

Texas Southern University

Faculty Manual



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SECTION ONE

THE FUNCTION OF THE FACULTY MANUAL

1.0 Purpose and Function of the Faculty Manual

The Texas Southern University Faculty Manual is intended to be and is a compilation of information concerning a faculty member's participation in the governance of the university. This manual does not contain all the policies, regulations, and procedures of the University. Indeed, such a manual will be too large. Rather, the items set forth in this manual, are written with the understanding that other university documents and sources will provide more detailed information. To the extent any provision of this manual conflicts with state or federal law, or with policies and procedures enacted pursuant to state or federal law, the manual is superseded by the state or federal law and by any policies or procedures enacted pursuant to such law.

1.1 History of the Faculty Manual

The 1978 Faculty Manual contains the following account of the history of the initial faculty manual. "The initial Manual on 'Policies, Regulations, and Procedures was developed and published in 1968. President Sawyer announced in September, 1968, in his "Remarks to Faculty" that the document had been produced in six weeks, that it was placed in the hands of department chairs for study with their faculties and that recommendations for changes, additions, modifications, and deletions, etc. should be incorporated in reports from department chairs to the Faculty Manual Committee." The following Committee members were elected in 1968 by the Faculty Assembly: Dr. John T. Biggers, Dr. Timothy D. Cotton, Chairman 1972-73, Dr. James O. Perry, Dr. Duvvury A.A.S. Narayana Rao, Dr. Alberta J. Seaton, Chairman, 1968-1970, Dr. Robert Terry, Mrs. Louise G. West, and Chavus Womack. Replacement members were Dr. Hortense Dixon, Dr. Lewis Morris, Chairman 1971-72, and Mr. Ollington E. Smith."

This initial Manual has undergone several revisions, including those in 1974, 1978, and 1987, 1993 and 1998. The 2002 Faculty Manual was revised by the Advisory Committee on the Faculty Manual- McKen Carrington, Chair, Dr. Thorpe Butler, Dr. Betty Cox, Dr. Marie Horton, Dr. Carol Lewis, Dr. Henry North, Dr. Thurman Robbins, and Attorney Carlton Perkins.

1.2 Procedures for Amending the Faculty Manual

A. Amendment Procedure

The rules and regulations contained in this manual may be modified or amended by a vote of the Board of Regents, in accordance with subsection B below and Section 1.2 of the Board of Regents Rules and Regulations, at any regular or special meeting provided that the proposed addition or amendment shall have been filed with the Chairperson and the Academic Affairs Committee of the Board of Regents in writing and a copy thereof delivered to every member of the Board not fewer than ten days in advance of the meeting at which the addition or amendment is to be considered.

B. Suggestions for Changes to the Manual

Any faculty member may make recommendations for changes to this Manual at any time. These recommendations should be submitted to the Chairperson of the Faculty Senate and/or the Provost and/or the Chairperson of the Advisory Committee to the Faculty Manual.

C. Advisory Committee to the Faculty Manual

The Advisory Committee is a permanent committee reconstituted every four (4) years. It is composed of five (5) faculty members selected by the Faculty Assembly and five members appointed by the President. This committee is responsible for reviewing all recommendations and feedback relative to proposed changes in this Manual. The Committee shall also review all changes, that have accumulated, and any other employee, administrative, or Board recommendations or legislative changes, which may affect the Manual. After comprehensive reviews, the committee will recommend Manual changes. Recommendations by this committee for changes in the Faculty Manual must be approved by the Faculty Assembly, the Administration, and the Board of Regents before inclusion in the Faculty Manual.

D. Promulgation of Changes to the Manual

It shall be the responsibility of the Provost to promulgate and distribute all changes to this Manual to all appropriate persons. The Provost may ensure continuing distribution of the Manual through the office of Human Resources during orientation as well as through the Deans.

1.3 Violations of the Manual by Academic Administrators

If any policy or procedure outlined in this manual has not been followed, a faculty member should make a written report to the Chairperson of the Faculty Senate. The report should include the section of the manual that was violated; the person(s), department(s) involved, and a brief description of the problem. The Chairperson may handle the matter or refer it to the relevant committee or person for resolution. The Chairperson of the Faculty Senate shall keep the name(s) of the person(s) filing the report confidential to the extent allowed by law.

The Faculty Chairperson or the designated agent shall report the violation to the President, the Provost or any other appropriate university official for resolution of the problem.

SECTION TWO

THE UNIVERSITY – HISTORY, MISSION, ADMINISTRATION

2.0 Texas Southern University Mission Statement

In addition to its designation as a statewide general-purpose institution of higher education, Texas Southern University is designated as a special purpose institution for urban programming and shall provide instruction, research, programs and services as are appropriate to this designation. Therefore, ascribing to the global implications of its urban mission, the University focuses on high quality teaching, research and public service as a means of preparing students for leadership roles in the urban communities of our state, nation, and world. Texas Southern University offers a variety of academic programs to students of diverse backgrounds and various levels of scholastic achievement. These students matriculate in undergraduate and graduate programs leading to degrees in the Arts and Sciences, Public Affairs, Education, Business, Health Sciences, Law, Pharmacy and Technology.

A special challenge of the institutional mission is the open access philosophy which affords admission to broad categories of students—from the academically under prepared to the intellectually gifted. In support of this concept, faculty develops special programs and creates an appropriate intellectual climate for individuals who are not included in traditional university missions. The expected educational outcomes of all academic programs are that students will possess an appreciation for humanistic values, acquire effective use of communicative skills, and develop an appreciation and competency in the use of technology in daily living. These educational outcomes are periodically assessed to ensure the quality of the educational experience. As the result of matriculating at Texas Southern University, students gain the personal confidence and capability to succeed in the global workplace.

In fulfilling its purpose, Texas Southern University is committed to the following: maintaining an innovative, productive, and receptive learning environment; implementing initiatives to ensure a suitable environment for research and other scholarly activities; and infusing new technological advances into its infrastructure and academic programs.

2.1 The University History

Texas Southern University is a state-supported institution of higher education established by the Fiftieth Texas Legislature on March 3, 1947 under the provisions of Senate Bill 140. This legislation authorized the University to offer programs in a number of areas “including pharmacy, dentistry, arts and sciences, journalism, education, literature, law, medicine, and other professional courses.” A subsequent enabling act and other legislation stipulated that “these courses shall be equivalent to those offered at other institutions of this type supported by the State of Texas” and that “upon demand by qualified applicants and upon meeting the stipulations of the Act, the University shall, at all times, offer educational opportunities equal to and comparable with those offered by other institutions of its type supported by the State of Texas.” To house the new University, the State sought to acquire the physical plant of the Houston College for Negroes, a four-year institution operated by the Houston Independent School District. Prior to 1947 the Houston College had held its classes in the old Jack Yates High School building (now James D.

Ryan Junior High). In 1947 it moved to a fifty-three acre tract in the southeastern part of the city, which is the present location of Texas Southern University. To construct the new campus for the Houston College for Negroes, a citizens' committee headed by Dr. John W. Davis raised \$100,000, a substantial portion of which was contributed by Thornton M. Fairchild and by Mr. and Mrs. C. A. Dupree. Hugh Roy Cullen and friends (including the Anderson Foundation) donated an additional \$100,000, and in April 1947, the Thornton M. Fairchild Memorial Building was dedicated as the first building on the new campus.

In the summer of 1947, the State purchased this campus as the site for the institution that the Legislature had established the previous spring. In September 1947, the Texas State University for Negroes opened with an enrollment of 2,303 students.

In 1951 the name of the institution was officially changed to Texas Southern University. Initially, the University consisted of the College of Arts and Sciences, the Graduate School, the School of Law, and the School of Vocational and Industrial Education. The School of Pharmacy was added in 1949. Also in 1971, the School of Vocational and Industrial Education became the School of Technology.

During its first year of operation the University was under temporary administration. Allen E. Norton, on leave from the Houston Independent School District, served as Acting President for the first semester, while William H. Bell, Registrar-Director of Admissions and Acting Dean, chaired an administrative committee which was responsible for University operations during the semester. During this period construction began on Hannah Hall, the \$2,000,000 administration classroom building.

On July 2, 1948, R. O'Hara Lanier, former United States Minister to Liberia, became the first President of the University and served in this capacity until the summer of 1955. Following Dr. Lanier's resignation, the Texas Southern University Board of Directors selected Samuel M. Nabrit, Dean of the Graduate School at Atlanta University, as the second President of the University. Dr. Nabrit took office in September 1955, and was chief executive until he resigned to become a member of the Atomic Energy Commission in July 1966. Joseph A. Pierce, Dean of the Graduate School and Director of the Summer Session, served as Acting President until his retirement in the summer of 1967. During the 1967-68 year, the administrative affairs of the University were handled by an interim executive committee consisting of H. Hadley Hartshorn, Dean of the College of Arts and Sciences; A. L. Palmer, Vice President for Fiscal Affairs; and Everett O. Bell, Assistant to the President and Director of Instructional Personnel.

Granville M. Sawyer, Assistant to the President of Tennessee State University, served from July, 1968 to September, 1979, as the fourth President of Texas Southern University. Following Dr. Sawyer's resignation, Everett O. Bell, Vice President for Personnel Services, assumed the position of Interim President and served in that capacity until August 1980. In recognition of his service, the Texas Southern Board of Regents retroactively named him the fifth President of the University. On August 1, 1980, Leonard H. O. Spearman, Associate Deputy Assistant Secretary for Higher and Continuing Education in Washington, D.C. became the sixth President of the University. On June 18, 1986, Dr. Robert J. Terry, distinguished Professor of Biology and formerly the Vice President for Academic Affairs, was appointed Interim President following the resignation of Dr. Spearman.

After the sudden death of Dr. Terry, Dr. William H. Harris, President of Paine College from 1982-1988, was selected the seventh President of the University. In 1993, Dr Joann Horton, Administrator of Community Colleges for the State of Iowa became the eight president and the first woman to head the university.

In 1995, James M. Douglas, Esquire, the former dean of the Thurgood Marshall School of Law and Provost and interim President became the ninth president of the University. In 1999, Dr. Priscilla Slade, the former Dean of the Jesse Jones School of Business and Acting President of the University was named the tenth President of the University.

Since 1968, Texas Southern University has doubled its enrollment and expanded its physical plant, now valued in excess of \$124,736,912. There are currently almost 365 full time faculty members. The Texas Education Agency, the Texas Association of Colleges, the Southern Association of Colleges and Schools, and the National Council for the Accreditation of Teacher Education accredit the various academic programs. The Department of Music is a member of the Texas Association of Music Schools. The American Bar Association, the American Association of Law Libraries and the Supreme Court of Texas approve the School of Law. The American Council on Pharmaceutical Education accredits the College of Pharmacy and Health Sciences. The Southern Association of Colleges and Schools accredit the Texas Southern University Library. The Graduate School is a member of the Council of Graduate Schools.

In 1973, the Sixty-third Texas Legislature designated Texas Southern University “a special purpose institution of higher education in urban programming.” The following year (1974) the Coordinating Board of the Texas College and University System granted the University the authority to offer the Doctor of Education degree. Texas Southern University at that time became the third traditionally Black University in the United States authorized to award the doctorate degree. Also in 1974, the Coordinating Board approved the establishment of a School of Public Affairs (with five undergraduate and two graduate degree programs in four areas), and the Center of Banking and Finance in the School of Business became operational. Each of these new programs helped the University fulfill its role as a “special purpose institution.”

In July of 1982, Texas Southern University completed a comprehensive study of the University’s Mission. This study was undertaken as part of the Texas Equal Educational Opportunity Plan for Higher Education, and has become a long-range planning document for implementing needed improvements in faculty quality and pay, facilities and programs. Out of this study came the approval of the Doctor of Pharmacy (Pharm.D) degree and the Accounting degree programs, which became operational in 1984.

As the 2001 year begins, Texas Southern University is organized into seven (7) Colleges and Schools; the College of Liberal Arts and Behavioral Sciences, the College of Pharmacy and Health Sciences, the Jesse Jones School [College] of Business, College of Education, School of Science and Technology, the Thurgood Marshall School of Law and the Graduate School. In 2003, the University will re-establish the School of Public Affairs.

The University has received numerous grants and awards from local, state and federal agencies as well as from private philanthropic organizations, individuals, and businesses.

Members of the faculty have achieved national and international recognition in research and other creative pursuits; the University itself is widely acclaimed in the educational community as a growing and thriving enterprise in higher education.

2.2 The Board of Regents

The basic governance of Texas Southern University is set forth in the laws of Texas: namely, The Texas Education Code, Chapter 106. This law vests the governance of the University “in a board of nine regents appointed by the governor with the advice and consent of the Senate.” Each Regent holds office for six (6) years, with three regents’ terms expiring on February of odd number years. Both the chair and vice chair are elected by the members, while the secretary is appointed. (The names and addresses of the current members of the Board of Regents are listed in Appendix A)

Furthermore, Sec. 106.31 of the Education Code, grants the Board broad administrative powers regarding the operation of the University. The enumerated powers include (1) the establishment of departments, offices, professorships, and other positions; (2) appointment of a president, professors, other officers, and employees and fix their salaries; (3) enact by-laws, rules, and regulations for the successful management of the institution. In addition to the express powers conferred by statute, the Board has implied or incidental power to do whatever is reasonably necessary to accomplish the purpose for which the University was established. Texas case law holds that Boards of Regents of Texas Colleges and Universities have wide discretion in exercising the power and authority granted by the legislature.

The Board has the following standing committees: The Executive Committee, Finance Committee, Academic Affairs and Student Services Committee; Development and Legislative Affairs (Ad Hoc) Committee; Personnel and Litigation Committee, and; Buildings and Grounds Committee.

The Chairperson of the Faculty Senate participates with the Board of Regents in the governance of the university. This participation includes the following activities: receipt of agendas, minutes, and all appendices to these items, as well as an opportunity to be included on the agenda upon request.

The Board of Regents delegates authority to the University administration in several areas, including, but not limited to: developing plans for achieving the goals and objectives of the university in cooperation with the Board of Regents; developing short term as well as long term strategic plans; promulgating administrative and other policies within the Board’s guidelines; directing personnel administration including employment and termination, wage determination, assigning and reassigning administrative duties, and conditions of employment for faculty and other employees, within the rules and regulations of the Board and the University; exercising administrative control; general management of the operations of the University including academics, academic support, campus facilities financial management, fundraising; alumni activities, intercollegiate athletics, auxiliary enterprises, signing contracts officially awarded by the Board of Regents; investing funds within prescribed guidelines.

2.3 The President of the University

The President is the Chief Executive Officer (CEO) of the University. The Board of Regents delegates to the President authority in several areas; including, but not limited to: creative leadership in all areas of university management; definition and attainment of goals; accomplishment of the mission of the university; initiating innovative planning; envision new horizons for the institution; ensuring quality academic programs and support services; ensuring the delivery of student support services; creating a hospitable academic environment; ensuring proper and suitable physical facilities; coordination and execution of the institution's participation in intercollegiate athletics; conducting an annual evaluation of all vice presidents; ensuring a sound fiscal operation regarding the accounts of the university; coordinate the various functions of the several units of the university; conduct public relations; representing the university to its many publics; appointment of personnel reporting to the president in accordance with policies outlined in this document and the Personnel Manual. The President or a designee shall review and comment on all policy items before the Board.

