

## SECTION II – FACULTY POLICIES AND PROCEDURES

### 49.0 II - 1.00 UNIVERSITY SYSTEM POLICIES ON APPOINTMENT, RANK, AND TENURE OF FACULTY

(Approved by the Board of Regents, April 5, 1989; Amended November 12, 1993; Amended October 6, 1995; Amended April 4, 1997; Amended July 11, 1997; Amended July 10, 1998; Amended December 4, 1998; Amended April 7, 2000; Amended October 27, 2000; Amended December 8, 2000; Technical Amendment September, 2002; Amended February 21, 2003; Amended October 22, 2004; Amended June 22, 2005)

This policy describes the general criteria and procedures related to faculty personnel actions which shall apply to all constituent institutions of the University of Maryland System. The specific criteria for the appointment, promotion, and granting of tenure to faculty by constituent institutions are dependent upon institutional mission. Final authority for the appointment, promotion, and granting of tenure of faculty resides in the chief executive officer of the institution.

#### I. APPOINTMENT OF FACULTY

##### A. SEARCH PROCESS FOR FULL-TIME FACULTY

1. Each constituent institution and the System Office shall have written procedures to describe the search process for full-time faculty members. These procedures shall anticipate and describe the manner in which all new faculty members will be recruited, including special arrangements for inter-institutional appointments, interdepartmental appointments and appointments, in new academic units. A copy of these procedures shall be filed in the office of the Chancellor.
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 the institution's procedures, including adherence to affirmative action guidelines. Years of service in a visiting appointment may, upon mutual agreement of the faculty member and the institution, be counted as probationary years for purposes of consideration for tenure.
3. Search procedures shall reflect the commitment of the institution and the System to equal opportunity and affirmative action, and shall be widely publicized within the institution.
4. Faculty review committees are a part of the review and recommendation process for new full-time faculty appointments. In principle, the procedures which lead to faculty appointments should hold to standards at least as rigorous as those that pertain to promotions to the same academic ranks.

##### B. OFFERS OF APPOINTMENT

1. A final offer of appointment can be made only with the approval of the chief executive officer of the institution, or designee.
2. All faculty appointments shall be made to a designated rank and shall be effective on a specific date. Each institution shall develop a standard contract or letter of appointment for each rank and tenure status, which shall be approved by the Office of the Attorney General for form and legal sufficiency. Each institution shall also develop a faculty handbook which shall include system-wide policies and procedures approved by the Board of Regents and institutional policies and procedures approved by the chief executive officer of the institution that set forth faculty rights and responsibilities. The contract or letter of appointment shall constitute a contractually binding agreement between the institution and the appointee.

##### C. PROVISIONS RELATED TO APPOINTMENTS, PROMOTION, TENURE, AND PERMANENT STATUS

The following provisions are to be furnished to all new faculty at time of initial appointment.

1. 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. For tenure-track appointments, the year in which the appointee is entitled to tenure review under this policy

("mandatory tenure-review year") shall be specified in the original and subsequent contracts/letters of appointment.

Tenure review shall occur in that year unless otherwise agreed in writing by the institution and the appointee. Tenure in any rank can be awarded only by an affirmative decision based upon a formal review.

2. Appointments and reappointments to the rank of full-time Instructor without tenure may be for one to three years, provided no appointment without tenure may extend beyond the end of the mandatory tenure-review year. An appointment to the rank of full-time Instructor will be renewed automatically for one additional year unless the appointee is notified in writing to the contrary in accordance with the following deadlines: not later than March 1 of the first academic year of service if the current appointment expires at the end of that year, not later than December 15 of the second academic year of service if the current appointment expires at the end of that year, and not later than August 1 prior to the third or any subsequent academic year of service if the current appointment expires at the end of that year. For appointments beginning at times other than the start of an academic year, the institution may adjust the notice of nonrenewable dates accordingly by specifying such adjustments in the initial contract or letter of appointment. Appointments to the rank of Instructor may be terminated at any time in accordance with paragraphs I.C.6 through I.C.11.

Tenure in the rank of Instructor can be awarded only by an affirmative decision based upon a formal review. 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 no later than during that sixth year a formal review for tenure. If the institution fails to conduct a tenure review in accordance with the schedule provided in this policy, the appointee is entitled to a further one-year appointment during which the tenure review shall take place. 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.

An instructor who has been reviewed during a mandatory review year, and notified in writing 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 promoted to Assistant Professor. If an Instructor without tenure is appointed as an Assistant Professor, the provisions of I.C.3 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.

3. Appointments and reappointments to the rank of full-time Assistant Professor without tenure may be for one to three years, provided no appointment without tenure may extend beyond the end of the mandatory tenure-review year. An appointment to the rank of full-time Assistant Professor will be renewed automatically for one additional year unless the appointee is notified in writing to the contrary in accordance with the following deadlines: not later than March 1 of the first academic year of service if the current appointment expires at the end of that year, not later than December 15 of the second academic year of service if the current appointment expires at the end of that year, and not later than August 1 prior to the third or any subsequent academic year of service if the current appointment expires at the end of that year. For appointments beginning at times other than the start of an academic year, the institution may adjust the notice of nonrenewable dates accordingly by specifying such adjustments in the initial contract or letter of appointment. Appointments to the rank of Assistant Professor may be terminated at any time in accordance with paragraphs I.C.6 through I.C.11.

Tenure in the rank of Assistant Professor can be awarded only by an affirmative decision based upon a formal review. An Assistant Professor without tenure, whose appointment has been extended to a sixth year of continuous, full-time service shall receive no later than during that sixth year a formal review for tenure. If the institution fails to conduct a tenure review in accordance with the schedule provided in this policy, the appointee is entitled to a further one-year appointment during which the tenure review shall take place. 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.

An Assistant Professor who has been reviewed during a mandatory review year, and notified in writing 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.

4. Appointments or promotions to the rank of full-time Associate Professor require the written approval of the chief executive officer of the institution. New full-time appointments to the rank of Associate Professor may carry immediate tenure provided that each such appointee has been formally reviewed for 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. Promotions to the rank of Associate Professor carry immediate tenure. Consequently such promotions may only be awarded subsequent to a formal tenure review and an award of tenure.

An Associate Professor who is appointed without tenure shall receive a formal review for tenure during the period of appointment in accordance with the following deadlines. If the appointment is for an initial period of one year, then the formal review must be completed, and written 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 written notice must be given that tenure has been granted or denied, by 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 written notice must be given that tenure has been granted or denied, by no later than August 1 prior to the beginning of the final year of the appointment. For appointments beginning at a time other than the start of an academic year, the institution may adjust the notice of tenure denial dates accordingly by specifying the adjustments in the initial contract or letter of appointment. Appointments to the rank of Associate Professor may be terminated at any time as described under paragraphs I.C.6 through I.C.11.

Tenure in the rank of Associate Professor can be awarded only by an affirmative decision based upon a formal review. If the institution fails to conduct a tenure review and provide the required notice in accordance with the schedule provided in this policy, the appointment (unless it is converted to an appointment with tenure) shall be extended for an additional year, so that the notice required by this sections may be provided in full. An Associate Professor who has been notified in writing that tenure has been denied, barring exceptional circumstances, shall receive no further consideration for tenure.

5. Full-time appointments or promotions to the rank of full-time Professor require the written approval of the chief executive officer of the institution. New full-time appointments to the rank of Professor may carry immediate tenure provided that each such appointee has been formally reviewed for 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. Promotions to the rank of Professor carry immediate tenure. Consequently such promotions may only be awarded subsequent to a formal tenure review and an award of tenure.

A Professor who is appointed without tenure shall receive a formal review for tenure during the period of appointment in accordance with the following deadlines. If the appointment is for an initial period of one year, then the formal review must be completed, and written 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 written notice must be given that tenure has been granted or denied, by 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 written notice must be given that tenure has been granted or denied, by no later than August 1 prior to the beginning of the final year of the appointment. For appointments beginning at a time other than the start of an academic year, the institution may adjust the notice of tenure denial dates accordingly by specifying the adjustments in the initial contract or letter of appointment.

Appointments to the rank of Professor may be terminated at any time as described under paragraphs I.C.6 through I.C.11.

Tenure in the rank of Professor can be awarded only by an affirmative decision based upon a formal review. If the institution fails to conduct a tenure review and provide the required notice in accordance with the schedule provided in this policy, the appointment (unless it is converted to an appointment with tenure) shall be extended for an additional year, so that the notice required by this sections may be provided in full. A Professor who has been notified in writing that tenure has been denied, barring exceptional circumstances, shall receive no further consideration for tenure.

6. 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 written agreement between the appointee and the chief executive officer of the institution or designee.
7. (a) The chief executive officer of the institution may terminate the appointment of a tenured or tenure- track appointee for moral turpitude, professional or scholarly misconduct, incompetence, or willful neglect of duty, provided that the charges be stated in writing, that the appointee be furnished a copy thereof, and that the appointee be given an opportunity prior to such termination to request a hearing by an impartial hearing officer appointed by the chief executive officer or a faculty board of review as provided for by the relevant institutional policy body. With the consent of the chief executive officer, the appointee may elect a hearing by the chief executive officer rather than by a hearing officer or a faculty board of review. Upon receipt of notice of termination, the appointee shall have thirty calendar days to request a hearing.

The hearing shall be held no sooner than thirty calendar days after receipt of such a request. The date of the hearing shall be set by mutual agreement of the appointee and the hearing office or faculty board of review. If the chief executive officer appoints a hearing officer or a faculty board of review is appointed, the hearing officer or board shall make a recommendation to the chief executive officer for action to be taken.

The recommendation shall be based only on the evidence of record in the proceeding. Either party to the hearing may request an opportunity for oral argument before the chief executive officer prior to action on the recommendation. If the chief executive officer does not accept the recommendation of the hearing officer or board of review, the reasons shall be communicated promptly in writing to the appointee and the hearing officer or board. In the event that the chief executive officer elects to terminate the appointment, the appointee may appeal to the Board of Regents, which shall render a final decision.

(b) Under exceptional circumstances and following consultation with the chair of the faculty board of review or appropriate faculty committee, the chief executive officer may direct that the appointee be relieved of some or all of his or her institutional duties, without loss of compensation and without prejudice, pending a final decision in the termination proceedings. (In case of emergency involving threat to life, the chief executive officer may act to suspend temporarily prior to consultation.)

(c) The appointee may elect to be represented by counsel of his or her choice throughout termination proceedings.

8. If an appointment is terminated in the manner prescribed in paragraph 7 the chief executive officer of the institution may, at his or 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 or professional or scholarly misconduct shall receive no notice or further compensation beyond the date of final action by the chief executive officer or the Board of Regents.
9. The institution 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 standards and procedures set forth in written institutional policies. The

chief executive officer of the institution shall give a full-time appointee holding tenure notice of such termination at least one year before the date on which the appointment is terminated.

10. Notwithstanding any other provisions to the contrary, the appointment of any non tenured faculty member 50% or more of 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.
11. Appointments shall terminate upon the death of the appointee. Upon termination for this cause the institution shall pay to the estate of the appointee all of the accumulated and unpaid earnings of the appointee plus compensation for accumulated unused annual leave.
12. Appointments to all other ranks not specifically mentioned in II.A.1 and all part-time appointments are for terms not to extend beyond the end of the fiscal year unless otherwise stipulated in the letter of appointment. Faculty appointed to ranks not specifically mentioned in II.A.1 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 required. 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.
13. If in the judgment of the appointee's department chair or supervisor a deficiency in the appointee's professional conduct or performance exists that does not warrant dismissal or suspension, a moderate sanction such as a formal warning or censure may be imposed, provided that the appointee is first afforded an opportunity to contest the action through the established faculty grievance procedure.
14. Unless the appointee agrees otherwise, any changes that are hereafter made in paragraphs I.C.1 through I.C.13 will be applied only to subsequent appointments.
15. 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.
16. The appointee shall be subject to all applicable policies and procedures duly adopted or amended from time to time by the institution or the University System, 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, scholarship and service.

## II. FACULTY RANKS, PROMOTION, TENURE, AND PERMANENT STATUS

### A. GENERAL PRINCIPLES

1. The only faculty ranks which may involve a tenure commitment are: Professor, Associate Professor, Assistant Professor, Instructor, Distinguished University Professor, Senior Staff Scientist, Associate Staff Scientist, Assistant Staff Scientist, Principal Agent, Senior Agent, Agent, (i.e., II.C. 1a-1d, 2a-2c, 3d-3f) 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" or "Medical School Professor"), are for a definite term and do not involve a tenure commitment (i.e., II.C. 2d-2h, 3a-3c, 4a-4g, 5a-5d, 6a-6g). Notwithstanding anything to the contrary in this policy, faculty in certain ranks may be granted permanent status. The only faculty ranks which may involve a permanent-status commitment are Library II, Librarian III, and Librarian IV and such other ranks as the Board of Regents may approve. Permanent status may not be granted to an individual holding the rank of Librarian I.

Permanent status is defined as continuing employment such that a decision to remove an employee must be made by the President of the campus and must be justified by cause as defined by USM and campus policy. Permanent status is an employment status different from tenure.

Each institution shall develop criteria and procedures for the review process leading to the granting of promotion and/or permanent status to occur no later than the sixth year of continuous full-time employment. An appointee who has been notified that permanent status 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 permanent status.

Permanent status can be awarded only by an affirmative decision based upon a formal review. Individuals who have been granted permanent status under BOR VII-2.15 – POLICY ON LIBRARIANS, which is superseded by this policy, shall retain this status. Appointments of faculty librarians with permanent status may be terminated at any time for cause. Cause shall include moral turpitude, professional or scholarly misconduct, incompetence, and/or willful neglect of duty. In addition to being terminated for cause, faculty engaged exclusively or primarily in library services may be terminated because of the discontinuation 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. Procedures for termination of faculty librarians with permanent status are those that apply to tenured and tenure-track faculty, as described in I.C.6 through I.C.11.

Appointments of faculty librarians who do not have permanent status may be terminated for cause under policies and procedures that apply to non-tenure track faculty.

Subject to the approval of the President or designee, the campus libraries of USM constituent institutions shall develop guidelines, procedures, and appropriate criteria for evaluating librarians' performance. These guidelines, procedures, and criteria should be monitored system-wide to ensure equity with respect to standards.

Every institution shall have written procedures governing the processes on granting promotion and permanent status. Following review for form and legal sufficiency by the Office of the Attorney General, these procedures must be submitted to the Chancellor for review and approval.

A person appointed to the position of Director shall serve in that capacity at the pleasure of the President or his or her designee, regardless of whether the appointee has at the time of the appointment, or obtains during the appointment, permanent status as a librarian.

2. In addition to the ranks listed in II.C (below), there may also be such other faculty ranks as institutions shall define and include in their respective appointment, rank, and tenure policies, subject to the approval of the Board of Regents.
3. Institutions should specify in writing to faculty at the time of appointment the length of appointment and the applicable terms and conditions of the appointment with regard to tenure.

#### B. CRITERIA AND PROCEDURES FOR PROMOTION AND TENURE

1. The criteria for tenure and promotion in the University of Maryland System are: (1) teaching effectiveness, including student advising; (2) research, scholarship, and, in appropriate areas, creative activities; and (3) relevant service to the community, profession, and institution. The relative weight of these criteria will be determined by the mission of the institution.
2. The activities considered to be within the criteria for promotion and tenure shall be flexible and expansive. The assessment of teaching, research/scholarship/creative activities, and service during the promotion and tenure process shall give appropriate recognition, consistent with the institution's mission, to faculty accomplishments that are collaborative, interdisciplinary, and inter-institutional and to faculty innovations in areas such as undergraduate education, minority-achievement programs, K-16 curriculum development, and technology-enhanced learning.
3. Every institution shall have written procedures governing the promotion and tenure process. Following review for form and legal sufficiency by the Office of the Attorney General, these procedures must be submitted to the Chancellor for review and approval. These procedures shall include, at a minimum, the following:

Criteria: A statement of criteria upon which reviews will be based, and guidelines for appointment or promotion to each academic rank, with recognition that institutional mission is the primary factor that defines these criteria.

Procedures: A description of tenure and/or promotion review procedures, including participants, documentation, degree of confidentiality, schedule of the annual cycle for reviews, and authority for final approval.

Appeals: A statement of the right of faculty to appeal promotion and tenure decisions, the grounds for such appeals, and a description of appeal procedures.

## C. FACULTY RANKS

Following is a list of all faculty ranks utilized within the University of Maryland System. Specific ranks to be utilized within each constituent institution are to be dependent upon the mission of, and contained within the faculty personnel policies of, that institution.

### 1. FACULTY WITH DUTIES PRIMARILY IN INSTRUCTION, RESEARCH, AND SERVICE

- a. 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. There shall be evidence also of potential for effective teaching and for a successful academic career.
- b. Assistant Professor: The appointee ordinarily shall hold the doctorate or recognized terminal degree in the field of specialization. The appointee should also show potential for superior teaching, service, and research, scholarship, or creative performance, commensurate with the mission of the institution.
- c. Associate Professor: In addition to having the qualifications of an Assistant Professor, the appointee ordinarily shall have had successful experience in teaching and research, scholarship, or creative performance, and, when appropriate to the mission of the institution, be competent to offer graduate instruction and direct graduate research. There shall also be evidence of relevant and effective service to the institution, the community, and the profession.
- d. Professor: In addition to having the qualifications of an Associate Professor, the appointee ordinarily shall have established an outstanding record of teaching and research, scholarship or creative performance, and, where appropriate to the mission of the institution, a national reputation. There shall be continuing evidence of relevant and effective service to the institution, the community, and the profession.

