications.
- f. The official *Letter of Appointment* (which shall include under *Special Conditions* the note: "Official transcripts must be received in the Office of the Provost within thirty (30) days after your signing of this *Letter of Appointment*.") to a non-tenure track /permanent status position shall provide for the general terms of employment and any special terms that may be agreed to by the University and the appointee.

D. Offers of Appointments

1. Offers of appointment to all ranks are made in writing only by the President or his/her designee.
2. An offer of appointment shall specify the rank and effective date of the appointment, the length of the appointment, and the applicable terms and conditions with regard to tenure/permanent status. Subject to the provisions in I.C.1 through I.C.16 of the **University System of Maryland's Policy on Appointment, Rank, and Tenure of Faculty and Appointment, Rank, and Permanent Status of Faculty Librarians**, the terms described in the *Letter of Appointment* shall constitute a legal and contractually binding agreement between the University and the appointee.

II. TERMS OF APPOINTMENTS

A. Instructor

1. Except where tenure has been granted pursuant to this section, appointments to the rank of full-time Instructor are for a term not to extend beyond the end of the fiscal year during which the appointment becomes effective. An appointment to the rank of full-time

Instructor will be renewed automatically for the second year and succeeding years, unless the appointee is notified in writing to the contrary by March 1 during the first year of service, and by December 15 during the second and succeeding years of service.

2. A full-time Instructor may receive, during an appointment year, a formal review for tenure as an Instructor. An Instructor without tenure whose appointment has been extended to a sixth year of continuous, full-time service commencing on or after July 1, 1990, shall receive during that sixth year a formal review for tenure as Instructor. The appointee reviewed for tenure shall be notified in writing, by the end of the appointment year in which the review was conducted, of the decision either to grant or deny tenure. A full-time appointee who has completed six consecutive years of service at the University as an Instructor, and who has been notified that tenure has been denied, shall be granted an additional and terminal one-year appointment in that rank, but, barring exceptional circumstances, shall receive no further consideration for tenure. An Instructor with or without tenure may be appointed to Assistant Professor. If an Instructor without tenure is appointed as an Assistant Professor, the provisions of *Sections II.B.1. and II.B.2.* of this Policy apply to the appointment, except that the appointee's review for tenure must occur no later than the sixth year of continuous full-time employment, commencing on or after July 1, 1990, in the ranks of Instructor and Assistant Professor. Tenure in any rank can be awarded only by an affirmative decision based upon a formal review. Such appointments may be terminated at any time in accordance with *Sections III.A., III.B., III.C., and VII* of this Policy.

B. Assistant Professor

1. Subject to any special conditions specified in the *Letter of Appointment*, full-time appointments to the rank of Assistant Professor shall be for an initial term of one to three years. The first year of the initial appointment shall be a probationary year, and the appointment may be terminated at the end of that fiscal year if the appointee is so notified by March 1. In the event that the initial appointment is for two years, the appointment may be terminated if the appointee is so notified by December 15 of the second year. After the second year of the initial appointment, the appointee shall be given one full year's notice if it is the intention of the Institution not to renew the appointment. If the appointee does not receive timely notification of non-renewal, the initial appointment shall be extended for one additional year. An initial appointment may be renewed for an additional one, two, or three years. Except as set forth in paragraph 3 below, an appointment to any term beyond the initial appointment shall terminate at the conclusion of that additional term unless the appointee is notified in writing that it is to be renewed for another term allowable under University System policies or the appointee is granted tenure. Such appointments may be terminated at any time in accordance with *Sections III.A., III.B., III.C. and VII* of this Policy.

2. An Assistant Professor whose appointment is extended to a full six years shall receive, no later than the sixth year, a formal review for tenure. The appointee shall be notified in writing by the end of the appointment year in which the review was conducted of the decision to grant or deny tenure.
3. Notwithstanding anything in *Paragraph 1* above to the contrary, a full-time appointee who has completed six consecutive years of service at Bowie State University as an Assistant Professor and who has been notified that tenure has been denied shall be granted an additional and terminal one-year appointment in that rank, but, barring exceptional circumstances, shall receive no further consideration for tenure.

C. Associate Professor or Professor

1. **Full-time appointments or promotions to the rank of Associate Professor or Professor require the written approval of the President.** Promotions to the rank of Associate Professor or Professor carry immediate tenure. New full-time appointments to the rank of Professor may carry immediate tenure. Otherwise, such appointments shall be for an initial period of one to four years, except that initial appointments for individuals with no prior teaching experience may be for a maximum of six years, and shall terminate at the end of that period unless the appointee is notified in writing that he or she has been granted tenure.
2. A Professor who is appointed without tenure shall receive a formal review for tenure. If the appointment is for an initial period of one year, then the formal review must be completed and notice must be given that tenure has been granted or denied by March 1 of that year. If the appointment is for two years, then the formal review must be completed, and notice must be given that tenure has been granted or denied no later than December 15 of the second year. If the appointment is for more than two years, then the formal review must be completed and notice must be given that tenure has been granted or denied by no later than one year prior to the expiration of the appointment. Appointments carrying tenure may be terminated at any time in accordance with *Sections III.A., III.B., III.C., and VII* of this Policy.

D. Other Faculty Ranks

1. Appointments to all other ranks, and all part-time appointments, are for a term not to extend beyond the end of the academic year unless otherwise stipulated in the *Letter of Appointment*. Faculty appointed to all other ranks on a full-time basis for a term not less than one academic year shall receive notice of non-renewal of contract based upon their length of continuous full-time service in such ranks. If such service is less than seven years, at least 90 days notice is required. If such service equals or exceeds seven years, at least six months notice is provided. If the required notice is not provided prior to the termination of the then-current contract, this condition may be remedied by extending the

contract by the number of days necessary to meet the notice requirement. Such appointments may be terminated at any time in accordance with *Sections III.A., III.B., III.C., and VII* of this Policy.

2. Visiting faculty appointments are usually made for one academic year or less. Only in unusual circumstances shall a visiting appointment exceed a total of three years. A visiting faculty appointee can become a regular appointee **only through a search process before or after the initial appointment** in accordance with this Policy, including adherence to EEO/AA guidelines. Years of service in a visiting appointment may, upon mutual agreement of the faculty member and the President, be counted as probationary years for purposes of consideration for tenure.

III. TERMINATION OF APPOINTMENTS

A. Resignation

A term of service may be terminated by the appointee by resignation, but it is expressly agreed that no resignation shall become effective **until the termination of the appointment period** in which the resignation is offered, except by mutual agreement between the appointee and the President.