The President serves as a liaison officer between the Board of Regents and the university faculty and staff. Consistent with such duties, the President is an Ex-Officio member of all University committees, etc. The President shall preside at all university commencements and graduations. The President recommends to the Board of Regents appointments to Distinguished Professorships, other professorships, and recommendations for tenure, and promotion. The Board has delegated to the president authority on dismissal, and termination, consistent with the guidelines of the university adopted by the Board. The President may hear appeals by faculty and students concerning grievances after regular procedures have been followed. The President recommends to the Board appointments to positions from Deans to the Provost. The President appoints other executive officers and reviews the appointee's performance in office.

2.4 The Provost

The Provost is the chief academic officer of the University. Reporting directly to the President, the Provost has administrative responsibility for all academic matters and student services. The Provost is responsible to the President for development of plans for academic progress of the university and establishes policies to implement such plans. The Provost gives direction and guidance to the deans in the development and operation of academic programs; and, the Robert J. Terry Library, Student Services, and Placement; coordinates the activities of the deans and those directors reporting directly to him/her; counsels college deans concerning faculty evaluation and election/selection of department chairs. The Provost receives recommendations from the Faculty Senate, University councils, committees, and the deans for further action by the President.

The Provost approves or recommends to the President actions pertaining to, appointments, re-appointments, tenure, promotion, termination, and dismissal. The Provost receives recommendations regarding faculty grievances and student academic grievances. In addition, the Provost reviews questions concerning conflict of interest.

The Provost also receives recommendations on curricular matters from the University Curriculum Committee and forwards recommendations to the President; presides at meetings of the University faculty; evaluates the performance in office of the academic deans; recommends the appointment of academic administrators to the President, who makes recommendations to the

Board of Regents when required; counsels college deans concerning faculty evaluation and appointment of personnel; chairs the Dean's Council; and delegates authority to the Associate Provosts and other administrators who report to the Provost.

Further, the Provost supervises the preparation of the budgets of the Library and the colleges; establishes guidelines in consultation with the Faculty Senate for the implementation of faculty salary increases, and recommends such increases to the President; receives recommendations from the collegiate deans concerning the colleges and schools and transmits his/her recommendation to the President, and the Board of Regents as appropriate.

2.5. The Associate Provosts and Directors

The Associate Provosts function as directors or staff members of the Office of the Provost. They assist in administering the Office of the Provost and perform duties as delegated by the Provost with the following general distribution of duties:

The Associate Provost for Academic Affairs coordinates academic programs within the various colleges of the university. The Associate Provost for Research and Dean of the Graduate School is responsible for the areas of: the Graduate School; Research Promotion and Compliance (including, animal research, & bio-safety); Intellectual Property and Special Projects; Sponsored Programs (pre-award); Technology Transfer; and other select centers and institutes.

The Associate Vice Provost for Student Services coordinates activities of the Director of the Sterling Student Life Center, the Director of Substance Abuse Counseling, the Director of Residential Life and Housing, and the Director of Placement.

The head librarian is the chief administrative officer of the Robert J. Terry Library and all its sub-collections and branches, including: The Hartman Collection of Negro Life and Culture, the Shaw Fine Arts Collection, the Business-Economics Library, and the Pharmacy Library.

The Director of the Frederick Douglass Honors Program is the chief administrative officer of the University's Honors program.

2.6. The Dean of the Graduate School

The Dean of the Graduate School coordinates all programs in the school and advises the Provost on policies and regulations pertaining to graduate study, graduate admission policies, graduate student programs, and the granting of graduate degrees. The Graduate School coordinates the admission, enrollment, and graduation of students in the various graduate programs of the university.

2.7 The Deans of the Schools

The deans are the chief administrative officers of University's eight schools. The deans provide leadership in formulating educational policy and serve as the faculties' agents in the execution of such policy. In addition, all deans foster the special mission of the University in the implementation and support of urban programs.

Among other duties, the deans represent the college in relations with other colleges of the University; ensure that faculty enjoy academic freedom and exercise academic responsibility; ensure that faculty evaluation, where appropriate, is part of the policies and procedures of all academic departments; review departmental recommendations for appointment, renewal, promotion, tenure, termination, and dismissal, and forward recommendations to the Provost.

The deans also assess annually all personnel under immediate supervision (i.e. department chairpersons), develop proposals, programs, brochures, etc., within the college; assist departments in faculty recruitment; serve as liaison between the Provost, departments, faculty, and students; send letters of renewal or non-renewal of contract to probationary faculty.

The deans also review the annual evaluation of each faculty member of the college. The deans also allocate budgets for instruction, supplies, and equipment, etc., and monitor the expenditure of all college funds and hear faculty grievances pursued beyond the departmental level and cooperate in formal grievance procedures,

The deans also monitor faculty workloads and schedules and recommend approval of requests for sabbatical leaves and leaves of absence. The deans also establish ad hoc committees of the collegiate faculty; recommend appointment of department chairs within the procedures outlined in this manual, and other academic administrators from within departments in accordance with policies and procedures specified; and serve on various councils, commissions, and committees as set forth in University policy.

The Provost reviews the performance in office of each college dean periodically. College deans hold faculty rank and engage in teaching, research, and public service functions to the extent feasible. In some colleges of the University associate and/or assistant deans and/or directors assist the deans who are assigned responsibilities by their deans and who report directly to them.

2.8. The Department Chairpersons

Department Chairpersons bear responsibility for the activities of their departments, and are accountable to the dean of the college. Their primary responsibility is to ensure the quality of the teaching, research, and public service program and their delivery within their departments while continuing to engage in teaching, scholarship, and public service activities. Department chairs represent their departments in relations with other departments and schools and with the deans and other administrative officers of the University. The chairperson is expected to take initiatives to report that unit's needs and advocate its goals and plans.

A department chair's specific functions include: preparing the departmental budget in consultation with the departmental faculty and in accordance with the department's goals and needs; planning the department's summer school offerings and teaching assignments in cooperation with the departmental faculty and in accordance with the summer school policy of the school or college; recruiting, with the assistance of the departmental faculty, new faculty members and students to carry out the goals of the department and the University; evaluating annually the departmental faculty in terms of teaching effectiveness, counseling of students, participation in departmental and university meetings, research and publications, and other aspects of their University and professional responsibilities; providing an effective system for counseling and advising students; making recommendations for change in rank, tenure and

salary, in accordance with University guidelines and procedures; monitoring the collections of the University Library, ordering appropriate new books, periodicals, and other materials for the library collection, and constantly evaluating library holdings on the basis of their relation to the department's needs and the University's goals; hearing informal faculty grievances and cooperating in formal grievance procedures; supervising the department's program of instruction, including curriculum, scheduling, faculty workload, and departmental research and public service; ensuring that students' rights are preserved; supervising the advising of departmental majors and graduate students; monitoring student evaluation of instruction, courses, and programs; providing leadership in student recruitment, student advising, and student placement; coordinating and supervising summer school programs; making recommendations concerning applications for professional travel and sabbatical leave; arranging meetings of the departmental faculty; meeting with the departmental Advisory Committee and appropriate constituent and advisory groups for the discipline; establishing accreditation, and ad hoc departmental committees; and carrying out other such duties as shall be assigned by the dean of the college or as established in University policy, or in collegiate bylaws, school or departmental bylaws. All chairpersons of academic departments hold faculty rank.

2.9 Selection/Election of Department Chairpersons

A. Selection Process

The department chairperson shall be determined by the following process: First, the members of the department shall nominate, through an electoral process, at least three (3) persons for the position of division/departmental chairperson. If there are fewer than three (3) faculty members in the division/department, then, upon mutual consent by the members of the division/department, only one (1) person shall be nominated for the position of chairperson. The Dean of the involved college or school shall select from the submitted nominees the person to serve as division/department chairperson, subject to the approval by the Provost.

In the event that the Dean or the Provost rejects all of the nominees, the rejecting parties shall provide a written explanation for the rejection (veto) to the affected department; and the entire process shall be repeated until a nominee is appointed. A department chair must be eligible for tenure in the academic departments in the school to which he/she is to be appointed.

If a majority of department's faculty and the Dean agree that no internal candidate is suitable or available for the position, an external search may be undertaken. The resulting candidate shall be subject to the same rules as candidates selected from within.

The term of office shall be three years, if the chairperson remains a member of the department faculty. Individuals may succeed themselves. Unless vacancies occur at other times, appointments shall be made during the last four weeks preceding spring graduation. The terms of office shall begin on the first day of September after appointment. Unless a department chairperson vacancy occurs at a time other than at the end of an academic year, the Dean of the School or College shall notify

the faculty of that department of the pending vacancy no later than March first of the final semester of the incumbent's term.

B. Department Membership

All full-time members of the department, including those on authorized leave, and senior faculty with a reduced load shall be eligible to participate in the selection of the department chair.

2.10 Filling [a Vacant] and/or Unexpired Term - Department Chair

In the case of a vacancy in the position of Department Chairperson during the regular academic year, the Dean shall notify the Department of the vacancy and the selection process set forth above shall be followed within two weeks of notification. If a vacancy occurs during the summer session, the Dean may appoint an interim Department Chairperson to serve until the selection process can be followed during the first two weeks of the Fall Semester.

2.11 Removal of a Department Chairperson

Upon recommendation of the Dean of the unit, a Department Chairperson may be removed before the end of his/her term of office by the Provost, upon recommendation of the dean on the basis of substantial non-performance of duties as well as violations of state or federal law and/or university policies or procedures. Faculty may initiate a recall of the chair upon a vote of two-thirds of the members of the department. The dean shall conduct a review of the faculty's recommendation. The dean's findings shall be communicated to the faculty in writing.

2.12 Evaluation of the Department Chair

The Dean formally evaluates the performance of the Department chair before the first semester of the chair's second year in office. As part of the evaluation, deans shall transmit the evaluation of the faculty to the Provost.

2.13 Selection of the President and Other Academic Administrators

Selection of the University President. When the office of the President of the University becomes vacant, the Board of Regents of the University shall appoint a search committee for a new president made up of community, faculty, alumni, students, and administration representatives. Faculty representatives on the committee shall be selected by the Board of Regents from a slate of tenured faculty members provided by the Faculty Senate.

Selection of the Provost. When the Office of the Provost of the University becomes vacant, the President of the University shall appoint a search committee that shall include community, faculty, student, alumni, and administration representatives. The faculty representatives on the committee shall be selected by the University President from a slate of tenured faculty members provided to the President by the Faculty Senate.

Selection of Deans. When a vacancy arises and there is a need to select a Dean for a School or College, a search committee shall be appointed by the Provost the majority of whose members

shall be selected from a slate of the tenured faculty elected from within the affected School or College. The remainder of the committee shall be determined by the Provost and shall represent students, alumni, and community practitioners from the affected discipline, and at least one tenured faculty member from outside the affected School or College. A dean must be eligible for tenure in one of the academic departments in the school to which he/she is to be appointed.

Selection of Head Librarian. The Committee to search and screen applicants for Head Librarian shall consist of five (5) library faculty/staff personnel, two (2) faculty representatives from the faculty/staff at large, one (1) student, and one (1) librarian from an outside (non-TSU) library facility. The Library faculty shall elect the faculty personnel to serve on the search committee. The Office of the Provost shall appoint the student representative, the two (2) at-large faculty/staff members, and the outside library representatives.

Selection of Instructional Personnel. In the replacement or hiring of instructional personnel, each department, division, school, or college shall elect faculty members who will serve to recruit, review and screen applicants, select a candidate or candidates, and forward the name(s) of their nominee(s) to the department, division, school, or college involved for approval by the faculties thereof.

Likewise, the President of the University shall review the performance of the Provost before the end of the Provost's second year in office and every three years thereafter, consulting especially with the academic deans and with representative department chairs and faculty. The President's conclusion will be communicated to the University community.

2.14 The Non-Academic Administration: University Vice-Presidents and Executive Officers

Non-academic University operations are organized under six major areas of administration, each headed by a chief administrative officer, responsible to the President of the University. These administrative officers and the units of the University that report to them are listed below:

Senior Vice President for Finance

The Fiscal Office (Business Office) has the responsibility for maintaining the University's financial records and for the preparation of a variety of financial statements. Information is periodically transmitted to department chairs and other supervisors regarding the status of departmental budgets and separately budgeted contracts and grants. A more detailed narration of the functions and services of the Fiscal Office may be found in the Manual of Fiscal Regulations. The *Senior Vice President for Finance* is the Chief Fiscal Officer of the University and is directly responsible to the President. Some of the major duties and responsibilities of the *Senior Vice President for Finance* are the following: The Senior Vice President coordinates the activities of the Assistant vice president for Business/financial Services, the Assistant Vice president for Budgets, the Director of Purchasing, and the Systems Administrator.

The Senior Vice President for Administration

Reporting directly to the President, the Senior Vice President for Administration is responsible for the development and execution of policies and practices governing the utilization of the

facilities of the University. The duties include the coordination of the activities of the Assistant Vice President for Maintenance and Operations, the Assistant Vice President for Procurement Services, senior Director of OIT, the Director of Purchasing, the Director of Environment Health and Safety, and the Director of Public Safety.

Senior Vice President for Enrollment Management

The Senior Vice President for Enrollment Management directs the Office of Institutional Research, coordinates the activities of the General University Academic Center, Title III, Testing and Evaluation, Enrollment Management, including recruiting, admitting, recruitment; including enrolling new students; retaining students; and overseeing financial aid, and registration services.

Vice President for Architectural, Engineering, and Construction Services

Reporting directly to the President, the Vice President for Architectural, Engineering, and Construction Services is responsible for the management of construction projects at the university.

Senior Director for Information Technology

Reporting directly to the President, the Senior Vice President for Information Technology is responsible for university-wide planning for information resources, administration of the computer centers, information system development, and voice communications.

Executive Vice President

Reporting directly to the President, the Executive Vice President is responsible for a variety of administrative tasks. The duties include responsibility for Community Relations and Public Relations.

General Counsel

The General Counsel heads the university's legal department. Reporting to both the President and the Board of Regents, he/she offers legal advice regarding legal matters and assists the attorney general in representing the university.

SECTION THREE THE NATURE OF THE FACULTY

3.0 Principle of Academic Freedom

Texas Southern University adheres to the 1940 Statement of Principles on Academic Freedom and Tenure of the Association of American Colleges and Universities and the American Association of University Professors. The Statement recognizes that “Institutions of higher learning are conducted for the common good and not to further the interest of an individual professor or the institution as a whole. The common good depends upon the free search for truth and its free expression.”

Academic freedom derives from the nature of the quest for knowledge. It is essential to the full search for truth. Its free exposition applies to both teaching and research, and shall not be abridged or abused. Academic freedom does not relieve the employee of those duties and obligations, which are inherent in the employer-employee relationship.

Freedom in research is fundamental to the advancement of truth. Academic freedom in its teaching aspect is fundamental for the protection of the rights of the teacher in teaching and of the student to freedom in learning. It carries with it responsibilities correlative with rights.

Each faculty member is entitled to freedom in the classroom in discussing his or her academic field, but should be careful not to introduce into their teaching controversial matter, which has no relation to their subject.

Each faculty member is entitled to full freedom in research and in the publication of results, but research for pecuniary gain should be based upon a written agreement with the authorities of the institution.