### 2. FACULTY WITH DUTIES PRIMARILY IN RESEARCH

- a. Assistant Staff Scientist: The appointee shall hold the doctoral degree in the field of specialization, and shall have indicated promise of a high degree of ability in research in some subdivision of the field.
- b. Associate Staff Scientist: In addition to the qualifications of an Assistant Staff Scientist, the appointee shall have had extensive successful experience in research. Since this position may carry permanent tenure, the appointee's scholarly production and professional achievement in research will be thoroughly documented.
- c. Senior Staff Scientist: In addition to having the qualifications of an Associate Staff Scientist, the appointee shall have demonstrated a degree of proficiency in research sufficient to establish an excellent national reputation. Appointment to this rank carries tenure.
- d. Faculty Research Assistant: The appointee should be capable of assisting in research under the direction of the head of a research project and should have ability and training adequate to the carrying out of the particular techniques required, the assembling of data, and the use and care of any specialized apparatus. A baccalaureate degree shall be the minimum requirement.

- e. Research Associate: The appointee ordinarily should hold the doctoral degree in the field of specialization, or have relatively comparable experience. The appointee should be capable of carrying out individual research or collaborating in group research at the advanced level; should be trained in research procedures; and should have had the experience and specialized training necessary to develop and interpret data required for success in such research projects as may be undertaken. This appointment is made annually, with reappointment possible for a maximum of six years.
- f. Research Assistant Professor; Assistant Research Scientist; Assistant Research Scholar; Assistant Research Engineer: This rank is generally parallel to Assistant Professor. In addition to the qualifications of a Research Associate, appointees to this rank should have demonstrated superior research abilities. Appointees should be qualified and competent to direct the work of others (such as technicians, graduate students, other senior research personnel). The doctoral degree will be a normal requirement for appointment at this rank. Initial appointment to this rank is for periods up to three years, and reappointment is possible.
- g. Research Associate Professor; Associate Research Scientist; Associate Research Scholar; Associate Research Engineer: This rank is generally parallel to Associate Professor. In addition to the qualifications required of the Assistant ranks, appointees to this rank should have extensive successful experience in scholarly or creative endeavors, and the ability to propose, develop, and manage major research projects. Initial appointment to this rank is for periods up to three years, and reappointment is possible.
- h. Research Professor; Senior Research Scientist; Senior Research Scholar; Senior Research Engineer: This rank is generally parallel to Professor. In addition to the qualifications required of the Associate ranks, appointees to this rank should have demonstrated a degree of proficiency sufficient to establish an excellent reputation among regional and national colleagues.

Appointees should provide tangible evidence of sound scholarly production in research, publications, professional achievements or other distinguished and creative activity. Initial appointment at this rank is for periods up to five years, and reappointment is possible.

### 3. FIELD FACULTY

- a. Associate Agent: The appointee shall hold at least a bachelor's degree, shall qualify for acceptance in a graduate school, and shall show evidence of ability to work with people. The appointee shall have an educational background related to the specific position, and should demonstrate evidence of creative ability to plan and implement Cooperative Extension Service programs. This appointment is made annually, with reappointment possible for a maximum of six years. Attainment of a master's degree in an approved subject area is required before promotion can be considered.
- b. Faculty Extension Assistant: The appointee should be capable of assisting in Extension under the direction of the head of an Extension project and should have ability and training adequate to the carrying out of the particular methodology required, the assembling of data, and the use and care of any specialized apparatus. The baccalaureate degree shall be the minimum requirement.
- c. Faculty Extension Associate: The appointee should be capable of carrying out individual instruction or collaborating in group discussions at the advanced level; should be trained in Extension procedures; and should have had the experience and specialized training necessary to develop and interpret data required for success in such Extension projects as may be undertaken. An earned doctorate shall be the minimum requirement.
- d. Agent: The appointee must hold a master's degree in an appropriate discipline and show evidence of academic ability and leadership skills. The appointee shall have an educational background related to the specific position.

- e. Senior Agent: In addition to the qualifications of an Agent, the appointee must have demonstrated achievement in program development and must have shown originality and creative ability in designing new programs, teaching effectiveness, and evidence of service to the community, institution, and profession. Appointment to this rank may carry tenure.
- f. Principal Agent: In addition to the qualifications of a Senior Agent, the appointee must have demonstrated leadership ability and evidence of service to the community, institution, and profession. The appointee must also have received recognition for contributions to the Cooperative Extension Service sufficient to establish a reputation among State, regional and/or national colleagues, and should have demonstrated evidence of distinguished achievement in creative program development. Appointment to this rank carries tenure.

4. FACULTY ENGAGED EXCLUSIVELY OR PRIMARILY IN CLINICAL TEACHING

- a. Dental School Assistant Professor; Law School Assistant Professor; Medical School Assistant Professor; Nursing School Assistant Professor; Pharmacy School Assistant Professor; Social Work and Community Planning School Assistant Professor: Appointees to this rank shall hold, as a minimum, the terminal professional degree in the field, with training and experience in an area of specialization. There must be clear evidence of a high level of ability in teaching and clinical practice in the departmental field, and the capacity for clinical supervision in a subdivision of this field. Appointees should also have demonstrated scholarly and administrative ability.
- b. Dental School Associate Professor; Law School Associate Professor; Medical School Associate Professor; Nursing School Associate Professor; Pharmacy School Associate Professor; Social Work and Community Planning School Associate Professor:

In addition to the qualifications required of Assistant Professors in this series, appointees shall ordinarily have had extensive successful experience in clinical or professional practice in a field of specialization, or in a subdivision of the departmental field, and in working with and/or directing others (such as professionals, faculty members, graduate students, fellows, residents, or interns) in clinical activities of the profession. Appointees must also have demonstrated superior teaching ability and scholarly or administrative accomplishments.

- c. School Professor; Law School Professor; Medical School Professor; Nursing School Professor; Pharmacy School Professor; Social Work and Community Planning School Professor: In addition to the qualifications required of Associate Professors in this series, appointees shall have demonstrated a degree of excellence in teaching, and clinical and professional practice sufficient to establish an outstanding regional and national reputation among colleagues. Appointees shall also have demonstrated extraordinary scholarly competence and leadership in the profession.
- d. Clinical Instructor: The appointee shall hold, as a minimum, the terminal professional degree in the field. There must be clear evidence of potential in clinical practice and teaching in the departmental field.
- e. Clinical Assistant Professor: The appointee shall hold, as a minimum, the terminal professional degree in the field, with training and experience in an area of specialization. There must be clear evidence of a high level of ability in clinical practice and teaching in the departmental field, and the potential for clinical and teaching excellence in a subdivision of this field. The appointee should also have demonstrated scholarly and/or administrative ability.

- f. Clinical Associate Professor: In addition to the qualifications required of a Clinical Assistant Professor, the appointee should ordinarily have had extensive successful experience in clinical or professional practice in a field of specialization, or in a subdivision of the departmental field, and in working with and/or directing others (such as professionals, faculty members, graduate students, fellows, and residents or interns) in clinical activities in the field. The appointee must also have demonstrated superior teaching ability and scholarly or administrative accomplishments.
- g. Clinical Professor: In addition to the qualifications required of a Clinical Associate Professor, the appointee shall have demonstrated a degree of excellence in clinical practice and teaching sufficient to establish an outstanding regional and national reputation among colleagues. The appointee shall also have demonstrated extraordinary scholarly competence and leadership in the profession.

5. FACULTY ENGAGED EXCLUSIVELY OR PRIMARILY IN LIBRARY SERVICES

The only librarian ranks with non-tenure faculty status are Librarian I, Librarian II, Librarian III, and Librarian IV and such other ranks as the Board of Regents may approve. These titles are to be granted to a limited number of appointees who fulfill roles defined by professional graduate training, such as librarian, curator, archivist, and information scientist. In the overwhelming number of instances, the professional graduate training required is an M.L.S. degree, which is considered the terminal degree in the practice of academic librarianship, from the American Library Association (ALA) - accredited program. However, each constituent institution may define instances when other graduate degrees may substitute for or augment the ALA-accredited M.L.S. Such exceptions will be based on and required by the functional needs of USM libraries. Appointments to these ranks are normally for twelve months with leave and other benefits provided to twelve-month tenured/tenure-track faculty members, with the exception of terminal leave, sabbatical leave, and non-creditable sick leave (collegially supported).

- a. Librarian I: This rank is assigned to librarians just entering librarianship with little or no professional library experience but who have been judged to 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.
- b. Librarian II: Appointment or promotion to this rank signifies that the librarian has demonstrated effective professional knowledge and skills significantly above those expected of a Librarian I. Normally, a minimum of three years of professional experience is required.
- c. Librarian III: Appointment or promotion to this rank signifies that the librarian has mastered the skills, knowledge, and techniques of librarianship and has made meaningful contributions to the library, the institution, the library profession, and/or an academic discipline. Normally, a minimum of six years of professional experience is required, three of which must be at a level comparable to the rank of Librarian II at the appointing USM institution.
- d. Librarian IV: Appointment or promotion to this rank is exceptional. This rank is awarded to those librarians who have made distinctive contributions to the library, the institution, the library profession, and/or an academic discipline. This rank normally requires a minimum of nine years of professional experience, at least three of which must be at a level comparable to the rank of Librarian III at the appointing USM institution.

Subject to the approval of the President or designee, the campus libraries of USM constituent institutions shall develop guidelines, procedures, and appropriate criteria for evaluating librarians' performance. These guidelines, procedures, and criteria should be monitored system-wide to ensure equity with respect to standards.

6. FACULTY WITH DUTIES PRIMARILY IN INSTRUCTION AT UMUC

- a. Collegiate Instructor: The appointee to this non-tenure rank ordinarily should hold, at a minimum, a master's degree appropriate to the area of instruction and have evidence of potential effective teaching. The appointee also should have academic or professional experience relevant to the field.
- b. Collegiate Assistant Professor: The appointee to this non-tenure rank ordinarily shall hold, at a minimum, a terminal degree appropriate to the area of instruction. The appointee also should show potential for superior teaching as well as professional experience relevant to the field.
- c. Collegiate Associate Professor: In addition to having the qualifications of an Assistant Professor, the appointee to this non-tenure rank ordinarily shall have successful experience in teaching as well as professional experience relevant to the field.
- d. Collegiate Professor: In addition to having the qualifications of an Associate Professor, the appointee to this non-tenure rank ordinarily shall have established an outstanding record of teaching as well as professional experience relevant to the field.

7. ADDITIONAL FACULTY RANKS

- a. 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.
- b. 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 professorial appointment. Appointments to this rank shall be for terms not to exceed three years and are renewable.
- c. Senior Lecturer: In addition to having the qualifications of a Lecturer, the appointee shall have completed at least six years as a Lecturer (or in a rank at another institution of higher education that is accepted as comparable to Lecturer), and shall have established a record of teaching excellence and a record of service. Fewer than six years experience may qualify one for this rank if approved by the President or designee. Appointments to this rank shall be for terms not to exceed five years and are renewable.
- d. Artist-in-Residence; Writer-in-Residence; Executive-in-Residence: This title 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 professorial appointment.
- e. 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.
- f. Affiliate Assistant Professor; Affiliate Associate Professor; Affiliate Professor: These titles are used to recognize the affiliation of a faculty member or a member of the professional staff with an academic department, program or center when that individual's appointment and salary lie in another department of the institution.

The appointment will be made upon the recommendation of the faculty of the department, and at a level commensurate with the appointee's qualifications, consistent with standards established for regular tenure track faculty, although tenure cannot be earned on an affiliated appointment. Each institution shall establish guidelines and procedures for awarding these titles.

- g. Visiting Appointments: The prefix “Visiting” before an academic title is used to designate a short-term, full-time appointment without tenure.
- h. Emeritus Faculty Appointments: Emeritus status may be bestowed by an institution on the basis of both quality and length of service to the institution. Each institution shall establish guidelines and procedures for awarding this title. Emeritus titles at the System level may be bestowed by the Chancellor.
- i. Distinguished University Professor: This title may be bestowed by an institution to provide special recognition to faculty members. Each institution that chooses to utilize this title shall establish guidelines and procedures for awarding it.
- j. Professor of the Practice: This title may be used to appoint individuals who have demonstrated excellence in the practice as well as leadership in specific fields. The appointee shall have attained regional and national prominence and, when appropriate, international recognition of outstanding achievement. Additionally, the appointee shall have demonstrated superior teaching ability appropriate to assigned responsibilities. As a minimum, the appointee shall hold the terminal professional degree in the field or equivalent stature by virtue of experience. Appointees will hold the rank of Professor but, while having that stature, will not have rights that are limited to tenured faculty. Initial appointment is for periods up to five years, and reappointment is possible. This title does not carry tenure, nor does time served as a Professor of the Practice count toward achieving tenure in another title. Each institution shall establish guidelines and procedures for awarding this title.

### III. APPLICABILITY

- A. Except as provided in sections B. and C. below, the provisions in this policy shall apply to all individuals who are employed as faculty members in the University of Maryland System as of July 1, 1989, and individuals whose faculty appointment becomes effective on or after July 1, 1989.
- B. The provisions in this policy shall not apply to any faculty member who receives notice of non-reappointment at any time prior to July 1, 1989.
- C. Each tenure-track and tenured faculty member of an institution (i.e., a faculty member holding an academic rank specified in the first sentence of paragraph II. A. 1.) shall (1) be apprised of the provisions in Part I.C., paragraphs 1 through 14 of this policy at the earliest practical time following approval of this policy by the Board of Regents, and (2) be offered an opportunity to elect to remain subject to his or her written faculty contract in effect on April 4, 1989, to the extent and only to the extent that any provision of that contract is inconsistent with Part I.C., paragraphs 1 through 14 of this policy. The election shall be confirmed in a written and signed notification to the institution’s chief executive officer on or before May 12, 1989. Absent such election by the faculty member, the provisions in Part I.C., paragraphs 1 through 14 of this policy shall apply pursuant to paragraph III. A.
- D. Upon the recommendation of the President of the University of Maryland, Baltimore, the Chancellor may establish alternative terms and conditions for the faculty of the University of Maryland School of Medicine modifying the following sections of this Policy: I.C.2, I.C.3, I.C.4, I.C.5, I.C.7 (a), II.A.1, II.A.3, and II.C. The Chancellor shall specify the alternative terms and conditions in writing. Unless an appointee subject to the alternative terms and conditions agrees otherwise, any changes made in the alternative terms and conditions will not apply to that appointee.

The alternative terms and conditions will apply to a tenure track or tenured faculty member appointed as of June 30, 1998, only upon that person’s written request received by September 1, 1998. The alternative terms and conditions shall apply to other School of Medicine faculty as follows: all faculty first appointed and employed on or after July 1, 1998; non-tenure track faculty beginning new appointment terms or changing from one type of appointment to another on or after July 1, 1998, effective as of the date of the new or changed appointment; and non-tenure track faculty whose appointments end after June 30, 1998, who so request by September 1, 1998.

Replacement for: BOR VII-2.15 – POLICY ON LIBRARIANS

## II-1.00 (A) – UMES FACULTY SEARCH AND APPOINTMENT PROCEDURES

(Approved by the President January 1, 1992)

A most important aspect of our University is the life and vitality of our faculty. With decreasing job mobility, and consequently fewer available positions, priority must be given to finding highly qualified candidates when positions become available. UMES is somewhat fortunate in that we have the option to recruit for positions at all levels in contrast with many institutions which are restricted to recruiting faculty at entry-level positions only.

In order for academic searches to function most effectively, the administrative unit in which the candidate is to be housed must assume major responsibility for the search. The task is essentially two-fold: 1) to know and assess critically the ideas and skills of the candidate and 2) to “sell” the department and UMES so that we are able to attract those candidates most highly qualified.

The following is set forth as guidelines for the schools to follow in their search and appointment procedures.

### I. BEFORE THE SEARCH

- A. The department chair, after discussion with faculty and in collaboration with the deans, anticipates recruitment needs.
- B. The dean, in consultation with the Vice President for Academic Affairs, defines the nature of the position (new program needs, courses to be taught, research needs).
- C. A job description for the position is prepared by the department chair and approved by the dean/director and the Vice President for Academic Affairs.
- D. Hiring criteria for each position are to be formulated. These criteria are to reflect the needs for each position as agreed on by the faculty in the academic program. As a part of this process, a basic list of questions must be formulated that would be asked of all candidates during the search interviews. An appropriate rating mechanism for these questions should be designed.
- E. The dean develops an advertisement which portrays accurately the academic and job-related requirements. Appropriate wording to establish “deadline” for application is: “In order to receive full consideration, applications and nominations should be received by \_\_\_\_\_” or “Initial screening for the positions will begin with applications received by \_\_\_\_\_ and continue until the position is filled.”
- F. The dean arranges for placement of the advertisement in the Chronicle of Higher Education and/or other appropriate journals. Procedures for placing an advertisement in the Chronicle are obtained from the Department of Human Resources.
- G. The dean, in conjunction with the Department of Human Resources, circulates the job description as widely as possible. Personalized contacts with known leaders in the field are a most effective means of identifying candidates. The search committee may identify others on campus to assist with such solicitation.
- H. The dean maintains a list of persons and places contacted, and a copy of the advertisement placed.