B. Termination for Cause

1. The President of the University may terminate the appointment of a tenured or tenure-track appointee for moral turpitude, professional or scholarly misconduct, incompetence, or willful neglect of duty. Prior to such termination, the faculty member shall be given the opportunity to request a Hearing in accordance with the procedures set forth in *Section VII* of this Policy.
2. Under exceptional circumstances and following consultation with the Chair of the Faculty Appeals Committee, the President may direct that the appointee be relieved of some or all of his/her institutional duties, without loss of compensation and without prejudice, pending a final decision in the termination proceedings. In case of an emergency involving threat to life or bodily injury, the President may act to suspend a faculty member temporarily prior to consultation with the Chair of the Faculty Appeals Committee.
3. If an appointment is terminated in the manner prescribed in *Section III.B.1.*, the President may, at his/her discretion, relieve the appointee of assigned duties immediately or allow the appointee to continue in the position for a specified period of time. The appointee's compensation shall continue for a period of one year commencing on the date on which the appointee receives notice of termination. A

faculty member whose appointment is terminated for cause involving moral turpitude, incompetence, or willful neglect of duty, or professional or scholarly misconduct shall receive no notice or further compensation beyond the date of final action by the President or the Board of Regents.

C. Other Reasons for Termination

1. The President may terminate any appointment because of the discontinuance of the department, program, school, or unit in which the appointment was made or because of the lack of appropriations or other funds with which to support the appointment. Such decisions must be made in accordance with the *University Retrenchment Policy*, as outlined in the **Faculty Handbook**. The President shall give a full-time appointee holding tenure notice of such termination at least one year before the date on which the appointment is to be terminated.
2. Notwithstanding any other provisions to the contrary, the appointment of any non-tenured/non-permanent status faculty member 50% or more whose compensation is derived from research contracts, service contracts, gifts, or grants shall be subject to termination upon expiration of the research funds, service contract income, gifts, or grants from which the compensation is payable.
3. Appointments shall terminate upon the death of the appointee. Upon termination for this cause, the University shall pay to the estate of the appointee all of the accumulated unpaid earnings of the appointee plus compensation for accumulated unused annual leave.

D. Sanctions Other Than Termination

If in the judgment of the appointee's Department Chair, in consultation with the School Dean, or Dean of the Library, a deficiency in the appointee's professional conduct or performance exists that does not warrant dismissal or suspension, the Dean shall recommend that a moderate sanction, such as a formal warning or censure, be imposed in writing by the Provost, provided that the appointee is first afforded an opportunity to contest the action through the established faculty grievance procedure. A faculty development plan and time-line to improve performance should be established by the Department Chair and School Dean or Dean of the Library in consultation with the appointee.

IV. OTHER CONDITIONS OF EMPLOYMENT

- A. Adjustments in salary or advancement in rank may be made under these policies, and, except where a definite termination date is a condition of appointment, the conditions pertaining to the rank as modified shall become effective as of the date of the modification.

- B. Compensation for appointments under these policies is subject to modification in the event of reduction in State appropriations or in other income from which compensation may be paid.
- C. All appointees shall be subject to all applicable policies and procedures duly adopted or amended from time to time by Bowie State University or the Board of Regents of the University System of Maryland, including but not limited to policies and procedures regarding annual leave; sick leave; sabbatical leave; leave of absence; outside employment; patents and copyrights; scholarly and professional misconduct; retirement; reduction, consolidation or discontinuation of programs; and criteria on teaching, research/scholarship, and service.
- D. Unless the appointee agrees otherwise, any changes that are hereafter made to *Sections II, III, or IV.A. of this Policy or Section I.C.7 (a) of the University System of Maryland's Policy on Appointment, Rank, and Tenure of Faculty, and Appointment, Rank, and Permanent Status of Faculty Librarians* will be applied only to subsequent appointments.

V. INSTITUTIONAL REQUIREMENTS FOR APPOINTMENT, PROMOTION, TENURE OF FACULTY AND APPOINTMENT, RANK, AND PERMANENT STATUS OF FACULTY LIBRARIANS

A. General Principles

1. In each case of appointment, promotion, tenure, and permanent status, every effort shall be made to fill positions with persons of the highest qualifications and ability. It is the special responsibility of those in charge of recommending appointments to make a thorough search of available talent, in accordance with the search procedures established in this Policy, before recommending appointments.
2. The faculty and faculty librarian ranks that may involve a tenure or permanent status commitment include Professor, Associate Professor, Assistant Professor, Instructor, or Librarian IV, Librarian III, or Librarian II, and such other ranks as the Board of Regents may approve. Appointments to all other ranks, including any qualified rank in which an additional adjective is introduced (such as "Clinical Professor," etc.), are for a definite term and do not involve a tenure or permanent status commitment.
3. Professorial titles will be granted only to teaching and/or research personnel who are associated with teaching or research departments or units and to such other appointments as permitted under the **Bylaws, Policies, and Procedures of the Board of Regents**.

4. The Bowie State University Mission Statement is the primary factor in defining the criteria for appointment, promotion, tenure, or permanent status in the University. The criteria and the relative weight that usually is to be accorded them are: 1) teaching effectiveness, including student advising (65 - 75%); 2) research/scholarship, and in appropriate areas, creative activities (15- 25%); and 3) relevant community, profession, and university service (5-15%), or for library faculty, library duties (80-85%); research, creative activities (15-20%); and university, community, and professional services (5-10%). The relative weight of these criteria may vary within the range stated among different academic units, but each of the criteria shall be considered in every decision concerning appointment, promotion, or tenure, or permanent status.
5. Decisions on appointment, promotion, or tenure, or permanent status must always take into account the academic needs of the department/library or program and of the University at the time of appointment. The University regards these policies and procedures as elements of sound academic planning and essential elements of fairness to candidates for tenure-track or permanent status positions. In all cases, academic units/library shall select for initial appointment and reappointment those candidates whose areas of expertise are most likely to meet the unit's projected programmatic needs and who, when they reach the point of consideration for tenure or permanent status, are most likely to merit tenure or permanent status.
6. Renewal of appointment, promotion, or tenure or permanent status shall be based on meritorious performance and institutional needs and shall in no case be a consequence of length of service alone.

