

SECTION II: UMES FACULTY SEARCH AND APPOINTMENT PROCEDURES

(Approved by the President January 2006)

A most important aspect of our University is the life and vitality of our faculty.

In order for academic searches to function most effectively, the administrative unit in which the candidate is to be hired 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. Hiring Authority of Department obtains written approval to hire and account number (Completes Position Request Form if it is a new position)
- B. Hiring Authority, in consultation with the dean, develops a job description which should define the responsibilities and duties of the position.
- C. Hiring authority in consultation with the Office of Human Resources Management (OHRM) discusses the type of position, responsibilities/duties, title, and any salary equity issues.
- D. Personnel Requisition and Hiring Exception Form (if required) is sent through the approval process which includes the divisional Dean, Vice President and Vice President for Administrative Affairs (VPAF) or Designee for final for Budgetary Review.
- E. VPAF sends documents to OHRM for final review and posting. Additional advertising sources are discussed with the Hiring Authority after position is placed on UMES employment website.
- F. Hiring authority recommends search committee chair and committee members and sends to the school dean, the Campus Compliance Officer (CCO), or OHRM to certify committee. The CCO certifies that the committee is representative in terms of race and gender. Search committee members attend training webinar.
- G. Search committee members are notified about the appointment to committee by Hiring Authority. Depending on the position, committee members may be asked to sign a confidentiality agreement.

II. During the Search

- A. Initial Committee Meeting. Criteria established based on posting and charge from Hiring Authority.
- B. Committee screens resumes that meet minimum qualifications for first round interviews.
- C. Search committee Chair notifies hiring manager of potential first round interviewees.
- D. Hiring manager approves first round interviewees.
- E. Committee chair sets up interview itinerary.
- F. During the interview, committee members must remember to be an Emotional intelligence (EI) interviewer. Based on the Society for Human Resources Management (SHRM), EI is typically described as someone's ability

to read other people's signals and respond appropriately to them, as well as recognize and understand their own emotions so they can influence the emotions of others. Candidates at all time should be treated with respect and dignity.

- G. The search committee chair summarizes applicant interview evaluations from all committee members who participated in the interview process. Input from committee through a written response such as the applicant evaluation form.
- H. Committee chair sends hiring manager summary of interviews. Candidates should not be ranked.
- I. Hiring Manager forwards recommendation for hire to appropriate official (Salary, special conditions and start date)
- J. Appropriate official reviews and discusses with Hiring Manager requested recommendation. Informs Hiring Manager of decision.
- K. Appropriate official informs Hiring Manager of decision to proceed with tentative verbal offer based on favorable reference and criminal background checks.
- L. NO candidate should be given the impression that an offer is final until a letter of appointment/contract is received from the President.
- M. Decision is made whether Hiring Manager or committee chair will conduct reference checks. Discussion with OHRM regarding guidance on reference checks takes place
- N. Hiring Manager notifies OHRM to begin criminal background check.
- O. OHRM notifies appropriate official of criminal background results. Hiring Manager or Committee chair notifies appropriate official of reference check.
- P. Appointment Recommendation Forms are processed by Hiring Authority through online signature system for approvals.
- Q. Official appointment letter sent to candidate from appropriate office.
- R. Non-selected applicants notified the position has been filled by OHRM.

III. After the Search Documentation

- A. Resume screening data (entered in online applicant system)
- B. Interview Rating Forms & individual search committee
- C. Member notes
- D. All email communications, minutes, recordings, etc.

POLICY ON FACULTY RANKS, PROMOTION, TENURE, AND PERMANENT STATUS

- [https://wwwcp.umes.edu/academic/wp-content/uploads/sites/53/2023/01/Promotion-and-Tenure-Policy5-10-2022 approved w adoption 7-1-2022.pdf](https://wwwcp.umes.edu/academic/wp-content/uploads/sites/53/2023/01/Promotion-and-Tenure-Policy5-10-2022%20approved%20w%20adoption%207-1-2022.pdf)

POLICY ON FACULTY POST-TENURE REVIEW

- <https://wwwcp.umes.edu/academic/wp-content/uploads/sites/53/2021/08/ptr-policy-fully-approved.pdf>

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

I. 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:

- job performance,
- professional development activities including continuing education, and
- 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:
- their functional position category, and
- 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 Director 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.

II. 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 Director 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 Director of Library Services shall provide the librarian with a copy of the policy.

III. Criteria for Promotion Review

A. Librarian I

1. No professional library experience is required for the ranking of Librarian.
2. 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.

B. 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.

C. 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.

D. 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.

E. 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.

The Director 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.

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 Director 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.)

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 (PPSC) (See Appendix B: Documentation). One copy of the dossier must be submitted to the Director of Library Services by November 30 (See Appendix A: Calendar of Key dates.) The Director of Library Services shall acknowledge receipt and forward all dossiers to the ad hoc Promotion and Permanent Status Committee within 3-5 days.

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.

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.

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.

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 Director of Library Services by February 15.

After the PPSC has submitted its report with supporting documentation to the Dean, the Dean 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.

The Director 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.

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.

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.

Promotion, if granted, is announced immediately and becomes effective as of July 1.

F. 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 of 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.

G. 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).

H. Definitions and Operating Procedures for the Promotion 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 Director of Library Services and evaluation of the candidate's qualifications for promotion/permanent status.

The PPSC is an ad hoc committee, which consists of three librarians above the rank of Librarian I, holding permanent status. The Director 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 rank of the candidate under review for promotion, the committee shall be reconstituted (see #6 below).

The Director 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.

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 Director of Library Services should appoint different persons every year.

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.

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.

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 the PPSC. These individuals will be voted on by all eligible library faculty.

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.

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.

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.

I. 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 Director of Library Services to library faculty who must undergo mandatory review
September 30	Deadline for submitting letter of request for promotion to the Director of Library Services October 15 Appointment/Election of Promotion and Permanent Status Committee
November 30	Deadline for submission of dossier to Director of Library Services
February 15	Promotion and Permanent Status Committee submits reports to the Director 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.

A. Items to be Supplied by the Candidate

- Candidate's letter of request to the Director of Library Services for promotion/permanent status, indicating present rank and the rank to which promotion is requested.
- Resume
- Publications
- Copies of all annual performance evaluations from the candidate's personnel file.

- 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.

B. Items to be Supplied by Others

- 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 Director 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

POLICY ON AWARDING OF HONORARY DEGREES

POLICY ON AWARDING OF HONORARY DEGREES

(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

UMES PROCEDURES FOR AWARDING HONORARY DEGREES

(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.

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 or 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.