### II. DURING THE SEARCH

- A. A search committee selected by the dean, in consultation with the Vice President for Academic Affairs, is designated. A written charge is prepared and appointment to the committee is made. In the case of a department chair, the committee is designated by the Vice President for Academic Affairs. The size, composition and method of recommendation of committee membership are determined by school policy.
- B. The search committee arranges to meet with the Department of Human Resources to ensure that Affirmative Action forms and procedures are followed.
- C. The search committee develops voting procedures prior to receiving applications. The method of tallying votes is recorded. Minutes of each meeting should be kept to include members present and accounts of actions taken. Confidentiality of correspondence evaluation and discussion is essential.

- D. After receipt of application, an acknowledgement is to be sent with the Affirmative Action response card. (See letter #1).
- E. The committee acknowledges nominations and solicits expressions of interest. (See letters #2 & #3.)
- F. The search committee records committee deliberations carefully and accurately. (All records including credentials of candidates are deposited with the Department of Human Resources upon completion of the search process. Records should include notes of telephone conversations.)
- G. The search committee assesses credentials of all candidates in relation to job description with as much consistency and objectivity as possible.
- H. The search committee notifies immediately those screened out and notifies others of their status. (See sample letters #4 & #5.)
- I. Recommendations are solicited as appropriate and acknowledged. (See letters #6 & #7.)

### III. AFTER SEARCHING FOR CANDIDATES AND SCREENING CREDENTIALS

- A. The committee chair reports recommendations to the dean.
- B. With concurrence of the dean, arrangements are made for a campus visit. The committee chair informs candidates of and special tasks, i.e., making a presentation, meeting with students. The candidate is informed of UMES' travel reimbursement policies.
- C. The search committee arranges for interviews with faculty, students and appropriate campus administrators. All candidates should meet with the dean, Vice President for Academic Affairs and President, or his or her designee. If the candidate potentially is involved in the graduate program, the Dean of Graduate Studies and Research should be included. Prior to meeting with the candidates, the interviewer should receive the job description, candidate's via and schedule.
- D. The search committee chair ensures that faculty members in the department have an opportunity to see the candidate.
- E. If a formal presentation is to be made, the search committee should be certain that the room is available and necessary equipment present. Announcements of the scheduled presentation should be circulated to appropriate campus community members.
- F. The search committee ensures that candidates visiting campus are afforded appropriate courtesies of a VIP.
- G. The search committee ensures that candidates visiting campus are afforded appropriate courtesies of a VIP.
- H. The search committee must get reactions to the candidate from all persons who interview. Reactions may be obtained through a written response, telephone or in person.
- I. The search committee reports recommendations to the Dean.
- J. The Dean presents recommendations of candidates to the Vice President for Academic Affairs with suggestions regarding rank and salary. Candidates should not be ranked; a minimum of two candidates should be presented.
- K. The Vice President for Academic Affairs discusses salary, benefits, and responsibilities with "selected" candidate. NO candidate should be given the impression that an offer is final until a letter of appointment/contract is received from the President. Candidates should be told that they are being recommended for the available position.
- L. The Vice President for Academic Affairs, in collaboration with the Dean, processes the papers necessary for recommending the appointment to the President.
- M. The Vice President for Academic Affairs notifies remaining candidates that the position has been filled, after acceptance by the candidate. (See example.)

#### IV. DOCUMENTATION OF THE SEARCH

All components of the search, including candidate interviews, are to be documented and become part of the search files for each position.

A final report from the chairman of the search committee describing the search process and outcome should be filed with the Department of Human Resources. The following information should be included:

1. Identification of committee members.
2. A copy of the job description.
3. A list of places where advertisement was run as well as other contacts. Include a copy of each ad.
4. Total number of applicants.
5. Number, sex, and race of applicants interviewed.
6. A copy of any rating form used.

Minutes of the meeting of the committee should record names of committee members present, date of meeting, and any actions taken. The minutes are among the records turned over to the Office of Human Resources.

#### ACADEMIC SEARCH TIMELINE

<u>October 1</u>	Deans/directors discuss with the Vice President for Academic Affairs potential vacancies and potential search committee(s).
<u>October 30</u>	Send final job description and search committee membership to the Vice President for Academic Affairs for approval.
<u>November 10</u>	Appoint a search committee and meet with the Director of Human Resources.
<u>November 15</u>	Place an ad in The Chronicle and other distribution of job vacancy.
<u>Feb. 15 - March 1</u>	Deadline for completion of screening and interview process.
<u>March 30</u>	Campus interviews completed.
<u>April 1</u>	Appointment papers prepared and contracts issued.

Letter #1

Name of Applicant

We have received your application for the position of \_\_\_\_\_. It will receive full consideration by the Search Committee and you will be advised of action as soon as possible.

We would like very much to have you complete the enclosed card with respect to affirmative action/equal opportunity data. The information you provide will in no way affect your application. You do not need to identify yourself on the response card.

Your interest in the University of Maryland Eastern Shore is appreciated.

Sincerely,

\_\_\_\_\_, Chair  
Search Committee

Letter #2

Name of Nominator

Thank you for your interest in our search for a position in our Department of \_\_\_\_\_. We are writing (the nominee) inviting an expression of interest.

Sincerely,

Chair, Search Committee

Letter #3

Name of Nominee

Your name has been suggested to us as a potential candidate for our position in \_\_\_\_\_. We are enclosing a job description. If you are willing to be considered for this position, we would appreciate receiving your academic vita and the names of three persons who would provide us with information about your qualifications for this position.

In order to receive full consideration all materials need to be received no later than \_\_\_\_\_.

Sincerely,

Chair, Search Committee

Letter #4

Dear

We are most appreciative of your interest in the position in our Department of \_\_\_\_\_. The search committee has completed initial screening of a sizeable number of candidates and you are one of several candidates selected for further consideration. The committee will be in touch with you at a later date regarding your specific status in our deliberation.

Sincerely,

Chair, Search Committee

Letter #5

Name

The Search Committee for the position of \_\_\_\_\_ has completed its search to the point where a small group of candidates is being given further consideration for final selection. I am sorry to advise you that you are not among the group being further considered.

We appreciate your willingness to be considered as a candidate and wish you well in your professional career.

Sincerely,

Chair, Search Committee

Letter #6

\_\_\_\_\_ is under consideration for a position in our \_\_\_\_\_ Department and has given your name as a person familiar with his/her qualifications. Any information you can provide to assist us in our search process would be appreciated. A copy of the job description is included for your information.

Your letter will be available to the Search Committee and representatives of the University administration. Your prompt response to this request will be appreciated.

Sincerely,

Chair, Search Committee

Letter #7

Name of Reference

Thank you for your letter of reference on behalf of \_\_\_\_\_ who is being considered for a position at the University of Maryland Eastern Shore. Your comments will be helpful in our deliberations.

Sincerely,

Chair, Search Committee

(Approved by the President January 1, 1992)

I. INTRODUCTION

The policy statement describes the criteria and procedures governing promotion and tenure for faculty personnel at the University of Maryland Eastern Shore. The ranks utilized and the criteria for individual faculty ranks shall be those described in the overall policy of the University System Policy on Appointment, Rank and Tenure of Faculty, approved by the Board of Regents on April 5, 1989. The specific criteria for promotion and tenure decisions in a particular discipline shall be formulated and maintained by the respective academic departments. Copies of the departmental criteria and procedures statements shall be filed in the Office of the President. Final authority for the promotion and granting of tenure of faculty resides in the Office of the President.

II. DEPARTMENTAL PROMOTION AND TENURE DOCUMENTS

Each department shall be responsible for developing and adopting criteria for appraising the qualities and performance of faculty members, including departmental chairpersons.

Promotion in rank shall be based on merit and cannot be considered automatic, or simply the result of loyal service to the University for a number of years. Moreover, successive reappointments or the completion of a specified period of service do not confer a right to appointment with tenure, except as describe in this policy.

A. Criteria

Criteria used in making evaluations shall be based upon the mission of the University of Maryland Eastern Shore. For most faculty members, criteria will include: (1) instruction and student advising, (2) research and scholarship, (3) contributions to the University, and (4) contributions to the community.

B. Instruction and Student Advising

The responsibility for the evaluation of the teaching performance and advising of students rests on the primary academic unit, and each such unit is required to develop appropriate measures. These measures shall include systematic evaluation from students.

C. Research and Scholarship

An important factor in determining merit for appointment, retention, tenure and promotion shall be the faculty member's contributions in the form of research, publications, and other professional or artistic activities. The nature of the performance will vary from one discipline to another, but the general test to be applied is the extent to which the faculty member is engaged effectively in scholarly and creative activity. In fields where publication in recognized journals and books is the primary activity, such publications will be the primary measure of achievement. Evaluation of this working the form of reviews, or otherwise, by leaders in the field outside the University may be considered important evidence of its value.

In fields such as art, music, theater and dance, distinguished performance or direction shall be judged as creative activity. In agriculture, the sciences, and industrial technologies, patented inventions and discoveries may also evidence creative work.

Other measures of professional development are participation in the activities of professional and learned societies; professional service such as consultants; addresses before educational agencies and civic groups; and workshops or other activities of scholarly or innovative nature.

D. Contribution to the University

Contributions to the University may comprise constructive committee service, service in elected faculty office, administrative service, contributions to the extra-curricular activities of students, the development of new academic programs or courses, and the organization of conferences or institutes.

E. Contribution to the Community

Contributions to the community shall consist of any donation of one's professional competence for the benefit of the community.

When being examined for the purpose of tenure or promotion, contributions to the University or the community should be evaluated in terms of their effect upon the advancement of the department, the institution, or the community.

F. Procedures

1. The tasks of identifying and specifying the elements or factors to be considered in evaluating a candidate, their relative significance, and the techniques to be used, are to be carried out by an elected three-to-five member committee of the department. This committee shall develop a document which sets forth procedures for reviewing the credentials of non-tenured persons for purposes of granting contract renewal and/or tenure.
2. The document developed by the committee shall be discussed by the entire department in a meeting and approved by a vote of departmental faculty. The document shall then be transmitted through the Dean of the School to the Vice President for Academic Affairs, who will subsequently submit it to the President for review and approval.
3. Copies of the documents of all departments shall be made available to the library for examination by interested faculty.

### III. PROCEDURES FOR PROMOTION AND TENURE

#### A. Initiation Procedures

In cases of mandatory tenure review, the department chairperson should inform the faculty member, in writing, by October 1 of the sixth year of appointment for an assistant professor, and by October 1 of the mandatory review year for an associate professor, that he or she is to be considered for tenure and/or promotion. However, a faculty member may receive consideration for promotion and/or tenure by requesting such consideration by October 1 of any year prior to his or her mandatory review year.

A negative decision in a non-mandatory tenure review shall not preclude the faculty member's right to proceed toward a review for tenure in the mandatory review year.

#### B. Ad Hoc Departmental Promotion and Tenure Committee

By October 15, the department chairperson shall inform the Dean of the School of the composition of the ad hoc departmental committee which will review each candidate. The dean shall in turn so inform the Vice President for Academic Affairs by November 1. This ad hoc departmental committee shall consist of at least three members, all of whom are senior in rank to the individual being considered. Where there are not enough faculty of sufficient rank in a given department, faculty in a related field will be invited to serve on the ad hoc committee. If there are not at least two departmental members of the sufficient rank to serve on the committee, the committee shall seek advice during its consideration of the case from the tenured members of the department.

1. Each candidate will submit a list of five persons to serve on his or her ad hoc committee; the departmental chairperson will select the committee members from among the persons suggested by the candidate.
2. The faculty member under consideration is responsible for furnishing the ad hoc committee with such materials as are appropriate for due consideration of his or her case. The ad hoc committee is also
3. Charged to exercise all due diligence in obtaining documentation of the person's performance. All documentation gathered by the review committee shall be held in confidence.
4. The ad hoc departmental review committee shall forward its recommendation and supporting materials – both those furnished by the applicant and those obtained by the committee – to the department chairperson by February 15. If the review committee's recommendation is negative, the candidate is so informed by the chairperson and the review is terminated. If the committee's recommendation is positive, the department chairperson shall attach his or her own recommendation to the review committee's recommendation and forward both, along with all supporting materials, to the Dean of the School by March 1. The dean shall review the departmental recommendations and attach his or her recommendation, and forward all materials to the Vice President of Academic Affairs by March 15. The candidate's complete file will be transmitted by the Vice President for Academic Affairs to the UMES Faculty Promotion and Tenure Review Committee.

C. UMES FACULTY PROMOTION AND TENURE REVIEW

1. Membership

Within one month of receiving notification of those candidates to be considered for promotion and/or tenure, the Vice President for Academic Affairs shall hold a special meeting of the UMES faculty to elect members to the UMES Promotion and Tenure Review Committee. This committee shall consist of seven members, elected from tenured full and associate professors not having administrative responsibilities. Department chairpersons, however, will be eligible to serve. At least three of the seven member committee will be full professors who, in cases of candidates for promotion to full professor, will deliberate and vote separately from, and instead of, the full committee. The election of committee members shall be by secret ballot, with each faculty member voting for three candidates, one full professor, and two associate professors. Ballots shall be counted by the Vice President for Academic Affairs and the Chairperson of the UMES Senate. The three committee candidates (one full and two associate professors) receiving the most votes are elected to the committee. From among the next seven candidates receiving the most votes, the Vice President for Academic Affairs will select the remaining four members of the committee.

2. Procedures

The UMES Faculty Promotion and Tenure Review Committee shall review every case forwarded to it by the Vice President for Academic Affairs. Upon receiving the materials and recommendations from all levels, the committee is charged to exercise due diligence in obtaining any additional materials required for evaluation. Upon its review of all materials, the committee shall submit its report and recommendation to the Vice President for a final decision. The President's final decision shall be communicated promptly to the candidate in writing. IF the President's decision is negative, then the letter to the candidate shall specify the reasons for the decision and shall notify the candidate of the appeal procedures contained in Part IV of this policy.

D. Notification

A negative recommendation regarding a candidate for promotion and/or tenure from the ad hoc departmental review committee shall be conveyed to the candidate, in writing, by the department chairperson. If, following a positive recommendation by the ad hoc departmental review committee, subsequent review at any level yields a negative recommendation, then the responsible official at that level (department chairperson, the dean, the chairperson of the UMES faculty Promotion and Tenure Review Committee or the Vice President for Academic Affairs) shall notify the candidate of that fact in writing within five days of forwarding the recommendation to the next level of review. The Notification to the candidate shall (a) identify the level that produced the recommendation, and (b) provide a summary of the reasons for the negative recommendation. The candidate shall be entitled to respond in writing to any negative recommendation, and the candidate's written response, if timely submitted, shall be included in the candidate's file for consideration at each subsequent level of review.

#### IV. APPEALS PROCEDURES

- A. It is the task of the committees specified in the promotion and tenure procedures outlined above to conduct as objective an inquiry into the substantive qualifications of the candidates as possible, to adhere to the prescribed procedures, and to render impartial recommendations and decisions.
- B. A faculty member has the right appeal recommendations and decisions. Grounds for appeal shall be procedural rather than substantive. Was the decision arrived at conscientiously? Was all available evidence bearing on the relevant performance of the candidate sought out and considered? Was there adequate deliberation by department over the evidence in the light of the relevant standards? Was irrelevant and improper information included in consideration? Was the decision an exercise of professional academic judgment? In addition to the above, procedural violations include, but are not limited to, the following:
1. If, upon receipt of a person's application for promotion or tenure, a department chairperson fails to impanel a departmental review committee with adequate time to obtain data on the person;
  2. If the candidate is not given sufficient opportunity to present material in support of the application;
  3. If the candidate's rights of confidentiality are violated;
  4. If evidence of discriminatory practices can be presented;
  5. If the various review sources fail to exercise due diligence in obtaining materials for assessment;
  6. If violation or failure to follow the published guidelines, including the procedures and criteria listed in this document, occurs.

C. Appeals Shall Observe the Following Sequence of Events

1. Following notification of a negative decision by either the ad hoc departmental review committee or the President, the candidate shall be entitled to appeal in accordance with the following procedure.
2. The candidate must file a formal notice of appeal in writing with the Vice President for Academic Affairs within ten days of receipt of notification of negative decision. The notice of appeal and the factual contentions supporting each ground.
3. As soon as practical after receipt of the notice of appeal, and in no event more than five days thereafter, the Vice President for Academic Affairs shall conduct an informal meeting with the candidate to review the grounds for appeal and determine whether the appeal can be satisfactorily resolved without formal proceedings. No records or minutes of the meeting shall be taken or preserved, and the discussion shall be confidential between the parties. Should the appeal not be resolved informally at that stage and should the candidate elect to pursue the appeal, the candidate shall promptly inform the Vice President for Academic Affairs at or within three (3) days after the meeting. The Vice President for Academic Affairs shall promptly impanel an Appeals Committee, consisting of three tenured faculty members who are senior in rank to the candidate and who have no prior direct involvement in the candidate's application for promotion and/or tenure. The basic function of the Appeals Committee shall be to determine whether adequate consideration was given to the case. The term "adequate consideration" Refers to procedural issues, as explained above.

The Appeals Committee is to contact the Vice President for Academic Affairs, who must supply an explanation of the procedures followed and materials used in coming to his or her decision.

The Appeals Committee is also charged to exercise all due diligence in obtaining further information relative to the specific procedural questions involved. Similarly, the Appeals Committee shall compare the procedures used at all levels with established departmental and institutional procedures to determine whether such procedures were properly carried out. In considering the merits of a particular appeal, the Appeals Committee should distinguish between

minor or technical procedural variations which have not adversely influenced the evaluation process and those procedural deviations which may have prejudiced adequate consideration of the candidates' credentials.