B. Qualifications for Teaching Faculty Ranks

The following is a list of all faculty ranks used at Bowie State University and the qualifications for appointment and promotion to each rank:

1. **Instructor:** The appointee ordinarily shall hold, at a minimum, the master's degree in the field of instruction, preferably with evidence of pursuit of the doctorate or other terminal degree in the field of instruction. The appointee also should show evidence of potential for effective teaching, research/ scholarship, service, and a successful academic career.
2. **Assistant Professor:** The appointee ordinarily shall hold the doctorate or nationally recognized terminal degree in the field of specialization. The appointee also should show evidence of potential for superior teaching, research/scholarship, or creativity in some subdivision of the field, and service to the community in keeping with the academic expertise of the faculty member or institution.

Faculty seeking promotion to the rank of Assistant Professor must satisfy the qualifications for appointment to the rank and the following requirements:

- a Excellence in teaching as shown through a rating of student, peer, and Department Chair evaluations. Evaluations will include, but not necessarily be limited to, measures of the following: employment of appropriate teaching or evaluation strategies, pre-planning, organization and management, professional behavior, quality of course syllabi, quality of student advisement, and acceptance and timely execution of departmental assignments.
 - b Evidence of scholarly contribution and growth in the area of specialization through research that enhances the candidate's teaching and/or the University's environment.
 - c Evidence of continuous service on departmental and University-wide committees.
 - d Evidence of participation in community service activities.
3. **Associate Professor:** In addition to having the qualifications of an Assistant Professor, the appointee ordinarily shall have had extensive successful experience in teaching and research or creative work, shall have the ability to direct major activities of the department, and, if appropriate to the department's mission, shall have the ability to offer graduate instruction and direct graduate research in a subdivision of the department, and effective service to the community or institution as defined by the academic expertise of the faculty member.

Faculty seeking promotion to the rank of Associate Professor must satisfy the qualifications for appointment to the rank and the following requirements during the period of appointment as Assistant Professor:

- a Completion of five years as Assistant Professor at Bowie State University.
- b Excellence in teaching as shown through a rating of student, peer, and Department Chair evaluations. Evaluations will include, but not necessarily be limited to, measures of the following: employment of appropriate teaching or evaluation strategies, pre-planning, organization and management, teaching-learning process, professional behavior, quality of course syllabi, quality of student advisement, and acceptance and timely execution of departmental assignments.
- c Evidence of scholarly contribution and growth in the area of specialization through research, publication, participation in the programs of professional societies, and/or professionally recognized performance in the arts.

- d. Evidence of significant service on departmental and University-wide committees.
 - e. Evidence of participation in community service activities as a consultant, organizer, board member, or similar position.
4. **Professor:** In addition to having the qualifications of an Associate Professor, the appointee ordinarily shall have demonstrated a degree of proficiency in teaching to establish a reputation among his peers as an outstanding teacher. The appointee shall have demonstrated a degree of proficiency in research/scholarship, or creative performance, and, where appropriate to the mission of the University, established a regional or national reputation as an outstanding researcher/scholar or creative performer. There shall be continuing evidence of substantial service to the community and the University.

Faculty seeking promotion to the rank of Professor must satisfy the qualifications for appointment to the rank and the following requirements during the period of appointment as Associate Professor:

- a. Five years as Associate Professor at Bowie State University. The appointee shall have demonstrated a degree of proficiency in research/scholarship, or creative performance.
- b. Excellence in teaching as shown through a rating of student, peer, and Department Chair evaluations. Evaluations will include, but not necessarily be limited to, measures of the following: employment of appropriate teaching or evaluation strategies, pre-planning, organization and management, teaching-learning process, professional behavior, quality of course syllabi, quality of student advisement, and acceptance and timely execution of departmental assignments.
- c. Evidence of scholarly contribution and growth in the area of specialization through research, publication, significant participation in appropriate professional organizations, or evidence of regionally and/or nationally recognized performance in the arts.
- d. Evidence of chairing a departmental committee or of providing an equivalent level of service on University-wide committees.
- e. Evidence of continuing substantial participation in community service activities as a consultant, organizer, board member, or similar position.

C. Qualifications for Ranks of Faculty Engaged Exclusively or Primarily in Library Services

The following is a list of all faculty librarian ranks used at Bowie State University and the qualifications for appointment and promotion to each rank.

1. **Librarian I:** The appointee shall hold a master's degree in librarianship (the terminal degree of the profession) from an ALA-accredited institution. This rank is normally assigned to entry-level librarians who have demonstrated an understanding of the basic tenets of librarianship and a potential for professional growth. *A Librarian I is not eligible for permanent status.*
2. **Librarian II:** The appointee shall hold a master's degree in librarianship (the terminal degree of the profession) from an ALA-accredited institution. This rank is normally assigned to librarians with a minimum of three (3) years of professional experience in an academic library and have demonstrated effective knowledge and skills above those expected for a Librarian I.

Job Performance:

- Meets or exceeds standards in all categories of evaluation in two most recent annual BSU performance appraisals, or proof that any "below standard" ratings were fully addressed and corrected before the submission of the candidate's dossier.
- Contributes substantively- i.e., with specific instances documented by supervisor and references- to the maintenance of quality or improvement of quality in Library services and sources.
- Documented completion of one or more significant and relevant (approved in advance by the Library administration) projects for the Library, or in a regional or national library context.
- Demonstrated broad knowledge of librarianship and in-depth knowledge of specialties within areas of responsibility (established by supervisor and references) as appropriate to serve BSU's mission; since BSU's mission entails library support of graduate study and research and particular attention to excellence, the required knowledge level should be greater than that of the average academic librarian nationally.

Professional Activities, Continuing Education, Research, Publications and Teaching

- Evidence of active membership in at least one relevant professional organization.
- Documented attendance at some off-campus professional meetings.
- Evidence of continuing study and on-going enhancement of candidate's knowledge level in areas of responsibility.
- Documented publications, creative projects, or significant reports that are well written, without the intervention of others.

University Service

- Evidence of participation in campus committees and projects beyond those of the Library.

3. Librarian III: The appointee shall hold a master's degree in librarianship (the terminal degree of the profession) from an ALA-accredited institution. Normally, a minimum of six (6) years of professional experience is required, three (3) of which must be in at a level comparable to the rank of Librarian II at Bowie State University. This rank signifies that the librarian has made meaningful contributions to the library, university, profession, and/or academic discipline.

In addition to the requirements for Level II above, three or more of the following must be included:

- Evidence of leadership and initiative in areas of responsibility beyond that of a Librarian II.
- Documentation of the successful completion of a major and relevant project (approved in advance by the library administration) or improvement within the Library or in a regional or national library context.
- Evidence of leadership and initiative in projects and assignments which extend beyond areas of responsibility, equivalent to chairing a library committee or task force at the USM, regional, or national level.
- At least three (3) publications (or works accepted for publication), presentation in areas of library expertise, or creative projects at least one of which was peer-reviewed or; a significant grant for the campus and in which the candidate took primary responsibility may be substituted for a peer-reviewed publication.