Faculty members are citizens, members of a learned profession, and officers of an educational institution. When they speak or write as citizens, they should be free from institutional censorship or discipline, but their special position in the community imposes special obligations. As scholars and educational officers, they should remember that the public might judge their profession and their institution by their utterances. Hence, they should at all times be accurate, should exercise appropriate restraint, should show respect for the opinion of others, and should make every effort to indicate that they are not speaking for the institution.

3.1 Academic Responsibility of a Faculty Member

The right of academic freedom for faculty must be accompanied by an equally demanding requirement for academic responsibility of faculty. A faculty member has responsibilities to the institution, the profession, the student and society at large. The rights and privileges of a faculty member extended by society and protected by governing boards and administrators through written policies and procedures on academic freedom and tenure and as further protected by the courts, require reciprocally the assumption of certain responsibilities by the faculty members. Some of these are listed below.

Each faculty member should maintain competence in his fields of specialization and exhibit this professional competence in the classroom, studio, or laboratory and in the public area by such activities as discussions, lectures, and consulting and publication.

Each faculty members should be judicious in the use of controversial material in the classroom and should introduce such material only as it has clear relationship to his subject field. Each faculty member should strive at all times to be accurate, to exercise appropriate restraint, to show respect for the opinions of others, and to avoid creating the impression that he/she speaks or acts for the University when he/she speaks or acts as a private person.

Each faculty member has the responsibility to provide notice of his intention to interrupt or terminate his service at the University.

Each faculty member should present the subject matter of a course as announced to students and as approved by the faculty in its collective responsibility for the curriculum.

Research/consultation and other work related to the faculty member's specialty for pecuniary gain should be based upon a written agreement between the individual faculty member and the institution.

Faculty members are also bound by ethics rules governing public employees of the State of Texas.

3.2 Minimum Qualifications for Appointment to the Faculty

Texas Southern University appoints to its faculty persons with superior abilities in teaching, research, public service, and administration. In addition, the University considers several other factors such as knowledge of a specific subject matter, professional stature, membership and contributions to professional societies, committee work, public service activities, administrative duties and effectiveness of performance. Each department establishes specific qualifications for appointment and the department's faculty is the primary judge of the qualifications.

Prior to hiring a faculty member, the Provost shall verify that the faculty member has a degree that is appropriate for the subject area he/she is hired to teach.

3.3 Faculty Ranks

A. Regular Instructional Faculty

1. Instructor

Academic Preparation: The Master's degree from an accredited institution with a major in the field of the faculty member's appointment or the equivalent in terms of specialized abilities and experience. Preference is normally given to persons pursuing a terminal degree. Instructor is not a tenurable rank, but a limited number of years of instructorship may be credited toward the tenure probationary period.

2. Assistant Professor

- a) Academic Preparation: A terminal degree is usually required, but substantial progress towards may be accepted. This normally means an earned doctorate or other appropriate terminal degree from an accredited institution with a major in the discipline making the appointment or completion of all requirements for the doctorate (except the dissertation) at an accredited institution. Exception to these academic qualifications may be made by the professional and technical schools in accordance with the standards set by their respective accrediting agencies, provided that such procedures were previously approved by the Board of Regents.
- b) Other. All individuals appointed in this rank should have the potential of meeting the requirements for promotion.

3. Associate Professor

- a) Academic Preparation: The terminal degree is required. The doctorate degree in the teaching field or the equivalent in terms of specialized abilities and experience. This normally means an earned doctorate or other appropriate terminal degree from an accredited institution with a major in the discipline making the appointment or completion of all requirements for the doctorate or other appropriate terminal degree at an accredited institution. Exception to these academic qualifications may be made by the professional and technical schools in accordance with the standards set by their respective accrediting agencies, provided that such procedures were previously approved by the Board of Regents
- b) Experience: Relevant experience as defined by the department, is required. At a minimum this means not less than five years of teaching experience, at least three of which must have been at the college or university level, or the equivalent in terms of specialized abilities and experience.
- c) Scholarly & Service Potential: Evidence of scholarly or creative publication or potential for scholarship or creative works.
- d) Professional Activity: Membership and participation in learned societies and/or professional organizations, marked success in teaching, research, and/or public service, or in a professional endeavor.

4. Professor

- a) Academic Preparation: The terminal degree is required. The doctorate degree in the teaching field or the equivalent in terms of specialized abilities and experience.

- b) Experience: Eight years of teaching experience, six of which must have been at the college or university level or the equivalent in terms of specialized abilities and experience.
- c) Professional Activity: Membership and participation in learned societies or professional organizations.
- d) Scholarship: Evidence of mature scholarship and research ability as shown by publications in scholarly journals of national circulation or by outstanding achievement in the creative arts of cinema, theater, music, visual arts, performance etc.

5. Emeritus Title

Faculty members who have served at least 25 years at the university are entitled to receive the title of Emeritus added to their professorial rank upon official retirement. The Provost and the Deans Council shall develop the criteria for selection and a list of faculty members eligible to receive the designation.

B. Other Faculty Ranks

Other appointments to the faculty are: visiting faculty, adjunct faculty, and part time faculty. These appointments are renewable, but carry no expectation of renewal. The appointment is not tenurable and service in these ranks does not count towards the tenure probationary period. These ranks do not carry voting privileges except as provided in particular college/school/department faculty bylaws.

a) Visiting Faculty

A visiting faculty member carries a temporary appointment for a term of one year or less subject to renewal. The rank is intended to entitle the visiting faculty member to a temporary and brief appointment. The qualification for appointment to the visiting faculty rank must be the same as for appointment to corresponding faculty rank.

b) Adjunct Faculty

An adjunct faculty member is one whose principal employment is with an employer that is not Texas Southern University and who brings expertise to the teaching, research, or public service of Texas Southern University. The appointment carries remuneration, is renewable and adjunct faculty members shall be subject to review by the college/school/department faculty review process.

c) Other Part-time Faculty

Part-time teachers other than adjunct teachers are persons who teach less than a full load and whose remuneration is on a per course basis. This does not include senior or other faculty with reduced loads. This rank can include: (1) retired faculty, (2) teachers who would prefer full-time employment but cannot be given a full-time position, and (3) teachers who choose part-time employment but have no full-time employment outside the home. These appointments are appropriate provided that such teachers have office space in which to meet with students, library access, laboratory access, where applicable, and secretarial support.

d) Senior Appointments with Reduced Loads

A tenured faculty member with at least twenty- five (25) years of service is eligible for up to a 33 reduction in his/her overall duties to the university. The faculty member would have proportionate loss of salary but no loss of protections of due process or any other entitlements of tenure.

Where the action to reduce a full-time tenured faculty member to part-time status is mandated by a declared financial exigency or discontinuance of a program, the benefits of tenure shall be preserved and salary shall be continued on a pro rata basis.

The related standards adopted by each academic unit shall include the minimum criteria stated above and must be approved by the University and the Board of Regents. The academic unit standards are incorporated by reference in this manual.

C. Distinguished and Endowed Faculty

Distinguished professorships, University chairs, and titled professorships are appointments made in recognition of exceptional achievement by the faculty member so appointed. The priorities emphasized – teaching, research, service- for conferring a chair /professorship can vary depending upon the purposes of the professorship or chair.

Ordinarily, a University chair is funded by an endowment, which constitutes the only or primary source of the holder's remuneration. For holders of Titled Professorships, the remuneration comes from state funds, supplemented by endowments or other grants to the University. In all cases, nominations of candidates for titled professorships and chairs must be open and publicly solicited. The selection process shall involve members of the academic community and a search process shall be undertaken.

Each department with a graduate component may initiate the selection of its graduate faculty. The minimum requirement for selection is (a) A terminal degree is required, meaning a doctorate degree in the teaching field of graduate instruction,

(b) Experience: Relevant experience as defined by the department, is required. At a minimum this means not less than three years of teaching experience, at least three of which must have been at the college or university level, or the equivalent in terms of specialized abilities and experience. *The full criteria is set forth as an appendix to this Manual.*

3.5 Faculty Awards

The McCleary Teacher of the Year Award. Named for a distinguished teacher, McCleary, this award goes to a faculty member who evidences the highest standards in teaching. There are four criteria for selection. They are: 1) Evidence of improving course and instructional practices, 2) Demonstration of effectiveness as a classroom teacher, 3) development of new courses or innovative teaching methods in existing courses, 4) participation in university-sponsored community programs, including workshops, in-service training, field site development, etc.

The Research Scholar of the Year. This award recognizes outstanding accomplishment in research by faculty. It is awarded to tenured and tenure-track faculty who have not had this award in the five prior years. The following criteria apply: 1) Significant research accomplishment, honors and awards, 2) letters of recommendation/commendation regarding specific projects, 3) a statement of 250-500 words specifically describing the type of research and significant outcomes, 4) copies of publication/presentations, and 5) presentation to the Graduate Council.

Distinguished University Service Award. This award recognizes a person who has rendered distinguished and sustained service to the university in some area other than teaching and scholarship. This award carries a cash amount and a plaque.

School/College Scholar of the Year. Each college will recognize a faculty member based upon criteria established by the college.

International Achievement Award. This award is presented to a faculty member who has achieved distinction, which has been recognized at the international level in the prior five years. The achievement must have been in the area of teaching, scholarship, or university service. Examples include recognition of the faculty member from a global perspective, i.e. ambassadorships, judgeships, textbook publications, lectureships, research, government service, etc. The award carries a cash stipend and a plaque.

3.6 Privileges of Retired Faculty

Retired faculty members are entitled to free lifetime parking, use of the library, and recreational facilities.

SECTION FOUR

University Personnel Practices

4.0 Procedures for Faculty Appointment

Texas Southern University is committed to adhering to the concept of equal opportunity in employment. Consistent with this commitment, the University has developed a procedure for staffing positions requiring an appointed search committee. Search committees are appointed/selected to assist in the search and screening of senior vice presidents (including the Provost), department directors, deans, Director of the University Library. In the hiring of instructional personnel, each department, division, school or college shall select, according to appropriate departmental procedures, faculty members who will serve to search and screen applicants; select a candidate or candidates.

All potential appointees to the University's regular faculty must be recruited and evaluated by a search-and-screening committee consisting of members of the regular faculty or as required in the applicable school/department's bylaws. The qualifications of each candidate shall be made available to all regular departmental faculty, who shall participate in the selection process. Candidates who seek appointment to a rank higher than Assistant Professor and those seeking appointment with immediate tenure must be reviewed under the standards of the department's rank and tenure process.

The search/screening committee shall make nominations in accordance with the bylaws of the school or department. The department chair shall make recommendations from the list of nominees to the dean. In cases where no appointments can be made from the list, additional nominations shall be requested from the committee. In making a recommendation to the dean, the department chair shall provide information regarding the degree of faculty support for the recommended candidate, the recommended rank, and tenure status. In cases of emergencies, where short notice exists and temporary needs require that department chairs exercise discretion, faculty responses should be solicited and the committee procedures should be utilized when possible.

The University does not discriminate on the basis of race, color, national origin, religion, sex, military status, or physical handicap in the recruitment and employment of faculty and staff. The University complies with the equal opportunity provisions of federal laws and regulations.

An individual becomes an official candidate for a faculty position once a formal application has been filed with the University. The appropriate committees, as provided in the Faculty Constitution and the University affirmative action plan, shall screen applicants.

Under the Search Procedures and Employment Process at Texas Southern University, the Committee chairperson or department chair should complete the Affirmative Action Report (Form 1) and the Search Activity Report (Form 2) after the candidate has been hired.)

4.1 Terms of Appointment

The dean of the college shall make the offer of employment to a prospective faculty member in writing. This writing shall include the terms and conditions of the appointment, explicitly

encompassing the full understanding of all parties. The letter of appointment, upon acceptance by the appointee, becomes the understanding of employment. The terms and conditions of employment issued and signed by the Provost, when signed by the appointee, along with the applicable portions of the Faculty Manual and applicable university policies, becomes the employment contract.

Instructional Faculty appointments are made to the ranks of Instructor or higher. Such appointments are made for a period of one year with renewals for one year at a time. Visiting faculty appointments, adjunct faculty and part-time faculty connotes a temporary association with the university and with limited faculty privileges. Except for tenured faculty, individuals with appointments in teaching and research shall be informed annually in writing of their appointment status and their eligibility to receive tenure.

4.2. Waiver Of Provisions For Tenure and Appointment To Full Professor With Tenure

Under extraordinary circumstances, the Board of Regents may waive the provisions for the awarding of tenure and appointment to the rank of full professor with tenure. In those instances where waiver is sought, the following process shall be followed: the credentials and other evidence of the candidate's qualifications shall be presented to the faculty wherein the appointment is to be made for review of compliance with applicable standards of rank and tenure for a full professor at the university. Upon approval, the faculty shall recommend the appointment at the specified rank to the Dean of the school or college in which the candidate will hold the appointment. The Dean shall forward the faculty's recommendation to the Provost, who will then present the recommendation to the President. The President shall request a waiver by the Board of Regents. If the faculty disapproves the appointment with tenure, or the appointment to full professor with tenure, its negative recommendation must be accompanied with a detailed articulation of the reasons for its decision.

4.3 Credit for Prior Service at Another Academic Institution

Pursuant to the hiring procedures, when the school/college Rank and Tenure Committee (or other appropriate search committees) makes its hiring recommendation, this recommendation shall include a proposed number of years or prior equivalent experience which should be credited toward tenure, if any, and said number shall made be a part of the school contract, or the committee shall consult with the appropriate Dean and the Provost on these tenure recommendations.

Ordinarily the decision should be made prior to the initial appointment and included in the initial contract. When it is impossible to include prior years of service in the initial contract, it should be done within ninety days after the appointment.

4.4 Procedures Utilized for Reappointment, Promotion and Tenure

The Provost shall promulgate a schedule for the consideration of reappointment, promotion and tenure requests that shall provide for sufficient time for completion from the unit level through presentation to the Board of Regents, including appeals, before May 31st.

Each school or college shall conduct an annual personnel review for each faculty member eligible for consideration for retention, promotion, tenure, or merit compensation. This review shall include, but not be limited to, the status, progress, and evaluation of a faculty member's performance in the areas of teaching, research, and university and community service. The results of that review shall be communicated in writing to the faculty member in a timely manner and kept on file by the appropriate official.

No later than December 1st of the next-to-last year of probationary service, the Dean of each school shall notify all faculty members who are entering their final year of probationary service of their status and of the criteria and procedures for granting tenure.

The individual faculty member, a departmental committee, the department chairperson, or any combination of the foregoing may initiate faculty promotions.

All academic units of the University shall establish rank, tenure, and promotion committees. Each academic unit shall determine the size of its committee and whether it will establish departmental level committees. Each committee shall establish the specific criteria as appropriate to its unit by which it will judge requests for tenure submitted to it by eligible faculty and by which it will determine compliance with the minimum University review.

All decisions at all levels of consideration or review shall be based solely upon the record as a whole. A faculty member has the right to review the record to ensure that it is complete for review by the Provost. All decisions at all levels shall be communicated to the faculty member in writing in a timely fashion. All decisions that are adverse to the faculty member concerned shall set forth fully the basis of the decision.

The faculty of each department shall be the primary judge of the qualifications of its members, through a peer review process. Each school and department where applicable, shall establish written procedures and committees to perform peer reviews. This review shall form the basis of the initial peer recommendation by the unit's elected Rank, Tenure and Promotion Committee regarding reappointment, promotion, and tenure. The department's faculty, the chair, the school's Rank, Tenure and Promotion Committee, the dean, the Provost, and the University Rank Tenure, and Promotion Committee and Salary Committee shall approve each department's peer review process.