4. The Appeals Committee shall make a recommendation in writing to the President. Should the Appeals Committee determine that procedures were followed appropriately and fairly, the President shall notify the appellant and the process of decision should then continue as though no appeal was made.

Should the Appeals Committee determine that procedural errors did occur, it shall inform both the President and the appellant, setting forth the inadequacies found, and shall make a recommendation to the President on whether or into the case should be reconsidered.

If the President decides that the case is to be reconsidered, no new substantive material may be presented except that which was omitted through procedural error, if applicable. After the case has been reconsidered, with procedures amended, all parties shall be informed of the results of such reconsideration. The process shall then continue as though not modified by the appeals procedure.

The initiation of the Appeals Procedure does not operate to dislodge or delay any formal notifications dealing with contract non-retention or tenure denial actions.

#### V. REVIEW OF DOCUMENT

The UMES Policy and Procedures on Promotion and Tenure of Faculty is subject to periodic review by the UMES Senate.

#### VI. APPLICABILITY

Except as provided in Section III of the University Policy on Appointment, Rank and Tenure of Faculty, the provisions in this policy document shall apply to all individuals who are employed as faculty members at the University of Maryland Eastern Shore as of July 1, 1989 and individuals whose faculty appointment became effective on or after July 1, 1989.

**NOTE: Throughout this document, "days" refers to working days.**

II-1.00 UMES POLICY AND PROCEDURES FOR PROMOTION AND PERMANENT STATUS OF FACULTY MEMBERS ENGAGED EXCLUSIVELY OR PRIMARILY IN LIBRARY SERVICES.

INTRODUCTION

This policy statement describes the criteria and procedures governing the appointment, promotion and permanent status for faculty members engaged exclusively or primarily in library services at the University of Maryland Eastern Shore (UMES). Criteria used in reviews shall be based upon the mission the University of Maryland Eastern Shore Library and its close connection with the academic program. For all librarians the criteria will include:

- 1) job performance,
- 2) professional development activities including continuing education, and
- 3) professional services, i.e. to the University, the library profession, and the community.

Professional librarians are employed by the University System of Maryland within the context of:

- a. their functional position category, and
- b. their professional rank.

Position is based on job responsibilities. Rank reflects the individual's level of professional achievement. Rank and position are independent of one another. Each library faculty is in a probationary status during the first year of appointment at UMES.

The Frederick Douglass Library may employ faculty members engaged exclusively or primarily in library services on a part-time basis. In order to be considered eligible for permanent status, a part-time librarian's commitment shall be at least fifty percent (50%) time for the fiscal year. Appointment, reappointment, permanent status, promotion, and termination of part-time librarians shall follow the same policy, procedures, criteria, and calendar as set forth in this document pertaining to full-time faculty. The length of the probationary period for permanent-status consideration shall ordinarily be based upon the number of full-time equivalent years accrued by the librarian at the institution. Part-time faculty at the ranks of Librarian I, Librarian II, Librarian III, and Librarian IV are eligible for full-time positions consistent with institutional policies.

The maintenance of standards and the recognition of achievement are the responsibility and privilege of the profession as a whole and are shared by all its members. To provide the librarians of UMES the opportunity to discharge this responsibility, peer evaluation is one element of the promotion procedure. A committee of peers helps to keep the evaluation process consistent, systematic, broad-based, and fair. The Dean of Library Services makes recommendations to the Vice President for Academic Affairs. The final authority on appointment and promotion decisions rests with the Office of the President.

I. PROCEDURES FOR ASSIGNMENT OF RANK UPON INITIAL APPOINTMENT

In principle, the procedures which lead to librarian faculty appointments should hold to standards at least as rigorous as those that pertain to promotions to the same ranks. Appointment to any rank requires a master's degree from a program accredited by the American Library Association as well as the professional experience and requirements prescribed for that rank. In cases where alternative credentials for the MLS are to be considered for a position, it must be stated in the announcement for the position and must be based on the nature of the position assignment (See USM. BOR 11-1.00). At the time of a librarian's initial appointment to a position within the University of Maryland Eastern Shore, the Dean of Library Services shall commensurate with the criteria stipulated in this policy. When formally offering appointment, the President or designee shall communicate the assigned professional rank to the faculty librarian. The Dean of Library Services shall provide the librarian with a copy of the policy.

II. CRITERIA FOR PROMOTION REVIEW

LIBRARIAN I

No professional library experience is required for the ranking of Librarian.

The candidate must possess a Master's Degree in Library Science (ML, MSLS, etc.) from an ALA accredited institution.

For reappointment, in this Position, the library faculty must demonstrate the ability to provide effective library service required by the position and evidence of the acquisition of additional knowledge, skills and increasing competence. The individual must earn an overall rating of “Satisfactory” (2) or “Very Good” (3) on each annual performance evaluation.

In addition to the job performance specifications, the librarian must participate in professional association activities, seminars, or workshops. A librarian is not eligible for permanent status in this rank. One who has completed his/her third consecutive fiscal year of full-time employment must undergo mandatory review. Promotion to Librarian II, if granted, is announced immediately and becomes effective as of July 1. If promotion to Librarian II is denied during the employee’s sixth consecutive year of full-time employment as Librarian I, the individual’s appointment will be terminated in accordance with applicable provisions of USM personnel policies and regulations. This rank is parallel to Instructor.

## LIBRARIAN II

Review for promotion to Librarian II requires a minimum of three years of progressively responsible experience. A candidate must have met the job performance requirements for Librarian I. In addition, the individual must show satisfactory progress in one or more of the following areas: verifiable contribution to overall operation of an area of responsibility; working independently in one’s position, outside of one’s position, providing assistance to library patrons through public service duty, library orientations, tours, etc.

Satisfactory progress in the area of professional development would be characterized by one or more of the following: membership and participation in professional organizations/conferences on regional, state, national or international levels; a demonstrated growth in the theoretical knowledge of academic librarianship, such as the acquisition of knowledge/skills in multiple areas of responsibility within the library and/or the attainment of new/complex skills via relevant course work or experience. Librarians in this rank must show evidence of professional service to the institution by participating in University affairs, serving on campus committees, or participating in library-wide activities. This rank is parallel to Assistant Professor.

## LIBRARIAN III

Review for promotion to Librarian III requires a minimum of six years of professional experience, three of which must be at level comparable to the rank of Librarian II at UMES. In addition to having met the job performance requirements of a Librarian II, the individual must show a willingness and the ability take on new and more complex responsibilities as evidenced by one or more of the following: rating of “Very Good” (3) or “Outstanding” (4) on annual performance evaluations for the past three years; initiating new projects, procedures, or services which contribute to the library or University goals; participation on relevant system-wide, local or regional committees or task forces. The faculty member must also demonstrate active participation in library-wide decision making.

Satisfactory progress in the area of professional development would be characterized by two or more of the following: membership and participation in professional organizations/conferences on regional, state, national or international levels; publication of articles, exhibit catalogs, book reviews, user manuals, guides, handbooks and bibliographies; development of manuals, guides, media modules that contribute to in-service programs, instruction, other job related responsibilities; advanced studies such as continuing educational activities relevant to the profession, participation in non-academic discipline, acquisition of other skills, e.g. research methods (statistical analysis), computer programming, or indexing, or award, grants, fellowships, honors, letters of commendation.

## LIBRARIAN IV

Review for promotion to Librarian IV begins after at least nine years of professional experience, three of which must be at a level comparable to the rank of Librarian III at UMES. In addition to having met the job performance requirements of a Librarian III, the candidate must satisfy the following criteria for appointment/promotion to rank evidenced by at least two of the following: rating of “Very Good” (3) or “Outstanding” (4) on annual performance evaluations for the past three years, showing high levels of accomplishment in one’s assigned duties; leadership and innovation in the development of new services, projects, and systems to meet the demands of library service; consulting work based on library or academic expertise, or achieving recognition for outstanding service to the UMES Library.

An outstanding record of professional achievement must also be demonstrated as evidenced by one or more of the following: proof of scholarship, e.g. publication in a professional book or journal; planning and implementing a major library project, in-service program or workshop; editorship or contributing editorial services for professional or other scholarly journals or compilations. An advanced degree such as a doctorate or second master's is desirable.

Candidates in this rank must show continuing evidence of relevant and significant service to the institution, the community, and the profession. Satisfactory progress in this area would be characterized by one or more of the following: assuming a leadership role on the UMES campus, e.g. UMES Senate or its committees, or the USM; holding key positions by election or selection in state, regional, national or international professional organizations; evidence of leadership in community service and/or civic organizations; professional contributions to formally organized panels, forums, debates, seminars, etc., at the state, regional, national or international level. This rank is parallel to Professor.

### III. PROCEDURES FOR PROMOTION REVIEW

These guidelines are intended to provide a framework for library faculty entering the process for promotion and/or permanent status review. These procedures have been established to provide an opportunity for review on comparable terms and to offer opportunities for promotion regardless of job assignment.

1. The Dean of Library Services shall notify all library faculty who are in their mandatory review year no later than September 15 that they must apply for promotion/permanent status review.
2. Except as provided in #1, faculty members are responsible for tracking their eligibility for promotional review and for initiating the review process at the appropriate time, if they elect to do so. A candidate must indicate his or her intention in a letter of request to the Dean of Library Services by September 30. (Candidates may elect to initiate review for promotion whenever they feel that early promotion is warranted by their performance/credentials.)
3. Each candidate for promotion must prepare a dossier of written documentation whose purpose is to provide a record of information for the Promotion and Permanent Status Committee (See Appendix B: Documentation). One copy of the dossier must be submitted to the Dean of Library Services by November 30 (See Appendix A: Calendar of Key dates.) The Dean of Library Services shall acknowledge receipt and forward all dossiers to the ad hoc Promotion and Permanent Status Committee within 3-5 days.
4. To provide the PPSC and responsible administrators with appropriate documentation of achievement regarding job performance and professional development, the candidate shall submit three names (and addresses) of individuals who are in a position to comment on the candidate's performance and qualifications. These referees may be drawn from the academic, provisional, or support staff.
5. The Chair of PPSC must request from the named referees, in writing, their written assessment of the candidate. These letters of request from PPSC, along with the letters of recommendation from the referees, will become a part of the dossier.
6. Following its initial consideration of a dossier, should the PPSC determine that the dossier lacks key evidence which the candidate may be able to supply, or if there are suggested alterations which may make the dossier more presentable, the PPSC may submit a written request to the candidate to which the candidate must reply within 10 working days. The candidate may elect to provide the PPSC with the requested documentation or may respond in writing to the Committee to consider the dossier as presented. The PPSC shall continue to review the dossier without prejudice to the candidate.
7. The Chair of the PPSC, or designee, must take accurate notes during the deliberations. These notes will become the official record of the review. This record will clearly state the reasons for the Committee's recommendation. The Committee shall complete its consideration and reach a decision by ballot. This recommendation shall be communicated in writing to the Dean of Library Services by February 15.

8. After the PPSC has submitted its report with supporting documentation to the Dean, he/she will review each report and the documentation for procedural accuracy and comparability of application to criteria. The Dean may accept or reject the request for promotion/permanent status. The Dean shall inform the PPSC and the candidate, in writing, only if the decision is negative. The candidate can then elect to withdraw the application from further consideration or, request that his/her application is forwarded to the Vice President for Academic Affairs. Should the candidate withdraw the application at this point, no reference shall be made to the aborted review when the candidate comes up for promotion in subsequent review cycles. Each application shall be considered on its own merit at the time of submission.
9. The Dean of Library Services shall submit his or her report and recommendation to the Vice President for Academic Affairs by March 15, for review, recommendation and transmittal to the President for final decision.
10. The President's final decision shall be communicated promptly to the applicant in writing. If the final decision is negative, then the President's letter to the candidate shall specify the reasons for the decision and shall notify the candidate of the appeal procedures specified in #11.
11. If the librarian wishes to appeal the decision regarding promotion in rank, or a decision regarding permanent status, the appeal should be submitted in accordance with the **UMES Policy and Procedures on Promotion and Tenure of Faculty – Campus Policy #: 11-1.00 (B): Section IV, Appeals Procedures.**
12. Promotion, if granted, is announced immediately and becomes effective as of July 1.

#### IV. PROCEDURES FOR PERMANENT STATUS REVIEW

Permanent status is defined as continuing employment such that a decision to remove an employee must be made by the President of the campus and must be justified by cause as defined by USM and campus policy. The only faculty ranks which may involved a permanent status commitment are Librarian II,

Librarian III and Librarian IV and such other ranks as the Board of Regents may approve. Permanent status can be awarded only by an affirmative decision based upon a formal review. The criteria and procedure for review are the same as those prescribed for promotion within rank.

Regardless of rank held a faculty member who has completed his/her fifth consecutive year of employment must undergo mandatory review in the sixth year. Such review shall result in a decision to confer or deny permanent status to the individual. An appointee who has been notified that permanent status 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 permanent status. Years in rank are counted beginning with the first July I an individual is appointed at the UMES library.

The appointment of faculty librarians with permanent status may be terminated at any time for cause. Cause shall include moral turpitude, professional or scholarly misconduct, incompetence, and/or willful neglect of duty. In addition, faculty appointment may be terminated due to the discontinuation of the department, program or unit in which the appointment was made due to the lack of funds. Procedures for termination of faculty librarians with permanent status are those that apply to tenured and tenure-track faculty, as described in I.C.6 through I.C.12. Appointment of faculty librarians without permanent status may be terminated for cause under policies and procedures that apply to non-tenure track faculty (See I.C.6 through I.C.16). A person appointed to the position of Director/Dean shall serve in that capacity at the pleasure of the President or his/her designee, regardless of whether the appointee had at the time of the appointment, or obtained during the appointment, permanent status as a faculty librarian.

#### V. PROCEDURES FOR PROFESSIONAL AND/OR RESEARCH LEAVE

The President may grant professional and/or research leaves to faculty members consistent with the USM Bylaws, Policies and Procedures of the Board of Regents 11-2.01 and the following UMES guidelines:

Full-time faculty must have permanent status and a minimum of six years active service at UMES library. Leave of absence without pay shall not be regarded as service to the institution for purpose of determining eligibility for professional and/or research leave. Part-time faculty must have permanent status, with six or more years of at least half-time service.

Full and part-time faculty librarians may be granted professional leave for either one-half of the recipient's annual contract period at full compensation, or the full annual contract period at one-half normal compensation.

Factors to consider in the awarding of professional and/or research leave may include the candidate's past service to the library, and possible disruption to the library's schedule. The opportunity to conduct scholarly work or gain internship experience to increase the recipient's value to UMES in carrying out its mission is of the highest importance.

A faculty member will normally be permitted (with the approval of the President or designee) to accept, in addition to the compensation received from the institution, such grants, compensation or stipend as may be related to the approved leave.

For the application procedures refer to UMES Faculty Campus Policy #11-2.00(F).

## VI. DEFINITIONS AND OPERATING PRODECURES FOR THE PROMITON AND PERMANENT STATUS COMMITTEE

The purpose of the Promotion and Permanent Status Committee (PPSC) is to serve as a forum where proposed promotions of librarians to the senior ranks are reviewed by their peers already in those ranks. The PPSC considers and reports on the accomplishments of each candidate within the criteria defined in this policy. The Committee, after its deliberations submits to the Dean of Library Services and evaluation of the candidate's qualifications for promotion/permanent status.

1. The PPSC is an ad hoc committee, which consists of three librarians above the rank of Librarian I, holding permanent status. The Dean of Library Services is ineligible for service on the Promotion and Permanent Status Committee. If it is the case that there are not enough librarians at or above the rant of the candidate under review for promotion, the committee shall be reconstituted (see #6 below).
2. The Dean of Library Services shall appoint one member and one alternate. Two members are to be elected &by a secret ballot) by all eligible faculty of the UMES library holding full time appointments.
3. Membership to this committee shall be for one review year (July 1 through May 15) and is not restricted to any consecutive terms. To prevent the same individual serving repeatedly, the Dean of Library Services should appoint different persons every year.
4. The alternate committee member will participate as a non-voting member in all review deliberations. The alternate will replace any member who steps down for any of the reasons outlined in #5 below.
5. Committee members must be of equal or higher rank than the rank which the candidate is seeking. No committee member may participate in the promotion/permanent status review of any candidate under his direct supervision. (Conversely, no committee member must participate in the promotion review of his/her supervisor.) No committee member may participate in the deliberations for, or vote on the application of his/her spouse or any individual with whom there may be a clearly defined conflict of interest. If a committee member should be away for more than two scheduled meetings the alternate shall replace the regular member.
6. At its first meeting within a review cycle, the PPSC member shall elect a Chairperson. In a case where the chair or other members are not of sufficient rank to review a particular candidate the committee shall be reconstituted, and, if necessary, faculty with the requisite ranks at UMES will be invited to complete the required number for the committee. The Dean will select the required number plus one appropriately ranked faculty a possible candidates for ht PPSC. These individuals will be voted on by all eligible library faculty.
7. A quorum shall consist of the full eligible voting membership of the Committee. Since the Committee is active only during a relatively short period of the year, members must make an effort to attend all meetings.
8. In promotion and permanent status decisions eligible faculty are those librarians with permanent status at or above the rank aspired to for promotion. In elections to the PPSC eligible faculty are all librarians above the rank of Librarian I.