- Demonstration of leadership or very high quality participation in professional activities.
 - Successful service on at least two (2) significant non-library BSU, USM, or regional committees, governing bodies, task forces, or projects.
4. **Librarian IV:** The appointee shall hold a master's degree in librarianship (the terminal degree of the profession) from an ALA-accredited institution. Appointment to this rank requires nine (9) years of professional library experience, three (3) of which must be at a level comparable to the rank of Librarian III at Bowie State University. This rank signifies that the librarian has made distinctive contributions to the library, university, profession, and/or academic discipline.

Librarian IV Requirements. In addition to meeting the criteria noted above, the candidates must have made contributions to the Library, the campus, and/or the profession. This would include three (3) or more of the following:

- Providing regional or national leadership through holding office in professional associations, or otherwise reflecting significant progress in the field.
- Winning a major grant and successfully completing the grant project.
- Producing major campus-wide, USM-wide, and/or regional improvements for BSU, the USM, and/or goals organizations, or chairing a group that realized such improvements.
- Achieving formal recognition, honors, or awards for outstanding service, teaching, or leadership in the field of librarianship over an extended time period, or for an exceptional achievement in the field of librarianship.
- Providing consistent leadership or teaching within, or outside, the Library in which other staff members, the campus, or any in the Bowie State University community have benefited over a long period of time from the candidate's serving as a change agent or providing high level rating of others. **OR**
- Participation in professional activities, continuing education efforts, research or publication.

D. Additional Faculty Ranks

1. **Assistant Instructor:** The appointee should be competent to fill a specific position in an acceptable manner, but is not required to meet all the requirements for an Instructor. Appointment to this rank requires at least the appropriate baccalaureate degree.

2. Lecturer: This title may be used for appointment, at any salary and experience level, of persons who are competent to fill a specific position, but who are not intended to be considered for professional appointment. Appointment to this rank is made on a semester or an annual basis and is renewable.
3. Artist-in-Residence; Writer-in-Residence; Executive-in-Residence: These titles may be used to designate temporary appointments, at any salary and experience level, of persons who are serving for a limited time or part-time, and who are not intended to be considered for professional appointment.
4. Adjunct Assistant Professor; Adjunct Associate Professor; Adjunct Professor: These titles are used to appoint outstanding persons who may be simultaneously employed outside the Institution. The appointee should have expertise in the discipline and recognition for accomplishment sufficient to gain the endorsement of the preponderance of the members of the faculty of the department to which he or she is appointed. Appointment is made on a semester or an annual basis and is renewable. These titles do not carry tenure or the expectation of consideration for tenure. Normally, adjunct appointments shall comprise no more than a small percentage of the faculty in any academic unit.
5. Visiting Faculty Appointments: The prefix "Visiting" before an academic title shall designate a short-term, full-time appointment without tenure.
6. Professor Emeritus: The title "Emeritus" is a University honor which may be bestowed on a faculty member who has retired from full-time service at Bowie State University at the academic rank of Professor or Associate Professor and who meets University criteria, is recommended by appropriate procedures, and is approved for this honor by the President.

VI. PROCEDURES FOR PROMOTION, AND TENURE OF FACULTY AND APPOINTMENT, RANK, AND PERMANENT STATUS FOR FACULTY LIBRARIAN REVIEW

A. General Principles

1. Tenure, permanent status, and promotion in academic rank are honors of the University that may be earned by appointees to the University faculty. Promotion, tenure, nor permanent status is granted automatically. Promotion, tenure, and permanent status are granted on the basis of (1) teaching effectiveness, including student advising; (2) librarianship proficiency, (3) research/scholarship, and, in appropriate areas, creative activities; and (4) relevant service to the community, the profession, the department,

and the University. The relative weight of these criteria and the qualifications for each academic rank are specified in *Section V.A.4.* of this Policy.

2. The decision to grant or deny a promotion, tenure, or permanent status is made by the President, based on the recommendations of the candidate's department, the Dean, the Library's Professional Promotion Review Committee (PPRC), the Dean of the Library, as appropriate, the University Academic Rank, Tenure, and Permanent Status Committee, and the Provost. The decision is highly discretionary and requires a sensitive assessment of performance and potential in light of the stated criteria and the University's needs. The procedures provided in this *Section* are designed to elicit a broad spectrum of information and evaluations to assist the President in his/her exercise of discretion in awarding promotion or tenure.

B. Overview of the Process

Listed below are target dates for completion of the procedural steps leading to the President's decision on promotion, tenure, and/or permanent status. These dates do not apply in cases in which tenure, permanent status, or promotion review is not conducted on the regular academic-year cycle or in which a tenure decision must be rendered by March 1 of the review year. These dates may be adjusted in particular cases to account for special circumstances.

Target Dates for Teaching Faculty

	Step 1
Second Friday in September	Provost or designee notifies candidate of eligibility for tenure review.
	Step 2
Second Friday in October	Candidate submits dossier for promotion and/or tenure review to Department Chair with all necessary supporting documents for the Departmental Chair's review and recommendation.
	Step 3
First Friday in November	Department Chair submits dossier with <u>all necessary supporting documents</u> , with his/her recommendation, to the Departmental Review Committee for review and recommendation.

If a school does not have a departmental structure, the request for promotion consideration shall be initiated by the Dean or by a faculty member on behalf of himself or herself or another faculty member. The request, with supporting documentation, is submitted to the Dean of the School.

**Fourth Friday in
November**

Step 4

The Department Chair submits dossier with all necessary supporting documents, with the Chair's and Department Review Committee's recommendations, to the Dean of the School for his/her review and recommendation.

The Chair must inform candidate, in writing, of the departmental and his/her recommendation, and if promotion or tenure is not recommended, a written explanation must be provided.

**Third Friday in
December**

Step 5

The School Dean submits dossier with all necessary supporting documents, with the Department Chairs', Departmental Committee's and his/her recommendations to the University Academic Rank, Tenure, and Permanent Status Committee for its review and recommendations.

The School Dean must inform candidates, in writing, of his/her recommendations, and if promotion and/or tenure is not recommended, a written explanation must be provided.

**First Friday in
February**

Step 6

The University Academic Rank, Tenure, and Permanent Status Committee submits its recommendation and all necessary supporting documents to the Provost.