A department committee, or school committee where there is no department committee, shall review all matters regarding reappointment, promotion and tenure. This committee shall be composed of full-time faculty members elected by the department's faculty, but excluding administrative faculty who have input into personnel decisions such as reappointment, tenure, and promotion. A chair or other academic administrator may be present as a resource person but should not be present during committee deliberation and voting.

All requests for retention, promotion and tenure shall be initially submitted to the faculty elected departmental or unit Rank, Tenure, and Promotion Committee. Only tenured members of the faculty may serve on the Committee for purposes of considering a request for tenure. If the department committee consists of less than three members, the Committee shall consist of tenured faculty members of the college.

The unit or departmental committee shall, in writing, make a recommendation to the department chair or dean as appropriate with a copy to the faculty member setting forth in detail the basis of its determination.

Only tenured members of the faculty may serve on the Committee for purposes of considering a request for tenure. In considering a request for promotion, no one of a rank lower than that to which promotion is being sought shall serve to consider the application. Faculty of rank as to promotion means those faculty members in the unit who are at or above the rank to which promotion is being sought.

Recommendations regarding retention, promotion, tenure, or other personnel action taken by an academic unit committee, dean, or the University administration are formal and shall be reduced to writing and promptly communicated to the affected the faculty member setting forth in detail the basis of the determination.

The chair shall make a separate, independent recommendation in each case. A copy of this recommendation will be provided to the unit's Rank Tenure and Promotion Committee. This recommendation, along with a detailed explanation, shall also be promptly communicated to the affected faculty member.

The chair shall forward to the faculty of rank of the department in retention and promotion cases or the department's tenured faculty in tenure cases, the following items: (1) the evaluation and recommendation of academic unit's committee, (2) the evaluation and recommendation of the chair, and (3) the candidate's dossier. If a department has less than three faculty members of rank, the department's Rank, Tenure and Promotion Committee shall be substituted for by one of the following at the election of the candidate: (a) the college's Rank, Tenure and Promotion Committee, if one exists, or (b), faculty members holding such rank in the applicant's field from other colleges and universities in the community or nation. The faculty applicant should be consulted in the selection of an external committee.

The decision of this faculty body shall be forwarded to the Dean. In some academic units, the School's Rank, Tenure and Promotion Committee will also receive the recommendation and deliberate according to the written rules of the School. This Committee and/or the dean should have the following items: (1). The recommendation of the unit's faculty of rank in promotion and retention cases or tenured faculty in tenure cases, (2) the evaluation and recommendation of academic unit's committee, (3) the evaluation and recommendation of the chair, (4) and the candidate's dossier.

Both recommendations are made to the Provost. The Provost will receive the following record: (1) the recommendation of the unit's faculty of rank in retention and promotion cases or the recommendation of the tenured faculty in tenure cases, (2) the evaluation and recommendation of academic department's Rank, Tenure and Promotion Committee, (3) the evaluation and recommendation of the chair, (4) and the candidate's dossier, (5) the School's faculty rank and tenure decision-making authority decision, and (6) the Dean's recommendation.

The Provost shall accept or reject the recommendation of the dean. The Provost's recommendation, including the basis for the decision, shall be submitted in writing to the faculty applicant.

If the decision of the departmental or unit tenured faculty and that of the dean of the academic unit are not the same, the Provost may, if he/she chooses, submit the matter to the URTP&S Committee for review and recommendation. In this event, the faculty person shall have the right to review all the documentation pertinent to the decision regarding his/her status, including proof of uniformity in the application of the standards for tenure. If the Provost follows this procedure, he/she will upon receipt of the recommendation of the URTP&S Committee, forward the URTP&S Committee's recommendation to the President. If the URTP&S Committee upholds the denial of a request for tenure, it shall provide the faculty member with a detailed written articulation for the basis of the denial.

If the decision of the Provost is unfavorable to the faculty member, whether it supports or rejects the unit recommendation, said faculty member shall have the right to appeal such decision to the URTP&S Committee. The findings and recommendations of the URTP&S Committee shall be submitted to the President along with the recommendation of the Provost.

The faculty person shall have the right to review all documentation pertinent to the decision regarding his/her status, including proof of uniformity and accuracy in the application of the standards for tenure.

Upon receipt of the recommendation from the Provost, and where appropriate, the URTP&S Committee, the President shall make a final administrative decision which shall be reported to the Board.

4.5 Annual Faculty Performance Review

Scope

Annual reviews of performance shall be conducted for all faculties on a calendar year basis. Performance evaluation of tenured faculty shall be consistent with the basis of procedures set out in this section and adopted pursuant to Texas Education Code, Section 51.942.

Guidelines

The faculty of each academic unit shall prepare in each department written criteria for categories of performance to be assessed in annual reviews. Besides faculty approval, the respective department chair and dean shall approve such rules. The department chair shall distribute these rules to faculty by October 1 of each academic year. The different units may weigh the criteria listed differently and evaluate faculty differently depending upon the faculty member's role and responsibilities in the academic unit.

Outcome

The departmental rating of a faculty member may range from most meritorious to unsatisfactory. A rating of unsatisfactory performance must be supported by an articulation of the finding based upon the department's approved criteria or the criteria listed in this manual. A report to the dean

of unsatisfactory annual performance must be accompanied by a written plan for near-term improvement.

A faculty member's contribution as measured by his/her academic unit shall be considered in the areas of teaching, research/creative activities/scholarship, and service.

Criteria

The following is a non-exhaustive list of factors that apply to several academic units.

Teaching

Course content, complexity, and level; performance of students in subsequent courses; student evaluations; teaching innovations; peer evaluations; direction of dissertations and theses; awards, honors, and other teaching recognitions.

Research, Creative Activities and Scholarship

Published works—books, journal articles, reviews, research and technical reports, electronic and digital materials; shows, exhibits, displays, and performances of artistic works and talents; professional evaluations of scholarly activities appropriate to discipline; research grants, contracts, and other evidence of competitive support for the research; invited papers and other presentations; editorial contributions; awards, honors and other recognition in research, scholarship or creative works.

Service

1. Student advising and counseling: Responsibilities for student advising; contributions to student development as indicated in student evaluations, advising and participating in student organizations; accessibility to students.
2. University Committee and administrative service: Nature and importance of committee involvement; ideas and original contributions to university community; offices held and other evidence of leadership.
3. Service to profession, community, or state: Involvement in professional societies including leadership positions; governmental committee or commission appointments; academic and professional consulting activities; speech and other presentations utilizing expertise; awards, honors and recognitions in service.

Procedure

Using Annual Faculty Review Form 1, Planning Document-Professional Goals and Duties, the department chair in consultation with the faculty member shall establish the faculty member's assigned duties/goals and objectives for the upcoming calendar year. At the end of the calendar year, the faculty member shall complete Annual Faculty Review Form 2 - Report of Accomplishments and submits it to the chair. Based on the information in the two forms, a second conference with the faculty member, and personal observations, the chair completes

Annual Faculty Evaluation Form 3 Evaluation of Academic Personnel and forwards it to the dean.

Each annual performance review shall be completed no later than April 1 of the subsequent year for the period of the prior calendar year.

4.6 Notification of Renewal and Non –Renewal of Appointments

The Dean or other appropriate University officials shall give notice of the decision not to retain a tenure-track probationary faculty member in accordance with the following standards:

- a) Written notice shall be given in a manner reasonably calculated to provide actual notice to the faculty member. This may include, but is not limited to, mailing to the member's known address (as shown on the University records), delivering through the usual intradepartmental or interdepartmental university mail system, or delivering in person,
- b) Notice shall be governed by the following time frame:
 - 1) No later than three months before the end of the first academic year of probationary service,
 - 2) Not later than six months before the end of the second year of probationary service,
 - 3) At least twelve months before the expiration of the probationary appointment after two or more years at the University.

Each contract given to a non-tenured teacher shall include notice of tenure-track or non-tenure-track status and current number of years, if any, credited toward tenure.

4.7 Length of Tenure-Track Service

For tenure-eligible faculty, the length of probationary service will be governed by the following regulations:

Unless otherwise provided for, a probationary period shall be six years of full-term service in a tenure-track position in the academic ranks of professor, associate professor, assistant professor, or any combination thereof. At the discretion of the University administration, time spent as an instructor may be considered toward the six-year probationary period once the faculty member has attained the rank of Associate Professor.

For the purpose of calculating the period of probationary service, an academic year shall consist of two long semesters (i.e., the fall semester and the spring semester). Summer terms shall not be counted toward fulfilling the period of probationary service.

A faculty member shall be considered to be on full-time academic service when in full compliance with the University's standards pertaining to a normal faculty workload.

Tenure track status is not a guarantee of continued employment so long as notice of non-renewal is provided in accordance with Section 4.6(b).

4.8 Notice of termination of Tenure Track Status

No later than December 1 of the next-to-last year of probationary service, the Dean of each school shall notify all faculty members who are entering their final year of probationary service of their status and of the criteria and procedures for granting tenure.

4.9 Tenure Award

Tenure denotes a status of continuing appointment as a member of the faculty, with service terminated only for good cause, as defined in Section 6 of this manual, and subject to due process in the determination of such cases. Tenure is not automatic and can be conferred only by the Board of Regents. Only faculty members with the academic rank of professor, associate professor or assistant professor shall be eligible for tenure.

In virtually every case, the award of tenure is granted in the next-to-the-last year of probationary service and becomes effective at the beginning of the next year. In cases of persons with exceptional qualifications and achievements, tenure may be granted earlier. A recommendation for tenure of an assistant professor must be accompanied by a recommendation for promotion to associate professor.

Faculty members who have been awarded tenure will not be given contracts (except for summer employment), but shall be given notice of salary in lieu of contracts.

4.10 Post Tenure Review

Post tenure review of all tenured faculty members is required by state law, specifically, Article III-238, Section 31 of the Appropriations Act for the current biennium. The law states as follows:

Sec. 31. Post Tenure Review. None of the funds appropriated by this Act may be expended by an instruction of higher education until its governing board has filed with the Texas Higher Education Coordinating Board policies and procedures regarding post tenure review which have been adopted by the board of regents. Post tenure policies shall include review procedures to determine that a tenured faculty member is performing consistently at an acceptable, professional level and a mechanism whereby a faculty member is informed of any deficiencies and provided opportunities to effectively improve his or her performance.

The policies in this section of the Faculty Manual regarding post tenure review are written in accordance with this law.

Purpose: "The purposes of post-tenure review are to: identify and officially acknowledge substantial or chronic deficits in performance; determine what, if any, additional elements are necessary to develop a specific professional development plan by which to remedy deficiencies over and above those which have already been identified by the department chair and the faculty

member in the written plan for near-term improvement; and monitor progress towards achievement of the professional development plan."

Scope: Post-tenure review is initiated when a tenured faculty member receives two consecutive unsatisfactory annual reviews. Thus, post-tenure review is linked to the annual review. All faculty members are required to participate in the annual review process.

Exemptions and waivers:

- 1) A faculty member may be exempted from post-tenure review upon recommendation of the department chair and approval of the dean when substantial mitigating circumstances exist.
- 2) A faculty member planning to retire at the end of the same academic year in which the post-tenure review would occur is exempt provided that a binding letter of intent to retire is signed by the faculty member.

Guidelines: Each academic unit shall prepare written guidelines approved by the faculty, the Dean, the Provost, and the University Rank, Tenure, Promotion, Salary Committee. Although each academic unit will emphasize those criteria it deems most important, the guidelines must be consistent with the following requisites to ensure rigor:

- 1) The basis for post-tenure review is the faculty member's performance in the areas of teaching, service, and research/scholarship/creative work.
- 2) The faculty member must have input in the selection of the three-member review committee

Procedure: To ensure the necessary institutional rigor, the following procedures must be used:

- 1) The department chair will inform the faculty member in writing no later than May 1 of the second consecutive year that he or she is subject to review.
- 2) Within one month of notification, the faculty member to be reviewed will prepare a review dossier.
- 3) The dossier will contain, at minimum, the following items: current vitae, a teaching portfolio, and statement on current research, scholarship/creative work.
- 4) The department chair will add to the dossier any further materials he or she deems necessary or relevant. The addition shall be sent directly to the faculty member to be reviewed.
- 5) The faculty member has the right to respond in writing to the information added by the department chair. In addition, the faculty member may add relevant materials at any time during the review process.

- 6) The review will be conducted by a three-member ad-hoc committee appointed by the respective dean, in consultation with the respective department chair and the faculty member to be reviewed.

Outcome

Within three months of the submission of the dossier, the review shall be completed. The Committee may make one of three possible findings:

- 1) No deficiencies Identified;
- 2) Some deficiencies identifies, but are found to be unsubstantial; or
- 3) substantial deficiencies.

Upon a finding of substantial deficiency, the faculty member, review committee and department chair shall work together to develop a professional development plan.

Written report

All post-tenure reviews are formal and must be reduced to writing. A finding of deficiency must be substantiated and communicated in writing to the faculty member, the department chair, and the dean.

Professional developmental plan.

- 1) Nature of the plan. The professional developmental plan shall indicate the specific deficiencies of the faculty member and how such deficiencies are to be remedied. If the faculty member, the review committee and the department chair fail to agree on the developmental plan, the dean will determine the plan. Each plan shall contain the following:
 - (a) specific deficiencies to be addressed,
 - (b) specific goals or outcomes necessary to remedy the deficiencies,
 - (c) outline the activities necessary to be undertaken to achieve the necessary outcomes,
 - (d) set time lines for accomplishing the activities and achieving intermediate and ultimate outcomes,
 - (e) indicate the criteria for assessment of annual reviews of progress in the plan, and
 - (f) identify institutional resources to be committed in support of the plan.

2) Assessment:

The faculty member and department chair will meet annually to review the faculty member's progress towards remedying deficiencies. A progress report will be forwarded to the review committee and the dean. Annually reviews of this faculty member shall incorporate this developmental plan.

3) Completion of the plan.

When the objectives of the plan have been met, or no later than two years after the start of the developmental plan, the department chair shall make a final report to the faculty member and the dean. If documented progress has been made even though all objectives of the plan have not been met, the department chair makes request a one-year extension before being required to submit a final report.

4) Dismissal for unsatisfactory professional performance

If, after consulting with the review committee, the department chair and dean agree that the faculty member has failed to meet the goals of the professional development plan and the deficiencies. In the completion of the plan separately constitute good cause for dismissal under applicable tenure policies. As such, dismissal proceedings may be initiated under this manual.

4.11 Promotion Policies

POLICY FOR ACADEMIC RANK

A. Policy

Faculty promotion is not necessarily related to length of service to the University. It is awarded to those faculty members who make continuing contributions in three general areas: teaching, scholarships, and professional service. Recommendations for Promotion are based on evaluations made by faculty peers and administrators. The evaluations are based upon the written criteria established by the academic unit. The academic preparation and other general standards associated with each faculty rank are listed in Part 3.2 above.

Promotion recognizes academic achievement not only in the University, but also in the profession at large. For the regularly appointed full time faculty there are four levels of academic rank: (1) Instructor, (2) Assistant Professor, (3) Associate Professor and (4) Professor. The rank of instructor, being non-tenure track does not allow for promotion. An appointment must be made directly to a tenure track rank.