9. All records, communications and matters relating to promotions and permanent status review must be regarded as confidential. Any breach of this confidentiality shall be considered as serious and subject to disciplinary action.

## VII. GRADING SYSTEM

The following 100 point scoring system shall be used to evaluate applicants for promotion/permanent status review. The minimum score necessary to achieve promotion/permanent status shall be 80 points. A general formula to determine the point breakdown is as follows: a maximum of 70 points will be assigned to Job Performance, 20 points to Professional Development, and 10 points to Professional Service.

Pass = 80% Minimum  
Job Performance = 70%  
Professional Development = 20%  
Professional Service = 10%

## APPENDIX A

### CALENDAR OF KEY DATES

September 15	Notification in writing by Dena of Library Services to library faculty who must undergo mandatory review
September 30	Deadline for submitting letter of request for promotion to the Dean of Library Services
October 15	Appointment/Election of Promotion and Permanent Status Committee
November 30	Deadline for submission of dossier to Dean of Library Services
February 15	Promotion and Permanent Status Committee submits reports to the Dean of Library Services
March 15	Dean forwards recommendations to Vice President for Academic Affairs for submission to the Campus-Wide Promotion and Tenure Committee

## APPENDIX B

### DOCUMENTATION

Candidates for promotion may include any documentation they deem appropriate. Candidates applying for promotion to Librarian IV should be especially sensitive to the fact that the evaluation period may encompass a candidate's entire professional career, so that the overall pattern or evolution of a career may be viewed in its entire context.

- I. Items to be Supplied by the Candidate
  - a. Candidate's letter of request to the Dean of Library Services for promotion/permanent status, indicating present rank and the rank to which promotion is requested.
  - b. Resume
  - c. Publications
  - d. Copies of all annual performance evaluations from the candidate's personnel file.
  - e. List of referees: Candidate must indicate three individuals who will be asked to send additional information. The list may include UMES faculty, other colleagues on staff, or support staff.

II. Items to be Supplied by Others

- a. Letters of Reference: Correspondence from those individuals whose names were supplied by the candidate.

Letters from the PPSC to the candidate, referees, the decision of the Dean of Library Services, and a copy of the President's decision must be placed in a labeled folder. All these documents shall become a part of the final dossier to be placed in storage at the end of the process, in security for the University.

APPENDIX C

USM Bylaws, Policies and Procedures of the Board of Regents

15.0 II-1.01- RESOLUTION REGARDING ADOPTION AND IMPLEMENTATION OF UNIVERSITY SYSTEM POLICY ON APPOINTMENT, RANK, AND TENURE OF FACULTY

(Approved by the Board of Regents, April 5, 1989)

WHEREAS, legislation enacted by the Maryland General Assembly in 1988 requires the Board of Regents to "establish general standards and guidelines governing the appointment, compensation, advancement, tenure, and termination of all faculty and administrative personnel in the University of Maryland System" [Senate Bill 459, now codified in Md. Educ. Code Ann. Section 12-110(a)]; and

WHEREAS, the Board of Regents has established as one of its first priorities the development of a comprehensive general policy on the appointment, rank, and tenure of faculty members; and

WHEREAS, the development of such a policy has been undertaken and has involved extensive consultation with representative faculty bodies and responsible institutional administrators at all institutions in the University of Maryland System as well as the recommendations of the Chancellor in consultation with the chief executive officers of all institutions in the University of Maryland System and the Attorney General's Office; and

WHEREAS, it is the intent of the Board of Regents to implement a comprehensive general policy on the appointment, rank, and tenure of faculty members that will allow the University of Maryland System to fulfill its statutory obligation to "recruit and retain nationally and internationally prominent faculty members" (Senate Bill 459, now codified in Md. Educ. Code Ann. Section 10-209(c)(3));

NOW, THEREFORE, BE IT RESOLVED as follows:

- (1) The Board approves and adopts the University System Policy on Appointment, Rank, and Tenure of Faculty dated April 4, 1989 (referred to below as the "A.R.T. Policy").
- (2) The A.R.T. Policy shall become effective at each constituent institution in the University of Maryland System when that institution's appointment, rank, and tenure policy is approved by the Chancellor in accordance with paragraph II.B.2 of the A.R.T. Policy. As of the date of that approval, the chief executive officer shall be delegated authority to appoint, promote, grant tenure, and terminate faculty in accordance with (a) the A.R.T. Policy, and (b) institutional policies adopted in accordance with paragraph II.B.2 of the A.R.T. Policy.
- (3) Upon the Chancellor's approval of an institution's appointment, rank, and tenure policy, all policies specific to that institution pertaining to the appointment, promotion, and tenure of faculty that were heretofore adopted by the former University of Maryland Board of Regents and the former Board of Trustees for State Universities and Colleges shall be rescinded, and all general policies on appointment, rank, and tenure of faculty heretofore adopted by those former boards are thereupon superseded for that institution by the A.R.T. Policy.<sup>1</sup>
- (4) The chief executive officer of each institution may sub-delegate to the appropriate subordinate institutional official the authority to make appointments and promotions and to assign duties; but the chief executive officer may not sub-delegate authority to grant tenure or to terminate tenured or tenure-track faculty appointments for cause.
- (5) Unless and until modified by the Board of Regents, all other matters related to faculty and other academic personnel, including but not limited to policies and procedures regarding leaves, outside employment, patents and copyright, scholarship and professional misconduct, retirement, and retrenchment, shall continue to be governed by the policies of the University of Maryland Board of Regents and the Board of Trustees of State Universities and Colleges as such policies existed prior to the effective date of the 1988 legislation.

1 - Individual institutional policies to be rescinded, as provided in paragraph (3) above are: BOR III-2.05, III-2.06, III-2.13, III-2.16.1, III-2.16.2, III-2.16.3, III-2.16.4, III- 2.16.5, III-2.16.6, III-2.20, III-2.20.1, III-2.21, III-2.22, III-4.10, III-5.00, III-6.00, and III-8.00. General policies related to appointment, rank, and tenure of faculty to be rescinded after institution-level policies have been approved for every constituent institution are: BOR III-1.00, III-1.01, III- 1.01.1, III-2.00, III-2.00.1, III-2.01, III-2.02, III-2.03, III- 2.04, III-2.04.1, III-2.07, III-2.07.1, III-2.08, III-2.08.1, III-2.08.2, III-2.09, III-2.10, III-2.10.1, III-2.14.2, III-2.15, III-2.16, III-4.00, and III-7.00; and Chapter VII, Parts A through F, J and L through N, and Appendices A through D of Policies and Procedures of the Board of Trustees of the State Universities and Colleges of Maryland.

16.0 II-1.02 UNIVERSITY OF MARYLAND SYSTEM POLICY ON FACULTY  
ACADEMIC CREDENTIALS

(Approved by the Board of Regents, February 27, 1991)

1. Each institution shall establish procedures whereby the academic credentials of persons recommended for initial appointment to its tenure tract and tenured faculty may be verified. The normal minimum degree requirement for each rank is set forth in the System Policy on Appointment Rank and Tenure for Faculty (II - 1.00).
2. A curriculum vitae, certified by the prospective faculty member, shall accompany each recommendation for initial appointment to the faculty.
3. Verification of a degree may be established by submission of an official transcript or official certification of award of the degree from the institution that awarded the highest degree claimed by the faculty member.
4. Since appointment to tenured status requires evidence of demonstrated proficiency and excellence in teaching, research or creative activity, and professional service to an academic institution or to the discipline, letters of recommendation from recognized experts that attest to these qualifications may, in these cases, be substituted for official transcripts or certificates of award of degrees.

## II.1.02 (A) UMES PROCEDURES FOR VERIFICATION OF FACULTY ACADEMIC CREDENTIALS

(Approved by the President January 1, 1992)

UMES follows the guidelines set forth in the System Policy II-1.02 concerning the verification of faculty academic credentials.

Prior to an initial appointment to any faculty rank at UMES, academic credentials must be verified in the following manner:

1. A curriculum vita, certified by the prospective faculty member must accompany the recommendation for appointment.
2. Prior to appointment, a prospective faculty member is required to have had official copies of academic transcripts submitted from all institutions from which a degree was awarded.
3. The above requirements may be waived by the President.

II – 1.03 UNIVERSITY SYSTEM POLICY ON CONCURRENT FACULTY AND ADMINISTRATIVE APPOINTMENTS

(Approved by the Board of Regents, July 7, 2000)

1. Each faculty member appointed to a concurrent administrative position shall receive a formal letter of appointment.
  - a. Any faculty member who is appointed to a concurrent administrative position shall receive a formal letter of appointment separate from his or her faculty contract or appointment letter.
  - b. A person who is simultaneously appointed to a faculty position and a concurrent administrative position shall receive a separate contract or appointment letter for each position.
  - c. A serving administrator who is appointed to a concurrent faculty position shall receive a faculty contract or appointment letter separate from his or her administrative appointment letter.
2. A faculty member who holds a concurrent administrative position serves in that position at the pleasure of the appointing authority unless otherwise specified in the appointment letter. For such faculty members, termination of the administrative appointment does not affect faculty status.
3. Appointment letters for concurrent administrative positions shall:
  - a. State that the appointee serves at the pleasure of the appointing authority or, if that is not the case, state the term of the appointment.
  - b. State any additional salary and other forms of compensation to be paid the appointee for serving in the concurrent administrative position and the salary calculation method to be used upon termination of the concurrent administrative appointment. (Institutions shall determine their own systems for converting salaries.);
  - c. State whether the time spent in the concurrent administrative position shall count toward eligibility for sabbatical leave (The letter shall indicate that approval of sabbatical leave is a separate issue from accrual of years of eligibility toward sabbatical leave.);
  - d. Identify the applicable Board of Regents' and institutional policies on the accrual of annual, sick and personal leave;
  - e. State, for tenure-track faculty members, whether or not the time in the concurrent administrative position counts as time toward promotion and/or tenure;
  - f. State whether or not the time in the concurrent administrative position is included or excluded when schedules of comprehensive review of tenured faculty are determined; and
  - g. Indicate which faculty rights (e.g., voting rights) the person shall have, if any.

II – 1.05 POLICY ON THE EMPLOYMENT OF FULL-TIME, NON-TENURE TRACK INSTRUCTIONAL FACULTY IN THE UNIVERSITY SYSTEM OF MARYLAND

(Approved by the Board of Regents on October 11, 2002)

I. PURPOSE

This policy is designed to govern practices at institutions of the University System of Maryland (USM) related to search processes, appointments, contracts, and conditions of employment for full-time non-tenure-track (FTNTT) instructional faculty to assure high quality of instruction by individuals with appropriate credentials and experience and to provide a set of baseline policies for FTNTT faculty in all USM institutions.

II. APPLICABILITY

This policy applies only to those faculty members of the USM institutions (i) who are employed full-time, (ii) who are neither tenured nor eligible for tenure, and (iii) whose responsibilities are primarily or exclusively in the instructional program.

III. DEFINITION OF “FULL-TIME”

The institutional president or designee shall assure that each department or unit that has instructional faculty adopts a definition of “full-time.” The workload expectation for FTNTT instructional faculty shall be specified on an academic-year basis, not on a semester basis.

IV. RANKS

Current BOR policy (II-1.00) lists the following approved ranks that may be used for FTNTT instructional faculty. Institutions shall confer on each FTNTT instructional faculty member one of the following ranks, as appropriate and commensurate with credentials and professional experience. (Institutions are not required to use all available ranks.)

Assistant Instructor  
Lecturer

The University of Maryland University College may also assign ranks in the Collegiate series (See USM Policy II-1.00, Section II.C.6.a.-d.).

V. POLICY

A. Search

1. Credentials: Each institution shall develop written standards for the academic degrees or professional certifications and professional experience required for appointment to FTNTT instructional faculty ranks. These standards may vary depending on the level of courses to be taught.
2. Search Procedures: The institutional president or designee shall assure that each department or unit has in place written procedures for selecting faculty. These procedures shall include verification of credentials. Search procedures shall reflect the commitment of the institutions and the University System of Maryland to equal opportunity and affirmative action.

B. Hiring

1. Contracts/Letters of Appointments: Each FTNTT faculty member shall be provided with a written contract or letter of appointment prior to the beginning of the assignment. The contract or letter shall state that the appointment is full-time and state the academic rank, length of appointment, time of service (9 months, 9.5 months, one year), salary, whether or not the appointment is renewable, nature of the assignment, benefits (see below, Section C.7.), and performance-evaluation policies and procedures.
2. Information for Faculty: Upon signing the contract, the FTNTT faculty member shall have access to the institution’s Faculty Handbook, in a written or electronic version.

3. Term of Employment: Normally, initial contracts shall be for one academic year. Subsequent contracts may be for longer terms, not to exceed three years (five years in the case of UMUC Collegiate faculty). Notice of non-renewal shall be provided in accordance with Board of Regents Policy II-1.00 University System Policy on Appointment, Rank, and Tenure of Faculty (Section 1.C.12).

C. Working Conditions

1. Support for Teaching: The appointing department or unit shall provide each FTNTT instructional faculty member with the support it determines to be necessary for the execution of the appointee's duties. Provision should be made for new appointees to attend departmental and institutional orientation sessions. Support shall also include the following:
  - a. information on the department's policies, requirements, and goals for each course, along with access to examples of past course syllabi (if available);
  - b. official schedule of classes, including academic calendar and time frames of class meetings;
  - c. assistance in ordering textbook(s) for the course(s), ancillaries for the text(s), and office supplies;
  - d. copying services for course materials;
  - e. an appropriate place for meeting with students during scheduled office hours, except if instruction is completely technology-mediated;
  - f. an institutional email account along with computer access; and
  - g. telephone access.
2. Professional Development: Professional development opportunities for FTNTT instructional faculty members should be supported to the extent possible. Examples include extending invitations to departmental and institutional faculty development events, arranging mentoring by senior faculty, and providing financial support for attending professional conferences when funds permit.
3. Teaching Assignment: The appointing department or unit shall provide FTNTT faculty with reasonable and adequate notice of projected teaching assignments prior to the start of classes. Notice of 45 days is suggested.
4. Performance Evaluation: The institutional president or designee shall assure that each department or unit has in place written procedures for evaluating faculty performance on a regular schedule, as required by Board of Regent's Policy II-1.20. Departments shall evaluate the teaching of FTNTT faculty members on the same basis used to evaluate the teaching of tenure-track faculty members. Evaluations shall be kept on record in a personnel file and shall be consulted when decisions about promotion, salary, and any subsequent contract are made.
5. Faculty Participation: FTNTT faculty members shall be integrated into the scholarly, intellectual, academic, and social life of the department or unit, and institution. Institutional shared-governance procedures shall include FTNTT faculty.
6. Salaries: Every effort should be made to make salaries professionally appropriate and competitive to the extent allowed by available fiscal resources.

7. Benefits: FTNTT instructional faculty contracts and letters of appointment shall include a written statement of benefits available to the appointees. Appointees shall be provided with access to relevant BOR policies governing the provision of benefits to USM faculty and staff. FTNTT instructional faculty shall be eligible for the benefits listed in sections 7.a. and 7.b., subject to the terms of the policy cited.

a. USM Benefits

- (i) Tuition remission for faculty member (See USM Policy VII-4.10);
- (ii) Tuition remission for dependents (see USM Policy VII- 4.20);
- (iii) Family and medical leave (see USM Policy II-2.31);
- (iv) Annual leave (see USM Policy II-2.40);
- (v) Earned sick leave (see USM Policy II-2.30);
- (vi) Collegial sick leave (see USM Policy II-2.30);
- (vii) Personal leave (see USM Policy II-2.40);
- (viii) Leave for jury service (see USM Policy II-2.50);
- (ix) Leave without pay (see USM Policy II-2.20).

Full-time non-tenure-track faculty shall be ineligible for sabbatical leave or for terminal leave, regardless of length of service.

b. Institutional Benefits: Institution-controlled benefits provided to full-time tenured and tenure-track faculty and their spouses and dependent children.

## II – 1.06 POLICY ON THE EMPLOYMENT OF PART-TIME, NON-TENURE TRACK INSTRUCTIONAL FACULTY IN THE UNIVERSITY SYSTEM OF MARYLAND

(Approved by the Board of Regents on October 11, 2002)

### I. PURPOSE

This policy is designed to govern practices at institutions of the University System of Maryland (USM) related to search processes, appointments, contracts, and conditions of employment for part-time, non-tenure-track (PTNTT) instructional faculty to assure high quality of instruction by individuals with appropriate credentials and experience and to provide a set of baseline policies for PTNTT faculty in all USM institutions.

### II. APPLICABILITY

This policy applies only to faculty members of the USM institutions (i) who are employed on a less than full-time basis, (ii) who are neither tenured nor eligible for tenure, and (iii) whose responsibilities are primarily or exclusively in the instructional program.

### III. PERCENT OF EFFORT

The percent of effort of PTNTT faculty members shall be based on the definition pursuant to USM Policy II-1.05 and shall be calculated either on a semester or an academic-year basis, depending on the length of the appointment. If the appointment is for an academic year, the calculation shall not be done on a semester basis, even though there may be disparities between semesters in the assigned teaching load.

### IV. RANKS

BOR Policy (II-1.00) lists the following approved ranks that may be used for PTNNT instructional faculty. Institutions shall confer on each PTNTT instructional faculty member one of the following ranks, as appropriate and commensurate with credentials and professional experience. (Institutions are not required to use all available ranks.)