**Third Friday in
February**

Step 7

The Provost submits his/her recommendation, with the recommendations of the Department Chair, Departmental Review Committee, Dean, and University Academic Rank, Tenure, and Permanent Status Committee, to the President.

The Provost must inform the candidate, in writing, of the University Academic Rank, Tenure, and Permanent Status Committee's and his/her recommendation, and if promotion, tenure is not recommended, a written explanation must be provided.

At the same time, the Provost also shall send a copy of his/her recommendation to the University Academic Rank, Tenure, and Permanent Status Committee.

- Second Friday in March**
- Step 8**
The candidate may appeal the Provost's recommendation to the Faculty Appeals Committee, within (15) working days after issuance of the Provost's recommendation to the President.
- If the candidate does not appeal, the candidate may submit a letter to the President responding to the Provost's recommendation, and the President will then proceed to make a decision.
- Second Friday in March**
- Step 9**
The President will inform candidates who **do not appeal the Provost's recommendation** and all other candidates of his final decision.
- First Friday in April**
- Step 10**
If candidate appeals to the Faculty Appeals Committee, the Appeals Committee shall submit its recommendation to the President, within ten (10) working days following the conclusion of its deliberations.
- Third Friday in April**
- Step 11**
If candidate appeals to the Faculty Appeals Committee, President notifies candidate of the President's decision. The decision of the President is final.

Target Dates for Faculty Engaged Exclusively or Primarily in Library Services

- Second Friday in September**
- Step 1**
Provost or designee notifies candidate of eligibility for permanent status review.
- Second Friday in October**
- Step 2**
Candidate submits dossier for promotion and/or permanent status review to Dean of the Library with all necessary supporting documents for the Dean's review and recommendation.
- First Friday in November**
- Step 3**
Dean submits dossier and his/her recommendation, with all necessary supporting documents, to the PPRC for its review and recommendation to the Dean.

Step 4

**Fourth Friday in
November**

The Dean submits dossier with all necessary supporting documents, with the Dean's and PPRC's recommendations, to the University Academic Rank, Tenure, and Permanent Status Committee for its review and recommendations.

The Dean must inform candidate, in writing, of the PPRC's and his/her recommendation, and if promotion or permanent status is not recommended, a written explanation must be provided.

Step 5

**First Friday in
February**

The University Academic Rank, Tenure, and Permanent Status Committee submits its recommendation, with all necessary supporting documents, to the Provost.

Step 6

**Third Friday in
February**

The Provost submits his/her recommendations, with the recommendations of the PPRC, Dean, and Academic Rank, Tenure and Permanent Status Committee, to the President.

The Provost must inform the candidate, in writing, of the University Academic Rank, Tenure, and Permanent Status Committee's and his/her recommendation, and if promotion or permanent status is not recommended, a written explanation must be provided.

At the same time, the Provost also shall send a copy of his/her recommendations to the University Academic Rank, Tenure, and Permanent Status Committee.

Step 7

**Second Friday in
March**

The candidate may appeal the Provost's recommendation to the Faculty Appeals Committee, within (15) working days after the Provost's issuance of his/her recommendation to the President. If the candidate **does not** appeal, the candidate may submit a letter to the President responding to the Provost's recommendation, and the President will then proceed to make a decision.

Step 8

**Second Friday in
March**

The President will inform candidates who **do not appeal the Provost's recommendations** and all other candidates of his final decision.

First Friday in April	Step 9 If candidate appeals to the Faculty Appeals Committee, the Committee submits its recommendation to the President, within ten (10) working days following the conclusion of its deliberations..
Third Friday in April	Step 10 If the candidate appeals to the Faculty Appeals Committee, the President notifies candidate of the President's decision. The decision of the President is final.

C. Initiation of the Process

1. A faculty member may be considered for promotion whenever he/she attains the qualifications for a rank higher than the rank he/she currently holds. A faculty member may be nominated for promotion by the Chair of the faculty member's department, the Dean of the Library or the faculty member himself/herself. Faculty members who nominate themselves for promotion must send a written request to the Department Chair or Dean of the Library for departmental/unit approval.
2. All nominees for promotion must file a University Academic Rank and Tenure **Promotion/Tenure Data Form**, current curriculum vita, academic credentials, and supporting evidence with the Academic Department or Library by the stated calendar date published by the University.
3. The year for tenure or permanent status review for each faculty member with a tenure-track or permanent status granting contract should be established at the time the faculty member enters into the contract, as provided in the **Bowie State University ARTPS Policy**.
4. By the second Friday in September of each academic year, the Provost or his/her designee shall notify each faculty member eligible for tenure or permanent status review in that year of his/her eligibility and the date by which an application for tenure or permanent status must be submitted. The Provost or his/her designee also shall notify the faculty member's Department Chair/Dean of the School/Dean of the Library and the Chair of the University Academic Rank, Tenure, and Permanent Status Committee of the faculty member's eligibility.
5. By the application deadline, a faculty member eligible for tenure or permanent status review shall submit a completed University Academic Rank and Tenure **Promotion/Tenure Data Form** with all supporting documentation to his/her Department Chair or Dean of the Library.

D. Review by the Academic Department

1. Each Department or Program is expected to develop procedures that are appropriate for its size and situation. The request for promotion consideration may be initiated by the Chair, by a faculty member on behalf of another faculty member, or by the candidate. The tenure review process will be initiated by notification from the Provost.
2. At the time of each faculty member's initial appointment, the Department Chair shall establish a dossier on the faculty member, which shall contain information relevant to the faculty member's qualifications and performance. In addition to materials illustrative of the faculty member's scholarship and teaching, the dossier shall contain a current curriculum vita; the faculty member's self-assessment of accomplishments and expectations in the areas of his/her scholarship, teaching, and community service; a record of earned degrees held; honors and citations received; previous teaching experience; University committee work; publications; research/scholarship; and regularity and punctuality in meeting classes and departmental/University obligations, and conferences held with students.
3. The dossier also shall contain a record of student and peer evaluation(s), together with a record showing that these evaluations have been given to and discussed with the faculty member. Records of conferences held to discuss professional issues such as the faculty member's professional interaction with other members within the department; the member's interaction with advisees and other students; official communications of record such as warnings, notations of areas for improvement; commendations and/or complaints; and other relevant information should be included in the dossier.
4. A faculty member shall have the right to inspect periodically his/her dossier maintained in the Departmental file.
5. Upon receipt of a nomination for promotion or an application for tenure, the candidate's Department Chair shall initiate a departmental review of the candidate. Each department shall adopt procedures for review of candidates for promotion or tenure. At a minimum, these procedures shall be designed to elicit the views of all tenured members of the department on the candidate. During a departmental review, all members of the Departmental Academic Rank and Tenure Committee shall have access to the candidate's departmental dossier.
6. The Department's recommendation shall be stated in a memorandum prepared by the Department Chair. The Department's memorandum shall include the recommendation on the nomination or application and a statement with reasonable particularity of the basis for the recommendation. If there is significant divergence of opinion among the tenured

faculty members concerning the candidate, the Department Chair shall state fairly the dissenting opinions and the basis for them.