The faculty of each department, college, school or academic unit shall establish and promulgate criteria and procedures for appointment, retention, rank, promotions and tenure. These criteria and procedures shall be submitted to the University administration and the University Rank Tenure and Promotion Committee for

review and approval and shall be consistent with the guidelines for hiring and retention as stated in this manual.

B. General Criteria for Promotion

In addition to any criteria and procedures established and promulgated by each department, college, school or academic unit, the following factors are considered in evaluation of a faculty member's eligibility and qualification for promotion and retention:

Effectiveness of teaching as evidenced by reports from peers, students, department chairs and deans.

Scholarship or academic creativity as evidenced by the publication of books or articles in professional journals and periodicals, the acquisition of patents or other forms of official recognition for inventions, creations or research; prizes, awards and other forms of official recognition for creative exhibitions, paintings, performances and other art forms.

Academic counseling services to students as evidenced by official reports submitted to the providing academic and career counseling to students.

Activities in learned societies and professional organizations as evidenced by membership, official positions held, papers read at official meetings, and citations for service.

Outstanding services to the University as evidenced by citations and other forms of official recognition for extraordinary productivity, contributions and work on committees and special projects; successful development of proposals for programs that facilitate the achievement of University goals; exhibition of leadership in the initiation and development of projects that complement the University's programming efforts.

Significant community service as evidenced by citation, awards, positions of leadership, etc.

The weight to be assigned to each criterion will be established by each academic unit.

C. Time in Rank Requirements

An Assistant Professor must spend three years in rank in order to be eligible for promotion to rank of Associate Professor. This requirement may be waived in the case where a faculty member demonstrates extraordinary merit.

An Associate Professor must spend five years in rank in order to be eligible for promotion to rank of full Professor. This requirement may be waived in the case where a faculty member demonstrates extraordinary merit.

4.12 Salary Determination Procedures

Although the basis for salary increases vary among the colleges, the following process outlines the typical considerations across all academic units.

Each state-allocated biennial university budget includes an allocation for salaries. If the state allocates funds for a salary increase, there are three possible types: cost of living, merit, and promotion.

Increases for cost-of-living and merit are not uniform in terms of percentage due to faculty differences in productivity, prior inequities, and for other reasons.

The dean or his/her appropriate designee shall perform an annual salary review with each faculty person in the unit over which he/she has administrative responsibility. This shall consist of a review of the academic contributions of each faculty person for the past academic year, or from the date of the last annual faculty review. The performance review shall cover the areas of teaching, research and scholarship, public and University services, and any other areas related to academic performance. The Salary Determination Forms are attached as an appendix to this manual.

The dean shall request in a timely fashion an annual activity report from each faculty person listing or outlining that person's activities in these or other specific areas for the past academic year, or from the date of the last annual review. The activity report shall be the primary basis of the performance review. Where other material, information, and data are to be considered in the performance review, said material, information, and data shall be provided to the faculty person in a timely manner prior to the date of the annual review. The faculty person shall be given an adequate opportunity to rebut, mitigate, or challenge any negative information or data that might adversely affect his or her status, including the right to know the source of said information and data, and where appropriate, the right to confront and cross-examine such source or sources.

The dean shall provide the faculty person with a detailed written articulation after each annual performance review, and if said review is the basis for merit compensation, he or she shall articulate how said compensation was determined in light of the review.

Each academic unit and or college or school shall establish and promulgate procedures, standards and criteria for awarding and distributing merit compensation. These processes, procedures, standards and criteria shall be submitted to the Provost and the University Rank, Tenure, Promotion, and Salary Committee for compliance review and approval, and shall be kept on file along with promotion and tenure criteria. Copies of the process, procedures, standards and criteria shall be given to each faculty person by the dean and/or through the department chairperson.

The faculty person shall have the right to appeal the dean's merit increase recommendation to the Provost. The Provost shall provide the faculty person an opportunity to present his or her appeal directly to him/her, or in the alternative, the Provost may delegate this review process to the University Rank, Tenure, Promotion and Salary Committee to hear the appeal, make a finding of facts, and render a binding decision to uphold, or overturn the decision of the dean. If the

decision is overturned, the Provost and the faculty person shall work together to determine an appropriate level of merit compensation, using as a guide, where applicable, compensation awarded other faculty in similar circumstances. To that extent, comparative information relating to other faculty in like circumstances shall be made available to the faculty person during the appeal process.

Documentation in the form of student evaluations (if available) and peer evaluations of teaching, research, and scholarship must accompany the merit compensation recommendations. Other evidence of research, scholarship, public, and university service such as letters of appreciation, news articles, reports, publications, video publications, awards, commendations, etc., shall also be forwarded with the recommendations and made a part of the record.

If the Provost upholds an appeal from a merit compensation award, and does not submit it to the University Rank, Tenure, Promotion and Salary Committee, then the faculty person shall have the right to appeal the decision of the Provost to the University Rank, Tenure, Promotion and Salary Committee. In that event, the recommendations of both the Provost and the Committee shall be forwarded to the President for decision. If the President makes a decision in favor of the faculty member, then an appropriate adjustment shall be made in concert with the faculty member.

All decisions related to merit compensation shall be based solely upon the record as a whole. The record in merit compensation reviews shall be the written documentation evidenced by the annual review, activity reports and other substantiated and corroborated information and data as described in 6 above, and made a part of the record by the process and procedures contained herein and followed in the actual review. All hearings shall be conducted in accordance with formal due process procedures set out in Section 7-8 of the manual, and a record thereof shall be maintained and retained in the faculty person's file.

4.13. Faculty Transfers From One Discipline to Another.

A faculty member may transfer from one discipline to another provided that the transferring faculty member meets the minimum standards established for entry into the faculty of the discipline to which he/she seeks to be transferred.

4.14 Resignation, Termination and Dismissal

A faculty member may resign his/her faculty appointment at the end of an academic year. Notice should be given at the earliest possible convenience.

Termination means the discharge or removal of a faculty member with tenure, or of an untenured faculty member before the end of the specified term of appointment because of the physical or mental inability of the faculty member to perform normal duties or due to financial exigency of Texas Southern University.

Dismissal is the removal or discharge of a faculty member from a tenured position, or from an untenured position before the end of the specified term for "cause." Specific causes for dismissal are set forth under grievance procedure

SECTION FIVE PROFESSIONAL PRACTICES

5.1 Purpose

This section deals with the responsibility of teaching faculty to the students they teach as well as the students of the university. Recognizing that conscientious faculty foster conscientious students, the policies outlined below provide guidelines for conscientious professional practice by teaching faculty.

5.2 FACULTY WORKLOAD

The normal faculty workload encompasses teaching, scholarly activity, service to the department, school, university, and other professional activities. A normal teaching load at Texas Southern University for a teacher assigned to undergraduate classes only is generally considered to be no more than twenty-four credit hours of classroom and/or laboratory service during the nine-month academic year. On the average, a teacher may expect to be assigned a classroom and/or service load of no more than twelve of the twenty-four hours in any single long term, and no more than six semester hours (seven and a half clock hours per course) in a summer term. The normal teaching load for a faculty member teaching graduate classes is nine credit hours. The nine hours may consist of graduate classes only or a combination of *two* graduate classes and *one* undergraduate class up to a total of nine credit hours. The teaching load must be in accordance with accreditation requirements for undergraduate and graduate academic units as set by the accreditation board(s), which approve such units at Texas Southern University, and by the Coordinating Board.

Workload assignments must be primarily the responsibility of an academic unit and its department chairperson or college dean. These administrators must be held accountable for individual compliance with institutional rules for distributing the duties in their academic unit so that each faculty member contributes maximally to the department program according to his or her capabilities and experience. The Provost of the institution shall be responsible for implementing the institution's workload policy, and for reviewing college and department assignment patterns and monitoring compliance with institutional regulations.

Regular faculty shall have priority for teaching and service assignments. No temporary or part-time person, or adjunct faculty member shall be employed in any capacity if there is a qualified regular faculty member available to teach the scheduled course or perform the required service function.

Where factors of capabilities are reasonably equal, faculty persons of greater experience or seniority shall be given preference in the making of all workload assignments, including summer appointments. Under special circumstances and conditions established and adopted by the faculty of the unit for the purpose of assuring that workload assignments are equitably distributed, or to accomplish legitimate educational objectives, assignments may be made without consideration of experience and seniority.

5.3 Policies for Pursuing Academic Coursework

Texas Southern University encourages the professional development of its faculty and staff. There are, however, institutional, professional, and academic dangers involved when faculty members teach other members of the University faculty or staff. These dangers include inbreeding, conflict of interest, and restrictions of freedom of academic and administrative decisions. In view of these possible hazards, the following policies have been developed:

Faculty and staff members wishing to take a course, when such course is not part of a specific degree program, are encouraged to secure the prior permission of the instructor.

Members of the University faculty may pursue course work toward the attainment of a degree with the prior approval of the Provost.

Individuals seeking exception to these policies shall secure supervisory concurrence through normal channels for approval of personnel recommendations.

Exceptions and interpretations shall be made by the Provost

5.4 Work Schedule

In practice, faculty and administrators of Texas Southern University devote substantial portion of their waking hours to the furthering the purposes of the institution and their own professional pursuits. In general, the employment contract for nine-month faculty covers the period from August 15 to May 16.

Of necessity, the work schedules of full-time teaching faculty is flexible, except for formally scheduled classes and other scheduled activities. Indeed, beyond the requirement that faculty members meet their scheduled classes and fulfill their other faculty commitments, faculty are evaluated primarily on the quality of their performance as teachers and scholars rather than on such quantitative measures as regularity of their work schedules or the number of their preparations.

5.5 Office Hours

Each faculty member is expected to set aside appropriate periods during which he/she will be available in his/her office for conferences with students without an appointment. In order to meet this requirement, faculty members shall set aside a total of 8 hours per week at a time most convenient to students. It is preferable that faculty shall set aside two (2) hours per day four days per week Graduate faculty shall set aside six hours per week.

The designated office hours should be filed with the department chairperson and information about them should be given directly to students. The hours should also be posted in a location easily accessible to students so that they may present themselves for conference at the proper time. Faculty members who have Saturday classes or late evening classes should remember that their students probably cannot arrange for conference during the regular weekdays, and they should give consideration to this fact in deciding upon conference hours.

Each department shall insure that office hours are kept and appropriate for meeting the needs of students.

5.6 Academic Counseling

Each academic unit shall establish a system of student advisement. Faculty members are expected to discuss academic problems with students, but such discussions should be predicated on the teacher's thorough knowledge of University regulations and policies, as set forth in official catalogs and other authoritative sources. Faculty with strong dedication to students should be chosen as academic advisors. Thus, student advising is one element in assessing faculty professional performance.

5.7 Syllabus

A course prospectus or a course outline must be filed with the department chairperson and dean prior to the beginning of the given course.

5.8 Teaching Practices

Texas Southern University uses a semester calendar, each semester lasting for up to eighteen class weeks. Ordinarily, lecture classes meet for fifty minutes per credit hour per week. For laboratories, there are two contact hours for each credit hour. A small number of courses vary from this pattern. So, too, do summer courses.

a) Faculty Class-Meeting Responsibility

Faculty members are obligated to meet all classes and laboratories at the time they are scheduled. Changes in class schedules may not be made without prior official approval. When there are valid reasons for being absent from class (e.g. illness, emergencies, travel on university business), the faculty member should notify the class in advance, whenever possible. Substitute arrangements such as, substitute teachers, library assignments, or other appropriate arrangements shall be used. If no advance arrangements are made, students are authorized to leave after waiting for the period of time specified by the teacher in the course syllabus. If none, the student may leave after 20 minutes of a 1-hour class. Faculty members are expected to help to insure student attendance.

Smoking in the classroom is prohibited by law, and drinking and eating are strongly discouraged.

b) Class Attendance Regulation

All students are expected to attend their classes on a regular basis. Freshmen, sophomores and students on academic probation are required to do so. Students who miss their classes are responsible for all course requirements, i.e., all tests, examinations, laboratory work, reports, lectures, and other assignments. The University faculty and officers of the academic administration believe strongly that the presence of the student in the classroom, laboratory, studio or other class location, enhances the learning process,

insuring opportunities for the exchange of ideas between students and faculty, thereby increasing the student's chances for successful learning experiences.

c) Examinations & Grading

A faculty member should announce course requirements, procedures for examinations, and grading standards during the first week of class.

Oral and written tests in courses are administered at the discretion of the teacher. A final examination is required in all courses. In classes with more than one section, it is common practice for the several teachers involved to develop and administer a group examination, though this decisions made at the departmental level.

A schedule for final examination is drawn up in the Office of the Registrar, and copies of the schedule are circulated among faculty and students well in advance of the examination period. Any change in time of the scheduled examination or the room assigned may occur only after approval of he department chairperson and the Registrar. Grade reports are made directly to the Registrar's Office according to the regular examination schedule.

Texas Southern University utilizes the following twelve final grades: A, A-, B+, B, B-, C+, C, C-, D+, D, and D-. and F. In addition, the following grade is assigned: W (administrative withdrawal on terms determined by the academic unit), I (incomplete work assigned when a small portion of the course requirements remain undone.) Faculty must retain all grade records for a period of one year after the student graduates or five years, whichever is less.

Recognizing the academic challenge faced by many of the undergraduate students of the university, faculty members are encouraged to give frequent feedback to each student regarding academic performance in each class. Such feedback should include information regarding student ranking, test performance to date, and how this performance relates to meeting the course requirements. This feedback should be done prior to the date of withdrawal without an adverse grade.

The grade of "I" is given only when a student's work is satisfactory in quality but, due to reasons beyond the student's control, he has not completed a small portion of all the requirements of the course. The missing work may be a major quiz, a final examination, a term paper, or other work. The instructor will stipulate in writing, at the time the grade is given, the conditions under which the "I" may be removed. Removal of the grade must be within the calendar year after the "I" was assigned.

d) Grade Reports

During the fall and spring semesters, mid-semester grades are to be submitted to the Office of the Registrar on officially supplied forms. At the end of the semester or summer term, final grades should be submitted to the Office of the Registrar on the officially supplied forms within the prescribed time limit. During the spring semester and the second summer term, grades for graduating seniors may be submitted on special

forms provided by the Registrar for priority grades a few days earlier than other grades. The grading system to be employed is set forth in official University catalogs.

Faculty is required to submit grades within the prescribed time limit. If there are unusual circumstances, which prevent meeting the deadline, teachers are advised to discuss the matter with their dean or department chairperson. All grades shall be submitted in person to the Office of the Registrar.

a. Grade Changes

Should a faculty member discover an error in the grade submitted for a student, he/she must send a letter through his/her department chairperson and dean explaining the reason for the error and giving the correct grade to the student. This letter must be approved by the department chairperson and the dean before the grade is changed in the Office of the Registrar. After such a change, the letter becomes a part of the student's permanent record.

b. Reporting Small Classes

Whenever (1) any undergraduate class falls below an initial enrollment of ten students by head count, as of the twelfth day of each semester of the Fall or Spring semester or the fourth class day of each term of the Summer Session, or (2) any graduate class falls below an initial enrollment of five students by head count, this information shall be reported to the department chair and relayed to the administration, which must make a report of such classes to the Board of Regents. If this class size is justifiable, the class may be continued. If, however, the class is determined to be unnecessary or unjustifiable, the class will be deleted.

c. Twentieth Day and Fourth Day Reports

During the regular academic session, the official class enrollment as of the twentieth day is compiled and sent to state agencies. This information becomes the basis for the computation of the University appropriations. The enrollment as of the fourth day of summer term is used for similar purposes. The procedures for making these reports are the following:

- 1) Temporary class lists secured directly from the Registrar's Office are made available to each teacher through his department chairperson. These lists show all students enrolled, and they should be checked against the roll kept by the class instructor.
- 2) Dates of individual drops or withdrawals are extremely important. "Dropped" or "Withdrew," with the date of action, is to be written opposite the name of the student for whom the faculty member has an official drop or withdrawal card.
- 3) Each faculty member should check to see if auditors are enrolled in his/her classes. If so, they are not to be counted in the total enrollment, and "Audit Only" should be written beside their names.