- a. Assistant Instructor
- b. Lecturer
- c. Adjunct Assistant Professor
- d. Adjunct Associate Professor
- e. Adjunct Professor

The University of Maryland University College may also assign ranks in the Collegiate series (See USM Policy II-1.00, Section II.C.6.a.-d.).

### V. POLICY

#### A. Search

1. Credentials. Each institution shall develop written standards for the academic degrees or professional certifications and professional experience required for appointment to PTNTT instructional faculty ranks. These standards may vary depending on the level of courses to be taught.
2. Search Procedures. The institutional president or designee shall assure that each department or unit has in place written procedures for selecting faculty. These procedures shall include verification of credentials. Search procedures shall reflect the commitment of the institution and the University System of Maryland to equal opportunity and affirmative action.

B. Hiring

1. Contracts/Letters of Appointment. Each PTNTT faculty member shall be provided with a written contract or formal letter of appointment prior to the beginning of the assignment. The contract or letter shall state the academic rank, length of appointment, time of service (9 months, 9.5 months, one year), percent of full-time, salary, whether or not the appointment is renewable, nature of the assignment, benefits (if any), and performance-evaluation policies and procedures. In addition, all contracts/letters of offer shall specify what happens if a course is canceled prior to the start of class.
2. Information for Faculty. Upon signing the contract, the PTNTT faculty member shall have access to the institution's Faculty Handbook, in a written or electronic version.
3. Term of Employment. Initial contracts shall be for a period of one semester, but subsequent contracts may be for longer periods not to exceed three years.

C. Working Conditions

1. Support for Teaching. The appointing development or unit shall provide each PTNTT instructional faculty member with the support it determines to be necessary for the execution of the appointee's duties. Provision should be made for new appointees to attend departmental and institutional orientation sessions. Support shall also include the following:
  - a. information on the department's policies, requirements, and goals for each course, along with access to examples of past course syllabi (if available);
  - b. official schedule of classes, including academic calendar and time frames of class meetings;
  - c. assistance in ordering textbook(s) for the course(s), ancillaries for the text(s), and office supplies;
  - d. copying services for course materials;
  - e. appropriate place for meeting with students during scheduled office hours, except if instruction is completely technology-mediated;
  - f. an institutional email account along with computer access; and
  - g. telephone access.
2. Professional Development. Professional development opportunities for PTNTT instructional faculty should be supported to the extent possible. This may include extending invitations to departmental, institutional, and external faculty development events.
3. Teaching Assignment. The appointing department or unit shall provide PTNTT faculty with reasonable and adequate notice of projected teaching assignments prior to the start of classes. Notice of 45 days is suggested.
4. Performance Evaluation. The institutional president or designee shall assure that each department or unit has in place written procedures for evaluating faculty performance on a regular schedule, as required by Board of Regents' Policy II-1.20. Departments shall evaluate the teaching of PTNTT faculty members on the same basis used to evaluate the teaching of tenure-track faculty members. Evaluations shall be kept on record in a personnel file and shall be consulted when decisions about promotion, salary, and any subsequent contract are made.
5. Faculty Participation. PTNTT faculty members shall be integrated into the scholarly, intellectual, academic, and social life of the department or unit, and institution. Institutional shared-governance procedures shall include PTNTT faculty
6. Salaries. Every effort should be made to make salaries professionally appropriate and competitive to the extent allowed by available fiscal resources.

7. Benefits. PTNTT instructional faculty contracts and letters of appointment shall include a written statement of benefits available to the appointees. Appointees shall be provided with access to relevant BOR policies governing the provision of those benefits to USM faculty and staff. PTNTT instructional faculty in their fifth semester of appointment at 50% time or more shall be eligible for the benefits listed in sections 7.a. and 7.b, subject to the terms of the policies cited.

a. USM Benefits

- (i) Tuition remission for faculty member (see USM Policy VII-4.10);
- (ii) Tuition remission for dependents (see USM Policy VII-4.20);
- (iii) Family and medical leave (see USM Policy II-2.31);
- (iv) Annual Leave (see USM Policy II-2.40);
- (v) Earned sick leave (see USM Policy II-2.30);
- (vi) Collegial sick leave (see USM Policy II-2.30);
- (vii) Personal leave (see USM Policy II-2.40);
- (viii) Leave for jury service (see USM Policy II-2.50); and
- (ix) Leave without pay (see USM Policy II-2.20).

Part-time non-tenure-track faculty shall be ineligible for sabbatical leave or for terminal leave, regardless of length of service.

b. Institutional Benefits. Institution-controlled benefits provided to part-time tenured and tenure-track faculty and their spouses and dependent children.

18.0 II-1.10 POLICY ON PART-TIME TENURE-TRACK AND PART-TIME TENURED FACULTY

(Approved by the Board of Regents, April 26, 1990)

An institution may employ tenure-track and tenured faculty members on a part-time basis. In order to be considered tenure-track or to be granted tenure, a part-time faculty member's commitment shall be at least fifty percent time.

1. Each institution which employs part-time tenure-track and/or part-time tenured faculty shall develop written procedures for the appointment, promotion, and granting of tenure to such faculty. Appointment, reappointment, tenure, promotion, and termination of part-time tenure-track and part-time tenured faculty members shall be consistent with the policies and procedures established for permanent full-time faculty members.
2. The length of the probationary period for tenure consideration shall ordinarily be based upon the number of full-time equivalent years accrued by the faculty member at the institution in a tenure-track rank. Part-time tenure-track and part-time tenured faculty are eligible for full-time positions consistent with institutional policies.
3. Part-time tenure-track and part-time tenured faculty members shall be entitled to participate in the institution's benefit programs on a proportional basis or otherwise, as permitted by those programs.

Replacement for: BOR III-16.00 and BOT VII-M

49.0 II-1.11            POLICY ON PART-TIME FACULTY MEMBERS ENGAGED EXCLUSIVELY OR  
                                 PRIMARILY IN LIBRARY SERVICES

(Approved by the Board of Regents, April 7, 2000)

An institution may employ faculty members engaged exclusively or primarily in library services on a part-time basis. In order to be considered eligible for permanent status, a part-time librarian's commitment shall be at least fifty percent time for the fiscal year.

1. Each institution which employs part-time librarians at the ranks of Librarian I, Librarian II, Librarian III, and Librarian IV shall develop written procedures for the appointment of, promotion of, and granting of permanent status to such individuals. Appointment, reappointment, permanent status, promotion, and termination of such librarians shall be consistent with the policies and procedures established for permanent full-time librarians.
2. The length of the probationary period for permanent-status consideration shall ordinarily be based upon the number of full-time equivalent years accrued by the librarian at the institution. Part-time individuals at the ranks of Librarian I, Librarian II, Librarian III, and Librarian IV are eligible for full-time positions consistent with institutional policies.
3. Part-time librarians at the ranks of Librarian I, Librarian II, Librarian III, and Librarian IV whose appointments are at least fifty percent time shall be entitled to participate in the institution's benefits programs on a proportional basis or otherwise, as permitted by those programs.

Replacement for: BOR VII-2.15-POLICY ON LIBRARIANS (Section on Part-Time Librarians)

II-2.01 POLICY ON PROFESSIONAL AND/OR RESEARCH LEAVE FOR FACULTY MEMBERS  
ENGAGED EXCLUSIVELY OR PRIMARILY IN LIBRARY SERVICES

(Approved by the Board of Regents, April 7, 2000)

The President of an institution may grant professional and/or research leaves to faculty members engaged exclusively or primarily in library services. The primary purpose of such leaves is to provide an opportunity for a librarian to conduct scholarly work or to engage in applied research which will increase the librarian's value to the institution or enhance the reputation of the institution.

1. To be eligible for professional and/or research leave, a full-time librarian shall have been granted permanent status and must have been in active service with the institution as a librarian for a period of at least six years prior to an initial leave being granted. A full-time librarian must remain on active service with the institution for an additional period of at least six years to become eligible for a subsequent professional leave and/or research. A part-time librarian shall have been granted permanent status and shall have completed six or more years of at least half-time service. Ordinarily, a leave of absence without pay shall not be regarded as service to the institution for purposes of determining eligibility for professional and/or research leave.
2. Ordinarily, professional and/or research leave will be granted for one-half of the recipient's annual contract period at his or her normal compensation or for the full annual contract period at one-half normal compensation for both full- and part-time librarians.
3. Ordinarily, as a condition for receiving professional and/or research leave, the recipient shall agree to return promptly to the institution at the termination of the leave and to serve on his or her normal basis for at least one full annual contract period.
4. During the period of professional and/or research leave, the recipient will be permitted, with the approval of the President or designee, to accept, in addition to the compensation he or she receives from the institution, such grants, awards, contracts, fellowships, or other compensation or stipends as may be related to the approved professional and/or research leave project.
5. While on professional and/or research leave, the recipient may accept compensation for consulting services rendered during the professional and/or research leave, provided that such services shall not exceed those allowed by the University System Policy on Professional Commitment of Faculty and that they do not interfere with his or her approved professional and/or research leave project.
6. All benefits and privileges of a librarian on professional and/or research leave shall continue in the same manner as if he or she were not on such leave, i.e., accrual of sick leave, opportunity for promotion, merit raises, and other benefits. Such a leave period shall not be regarded as service to the institution for purposes of determining eligibility for a subsequent professional and/or research leave.
7. Each institution shall develop procedures and criteria for approval of and funding for professional and/or research leave, including the requirement of a summary report on professional and/or research activities by the librarian. These procedures and criteria shall be filed with the Office of the Chancellor.

Replacement for: BOR VII-2.15-POLICY ON LIBRARIANS (Section on Professional Leave)

(Approved by the Board of Regents, November 30, 1989; Amended July 13, 2001)

1. Each institution is authorized to grant honorary degrees with approval by the Board of Regents.
2. Each year the Chancellor shall solicit nominations from institutions with a deadline for receipt of the materials at the end of the fall semester. The Committee on Education Policy will review all nominations and make recommendations to the full Board. Full Board action will occur during the February meeting.
3. In accordance with standard practice at American institutions of higher learning, care should be taken to ensure strict confidentiality at all stages of the honorary degree process. In particular, there should be no communication with prospective degree recipients regarding a likely degree until after the Board of Regents has approved the award. After approval, presidents may begin to arrange for the awarding of the degree. Approvals shall remain confidential until the candidate is notified of his/her selection. Degrees may be conferred at any time within five years of approval, unless withdrawn by the Board of Regents for cause.
4. Each institution shall establish procedures for recommending candidates for these degrees. Procedures shall, in all cases, include, at a minimum, a means for soliciting nominations from schools, departments, and individual faculty members and shall describe the review process and the role of the faculty in the process. Procedures shall be on file in the Chancellor's Office.
5. Prospective recipients of honorary degrees shall be:
  - a. individuals who have made exceptional contributions in intellectual, scholarly, or creative areas; or
  - b. individuals who have risen to a position of eminence in their chosen field or who have acquired a national or international reputation in a selected field or endeavor; or
  - c. individuals who have compiled a record of distinguished public service.
6. Normally, honorary degrees may not be conferred on currently serving faculty, staff, members of the Board of Regents, or current holders of political office in Maryland. Exceptions for compelling reasons can be made only by two-thirds majority vote of the Board of Regents.
7. The president of an institution that wishes to award an honorary degree shall submit a recommendation to the Chancellor. The written recommendation shall include the following information:
  - a. type of honorary degree to be awarded (e.g., Doctor of Humane Letters, Doctor of Laws, Doctor of Public Service, Doctor of Sciences);
  - b. biographical sketch of the proposed recipients;
  - c. justification for awarding the degree; and
  - d. probable date of award.
8. The Chancellor shall submit the request to the Board for consideration and shall inform the president of the institution of the Board's decision.
9. The president shall report to the Chancellor in a timely fashion all honorary degrees awarded.

Replacement for: BOT XI-L

(Approved by the President January 1, 1992)

It is the policy of UMES to award honorary degrees on a selective basis to individuals who have distinguished themselves in their communities or professions, especially those who have a connection with the Eastern Shore of Maryland.

I. POLICY FOR RECOMMENDATION

- A. Recommendations should be made to the Vice President to whom the individual making the recommendation reports.
- B. Recommendations shall be in writing.
- C. Recommendations shall contain:
  - 1. A biographical sketch of the proposed recipient
  - 2. Specific reasons for the recommendation; and
  - 3. Any connection the proposed recipient has with the University or the State.
- D. The President shall appoint a committee to review recommendations for the award of honorary degrees. The committee shall be composed of a minimum of three members. The committee shall decide by a majority vote whether each recommendation will be forwarded to the President. The committee shall include a recommendation for the type of degree to be awarded.
- E. The committee shall use as a guideline the Board of Regents Policy III-3.00 POLICY ON AWARDING OF HONORARY DEGREES. The committee may gather whatever information it deems relevant and necessary to make a recommendation, except that the prospective recipient may not be contacted.
- F. Committee recommendations shall be forwarded to the President. The President or a designee shall review all committee recommendations. The President may request additional information from the committee or the individual initiating the recommendation.

II. RECOMMENDATIONS OF THE PRESIDENT

The President shall submit any recommendation he or she wishes to support to the Chancellor, who in turn shall submit the request to the Board of Regents for final decision.

19.0 II-1.19 UNIVERSITY OF MARYLAND SYSTEM POLICY ON THE COMPREHENSIVE REVIEW OF TENURED FACULTY

(Approved by the Board of Regents July 12, 1996)

Preamble

The Board of Regents of the University of Maryland System (USM) established the principle of faculty evaluation in its policy on Evaluation of Performance of Faculty (II-1.20) and the principle of accountability for faculty workload and performance in its policy on Faculty Workload and Responsibilities (II-1.25). To coordinate and implement these principles, the Board of Regents requires that each institution shall establish a policy on the comprehensive review of tenured faculty, and procedures to implement such a policy. Policies and procedures already in place assure that untenured faculty receive mandated comprehensive reviews. This policy establishes a requirement for the comprehensive review, at regular intervals, of faculty on indefinite tenure appointments.

Comprehensive review of faculty shall be part of a larger faculty development program at each institution, designed to enhance the professional abilities of the faculty as teachers and scholars and members of the academic community. To enable the comprehensive review process, institutions shall commit resources not only to the process itself, but also to its accompanying faculty development program.

General Principles/Criteria

The specifics of comprehensive review policies and procedures should be left open to the institutions, within the limits of reasonable consistency across the USM, in order to take into account individual missions, cultures, and traditions.

At the same time, the policies and procedures of each constituent institution shall include provision for the following:

1. Each tenured faculty member shall be subject to periodic comprehensive reviews that assess the faculty member's performance.
2. Comprehensive review shall be a formative process for future faculty development, for enhancing the learning environment of students, and for the improvement of the academic program to which the faculty member contributes.
3. Comprehensive review shall be conducted as a process of collegial assessment, take place at the department/unit level, and be consistent with the general principles of peer review. Each institution shall determine the appropriate level at which such review shall take place. Institutional policies and procedures shall address specifically the elements of peer review, including the responsibilities of the faculty member to the review, the process of review to be conducted by department/unit colleagues, and the roles of the department/unit chair, dean and provost (or other appropriate senior academic officer). Department/unit policies and procedures shall be filed with and approved by the dean and provost (or other appropriate senior academic officer).
4. The comprehensive review shall include an evaluation of instruction, research/scholarship, and service. Institutional policies and procedures shall be consistent with the preservation of academic freedom and shall include specific criteria to assess the expectations of faculty performance over time.
5. Each tenured faculty member shall be reviewed at least once every five years. Each review shall evaluate the faculty member's performance since the last review. Annual salary and workload reviews may be used as part of the comprehensive review. Two consecutive annual reviews that indicate that a faculty member is materially deficient in meeting expectations\* shall occasion an immediate comprehensive review, which shall be in addition to those otherwise required by this policy. [NOTE: \*Quantitative workload "expectations" are clarified in section IV. Standard Workload Expectations of the BOR Policy on Faculty Workload and Responsibilities (II-1.25). Qualitative performance expectations shall be determined at the department/unit level.]
6. While the faculty member shall be a principal provider of the review materials, multiple sources of information shall be used as the basis for the evaluation.
7. A favorable periodic review shall be conveyed to the faculty member, and, where possible, shall be considered in decisions on promotion, merit pay, and other rewards.

8. If a faculty member's performance is judged as not meeting expectations, a specific development plan shall be worked out among the dean, department/unit, and the individual faculty member, consistent with the overall faculty development programs and resources of the individual campus. This plan shall include a procedure for evaluation of progress at fixed intervals and shall be signed by all parties.
9. The faculty member being reviewed shall have access to summary written reports and shall have ample opportunity to respond to such reports in a formal way.
10. This comprehensive review process may not be substituted for the USM and institutional policies and procedures relating to the termination of tenured appointments, which are in no way amended by this policy.
11. Each institution shall develop policies and procedures consistent with this policy. Institutional policies and procedures for periodic review shall not duplicate other existing institutional policies and procedures.
12. The USM policy on comprehensive review, and any institutional policies and procedures on comprehensive review, are in addition to other USM and institutional policies and procedures concerning faculty evaluation and/or termination.
13. Institutional policies and procedures shall be approved by the Chancellor and be filed with the Office of the Chancellor.

Revised

AAAC, March 5, 1996

Revised Chancellor's Council, May 6, 1996

Approved by the Attorney General for form and legal sufficiency.