7. The Department Chair shall submit the nomination/application, with/ his/her Department's faculty recommendation, supporting documentation to the Dean of the School by the applicable deadline. The Department Chair must inform the candidate, in writing, of his/her recommendation, and if promotion and/or tenure/permanent status is not recommended, a written explanation must be provided.

E. Review by the School Dean

1. The Dean shall weigh and assess all relevant information on each candidate and shall decide whether he/she considers it to be in the interest of the School to support a recommendation for promotion or tenure.
2. By the deadline date, the Dean shall transmit all supporting documentation, the Departmental Review Committee's recommendation, Department Chair's recommendation, and his/her recommendation to the University Academic, Rank, Tenure, and Permanent Status Committee, the Department Chair, and the candidate.

F. Review by the Appointment, Promotion, and Permanent Status Committee (APPSC)

1. The APPSC shall consist of the Permanent Status Faculty holding the rank of Librarian II or above. In the event there are insufficient librarians to fully constitute the APPSC, Assistant Professors or above in other departments at Bowie State University or librarians serving at other USM institutions who hold the rank of Librarian II or above may be asked to serve as APPSC members or as alternates.
 - One member and one alternate shall be appointed by the Dean of the Library.
 - Two members and one alternate shall be elected by the Library Faculty with permanent status or in permanent status granting positions.
2. The term of service for Committee members shall be for two (2) years. Members shall serve staggered terms to preserve continuity from one year to the next. An alternate shall service a one-year term.
3. No Committee member may be present at, participate in the discussion, or vote on his/her own application for promotion or permanent status; nor may any member be present at or participate in the discussion, or vote on the application of his/her present supervisor; nor may any member be present at or participate in the discussion, or vote on the application of his/her spouse or for any other individual with whom there may be a clearly defined conflict of interest.

4. The Dean of the Library shall be responsible for identifying such situations in #3 above and informing the APPSC of them in writing prior to the Committee's first meeting. Should the APPSC have questions concerning other potential conflicts of interest, the Dean shall be responsible for deciding if a member of the Committee should be excluded from participating in the discussion or voting on a candidate's application for promotion or permanent status.
5. Since an alternate committee member may be required to take the place of an indisposed or ineligible member at any time, the alternates shall participate in all Committee meetings.
6. At its first meeting within a review cycle, the APPSC members and alternates shall elect one of the Committee members to serve as Chair. Depending on which librarians apply for promotion or permanent status review, it is possible that no single Committee member would be eligible to serve as chair for review of all of the candidates. In such circumstances, the Committee shall elect an additional chair to supervise and conduct those reviews for which the first chair is ineligible to serve as a voting member. The Chair shall serve a single year but may serve successive terms.
7. A quorum shall consist of three (3) committee members: the three (3) regular members or, when necessary, either two (2) regular members and one alternate or one regular member and two (2) alternates.
8. The APPSC's work shall be considered confidential to the extent allowed by law. Any discussion or disclosure of matters that come before the APPSC to anyone not on the APPSC; or discussions of these matters in public areas or in unofficial meetings, is inappropriate.

G. Review by the University Academic Rank, Tenure, and Permanent Status Committee

1. The University Academic Rank, Tenure, and Permanent Status Committee shall be composed of the following:
 - a. One faculty member shall be elected from and by each academic department. This person shall have continuous tenure and the rank of Professor, with at least three years of continuous service at Bowie State University. *(If a department does not have an eligible Professor, it should elect the most senior Associate Professor. Department Chairs are not eligible for election to this Committee.)*
 - b. Two at-large representatives who are faculty members having continuous tenure, at least five (5) years of continuous service at Bowie State University, and the rank of

Professor shall be elected from and by each School or College with academic departments.

- c. One permanent status librarian shall be elected by the library faculty.
 - d. The Chair and Vice Chair of the committee shall be elected from the at-large faculty representatives.
 - e. All faculty members elected to the University Academic Rank, Tenure, and Permanent Status Committee shall serve a term of two years, with the exception that, in order to stagger term expirations, the Faculty Elections Committee shall determine which of the at-large faculty representatives elected in the very first election shall serve one-year or two-year terms.
2. The Responsibility of the University Academic Rank, Tenure, and Permanent Status Committee shall be:
 - a. To make recommendations to the Provost regarding the granting of continuous tenure, permanent status, promotion in rank, and other related matters.
 - b. To follow applicable procedures in this Policy and any other applicable University or University System of Maryland Policies.
 3. The Committee and the candidate shall receive the Departmental, Library, and Dean recommendations, and the candidate's full departmental/unit dossier. Within fifteen (15) working days after receipt of the departmental or Library recommendation, the candidate may submit a written response directly to the Chair of the Committee. The candidate shall provide copies of any response to his/her Department Chair, the Dean, and the Provost.
 4. Upon request, the Committee shall afford the candidate and the candidate's Department Chair and/or Dean an opportunity to address the Committee. When the Committee deems it appropriate in unusual circumstances, the Committee may hear from other individuals with knowledge of the candidate's performance and may receive other documents relevant to the candidate's nomination or application. The candidate or the Department Chair or the Dean may request that other individuals be asked to appear before the Committee, but there shall be no right to call witnesses.
 5. All proceedings of the Committee shall be closed, except that the candidate and the Department Chair or Dean of the Library may be present when the Committee is addressed by any person concerning the candidate's nomination or application. The Committee's deliberations shall be closed to all persons other than Committee members.