- 4) Each class list should be signed by the course instructor.
- 5) Faculty must process and hand in a Teaching Load Report together with the twelfth day-class report. Forms for this report are supplied through the department office. Whenever two or more sections or courses are taught simultaneously, instructors should indicate this in writing on the report. Whenever two faculty members are assigned to teach the same section of a course, each faculty should claim only a mutually agreed upon partial credit for that course in the teaching load report.
- 6) Each faculty member is responsible for submitting a prompt and completely correct report.

h. Room Assignments

Classroom assignments are made by the Registrar's Office in cooperation with department and unit leaders. These assignments are normally included in the official schedule of classes, together with addenda to this schedule. In the event that class changes are necessary, the department chairperson should communicate with the Registrar's Office.

i. Class Enrollment

During all registration periods, academic departments are responsible for determining class size. Final official class enrollment is determined by the Registrar's Office with the help of the department chair. Appropriations for the operation of the University's instructional program are based upon semester credit hours taught, and all records of student enrollment are audited. It is mandatory, therefore, that teachers keep careful records of student enrollment and prepare enrollment reports promptly and carefully.

To attend a particular class or section, a student must be officially enrolled through the Registrar's Office. The teacher of the class or section is supplied evidence of official enrollment through the Office of the Registrar. Presently, this evidence is the duplicate class lists showing the student's name and number, and the course section if there are several sections of the course. The student must attend the class or section shown on the class list. He may not attend any other section, and no teacher of another section may submit a grade for a student whose name does not appear on the first grade list for that class or section.

j. Dropping and Adding Courses

Errors in enrollment may be corrected at the beginning of each semester or summer term through the provisions made for official changes of class sections and courses. Changes should be made on or before the fourth class day in any summer term. Students having enrollment problems should be sent to the Registrar's Office for information on procedures for dropping and adding courses.

k. Student Rights and Responsibilities

As members of the academic community, students are encouraged to the capacity for critical judgment and to engage in a sustained and independent search for truth.

Co-relative to the faculty's freedom to teach is the student's freedom to learn. Thus, Texas Southern University sets appropriate opportunities for students to engage in this pursuit in the classroom, on the campus and in the community. The faculty member, in both the classroom and in conference should encourage free expression, inquiry, and discussion. Student should be free to take reasoned exception to the data or views offered in any course of study and to reserve judgments about matters of opinion; however, they are responsible for learning the content of any course for which they are enrolled.

Students' performance is to be evaluated solely on the academic content of the class, not on opinions or conduct in matters unrelated to the academic content of the course.

l. The Family Rights and Privacy Act (FERPA)

The following information is adapted from the U.S. Department of Education's website at <http://www.ed.gov/offices/OM/ferpa.html>

The Family Educational Rights and Privacy Act (FERPA) is a federal law designed to protect the privacy of a student's education records. The law applies to all schools and universities, which receive federal funds. FERPA gives parents certain rights with respect to their children's education records. These rights transfer to the student, or former student, who has reached the age of 18 or is attending any school beyond the high school level. Students and former students to whom the rights have transferred are called eligible students.

- Parents or eligible students have the right to inspect and review all of the student's education records maintained by the school. The University is not required to provide copies of materials in education records unless, for reasons such as great distance, it is impossible for parents or eligible students to inspect the records. The University may charge a fee for copies.
- Parents and eligible students have the right to request that the University correct records believed to be inaccurate or misleading. If the University decides not to amend the record, the parent or eligible student then has the right to a formal hearing. After the hearing, if the University still decides not to amend the record, the parent or eligible student has the right to place a statement with the record commenting on the contested information in the record.
- Generally, the University must have written permission from the parent or eligible student before releasing any information from a student's record. However, the law allows the University to disclose records, without consent, to the following parties.
 - University employees who have a need to know;
 - Other universities to which a student is transferring;

- Certain government officials on order to carry out lawful functions;
- Appropriate parties in connection with financial aid to a student;
- Organizations conducting certain studies for the school;
- Accrediting organizations;
- Individuals who have obtained court orders or subpoenas;
- Persons who need to know in cases of health and safety emergencies; and state and local authorities, within a juvenile justice system, pursuant to specific state law.

The University may also disclose, without consent, “directory” type information such as a student’s name, address, telephone number, date and place of birth, honors and awards, and dates of attendance. However, the University must tell parents and eligible students about directory information and allow parents and eligible students a reasonable amount of time to request that the school not disclose directory information about them. The University must notify parents and eligible students annually of their rights under FERPA. The actual means of notification (special letter, inclusion in a PTA bulletin, student handbook, or newspaper article) is left to the discretion of the University.

m. Academic Integrity

Faculty members must not tolerate academic dishonesty in any form. Such conduct as; giving, receiving, or using unauthorized aid in any academic work; plagiarism, meaning the use of another’s work with giving credit to such person; altering the computer files of another.

n. Students with Disabilities.

Texas Southern University adheres to federal and state law that prohibits discrimination in programs for students with disabilities. (*Section 504 of the Rehabilitation Act of 1973*) When the disability is documented, a notice is given to all instructors.

Texas Southern University adheres to federal and state law that prohibits discrimination in programs for students with disabilities. (*Section 504 of the Rehabilitation Act of 1973*) When the disability is documented, a notice is given to all instructors.

o. Evaluation of Teachers by Students

Student evaluation of teaching is conducted on all faculty at least once a year. Individual academic units may conduct such evaluation on a more frequent basis. The form is supplied by the university and is administered in the absence of the faculty member being evaluated. The information will be used for faculty evaluation in areas of: annual review, retention, tenure, promotion, and post-tenure review. This evaluation must not be the judge of classroom performance of a faculty member. Other criteria are to be given equal weight. They include: evaluation of course materials, learning objectives; peer evaluation; in-class visitation by peers; statement of the faculty member regarding his/her methodology, and other criteria.

5.9. Policy On Textbooks Purchased Through University Bookstore

The following regulations apply to the ordering of books through the University bookstore:

- 1) Allow time for delivery of required textbooks and to make substitutions when the textbook ordered is not available, the lists of books to be ordered shall be submitted to the Dean's office along with the class schedule for the semester in which the books are to be used.
- 2) Books are not to be ordered by individuals not associated with the bookstore. Regardless of the circumstances, books ordered by unauthorized individuals will be returned to the publishers and the individual placing the order will be charged for the cost of returning the books.
- 3) Desk copies for instructors will not be provided by the bookstore nor provided for in departmental budgets.
- 4) Unless advised otherwise by the dean or department chair, the bookstore will return all unsold books to the publisher thirty days after the close of registration. If a textbook is to be used the following semester, the bookstore should be advised prior to the expiration date of the 30-day period.
- 5) Individual faculty members are prohibited from selling books and other publications or reproduced materials.

5.10 Report Submitted to the Coordinating Board on Coursework.

- 1) Each institutional governing board (TSU) is required to submit to the Coordinating Board its comprehensive rules, regulations and standards for interpretation of full and part-time instructional workload requirements, and for the range of acceptable assignments within its definition of faculty workload. These institutional rules must be included in the operating budget of the institution.
- 2) The institution must indicate the means by which an academic unit assures that persons paid from faculty salaries work an appropriate percentage of time on instructional activities.

5.11 Rental of Academic Regalia

Faculty participants in the commencement convocations must wear the traditional academic costume. Teachers who wish to rent their costume will be provided with the proper forms for contracting a rental agreement well in advance of the commencement convocation itself. The University serves as an agent in the matter of rental of academic regalia, though the individual faculty member may make his own arrangement for academic costume. He must indicate this, however, at the time a general inquiry relating to the availability of academic costumes is circulated among faculty. Persons renting academic costumes through the offices of the University are expected to return this regalia immediately following the completion of its use, and to pay the rental fee.

5.12 Sub-division Handbooks

The departments and sub-divisions of the University have policies and procedures available to staff members in a departmental or sub-divisional handbook. Periodic meetings of the faculties of the separate departments, schools or other sub-divisions of the University are held, generally a regular basis, which is announced or determined at the beginning of a term. Faculty members are expected to be present at all regular and called meetings of their department or school. Such meetings are usually devoted to discussions and presentations, which are important in providing faculty members with late information on University programs. The handbooks of the several departments and sub-divisions give detailed information about faculty and staff meetings.

At various times during the year, general meetings of the entire University faculty are scheduled. The University faculty usually meets just prior to the beginning of a regular academic year and at the beginning of the summer session. Other general faculty meetings, however, may be scheduled as occasions for them arise. Notice of such meetings is circulated to faculty members early enough to give ample time for teachers to be properly notified.

5.13 Faculty Leaves

All leaves from designated duties at the University require official approval. The following are the types of leaves:

A. Sabbatical Leaves

1) Policy

All faculty members must, (by June 30), prior to the year for which the leave is requested, have completed a period of six (6) or more consecutive years of service at the university before they are eligible to apply for a sabbatical leave.

- a) Application shall be submitted to the President of the University no later than February 1st of each year.
- b) Application may be made for the purpose of pursuing a substantial project designed to yield publishable results and/or to enhance competency as a scholar or teacher. Sabbatical leaves may also be granted for the pursuit of an accredited terminal degree in an appropriate field of study. For faculty in the area of fine and performing arts, creative work may be considered the equivalent of scholarship.
- c) The Faculty Development Committee shall review the academic merits of each application.
- d) The President shall take into consideration the recommendations of the committee and shall make recommendation for approval or disapproval to the Board of Regents.

2. Terms of Sabbatical Leave

- a) Half-year leaves shall be at full salary.
- b) Year leaves shall be at the rate of half salary.
- c) The period of the leave shall be credited for increment purposes, where such credit is relevant.
- d) A faculty member on sabbatical leave shall be entitled to the continuation of pension and insurance program benefits as provided by the state.
- e) Each faculty member accepting a leave must sign a written statement obligating him or her to continue to serve for at least one year after expiration of the term of the leave.
- f) Faculty members on such leave are permitted to receive additional compensation in the form of fellowships, government grants, and honoraria for the purposes related to the leave. They may also accept part-time employment directly related to the project at an institution where they are in residence for the purpose of study and research in addition to the partial salary from the University. However, total compensation from all sources may not exceed the faculty member's full salary at the University. The leave may not be used to accept paid employment during the period of the leave except as provided above.
- g) Faculty on sabbatical leave may engage in outside employment if it does not conflict with the purpose of the sabbatical leave, and the faculty member reports the outside employment before going on leave.

B. Faculty Development Leaves.

Development leaves for faculty members may be granted as set out in Texas Education Code, Chapter 51, Subchapter C. This law provides that after two consecutive academic years at the same institution, faculty members as defined in this law may be considered for a faculty development leave for one academic year at one-half of regular salary or for one-half academic year at full regular salary. Such leaves shall be granted pursuant to procedures outlined in the Act and to the limitations therein.

C. Annual Leaves.

Faculty members who have a nine-month (academic year) appointment do not accrue annual leave. In the case of faculty who hold twelve-month administrative appointments, leaves are accumulated at a rate that depends upon the length of service. The rates of accumulation and the maximum carry forward number of hours are set forth in the *Personnel Manual*. The Manual sets forth nine (9) brackets ranging from seven (7) hours of accrued leave and twenty-one (21) days of carry-over

allowed in the first two (2) years to twenty (20) hours of accrued leave and sixty-five (65) days of carry-over after thirty-five (35) years.

D. Sick Leave.

In cases where illness incapacitates a faculty member, arrangements for carrying on his usual duties must be made through appropriate administrative channels with the President of the University. Sick leave accrue at a rate of eight hours (8) per month for a full-time faculty member and at a pro-rated amount for less than full-time. Sick leave is available for illness to the faculty member or for the faculty member who is a caregiver to an immediate family member. The University operates a sick leave pool through which accumulated sick leave time can be contributed and withdrawn in case of catastrophic illness.

E. Family and Medical Leave.

Under the *Family and Medical Leave Act (FMLA)*, a faculty member is entitled to up to twelve (12) weeks of non-salaried leave upon completion of twelve months of service to the University. The faculty member is eligible for FMLA leave after exhausting paid vacation and sick leave. FMLA is available for the following reasons: (1) birth and care of a new-born child, (2) adoption or foster care of a child, (3) care of a spouse, child, or parent with a serious condition, or (4) the occurrence of a serious health condition that renders the employee unable to perform the functions of his or her job.

5.14 Leave of Absence Without Pay

A regular, full-time faculty member may be allowed a leave of absence without pay for a period not to exceed one year upon approval by the President, Provost and Academic Dean. In granting such leaves, the interests of the employing department and the University shall be given priority consideration.

During a leave without pay, service is not considered to be interrupted; however, benefits associated with pay status are affected as follows:

- 1) Vacation, sick leave, and state service accruals are suspended.
- 2) Group insurance premium sharing contributions continue and group insurance coverage may be continued provided the balance of premium payments is made to the Payroll Department.
- 3) Tax-sheltered annuities become inactive.
- 4) Membership in the Teacher Retirement System or Optional Retirement Program becomes inactive and contributions cannot be withdrawn.
- 5) A faculty member is not entitled to pay for holidays if on leave without pay status on both the day before and the day after the holiday.

A leave of absence without pay implies intent from the faculty member to return to work and implies intent for the University to return the faculty member to work. The employing department is required to reinstate a faculty member to the former position or to one of similar requirements and compensation upon expiration of a leave of absence without pay.

The President may extend upon the recommendation of the faculty department chair, dean, Provost and upon the approval a leave of absence.

Failure to return to work upon expiration of a leave of absence shall result in the faculty member's termination.

A faculty member may be granted a leave of absence without pay if the best interest of the University would be served. Such a leave may be granted provide it: (1) Does not extend beyond the year of the fiscal year, and (2) is approved by the President.

Leaves without pay, which extend beyond thirty days must be in the best interest of the University, such as research, advanced training, etc., leading to increased job ability. Applicants for such leaves must have been in the continuous employment of the University for at least two years. However, the University may grant leave without pay when the absence is due to illness, which extends beyond available sick leave with pay.

There may be circumstances under which a leave of absence for purely personal reasons may be justified. Such a request for leave should be made to the President in writing. If such a leave is granted, the employee must arrange with the Human Resources Department for a continuation of premiums in connection with group insurance and hospitalization.

All leaves of absence must be properly reported. Failure to report leaves of absence is a violation of University policy and state law. A faculty member who fails to properly report leaves of absence may be subject to disciplinary or adverse action.

5.15 Faculty Absence From Regular Duties

A. Conditions from Absence From Usual Duties

- 1) Authorized Travel. The University may authorize a faculty member to travel in order to maintain his standing in the community of his professional peers (i.e. regional and national meetings). Depending upon the availability of funds, the faculty member will be reimbursed.
- 2) When appropriate, provisions are made to carry on the duties for the absent person without additional expense to the University.
- 3) In case of military leave not to exceed fifteen (15) working days each year.