20.0 II-1.20 POLICY ON EVALUATION OF PERFORMANCE OF FACULTY

(Approved by the Board of Regents, October 22, 1991)

It is the policy of the Board of Regents that each institution shall, consistent with its governance structure, establish and publish policies and procedures for a periodic evaluation of the performance of its faculty members. The policy shall include a statement of the purpose for which the evaluation is intended as well as criteria and procedures consistent with Board policies and with the mission and goals of the institution. As part of the institution's performance accountability report, the President of each constituent institution shall provide a report to the Chancellor annually on the process of evaluation of faculty performance at his or her institution.

II-1.20 (A) UMES POLICY AND PROCEDURES FOR THE EVALUTION OF PERFORMANCE OF FACULTY

(Approved by the President January 1, 1992)

I. POLICY

It is the policy of UMES to review faculty members' performances in the areas of instruction, research and service to the institution and the community at the close of each academic year. This is to ensure that faculty members' performances and efforts are of a nature and quality consistent with the institution's expectations as determined at the time of hiring.

II. PROCEDURES

A. A "Faculty Planning and Development Report" (FPD) is completed for each faculty member within 30 working days of the close of the academic year.

The FPD includes:

1. an evaluation by the faculty member of progress towards teaching, research and service objectives;
2. a listing of courses taught each semester;
3. the number of student advisees;
4. a description of current and proposed research and scholarly activities;
5. a description of all service activities; and
6. an evaluation of performance in each area by the department chair.

B. The criteria for evaluation used by the department chair shall be consistent with all System guidelines, UMES policies, and the specific terms of the faculty member's employment.

## 22.0 II-1.21 POLICY ON COMPENSATION FOR FACULTY

(Approved by the Board of Regents, December 10, 1993)

### I. GENERAL POLICY

The University of Maryland System seeks to provide salaries for faculty that are adequate to attract and retain individuals with the qualifications and level of performance necessary for the University System and each of its constituent institutions to reach and to maintain the highest levels of excellence in education.

To this end, the USM shall seek increases in funding to attain and to maintain a faculty salary structure for each of its constituent institutions which is merit-based and in which the average faculty salary is at or above the 85th percentile of that institution's classification group.

The American Association of University Professors (AAUP) annually conducts and publishes a national survey of salaries for "instructional faculty." The AAUP salary information shall constitute the data base for implementation of this policy. However, this policy shall apply to all persons defined as faculty by the University of Maryland System, whether or not they satisfy the AAUP definition of "instructional faculty."

With the exception of the University of Baltimore Law School and the professional schools at UMAB, each institution's classification group shall be the set of all public colleges and universities included in its Carnegie classification. Placement of USM institutions within a Carnegie category shall be made annually by the Chancellor based on the application of Carnegie classification criteria to the most recent available data on each institution.

Comparisons for the University of Baltimore Law School and the professional schools at UMAB shall be based on relevant national data for each of the respective schools.

Salary increases for current faculty shall be based on merit, and shall be determined on the basis of exceptionally effective teaching, scholarship and public service. Equity considerations may be taken into account in awarding salary increases.

### II. IMPLEMENTATION

The Chancellor, in consultation with the presidents, shall develop implementation guidelines for this policy which shall be based on evaluation of faculty merit using appropriate measures of faculty productivity. Consistent with this policy, these guidelines shall include a set of salary ranges for each faculty rank at each institution and a common format for an annual report by each institution to the Regents accounting for its use of merit funds for salary increases and may include salary ranges.

### III. REPLACEMENT FOR Sections II B and C of USM BOR VII-4.01, BOR III-14.00, BOT VII-K

II – 1.22 UNIVERSITY SYSTEM POLICY ON FACULTY APPOINTMENT LETTERS OR CONTRACTS

(Approved by the Board of Regents July 7, 2000)

1. The terms and conditions of every faculty appointment shall be stated in a written letter or contract, which shall be signed by and which shall be in the possession of both the institution and the appointee before the appointment is begun.
2. Appointment letters or contracts for full-time faculty shall specify whether the appointee is required to serve for the academic year or the fiscal year. Typically, academic-year faculty appointments shall begin no later than one week before the first day of fall classes and end no earlier than the spring commencement date, and fiscal-year appointments shall begin on July 1 and end on June 30 of the following calendar year. In unusual circumstances, an appointment (academic or fiscal) may begin at other times or may be for only a portion of a year.
3. Each institution shall develop a written policy on summer compensation for full-time faculty members on academic-year appointments. The policy shall be filed with the Office of the Chancellor.

99.0 III-7.10- POLICY ON GRADUATE EDUCATION

(Approved by the Board Of Regents, June 21, 1990)

I. APPROVAL OF GRADUATE PROGRAMS

- A. Graduate programs shall be approved according to the process set forth in the Board of Regents Policy on Degree and Curricular Requirements.
- B. If there is a disagreement among the institutions on the intent of any one institution to develop a new graduate program or to participate in the development of inter-institutional programs, which cannot be settled informally, the issue shall be referred to the Chancellor for resolution.
- C. Each institution shall provide for the administration of its graduate programs. Institutions that offer doctoral programs shall have procedures for the appointment of graduate faculty.

II. INTER-INSTITUTIONAL GRADUATE PROGRAMS

- A. If two or more institutions propose a program as a cooperative effort, the proposal shall be forwarded to the Chancellor as a joint recommendation of the chief executive officers of the institutions.
- B. Inter-institutional programs shall be administered by officers and faculty of the participating institutions.

III. MOBILITY OF GRADUATE STUDENTS AND FACULTY

The University of Maryland System encourages the development of institutional policies that facilitate the inter-institutional participation of graduate students and faculty in programs throughout the University of Maryland System.

Replacement for: BOR I-4.00, I-4.01, I-4.02

(c) Graduate Faculty

Graduate education and research at the University of Maryland Eastern Shore constitute a dominant force in maintaining the vitality of scholarly inquiry and intellectual achievement in the University community and the accomplishments of graduate research and education are a major contribution of the University to the State, the nation and the world.

Ultimate responsibility for all matters pertaining to graduate education and graduate research rests with the Graduate Faculty in conjunction with the Dean of the Graduate School.

The Graduate Faculty consists of regular and associate members of the University community chosen on the basis of their academic credentials, scholarly achievements and abilities in graduate education and research.

The Dean of the Graduate School, along with the Graduate Faculty are responsible, through its governing body, for the creation and maintenance of all graduate programs in the University and to all matters pertaining to graduate education and research.

(d) Graduate Faculty Status and Membership Information

Faculty who wish to become Associate or Regular Graduate Faculty Members; and Associate Graduate Faculty Members who merit Regular Membership status should request a letter of recommendation from the chairman of his/her department and forward it to the Graduate Office. An appropriate form for the proposed status will be mailed to that faculty member for whom recommendations have been sent. Once completed and returned, appropriate actions will be taken to obtain the desired Graduate Faculty status for the applicant.

(e) Associate Member of Graduate Faculty

A. Criteria for nomination:

1. Hold a professional appointment.
2. Possess the highest degree available in the discipline.
3. Certification by chairman of the department that he intends to make opportunities available to the nominee to participate in graduate education within the next three years.

B. Prerogatives of Associate Members:

1. Eligible to teach courses restricted to graduate student enrollment.
2. Eligible to direct masters' theses.
3. Eligible to be a member of doctoral study and dissertation committees, but not to chair these committees.
4. Eligible for membership on Departmental Graduate Committees.
5. Eligible for membership on Graduate Council and Graduate Council Committees.
6. Eligible to participate fully in meetings of the Graduate Faculty Assembly.

(f) Regular Members of Graduate Faculty

In addition to meeting all requirements for Associate Membership, Regular Members of Graduate Faculty must meet the following criteria:

1. Hold full-time appointment to a professional rank.
2. Present evidence that they have been involved with graduate education at this University or be at a comparable institution.
3. *Must have distribution substantial independent scholarly or creative achievement beyond the work submitted for the doctoral degree. Evidence of continuing scholarly achievement may be demonstrated by books or research reports in referred journals which represent a significant contribution to the discipline, or original artistic or creative endeavors requiring substantial effort.*

II-1.04 PROCEDURES FOR APPEALS TO THE UNIVERSITY SYSTEM OF MARYLAND (USM) BOARD OF REGENTS OF DECISIONS TO TERMINATE TENURED OR TENURE-TRACK FACULTY MEMBERS

(Approved by the Board of Regents, February 9, 2001)

1. A tenured or tenure-track faculty member whose faculty employment has been terminated for cause by the president of the employing institution pursuant to USM/ART §I.C.7(a) may appeal to the Board of Regents. All such appeals shall conform to these procedures.
2. An appeal may be requested only by filing a written notice of appeal. The notice of appeal must identify the faculty member and state that the faculty member wishes to appeal the termination of his/her employment to the Board of Regents. The notice must be filed within ten working days of the faculty member's receipt of the letter communicating the president's decision to terminate. The notice of appeal is filed when it is received at the office of the president.
3. The president shall deliver the notice of appeal and the record (as defined herein) to the USM Vice Chancellor for Academic Affairs no later than ten working days after the receipt of the notice of appeal by the office of the president. The record shall include:
  - a. The statement of charges provided to the faculty member;
  - b. A tape recording, or written transcript, of the hearing provided pursuant to USM/ART §I.C.7(a). If no transcript of the hearing has been made, either party may request that a transcript be prepared. Such a request must be directed to the Vice Chancellor for Academic Affairs. If such a request is made, a transcript will be prepared and a copy provided to each party at the expense of the appointing institution;
  - c. Copies of all exhibits received by the hearing officer or faculty board of review;
  - d. The written recommendation of the hearing officer or faculty board of review;
  - e. Any additional material or information used by the President, if any;
  - f. The written decision of the President; and
  - g. A letter of transmittal from the President.
4. Within 30 days of the filing of the notice of appeal, the faculty member shall file a memorandum in support of the appeal. The memorandum is filed when it is received in the office of the Vice Chancellor for Academic Affairs. The memorandum must be signed by the faculty member and by any attorney retained by the faculty member.

It must identify the points in the President's written decision to which the appellant takes exception and a statement in each case of the reasons why. Factual allegations must include references to the record at the institutional level. New factual material not a part of that record will not be considered on appeal.
5. The Vice Chancellor for Academic Affairs shall send a copy of the faculty member's memorandum to the president, who may file a written response with the Vice Chancellor for Academic Affairs no later than 30 days from the president's receipt of the faculty member's memorandum. A copy of the response must be sent to the faculty member or the faculty member's attorney or representative.
6. Upon receipt of a notice of appeal, the Vice Chancellor for Academic Affairs shall send a copy to the Chair of the Board of Regents, who shall appoint three regents to hear the appeal (the "appeal panel") on the Board's behalf and name one of them to serve as chair. The appeal panel shall set a hearing date consistent with the above procedures and with the goal of achieving an expeditious conclusion.
7. The hearing shall consist of oral argument on behalf of the faculty member and of the president. The panel chair shall specify in advance the time permitted for oral argument. No witness testimony will be allowed, and argument shall be limited to matters in the record.
8. The appellant shall have the burden of showing that the President's decision was not supported by substantial evidence in the record and/or that the decision is premised upon an error of law, including procedural error.

9. Either party may be represented by legal counsel at the hearing.
10. The appeal hearing will be closed and will be recorded.
11. Following the hearing, the appeal panel shall issue a recommendation to the full Board of Regents. The Panel may recommend affirmation of the President's decision, reversal of that decision, or remand to the institution for further action as specified. The Board shall consider and act on that recommendation in executive session no later than its next regularly scheduled Board meeting. The Board may concur in the Panel's decision or modify it. It shall communicate its decision in writing to the faculty member and the president within five working days of its decision. The Board's decision is final.

46.0 II-4.00 POLICY ON FACULTY GRIEVANCES

(Approved by the Board of Regents, November 30, 1989)

It is recognized that legitimate problems, differences of opinion, complaints, or grievances will occasionally arise in the relationship between the institution and its faculty. Many such complaints are resolved informally through discussions or formally through procedures available under institutional human relations codes and institutional or System policies on appointment, rank, and tenure. On occasion, however, complaints will arise that cannot be resolved through informal discussion or through formal procedures described above because they pertain to issues that are not within the subject matter of those documents.

I. POLICY

Each institution shall adopt procedures whereby faculty grievances may be presented for formal review and resolution. This policy shall apply to anyone holding a recognized faculty rank, regardless of tenure status or percent time of employment.

II. INSTITUTIONAL PROCEDURES

A. Institutional faculty grievance procedures shall include descriptions of the process to be followed by the complainant, the time limits governing the steps in the grievance resolution process, and the levels of review available to the complainant; provision for participation by faculty in the process; and provision, when necessary, for final resolution of the grievance by the chief executive officer of the institution.

B. No complaint shall be reviewed under these faculty grievance procedures if:

1. The complaint pertains to a subject that is reviewable under, or is specifically excluded from review by any other System or institutional policy;
2. The complaint pertains to an official policy, regulation, or procedure of the System or the institution; a decision or action by the Board of Regents, the Chancellor, or the President; or any matter the remedy for which would contravene or interfere with any such official policy, regulation, procedure, decision, or action;
3. The complaint pertains to broad areas of the fiscal management, staffing or structure of the University of Maryland System or constituent institutions; or
4. The resolution of the complaint is not under the control of the institution and/or of the University System.

Replacement for: BOR III-2.05.1

II-4.00(A) UMES POLICIES AND PROCEDURES GOVERNING FACULTY GRIEVANCES

(Approved by the President January 1, 1992)

I. POLICY

This grievance procedure replaces all faculty grievance procedures previously in effect at UMES.

It is recognized that legitimate problems, differences of opinion, complaints or grievances will from time to time arise in the daily relationship between UMES as an employer and its faculty. The following procedures are adopted to define the means whereby a grievance against UMES arising from certain acts of academic administrators may be presented for formal review. A faculty member shall not be reprimanded or discriminated against in any way for initiating a grievance.

II. DEFINITIONS

A. Academic Administrator – any person who holds one of the following positions:

Executive Assistant to the President

Assistant to the President

Vice President

Assistant to the Vice President

Directors of academic or research programs, or with faculty status but not faculty rank

Dean

Associate Dean

Assistant Dean

Assistant to the Dean

Department Chairperson

B. Faculty Member – a person holding a faculty appointment in a 50% or greater time capacity pursuant to a valid UMES appointment agreement and who is not an academic administrator.

Following is a list of faculty titles falling within this definition:

Professor  
Research Professor  
Associate Professor  
Research Associate Professor  
Assistant Professor  
Research Assistant Professor  
Instructor  
Assistant Instructor  
Lecturer  
Extension Associate  
Research Associate  
Faculty Research Assistant  
Faculty Extension Assistant  
Assistant Research Scientist  
Associate Research Scientist  
Research Scientist  
Assistant Research Engineer  
Associate Research Engineer  
Senior Research Engineer  
Senior Research Scholar  
Assistant Staff Scientist  
Associate Staff Scientist  
Senior Staff Scientist  
Assistant Research Scholar  
Associate Research Scholar  
Associate Agent  
Faculty Extension Associate Agent  
Senior Agent  
Principal Agent

Persons holding these ranks must otherwise meet the definition of faculty in this section.

- C. Grievance - a signed complaint by a faculty member against UMES that alleges a violation of UMES policy by an academic administrator in the performance of any official act, when act adversely affects the faculty member in his or her academic or professional capacity.

The following matters may not be reviewed:

1. Any matter pertaining to a subject that is reviewable under, or is specifically excluded from, review by any other UMES or System procedure.
2. An official policy, regulation, procedure, decision, or act by the Board of Regents, the Chancellor, or the President; or any matter the remedy for which would contravene or interfere with any such official policy, regulation, procedure, decision, or act.

3. Any matter pertaining to the broad areas of the fiscal management, staffing, or structure of UMES or the System.
  4. Any matter pertaining to faculty salaries and benefits.
  5. Any matter, the resolution of which is not in the exclusive control of UMES.
- D. Days – calendar days, excluding Saturday, Sunday, and days on which UMES is officially closed.
- E. University Policy – 1) a written policy, regulation, procedure, or rule of the campus, school, department, or program; 2) a practice of an academic unit which, although unwritten, has been consistently followed and applied over a significant number of years, unless such practice is arbitrary and capricious or in conflict with a policy at a higher administrative level.
- F. Faculty Grievance Panel (Panel) - a campus-wide panel, composed of ten full-time tenured and tenure-track faculty members representing all professional ranks. Members serve for one year, and may be reappointed. The faculty nominates members to serve on the panel, with the five faculty members receiving the most nominations serving on the panel, and five selected by the Vice President for Academic Affairs from among the remaining list of nominees. The panel selects a Chair from its members each year. No more than four of the members of the panel may be from one school.
- G. Faculty Grievance Hearing Board (Board) – consists of three voting members and two alternate members selected by the Chair of the Panel. One voting member shall be elected by the five members to be the Chair of the Board.