6. All information received by the University Academic Rank, Tenure, and Permanent Status Committee, from whatever source, shall be held in strict confidence except when required to be disclosed by court order, subpoena, or as required by law. No member of the Committee shall discuss or divulge any information given to or acquired by the Committee with any person who is not a Committee member, except when required to do so by court order, subpoena, or applicable law. Minutes of all Committee proceedings shall be held in the office of the Chair under lock and key. No minutes shall be distributed to any member of the Committee, administrator, faculty member, student, alumni, or any other person or groups of persons, except as a necessary part of the promotion or tenure/permanent status process.
7. By the deadline provided in this Policy, the Committee shall submit to the Provost a detailed memorandum containing the Committee's recommendation concerning each candidate and the reasons for it. If the recommendation is not unanimous, the memorandum shall indicate the numerical vote supporting the recommendation and the minority opinion(s).

H. Review by the Provost

1. The Provost shall receive the recommendations of the University Academic Rank, Tenure, and Permanent Status Committee, School Dean, the Department, the Dean of the Library, and the APPSC; the candidate's response, if appropriate, to the departmental/unit recommendation submitted to the University Academic Rank, Tenure, and Permanent Status Committee; the candidate's full departmental/unit dossier; and any other documents considered by the University Academic Rank, Tenure, and Permanent Status Committee.
2. In his/her discretion, the Provost may consult the candidate, the candidate's Department Chair, School Dean, APPSC, Dean of the Library, or the Chair of the University Academic Rank, Tenure, and Permanent Status Committee. In exceptional circumstances, the Provost may consult other individuals with knowledge of the candidate's performance and may receive additional documents relevant to his/her consideration, to which the candidate may have access.
3. By the deadline provided in this Policy, the Provost shall submit to the President his/her recommendation concerning the candidate's nomination or application. The Provost shall provide a copy of his/her recommendation to the candidate, together with copies of the recommendation of the University Academic Rank, Tenure, and Permanent Status Committee and any views of dissenting members of the Committee. The Provost shall notify the candidate of his/her right to appeal the Provost's recommendation to the Faculty Appeals Committee within fifteen (15) working days after issuance of the recommendation.

I. Appeal to Faculty Appeals Committee

The candidate may appeal an adverse recommendation of the Provost to the Faculty Appeals Committee within fifteen (15) working days after issuance of the recommendation. The procedures for such an appeal are provided in *Section VIII.C.* of this Policy.

J. President's Decision

1. If the candidate does not appeal the recommendation of the Provost to the Faculty Appeals Committee, the candidate may, within fifteen (15) working days after issuance of the Provost's recommendation, submit to the President a response to the Provost's recommendation or to the recommendation of the University Academic Rank, Tenure, and Permanent Status Committee. The President shall then decide whether to grant or deny the promotion, tenure, or permanent status.
2. If the candidate appeals the recommendation of the Provost to the Faculty Appeals Committee, the President shall receive the recommendation of the Faculty Appeals Committee and then decide whether to grant or deny the promotion, tenure, or permanent status.
3. The President shall notify the candidate, the Provost, the Chair of the University Academic Rank, Tenure, and Permanent Status Committee, the School Dean/Dean of the Library of his/her decision.
4. The President's decision to grant or deny tenure, permanent status, or a promotion is final. Before the President makes his/her final decision, he/she may direct that the review process be reopened. If the President orders a reopening of the process, the President may direct that the process be reopened at any level of consideration and may prescribe a limited process to be followed on reopening.

K. Special Cases

1. Whenever the Chair of a Department is nominated or has applied for promotion, the School Dean, in consultation with the tenured faculty members of the department, shall designate a tenured faculty member to perform the role of the Department Chair in the review process.
2. Decisions concerning tenure and academic rank of administrators shall be made on the basis of the criteria established for tenure and promotion contained in this Policy. In particular, such decisions shall be based on academic merit and on the academic needs of the administrator's department.

VII. PROCEDURES FOR TERMINATION OF FACULTY FOR CAUSE

A. Notice of Termination

When the University proposes to terminate the appointment of a faculty member for cause, as provided in *Section III.B.* of this Policy, the Provost shall prepare a notice of the termination. The notice of termination shall state the charges and the facts supporting them with sufficient particularity to give the faculty member notice of the basis for termination. The notice of termination shall be delivered to the faculty member in person or by certified mail, return-receipt requested.

B. Request for a Hearing

Within thirty (30) working days after receipt of the notice of termination, the faculty member may request a Hearing on the charges before either an impartial Officer appointed by the President or before the Faculty Appeals Committee. The faculty member shall make a request for a Hearing in writing to the President, and the President shall promptly appoint a Hearing Officer or notify the Chair of the Faculty Appeals Committee of the request. With the consent of the President, the faculty member may elect a Hearing before the President rather than before a Hearing Officer or the Faculty Appeals Committee.

In any event, the request for a Hearing must be made in writing to the President. This request must indicate before which authority the faculty member wishes to proceed with his/her appeal. If the faculty member elects to proceed before a Hearing Officer, the President shall promptly nominate three (3) potential Hearing Officers from whom the faculty member will select the Hearing Officer who will preside over the appeal. If the faculty member elects to proceed before the Faculty Appeals Committee, the President shall notify the Committee of this request. The faculty member shall include in his/her request the address and telephone number to which notices may be directed.

C. Hearing

1. The faculty member may elect to be represented by counsel of his/her choice throughout the termination proceedings. The faculty member or his/her designee and/or the Provost may request a conference with the Hearing Officer or the Chair of the Faculty Appeals Committee prior to the Hearing to discuss any matters related to the Hearing. The Hearing Officer or the Chair of the Faculty Appeals Committee, as the case may be, shall set a date for the Hearing by mutual agreement with the faculty member. The Hearing shall be held no later than thirty (30) working days after receipt of the faculty member's request for a Hearing. The Hearing Officer or Chair of the Faculty Appeals Committee shall give the faculty member written notice of the date and time for the

Hearing. The written notice also shall establish dates by which any documents to be presented as evidence and the names of potential witnesses must be presented to the Hearing Officer or to the Chair of the Faculty Appeals Committee.