B. Absence From the State

State-appropriated funds may not be used to pay the salary of any officer or employee of the University who is absent from the State for more than thirty (30) consecutive days during any fiscal year, except where an official leave and authorized payment have been granted by the Board of Regents.

5.16 Salaries and Compensations

A. Salary for Regular Long-term Faculty Members

Salaries and compensation for University faculty members are paid in equal installments at a fixed rate for the portion of the year for which services are contracted. For regular long-term faculty members this means nine equal payments totaling full compensation, less required deductions for withholding taxes, social security, group insurance, teacher retirement, and other deductions which the employee may authorize. Faculty members may authorize payment of the nine-month salary over a twelve-month period.

B. Salary For summer School and Summer Employment Provision

Payment of summer session salaries is on a monthly basis for the period of the contract. When the services of a faculty member terminate before the end of a given month, as for example, in the case of a faculty member working only the first term of the summer session, the salary check covering the period for which he is entitled to compensation will be issued at the last of the month.

Appointments to serve in the summer session are made annually. The needs of the institution are the paramount factor in determining the appointments to be made. In the summer session there are no promotions or salary increases, and employment does not extend beyond the period specified.

Regular appointments to teach in the University, except for appointments made to those persons who serve also in administrative capacities, are made on a nine-month basis for the regular academic year. Appointments to teach in the summer session are based on the length of the summer term to which the appointment is made.

The rate of salary paid for services during the summer session may not exceed the salary rate paid the faculty member for the same or similar services during the preceding regular academic year.

C. Salary Increments for Credits Earned

The following guidelines govern the awarding of salary increments based on graduate credits earned:

- 1) Annual Salary increments may be given to personnel for earning additional credits toward an advanced degree in keeping with his/her rank and with the

recommendations of the department chairperson and dean, with the approval of the President, for study done during a regular academic year.

- 2) Salary increments may be given to a faculty member in keeping with his/her rank and with the recommendations of the department chairperson and dean, with the approval of the President, for study done during a regular academic year.
- 3) Only graduate credit from an accredited institution applicable toward the doctorate or equivalent professional degree will be considered. No increment is granted for credit earned prior to the master's degree.

5.17 Outside Private Employment

Outside employment includes both consulting activities and other compensated outside activities of faculty members. Consulting work is defined as professional work performed outside university auspices that are substantively related to the faculty member's area of expertise and duties at the university. Outside activities refers to employment or business activities, other than personal and private financial transactions) designated to enhance the income or wealth of the faculty member but not directly related to his/her area of expertise as a faculty member. Excessive involvement in outside employment can have a detrimental effect on performance of professional duties. Such lowered professional performance will affect decisions regarding promotion, tenure and salary.

- A. Consulting. Members of the faculty of the University should not be discouraged from providing consultation or other professional services on a private basis outside the University. Such activities can benefit students by providing opportunities for enriched teaching and research, thus supporting the basic academic benefit by having its faculty maintain continuing contact with non-academic problems in the non-academic world. Thus, the University encourages consulting activities, provided that such activities present no conflicts of interest and do not diminish the quantity and quality of professional services rendered to the university as part of faculty member's duties and responsibilities.
- B. Outside full-time employment. Members of the faculty may not accept regular full-time employment with units outside the University because this action would be divisive of loyalties and does not provide the return to the University indicated in item 1.
- C. Conflict of interest. Conflicts of interests should be avoided in all instances of outside employment. Conflict of interest in an academic institution means outside activity, which intrudes upon the academic functions of teaching, scholarly activities, and service to the University.
- D. Use of University Facility and Equipment. A member of the University faculty shall not use the University's name, property, or staff for private gain. A faculty member may, with the approval of the appropriate University officer, engage in endeavors

which are in the public interest and which may include remunerable research, consultation or other activity identified with and using University facilities.

- E. Contractual Research. Full time faculty members who wishes to conduct contractual research projects must obtain approval of he department chairperson, the dean of the respective school and the Provost. The teaching and library responsibilities of faculty engaged in contractual research will be prorated in accordance with the percentage of time devoted to the research project and in relation to the percentage of salary paid to the researcher from the University.
- F. Non-elective public office._ Subject to the other provisions of this section, a member of the faculty may hold other non-elective offices or positions of honor, trust, or profit with the State or Texas or the United States if his holding the other offices or positions is of benefit to the State of Texas or is required by state or federal law, and if there is no conflict between his holding the office or position and his holding the original office or position for which the member of the faculty receives salary or compensation.
- G. State office holders. A member of the legislative branch of the state may not be paid from the state budget that funds the university although such a person is a member of the instructional staff.
- H. Reporting Requirement. Faculty members are not required to secure advance approval for consulting or outside activities, but should be prepared to disclose the nature and extent of the activities to the department chair, or dean.

5.18. Compensation Above Contracted Salaries

Faculty members who participate in special programs and projects, which are independently funded, may find that additional compensation is available for those special services. Participation in these special programs should be cleared with proper administrative supervisors before a commitment is made. Should additional compensation be available for such special programs and projects, it is to be handled through the regular procedures of the University Fiscal Office; it is subject to the processes applied to regular compensation; and it is subject to review by appropriate University officials.

5.19 Payday

Full-time and regular employees, except certain hourly employees, are paid on the first working day of each month, unless the first working day falls on a holiday. (When this occurs, payroll checks are issued on the next business day.) Deductions for retirement, social security, and income tax are prorated and deducted from each paycheck. On the proper payday all employees' payroll checks are released to designated individuals for each department on campus. The department will deliver the check(s) to each employee.

On one payday each year, usually the last payday of the calendar year, each employee is required to receive his/her check personally, upon producing the required identification and signing the payroll printout.

Warrants of faculty members who owe the University past due bills may be held by the Fiscal Office until the bills are paid. The Fiscal Office will establish procedures and guidelines for holding and releasing such warrants. The University may also be required to withhold payment to any faculty member who is indebted to a judgment creditor or the Federal Government for past due income taxes, and to pay a specified amount of the member's earned salary to the Federal Government in satisfaction of the debt.

**SECTION SIX
POLICY AND PROCEDURE FOR GENERAL FACULTY DISCIPLINE AND
TERMINATION FOR FINANCIAL EXIGENCY OR INSTITUTIONAL
CONTINGENCY**

6.0 General Disciplinary and Policy and Procedure

A faculty member found in violation of applicable rules and regulations of the university or State may be subject to disciplinary action ranging from a formal warning, to a letter of reprimand, or SUSPENSION from the University. Upon the occurrence of such a violation, the academic unit of such faculty member shall establish a faculty committee to review allegations of faculty conduct that violate these rules. The immediate superior of the faculty member in question shall review allegations of faculty violations of the applicable rules and make recommendations accordingly. Faculty members shall retain the right to appeal any adverse review to a higher administrative level and/or to a duly constituted faculty governance committee.

6.1 Termination From Employment for Financial Exigency or Institutional Contingency

(Dismissal or removal of a faculty member with tenure or of a non-tenured faculty member before the end of a specified term of appointment can be for one of the following causes; 1) Financial exigencies which are demonstrably bona fide, or 2) institutional contingencies such as curtailment or discontinuation of programs, departments, or schools. Cases of bona fide financial exigency or phasing out of institutional programs requiring a reduction of faculty may give rise to exceptions to tenure regulations and/or other provisions on rank, tenure, promotion and salary in the Faculty Manual. Such exigencies will be governed by provisions of the Faculty Reduction Contingency Plan, as adopted by the Board of Regents.

**SECTION SEVEN
POLICY AND PROCEDURE FOR FACULTY DISCIPLINE,
DISMISSAL**

7.0 Termination

Termination of the employment of a faculty member who has been granted tenure and of all other faculty members before the expiration of the stated period of their appointment, except by resignation or retirement, shall be for good cause.

7.1 Good Causes

Serious professional or personal misconduct, as determined by University due process as set forth in this section, constitutes good cause for termination. Serious professional or personal misconduct includes, but is not limited to, the following:

- A. Commission of a misdemeanor involving moral turpitude, or a felony.
- B. Willful destruction of University property or violent disruption of the orderly operation of the campus.
- C. Accepting or soliciting gifts that influence the discharge of one's professional responsibilities.
- D. Misappropriating and publishing as one's own the ideas or words of another.
- E. Misappropriation or illegal or serious misuse of State property, State funds, or funds held by a faculty member as part of official duties.
- F. Sexual harassment, which includes, but is not limited to:
 - 1) making unwelcome sexual advances or requests for sexual favors or other verbal or physical conduct of a sexual nature, a condition of an employee's continued employment or of a student's evaluations or grades, or
 - 2) making submission to or rejections of such conduct the basis for employment decisions, evaluations or grades affecting the employee or the student, or
 - 3) creating an intimidating, hostile or offensive working or learning environment by certain conduct, whether physical or verbal, including but not limited to references to an individual's body; use of sexually degrading words to describe an individual; offensive comments; off-color language or jokes; innuendoes; and sexually suggestive objects or behavior, books, magazines, photographs, cartoons or pictures.
- G. Discrimination or harassment on the basis of race, color, national origin, religion, sex or handicap.

- H. Gross neglect of professional duties.
- I. Professional incompetence. For tenured faculty, professional incompetence shall be addressed through the post-tenure review process.
- J. Mental or physical disablement of a continuing nature adversely affecting to a material and substantial degree the performance of duties or the meeting of responsibilities to the institution, or to students and associates.
- K. Illegal use, possession and distribution of drugs, narcotics, or controlled substances as determined by University processes.
- L. Repeated intentional or knowing violation of a University or Board administrative order, rule, or regulation.
- M. Failure to successfully complete a post-tenure review professional development plan.

7.2 Presidential Authority

The President may suspend an accused faculty member pending immediate investigation or speedy hearing as hereinafter provided when the continuing presence of the faculty member poses a danger to persons or property or an ongoing threat of disrupting the academic process.

7.3 Immediate Dismissal

In cases of good cause where the facts are admitted in writing by the faculty member to the President, or the individual has been convicted for an offense which constitutes good cause for termination under this section, the President may immediately dismiss the faculty member.

7.4 Request for Hearing

In all cases where the facts are in dispute, the accused faculty member shall be informed in writing of the charges by the Provost. Upon receipt of the charges, the accused faculty member may request a hearing before a faculty hearing committee. The request for hearing shall be submitted by the accused faculty member to the Provost within thirty (30) calendar days of receiving the charges in writing. A hearing shall be scheduled and commence within thirty (30) calendar days.

7.5 Faculty Hearing Committee

The hearing committee shall be selected pursuant to Section 9.2 of the Faculty Manual. Each member of the hearing committee shall be subject to challenge for cause by the administration or by the faculty member. The Committee shall determine by majority vote, excluding the challenged member, whether the challenged member can serve with fairness and objectivity in the matter. If the hearing committee shall sustain the challenges, such faculty member shall be disqualified to sit as a member of the hearing committee and as a member of the Faculty Assembly in the manner prescribed by the Faculty Constitution.

7.6 Hearing Procedure

- A. The committee chair shall provide at least fourteen (14) calendar days written notice of the scheduled hearing date to the accused faculty member and to the University.
- B. In every hearing, the accused shall have the right to appear in person and to confront and cross-examine witnesses who may appear. The accused may be assisted or represented by an attorney.
- C. The accused faculty member shall have the right to testify, but the faculty member may not be required to do so, and may introduce evidence, written or oral, which may be relevant or material to the defense.
- D. A stenographic or electronic record of the proceedings shall be taken and made accessible to the accused.
- E. The burden of proof shall be upon the administration to prove good cause by a preponderance of the evidence. The accused faculty member has the same right.

7.7 Representation

A representative of the University shall have the right to attend proceedings before the hearing committee and to present witnesses and evidence against the accused faculty member and in support of the charge brought against such faculty member, and such University representative shall have the right to cross-examine the accused faculty member (if the faculty member testifies) and the witnesses offered on behalf of the faculty member. The University representative may be assisted by or consist of University counsel.

7.8 Committee Findings and Recommendation

The hearing committee, by a majority of the total membership, shall make written findings on the material facts and a recommendation of the continuance or termination of the accused faculty member's tenure or appointment within twenty-one (21) calendar days after the hearing is concluded. The original written findings and recommendation shall be delivered to the President and a copy thereof to the accused. If minority findings or recommendations are made, they shall be distributed in the same manner to the President and the accused within seven (7) calendar days after submission of the majority report. A copy of the transcript of the proceeding may also be included in the materials delivered to the President.

7.9 Reviews and Decision by the President

The President shall review the materials and any additional written briefs that the parties wish to submit and approve, reject, or amend such findings and recommendations or recommit the report to the same committee for hearing additional evidence and reconsidering its findings and recommendations. In addition, the President may reject the Committee's findings and/or recommendation and make a decision regarding termination of the accused faculty member's

tenure or appointment. The President's decision and reasons for approval, rejection, or amendment of the committee's findings and recommendation shall be stated in writing and communicated to the accused and made within ten (10) days after receipt of the materials from the hearing committee.

7.10 Request for Board Review of President's Decision

Upon written request by the faculty member, the Board may review the President's decision. The request for review must be received in the Board of Regents' Office within thirty (30) calendar days of the faculty member's receipt of the President's decision. Such request should specifically identify and discuss any defects in procedure or substance, which require review and reversal of the President's decision. The President may submit a written response to the request for review to assist the Board in its deliberations. The Provost shall provide the accused faculty member with fourteen (14) calendar days notice of the Board's consideration of the matter.

7.11 Board Review

The Board shall decide by a majority whether to review the President's decision. If the Board decides to not review the President's decision, the President's decision shall be final. If the Board decides to review the decision, the hearing committee's findings and recommendation, any briefs submitted, and the President's decision and reasons for approval, rejection, or amendment of the committee's findings and recommendation shall be delivered to the Board. The Board shall decide by a majority whether to approve, reject, or amend the President's decision or recommit the matter to the hearing committee for additional evidence and reconsideration of its findings and recommendation. The Board's decision and its rationale for the decision shall be stated in writing and communicated to the accused. The Board's approval, rejection or amendment of the President's decision shall be final.

7.12 Alternative Dispute Resolution

A faculty member subject to termination on the basis of a performance evaluation conducted pursuant to Texas Education Code, Section 51.942 shall have the opportunity for referral of the matter to a nonbinding alternative dispute resolution process as described in Chapter 154 of the Civil Practice and Remedies Code.

7.13 Extension of Deadlines

Any deadline in this section may be extended upon mutual agreement of the parties. There shall be no waiver of any provision herein if the deadlines are not met for any reason aside from neglect.

SECTION EIGHT GRIEVANCE PROCEDURES

8.0 Appeal of Denial of Rank, Tenure, Promotion, and Merit Raises.

The appropriate committee of the lowest academic unit for initial resolution shall hear all disputes over denial of rank, tenure, promotion and merit raises.

A. Denial of Promotion:

If a departmental or school committee, the Dean, or the Provost denies application for promotion, the faculty member may appeal to the University Rank, Tenure, Promotion and Salary Committee (URTP&S) for reconsideration within thirty days of the date of the Provost's notification that promotion was denied. The URTP & S Committee shall have thirty days to complete the hearing. The URTP&S Committee shall confine its review to the record. The burden of proof shall be borne by the faculty member. Within ten days of the conclusion of the hearing, the URTP&S Committee shall in writing advise the Provost of the findings and the recommendations. Within ten days of receipt of the committee's findings, the Provost shall forward the recommendation in writing to the President and to the faculty member. If the URTP&S Committee determines that promotion should be awarded, it shall report this to the Provost for appropriate corrective action within ten days.