## II. GRIEVANCE REVIEW PROCEDURES - GENERAL

- A. General Procedures Applicable to all Grievances
1. Only a faculty member may make a grievance under this procedure, and the grievance may not be on behalf of another person.
  2. The faculty member is responsible for meeting all stated time limits for the initial filing of the grievance or any appeals. Both the faculty member and the academic administrator are responsible for meeting all other time limits.
  3. Motions raising the issues of standing or grievability may be raised at any time in the proceedings. If those requirements are not met, the grievance shall be dismissed.
  4. Motions raising the issue of timeliness must be made at the first stage of the proceedings following the time at which the moving party knew or reasonably could have known of the grounds for making the motion. If it is found that the requirements for timeliness as to the initial filing of the grievance, or the filing of an appeal, have not been met, the grievance shall be dismissed. In all other cases of lack of timeliness, dismissal of the grievance is at the discretion of the hearing authority.
  5. The faculty member shall bear the burden of proving the merits of the grievance. This burden shall be:
    - a. clear and convincing evidence showing that the violation complained of took place;
    - b. it was the action or inaction of the academic administrator involved;
    - c. the action or inaction affects the complainant;
    - d. the remedy sought is reasonably necessary to correct the injury.
  6. The formal rules of evidence shall not apply to this grievance procedure.
  7. The Chair of the Panel may, at any point in the procedure, request advice of legal counsel.
  8. The Faculty Grievance Procedure is a non-adversarial proceeding designed to discover all of the relevant facts. Both parties must present their own case. An advisor may be present but may not intervene in any way.

9. The Panel shall meet in closed session unless otherwise requested by both parties.
10. Each level of the grievance procedure must be exhausted before appealing to a higher level.

B. FILING A GRIEVANCE

1. A grievance must be filed within thirty days of the date of the action or inaction giving rise to the grievance, or the date the faculty member should have reasonably known of the act, whichever is later.
2. A grievance must be in writing, signed by the complainant. The writing shall contain a concise statement of the action or inaction giving rise to the complaint, the name of the academic administrator taking the action or inaction, the date of the action or inaction, and the perceived adverse effect upon the faculty member.
3. A grievance must be received by the appropriate official designated by the school within the time period for filing a grievance.

III. SCHOOL LEVEL GRIEVANCE PROCEDURES

1. The dean of each school is the appropriate official with whom a grievance within the school may be filed.
2. The dean for the school shall require informal discussion between the parties within ten days of filing to attempt to redress the grievance prior to proceeding to formal grievance procedures.
3. A grievance must contain a written statement of the action or inaction giving rise to the grievance, signed by the complainant, including the date of the act, the academic administrator taking such act, and the perceived adverse effect.
4. The total time for consideration and response to a grievance within a school shall not exceed 30 days, including informal procedures.
5. If informal procedures are not successful, the dean shall render a decision in writing stating the reasons for the decision within 30 days of receipt of the grievance. If the dean has not responded within 30 days, the faculty member may waive the time limit or seek immediate review by the Vice President for Academic Affairs. The request to the Vice President for Academic Affairs must be in writing and include the original grievance. The request must be made within five days of the expiration of the time limit for the decision of the dean.

IV. REVIEW BY THE VICE PRESIDENT FOR ACADEMIC AFFAIRS

The final resolution of a grievance at the school level may be appealed to the Vice President for Academic Affairs.

1. The appeal must be in writing, and include a copy of the original grievance and the decision.
2. An appeal must be filed by the faculty member within five days of the receipt of the final school-level decision.
3. The appeal to the Vice President for Academic Affairs is a review on the record; no **new evidence is presented**.
4. The Vice President for Academic Affairs shall, within five days for the receipt of a timely appeal, request all relevant documents contained in the record of the school level proceedings. These documents shall be furnished by the school within 5 days of the request.

5. The Vice President for Academic Affairs may:
  - a. grant the requested relief, or whatever relief is deemed appropriated;
  - b. deny the grievance; or
  - c. refer the matter for a hearing by a Faculty Grievance Hearing Board if the faculty member agrees to present the case in accordance with the established procedures.
  
6. If the Vice President for Academic Affairs receives an appeal in which a school has not responded within the 30-day limit, the Vice President for Academic Affairs shall make a request for all relevant documents within five days of receipt of the appeal, and the division shall furnish the documents within five days of the receipt of the request. In addition to the courses of action set forth above, the Vice President for Academic Affairs may remand the matter to the school for a decision within a reasonable time specified by the Vice President for Academic Affairs.
  
7. The total time for consideration of and response to a grievance by the Vice President for Academic Affairs shall not exceed twenty days.

VI. PEER REVIEW PROCEDURES

A. Faculty Grievance Panel Procedures

1. A decision of the Vice President for Academic Affairs may be appealed to a Faculty Grievance Panel (Panel).
2. The appeal must be in writing and include a copy of the original grievance and the decisions of the school and the Vice President for Academic Affairs.
3. The appeal must be received by the Panel within five days of receipt of the decision by the Vice President for Academic Affairs.
4. Within five days of the receipt of the appeal, the Panel shall request, and the Vice President for Academic Affairs shall provide, all relevant documents in the record.
5. Within five days of receipt of an appeal, the Panel shall notify the academic administrator against whom the appeal has been filed.
6. The Chair of the Panel shall, within five days of receipt of the appeal, name one member (not from the same school as the faculty member and who does not otherwise have a personal interest in the outcome) to serve as the Grievance Review Officer to review the grievance to decide whether a hearing is warranted.
7. A hearing is warranted if:
  - a. the evidence supports a finding that the violation complained of occurred;
  - b. it was the action or inaction of the academic administrator involved; and
  - c. the act adversely affected the faculty member in his or her academic or professional capacity.
8. Within five days of receipt of the grievance, the Grievance Review Officer shall report the findings in writing to the Chair, the faculty member, and the academic administrator.
9. If the Grievance Review Officer finds a hearing is warranted, a Faculty Grievance Hearing Board shall be constituted within fifteen days of receipt of the report by the Chair.
10. If the Grievance review Officer finds a hearing is not warranted, the faculty member may request the Chair to convene a Faculty Grievance Hearing Board. The request must be in writing within five days of receipt of the Grievance Review Officer's Report.

B. FACULTY GRIEVANCE HEARING BOARD PROCEDURES

1. Selection of the Faculty Grievance Hearing Board

- a. The Chair of the Panel shall select seven potential members from the Panel to serve on the Faculty Grievance Hearing Board. These members shall be convened within five days of selection for the purpose of hearing the challenges, organizing the Board, and setting the hearing schedule. Also present shall be the faculty member and the academic administrator named in grievance.
- b. Both parties may submit one challenge to the service on the Board by a potential member.
- c. The Chair shall appoint three voting members and two alternates from among the unchallenged members. If a voting member is unable to complete the hearing, and alternate shall be appointed as a voting member.
- d. Reasonable release time for the grievance to proceed shall be granted to both parties to the grievance and all members of the
- e. The Chair shall appoint three voting members and two alternates from among the unchallenged members. If a voting member is unable to complete the hearing, and alternate shall be appointed as a voting member.
- f. Reasonable release time for the grievance to proceed shall be granted to both parties to the grievance and all members of the Board. Under no circumstances shall a party to a grievance or a Board member be permitted to cancel a class to attend a grievance hearing, nor shall participation in a grievance hearing in any capacity be deemed to excuse failure to meet time commitments. Classes may be covered by colleagues as necessary to attend the grievance.

2. Hearing Procedures

- a. A complete record shall be kept by the Chair of all proceedings and documents entered into evidence.
- b. The faculty member presents his or her case first, the academic administrator then presents.
- c. Each party shall have an opportunity to make an opening and closing statement, present written evidence, examine and cross-examine witnesses, offer personal testimony, file exceptions, objections, motions, and post-hearing briefs.
- d. Only evidence offered and made part of the record in the case and no other factual information or evidence shall be considered in the determination of the case.
- e. Both parties have the right to call witnesses, including UMES staff. The Board cannot assure the presence of witnesses requested by either party.  
  
Either party may, however, request in writing that the Board contact a witness to request an appearance at the hearing. The Board may contact such witness if in its' judgment the request is reasonable, and the testimony to be given is relevant.
- f. The Chair of the Board shall make rulings on all questions concerning the course of the proceedings and the presentation of the evidence, and may order the proceedings as deemed appropriate. The Chair may seek legal advice deemed necessary to render a decision on any such question. The Chair has the authority to set time limits for presentation of testimony and exclude redundant or irrelevant information.
- g. The faculty member has the right to examine and use any part of his or her personnel files as are legally available in pursuing the case.

3. Findings of the Board

- a. The Board shall make its decision on the grievance, including findings and recommended action, based on a vote of the majority of voting members.
- b. After considering all of the evidence before it, the Board shall decide whether the faculty member has met the burden of proving the grievance.
- c. A written report of the decision, including any significant dissents, shall be sent to the President, with copies to the faculty member bringing the grievance, and the academic administrator named in the grievance. The report shall be sent within ten days of the conclusion of the hearing.

VII. REVIEW BY THE PRESIDENT

1. The Board shall make available to the President any additional information which is requested. It is expected that the President will give great weight to the recommendations of the Board.
2. The President shall report the decision to both parties to the grievance, and the Chairs of the Board and the Panel within thirty days.

VIII. The decision of the President is final and both parties agree to be bound by it.

IX. Should the President decide the grievance is justified and a remedy is to be awarded, before the faculty member receives any such remedy, he or she shall execute a written waiver recognizing the remedy to be satisfactory and forever forswearing any claims or causes of action arising out of the action grieved.

49.0 II-8.00 POLICY ON FACULTY RETRENCHMENT

(Approved by the Board of Regents, November 29, 1990)

In fulfilling their educational roles and missions, the constituent institutions of the University of Maryland System must make optimal use of their faculty resources. Optimum utilization may call for a reduction in or a reallocation of faculty at various times and for various reasons; e.g. shifting enrollment patterns, changing program directions, restricted funding. If reassignment and/or reallocation is inadequate to effect such changes, an institution may find it necessary to terminate the appointment of tenure-track or tenured faculty members.

In order to insure the protection of rights of the faculty members, each institution will develop internal retrenchment procedures consistent with that institution's governance structure and with Sections I.C.9, I.C.10, I.C.13 and I.C.17 of the 1989 University System Policy on Appointment, Rank and Tenure of Faculty and corresponding sections of earlier faculty appointment agreements still in effect. As a part of those procedures, each institution will establish a retrenchment appeals committee. Following review for form and legal sufficiency by the Office of the Attorney General, these procedures must be submitted to the Chancellor for review and approval.

Replacement for BOT Appendix N, BOR III-2.16.7

## II-8.00 (A) UMES POLICY ON FACULTY RETRENCHMENT

### I. POLICY

UMES, in order to fulfill its' educational role and mission, must have the ability to make optimal use of its faculty resources. At times this may mean the reduction in or reallocation of faculty. It is the policy of UMES to avoid termination of employment of tenured and tenure-track faculty members whenever possible by such measures as leaving unfilled positions vacated, retraining, reduction of part-time and temporary faculty, transfer of faculty to other departments, and the encouragement of early retirement. The following procedures pertain to the termination of employment of tenured or tenure track faculty members due to a reduction or discontinuance of an academic program or department, reallocation or resources as a result of changing educational priorities, lack of funds, or requirements of legislative or other mandate. These procedures are consistent with Sections I.C.9, I.C.10, I.C.13, and I.C.17 of the University System Policy on Appointment, Rank and Tenure of Faculty.

### II. Retrenchment Procedures

- A. The President shall make the final determination within the institution concerning the need for faculty retrenchment.
- B. Prior to any faculty retrenchment, the President shall appoint an Ad-Hoc Retrenchment Plan Committee. The committee members shall be the Vice Presidents for Academic Affairs and Administrative Affairs and three tenured faculty members. The committee shall develop a plan for retrenchment, taking into accounting the following factors:
  - 1. UMES' programmatic needs.
  - 2. UMES' budgetary needs.
  - 3. The requirements of the students.
  - 4. The impact of any proposed action on the faculty.

All reasonable alternatives should be explored, along with the short term and long term consequences of each.
- C. The Committee shall submit the retrenchment plan to the President for approval at least three months prior to the implementation date.

All options considered by the Committee, and the expected consequences of each shall be presented, along with the Committee's recommendation.
- D. The President may approve the Plan as submitted, approve the Plan with modifications or reject the Plan and substitute his/her own Plan.
- E. Upon approval of the plan by the President, any faculty member whose employment is to be terminated shall be notified by registered mail. The date of termination shall be specified in the letter. In addition, the procedures for appeal to the retrenchment appeals committee should be given.

### III. Notice Periods

- A. Faculty on temporary contracts and non-tenured faculty shall be given at least three months prior to the termination date.
- B. Tenured faculty members shall be given notice at least one year prior to the termination date in accordance with the University System Policy on Appointment, Rank, and Tenure of Faculty, I.C.9.

#### IV. Order of Termination

The Order of termination shall be as follows:

- A. Faculty members on temporary contracts except in areas critical to the academic program.
- B. Non-tenured faculty members on probationary appointments. Seniority may, but need not be, the determining factor. Other factors which should be considered are: the UMES mission, the current program needs, and current affirmative action goals.
- C. Tenured faculty members. Seniority may, but need not be the determining factor. Other factors which should be considered are: the UMES mission, the current program needs, and current affirmative action goals.
- D. Notwithstanding any other provisions of this policy, non-tenured and temporary faculty will be retained during retrenchment period in preference to tenured faculty members when the University Administration determines that a failure to do so would result in a serious distortion in the academic program.

#### V. Appeals Process

##### A. Retrenchment Appeals Committee:

A Retrenchment Appeals Committee consisting of the Vice President for Academic Affairs and four tenured faculty members (not on the Retrenchment Plan Committee) shall be appointed by the President at the beginning of each academic year. This Committee shall be available to consider the appeal of any faculty member terminated under a retrenchment plan.

##### B. Filing an Appeal

A Faculty member whose employment is to be terminated may file an appeal with the President within 20 calendar days of receipt of notification. The appeal must be in writing and set forth grounds for the appeal.

The filing of an appeal shall not alter the effective date of termination unless the final decision of the President is to revoke the notice of termination.

##### C. Grounds for Appeal

The only grounds for an appeal of termination under a retrenchment plan are:

1. A perceived incorrect determination of tenure status.
2. Alleged insufficient notice under Section III of this policy.

##### D. Burden of Proof

The faculty member shall bear the burden of proving one of the issues eligible for appeal.

##### E. Final Decision Process

The Retrenchment Appeals Committee shall make a recommendation to the President within 15 days of receiving an appeal.

The President shall make a final determination based on the recommendations of the Committee. The faculty member making the appeal shall be notified in writing of the final decision within 15 days of receipt of the recommendation by the President.

(A) Criteria for President's Teacher-Scholar

The President's Awards for Teacher-Scholar are awarded during the Annual Honors Convocation. Following are criteria for each award:

The category of Teacher-Scholar includes those attributes that contribute to the making of an environment in which consummate skills of teaching are in evidence. Planning, management, instruction, knowledge base, enthusiasm, interest and scholarship are essential to the process. An intellectual climate that stimulates, but does not frustrate students is required.

Collegial recognition of excellence and quality performance in the classroom must also be evidenced.

1. Manages classroom and instructional environment
2. Uses innovative instructional techniques
3. Possesses comprehensive, broad knowledge of subject matter; uses wide examples of content related activities
4. Advises effectively
5. Is available to students
6. Exhibits demonstrated interest in student achievement
7. Incorporates enrichment activities
8. Is viewed as an instructional leader by colleagues
9. Shares interest and enthusiasm about content
10. Shares resource materials with students and other faculty
11. Evaluates students progress fairly and appropriately
12. Is a continuous learner
13. Assesses personal effectiveness in the classroom
14. Meets classes regularly and on time
15. Formulates and uses plans effectively
16. Varies instructional pace
17. Employs appropriate levels of questioning

(B) Criteria for President's Research-Scholar

The category of Research Scholars includes skills to plan, review, improve and publish the results of one's research. Subject knowledge, evaluation of data, ability to improvise and to do critical thinking are important. Enthusiasm and scholarship, along with the ability to motivate research assistants, technicians and others, are characteristics inherent in research Scholars.

Results published in refereed journals, prominent exhibits of art work and/or distinguished performances may be evidence of the success of such scholars. Amount and kind of funded research generated should also be documented.

1. Publishes research studies refereed journals and in experimental bulletins.
2. Maintains effective interaction with students, regarding his/her research interests, thus stimulating students to achieve.
3. Makes research presentations at professional meetings.
4. Holds membership and participates in activities of national professional research organizations.
5. Introduces courses into the curriculum as a result of research conducted.
6. Provides community service as a result of research conducted.
7. Receives positive evaluation of research by colleagues.
8. Develops research focus of significance to the mission of the University, state and nation.
9. Cooperates with administrators and faculty to foster a scholarly, research based academic atmosphere on campus.
10. Is willing to share research information, ideas and resources with colleagues and the academic community.
11. Collaborates with other researchers in the area of specialization.

12. Applies for and receives copyrights and patents, as a result of conducted research.
13. Serves on editorial boards.

(C) Criteria for President's Community Service Provider

The category of Community Services includes service to non-academic community organizations and government agencies outside the University, contributing the individual's professional backgrounds and skills to government and community concerns, and advancing the ability of the University to relate teaching and research activities to community concerns.

1. Consults for government agencies or community groups.
2. Develops community programs and or activities.
3. Participates in, supports or coordinates community research and/or community activities.
4. Conducts seminars, staff or faculty workshops for government or community organizations.
5. Prepares and/or assists in the preparation of reports, research papers, planning guides for groups.
6. Supervises class projects that provide assistance to community groups or governmental departments.
7. Organizes and conducts workshops, conferences and clinics on community issues.
8. Serves on community advisory or planning committees.
9. Supervises student research for government departments or community groups.
10. Makes presentations on radio and/or television as discussion leader or as a member of a group.
11. Writes articles in government and community publications.
12. Provides information sources for agencies and groups.
13. Sponsors/advises campus outreach activities.