2. Both the University, represented by the Provost or his/her designee, and the faculty member shall have the opportunity to make opening and closing statements, to examine and cross-examine witnesses, and to present documentary evidence. Members of the Faculty Appeals Committee or the Hearing Officer may question witnesses and may call his/her own witnesses, as he/she deems necessary.
3. The Hearing Officer or Chair of the Faculty Appeals Committee shall request the presence of the requested witnesses unless he/she determines that the request is unreasonable or that the testimony sought would be irrelevant to the issues in the Hearing.
4. At the Hearing, the University shall present evidence of the University's basis for termination and shall bear the burden of establishing the basis for termination by a fair preponderance of the evidence.
5. The formal rules of evidence applicable to judicial proceedings shall not apply in the Hearing. The Hearing Officer or Faculty Appeals Committee may receive such evidence as a reasonable person would consider reliable in making important personal decisions. The Hearing Officer or Chair of the Faculty Appeals Committee shall make rulings on issues of relevance and admissibility. The Hearing Officer or the Chair of the Faculty Appeals Committee, with the approval of the Committee, may set reasonable limits on the presentation of evidence and may exclude redundant or irrelevant evidence.
6. The Hearing shall be closed unless both parties agree that it be open to persons other than the parties and their representatives. Except for deliberations of the Faculty Appeals Committee, the proceedings shall be recorded electronically or stenographically or both.
7. At any point during the process, the faculty member may elect to withdraw from the process and accept termination by submitting a written notice of withdrawal to the President and to the Hearing Officer or Chair of the Faculty Appeals Committee.

D. Decision

1. Within thirty (30) working days following the conclusion of the Hearing, the Hearing Officer or the Faculty Appeals Committee shall render proposed findings of fact and a recommended action to the President. The proposed findings and recommendation shall

be based solely on the evidence introduced at the Hearing. Copies of the recommendation shall be provided to the faculty member and to the Provost.

2. Within five (5) working days after receipt of the proposed findings and recommendation of the Hearing Officer or Faculty Appeals Committee, either party may request an opportunity for oral argument before the President.
3. After oral argument, if such is requested, the President shall adopt or reject the proposed findings and recommendation of the Officer or Faculty Appeals Committee. The President shall issue his/ her decision in writing to the faculty member and to the Hearing Officer or the Faculty Appeals Committee, depending on which one heard the case. The President's decision shall be issued within thirty (30) working days after he/she receives the recommendation of the Hearing Officer or the Faculty Appeals Committee.

E. Appeal to the Board of Regents

If the President's decision is to terminate the appointment of the faculty member, the faculty member may appeal the decision to the Board of Regents of the University System of Maryland, which shall render the final decision.

VIII. POLICIES PERTAINING TO ALL PROCEDURES FOR TERMINATION FOR CAUSE AND APPEAL OF DENIAL OF PROMOTION AND TENURE OF FACULTY, OR APPOINTMENT, RANK, AND PERMANENT STATUS OF FACULTY LIBRARIANS

- A. Legitimate differences of opinion may arise in the relationship between the University and a faculty member regarding decisions made by the University and its faculty committees on promotion, tenure, permanent status, and termination. Both the faculty member who wishes to appeal a decision and the University benefit when the University responds to requests for an appeal promptly and fairly. Accordingly, these procedures shall be used to ensure that each faculty member's right to request an appeal is received and adjudicated promptly and fairly.
- B. The Faculty Appeals Committee is a standing committee of the Division of Academic Affairs and is composed of tenured Professors. The President shall appoint one (1) member of the Committee; each Academic Dean, one (1); the Dean of the Library, one (1), and the Provost, one (1). None of the members of the Faculty Appeals Committee shall be members of the University Academic Rank, Tenure, and Permanent Status Committee, and each should be from different academic departments. All appointments to the Faculty Appeals Committee shall be for a term of two (2) years. The Committee shall elect its own Chair and any other officers needed. There must be a quorum for a

Hearing to take place. In an unusual case when this quorum is not possible, the President of the University or his/her designee shall appoint a replacement(s).

IX. APPEALS OF ADVERSE RECOMMENDATIONS REGARDING PROMOTION AND TENURE OR PERMANENT STATUS

- A. A candidate for promotion, tenure, or permanent status may appeal an adverse recommendation by the Provost to the Faculty Appeals Committee, as provided in the promotion, tenure, or permanent status review process established in *Section VI* of this Policy.
- B. Within fifteen (15) working days after issuance of the recommendation of the Provost, the candidate shall submit to the Chair of the Faculty Appeals Committee a request for appeal. The appeal request shall state clearly and concisely the recommendation from which the candidate is appealing and the reasons the candidate believes the recommendation should be reversed. The candidate shall submit with the appeal request any materials that the candidate requests that the Committee consider.
- C. Within thirty(30) working days after receipt of an appeal request, the Chair of the Faculty Appeals Committee shall convene a Hearing on the appeal. A Hearing on an appeal from a promotion or tenure/permanent status recommendation is not an adversarial, trial-type appeal of a denial of promotion or tenure/permanent status; it is a limited review of a highly discretionary decision concerning academic merit.
- D. The Committee ordinarily will hear from the candidate, the candidate's Department Chair (or designee) and/or Dean, the Chair of the University Academic Rank, Tenure, and Permanent Status Committee, and the Provost. In unusual circumstances, the Committee may hear from other individuals with knowledge of the candidate's qualifications or performance. The Committee will not consider materials or issues not considered during the review process leading to the Provost's recommendation, unless good cause is shown why such materials or issues were not brought forth during that process.
- E. The same confidentiality accorded to peer review processes shall be observed in any proceedings before the Faculty Appeals Committee.
- F. At any point during the appeal process, the Faculty Appeals Committee may request, through the President, the advice of the Office of the Attorney General on legal issues presented by the appeal.
- G. By the deadline provided in this Policy, the Faculty Appeals Committee shall render a recommendation to the President concerning the application for promotion or tenure/permanent status. The Committee's function in making this recommendation is

limited to reviewing the appeal of a denial of promotion or tenure/permanent status leading to the Provost's recommendation.

Accordingly, the Committee shall recommend a departure from the Provost's recommendation *only* if it finds that the candidate has demonstrated clearly:

1. that the Provost's recommendation was based on an illegal or impermissible factor that violates freedom of speech or prohibitions against discrimination on the basis of race, ethnic origin, sex, religion, age, or handicap; or
 2. that the Provost's recommendation was arbitrary, capricious, and an abuse of discretion because it was based on clearly erroneous information or was wholly unsupported by information before the Provost; or
 3. that the tenure and promotion review procedures established in this Policy were violated and that the violations were so significant as to cause clear prejudice to the candidate.
- H. The Committee shall not substitute its judgment for that of the Provost, and it shall not recommend departure from the Provost's recommendation on the grounds that one criterion for promotion, tenure, or permanent status was given greater weight than others or that particular materials were considered more significant than other materials.
- I. The Faculty Appeals Committee shall provide its recommendation in writing to the President, the Provost, the Chair of the University Academic Rank, Tenure, and Permanent Status Committee, the Dean, and the candidate. The Committee shall report its recommendation to the President within ten (10) working days after the conclusion of its Hearing. The President's decision shall be final.

10/25/02