B. Tenure Denial

If a department or school committee, the dean or the Provost denies application for tenure, the faculty member may appeal to the University Rank, Tenure, Promotion and Salary Committee (URTP&S) for reconsideration within thirty days of the date of first notification that tenure was denied. The URTP & S Committee shall have thirty days to complete the hearing. The URTP&S Committee shall confine its review to the record. The burden of proof shall be borne by the faculty member. Within ten days of the conclusion of the hearing, the URTP&S Committee shall in writing advise the Provost of the findings and recommendations. Within ten days of receipt of the committee's findings, the Provost shall forward the recommendation in writing to the President and to the faculty member. If the URTP&S Committee determines that tenure should have been awarded, it shall report this to the Provost for appropriate corrective action within ten days.

If recommendation for tenure is denied, the Office of the President shall notify the faculty member no later than May 31st of the next-to-last year of probationary service that the subsequent academic year will be his or her last year of employment.

C. Merit increase appeals

Merit increase procedures are set out in Section 4.12 of this Manual. The faculty person shall have the right to appeal the dean's merit increase recommendation to the Provost within thirty days of notification of the merit raise. Within ten days of receipt of the merit raise appeal, the Provost shall provide the faculty person an opportunity to present his or her appeal directly to him/her, or in the alternative, the Provost may delegate this review process to the University Rank, Tenure, Promotion and Salary Committee to hear the appeal, make a finding of facts, and render a binding decision to uphold, or overturn the decision of the dean. If the decision is overturned, the Provost and the faculty person shall work together to determine an appropriate level of merit compensation, using as a guide, where applicable, compensation awarded other faculty in similar circumstances. To that extent, comparative information relating to other faculty in like circumstances shall be made available to the faculty person during the appeal process.

Documentation in the form of student evaluations (if available) and peer evaluations of teaching, research, and scholarship must accompany the merit compensation recommendations. Other evidence of research, scholarship, public, and university service such as letters of appreciation, news articles, reports, publications, video publications, awards, commendations, etc., shall also be forwarded with the recommendations and made a part of the record.

If the Provost denies an appeal for a merit compensation award, and does not submit it to the University Rank, Tenure, Promotion and Salary Committee, then the faculty person shall have the right to appeal the decision of the Provost to the University Rank, Tenure, Promotion and Salary committee within thirty days of such denial. The University Rank, Tenure, Promotion and Salary committee shall have thirty days to complete the appeal and forward a report to the Provost. If the committee recommends reversal of the appeal and the Provost does not concur with the recommendation of the committee, the recommendations of both the Provost and the Committee shall be forwarded to the President, who shall make a final decision within ten (10) days.

All decisions related to merit compensation shall be based solely upon the record as a whole. The record in merit compensation reviews shall be the written documentation evidenced by the annual review, activity reports and other substantiated and corroborated information and data as described and made a part of the record by the process and procedures contained herein and followed in the actual review. All hearings shall be conducted in accordance with formal due process procedure, and a written record or audio recording thereof shall be maintained and retained in the faculty person's file.

D. General Grievances

1) Policy

Texas Southern University encourages fair, efficient, and equitable solutions for problems or disputes arising out of the employment relationship.

This policy applies to grievances of faculty members concerning actions of supervisors, department chairs, and deans as to work load, compensation, working conditions, infringement of academic rights, and incidents involving verbal abuse or personal offense. It does not apply to issues covered by separate laws, rules or policies, such as illegal discrimination, sexual harassment, and disputes over tenure and promotion.

No faculty member will be retaliated against for filing a grievance or for aiding another faculty member in the presentation of a grievance.

To the extent permitted by law, the confidentiality of the grievance process and the records and documents related to it will be protected.

2) Procedure

Pursuant to this policy, grievances may be brought against immediate supervisors, department chairs, and deans. Depending on the level at which the grievance is commenced, a sequence of steps is followed that can result in the resolution of the grievance or an appeal to the president, whose decision is final in all cases.

Grievances that reach the Provost (Step Four) may be submitted to the Faculty Grievance Committee for an inquiry at the request of the grievant or at the election of the Provost.

Step One

Prior to filing a written grievance, a faculty member will informally present his or her grievance to the person who is its subject and the parties shall make a good faith effort to resolve the issue or issues that are the subject matter of the grievance.

Step Two

If informal efforts to resolve the grievance are not successful, the faculty member may present the grievance in writing to the next higher administrative level for consideration and action within five days of the completion of Step One. Grievances against immediate supervisors shall be directed to the department chair; grievances against a chair shall be directed to the dean; and those against a dean shall be directed to the Provost.

The party against whom the grievance is brought shall be provided a copy of the written grievance by the Step Two administrator and shall have the opportunity to respond to it in writing and submit documents or materials in support of his or her position.

The Step Two administrator shall respond to the grievance within 10 working days of notifying the party against whom the grievance is brought of the written

grievance. The time for responding can be extended for good reason by the Provost or his or her designee, who shall do so in writing. The substance of the grievance shall not be disclosed to the Provost or designee at the time a request for an extension of time is made. Ordinarily, the extension period shall not exceed five working days.

Step Three

If the grievance remains unresolved after the designated time period, or the faculty member is not satisfied with the decision of the Step Two administrator, the faculty member may file a written appeal to the next higher administrative level.

The Step Three administrator shall respond within 10 working days of receipt of the appeal unless the Provost has extended the time period in writing. The substance of the grievance will not be disclosed to the Provost at the time the request for an extension of time is made. Ordinarily, the extension period shall not exceed five working days.

Step Four

If the grievance remains unresolved after the designated time period, or if the faculty member is not satisfied with the decision of the Step Three administrator, a further written appeal may be made to the Provost within five working days after the completion of Step Three.

The Provost may consider the appeal or may forward the appeal to the Faculty Grievance Committee within five working days of receipt of the appeal. The appeal may also be forwarded to the Faculty Grievance Committee if the grievant so requests when he or she submits an appeal to the Provost.

If the Provost considers the appeal, he or she shall respond to the grievant within a reasonable time, not to exceed 15 working days following receipt of the appeal. If the Faculty Grievance Panel conducts an inquiry and makes a recommendation to the Provost, the Provost will respond to the grievant within 10 working days of receipt of the recommendation.

Step Five

If the faculty member is not satisfied with the decision of the Provost, or a response has not been made within the designated time, a written appeal may be made to the president within five working days after the conclusion of Step Four.

The President shall respond by certified mail addressed to the home of the grievant within 15 working days of receipt of the appeal. The decision of the President is final.

Records

Upon completion of the grievance process, all recordings, documents, and materials related to the processing of a formal grievance shall be forwarded to the Provost for protected storage. The confidentiality of such records will be protected to the extent possible under the law.

3) Faculty Grievance Committee

a. Role

The Faculty Grievance Committee shall be advisory to the Provost and, at the request of the grievant or the Provost, shall make an inquiry into an unresolved grievance and provide a written recommendation to the Provost concerning its resolution.

b. Formation

The Faculty Grievance Committee shall consist of one elected faculty representative and one alternate from each of the schools of the university. The election of representatives shall be coordinated by the faculty governance organization of each school. Members will serve a three-year renewable term; alternates shall serve and vote only in the absence of the elected representative.

c. Inquiry Procedures

Each grievance forwarded to the Faculty Grievance Committee for a fact-finding inquiry shall be assigned to a three-member panel randomly selected from among the committee's members by the Provost or his or her designee. The representative or alternate from the grievant's school shall not be eligible for selection.

The panel shall choose a chair from among its members who will be responsible for scheduling a time and place for the grievance inquiry. The chair shall also request that the parties to the grievance submit written statements of their positions with regard to the grievance, and provide the names of persons with relevant information and copies of relevant documents concerning the grievance to the chair at least 10 working days before the inquiry. The chair shall ensure that relevant documents are identified and distributed to panel members and notify other persons with information relevant to the inquiry of the need to appear at the inquiry.

During the inquiry, members of the Faculty Grievance Panel may ask questions of the parties and of other persons with information relevant to the inquiry. The parties or their representatives shall not be allowed to question witnesses except at the discretion of the chair.

All interactions between the panels, parties to the grievance, and other persons questioned at the inquiry will be tape-recorded.

After the inquiry, the panel shall deliberate and provide a written recommendation concerning the grievance to the Provost within a reasonable time not to exceed 30 days. All materials and records concerning the grievance inquiry shall be forwarded to the Provost with the recommendation.

SECTION NINE PARTICIPATION IN UNIVERSITY GOVERNANCE

9.0 Principle of Shared Governance

Texas Southern University subscribes to the *Statement on Government of Colleges and Universities* formulated by the American Association of University Professors, the American Council on Education, and the Association of Governing Boards of Universities and Colleges. The statement recognizes that the interests of the Board of Regents, the University's administration, and the faculty are coordinated and related and unilateral effort can lead to confusion or conflict. Thus, Texas Southern University recognizes the "inescapable interdependence" among the Board of Regents, the administration, the faculty, the students, and others. This joint venture involves several areas including: the determination of general educational policy; academic planning; physical resources; budgeting, and selection of the president; provost; academic deans and department chairs. The right of a board member, administrative officer, or a faculty member to speak on general educational questions or about the administration and operations of the individual's own institution is part of the person's right as a citizen and should not be abridged by the institution. There exist, of course legal bounds, relating to defamation of character, and there are questions of propriety.

9.1 Academic Committees

University Council on Teacher Education. The University Council on Teacher Education recommends to the Provost policies for the supervision of all university programs in teacher education, which may terminate in the granting of a provisional or professional certificate.

Graduate Council. The chief function of the Graduate Council is to formulate policies and regulations, which will assure maintenance of a high level of scholarship in graduate programs and courses. Specifically, the Council is concerned with the development and approval of new programs and courses, the admission of graduate students, the evaluation of graduate programs and the approval of candidates for graduation. The Graduate Council reports to the Dean of the Graduate School.

Faculty Research Committee. The Faculty Research Committee is composed of faculty members from all schools and colleges, which comprise the academic organizational structure of the University. The Committee is responsible for facilitating the accomplishment of the University's research objectives consistent with its added designation as a special purpose institution of higher education for urban programming.

University Library Committee. The University Library Committee serves as an advisory group to the University Librarian.

Rank, Tenure, Promotion and Salary Committee. A Review Committee composed of elected representatives from each academic unit of the University and the Faculty Assembly.

Faculty Hearing Committee. This is a standing committee of seven members appointed by the President of the University from a panel of ten to fifteen names of tenured faculty members elected by the Faculty Assembly.

Faculty Grievance Committee. The Faculty Grievance Committee will be advisory to the Provost and, at the request of the grievant or the Provost, will make an inquiry into an unresolved grievance and provide a written recommendation to the Provost concerning its resolution.

Advisory Committee. This is a standing committee of five members appointed by the President of the University from a panel of ten to fifteen names of tenured faculty members elected by the Faculty Assembly.

9.2 University Administrative Committees

All standing committees of the University are appointed and approved by the President of the University, and the President as deemed may make additions to the membership appropriate.

Deans' Council. The Deans' Council, chaired by the Provost, serves as the chief advisory and consultative body to the Provost. The faculty representatives to this Committee are the Faculty Chairperson and the Faculty Vice-Chairperson.

Advisory Committee on Admissions, Registration and Financial Aid. The Committee reviews and makes recommendations regarding policies involving: (1) the qualifications of applicants for admission, (2) registration planning and implementation, and (3) student financial aid. The chairperson of the Faculty Senate/Assembly shall appoint two faculty members to this committee.

Applicants that clearly satisfying admission requirements are admitted without referral to this Committee.

Budget Committee. The University Budget Committee, chaired by the President, meets to review budgets submitted by the Deans and Heads of individual departments and participates in hearings of various budgets. The chairperson of the Faculty Senate/Assembly shall appoint two faculty members to this committee. One such person can be the Chairperson.

University Committee on Employee Relations. (Employee Relations, Policy Committee). The University Committee on Employee Relations reviews and monitors the working conditions and employment relations of University employees. It also develops and recommends programs of employee benefits. The Committee reports to the President. The chairperson of the Faculty Senate/Assembly shall appoint two faculty members to this committee.

The President's Executive Council. The President's Executive Council serves as the chief advisory and consultative body to the President of the University. It is a deliberative body for policy formulation related to major administration and executive decisions. The presiding officer of the Council is the President of the University. The President's Council meets weekly or at the call of the President. The Faculty Chairperson shall represent the faculty on the President's Executive Council.

The Council is composed of the President, Provost, Vice President for Fiscal Affairs, Vice President for Facilities and Planning, Associate Provost for Student Services, Executive Assistant to the President, General Counsel, Associate Provost for Academic Affairs, and

Associate Provost for Research/Dean of the Graduate School, and such other persons as the president may from time to time select.

9.3 Faculty Participation in the Selection of University Personnel

See Section 2.13 above.

9.4 Faculty Organization

The Faculty Constitution outlines the role of the faculty in University governance.

The Faculty Assembly and the Faculty Senate are the officially recognized faculty representative bodies of the University. All members of the faculty are members of the Faculty Assembly. The Faculty Senate is the administrative arm of the Faculty Assembly.

The faculty at Texas Southern University, as officers of the University, takes an active role in the governance of the University through their involvement in the Faculty Assembly and Faculty Senate, through their participation in faculty meetings called by the departments, schools, or colleges of the University, and through their service on department, school, college, and university committees.

As indicated above, there are two official bodies through which the faculty exercises its prerogative in formulating policies and regulating the procedures, which affect the general welfare of the academic program at the University. The faculty has the major responsibility in making recommendations in such matters, and this responsibility is carried out through the Faculty Assembly and the Faculty Senate.

A description of the duties and responsibilities of each of these bodies follows:

The Faculty Assembly. The Faculty Assembly is the official legislative body of the faculty affecting the educational program of the University and the general welfare of the TSU faculty. The recommendations of the Faculty Assembly are made to the Provost or directly to the President for appropriate action. All of the Faculty Senate's decisions, however, are subjects to review by the Faculty Assembly.

Faculty Assembly Committees:

- University Committee on Rank, Tenure, Promotion and Salary
- Faculty Advisory Committee
- Faculty Hearing Committee
- Faculty Grievance Committee
- Budget Committee

The Faculty Assembly may establish other committees for specific tasks and for specified durations, as it deems necessary. These committees may be joint committees with representatives from the student body or from other groups.

The Faculty Senate. The Faculty Senate serves as the executive body of the Faculty Assembly, deriving its authority from the Faculty Assembly. It shall discuss and adopt resolutions upon matters relating to University life. It shall make preliminary formulations of educational policies or plan programs and make recommendations to the Assembly. Its recommendations are subject to review by the Faculty Assembly.

Section Ten – Appendices

Faculty Constitution

Faculty By-laws

List of members of the Board of Regents

Summary of Selected University Policies

Equal Opportunity Policies

- Drug and Alcohol Policies
- Nepotism Policy
- Sexual Harassment Policy
- Ethics Laws for State Officers and Employees
- Expert Witness Report
- Faculty Consulting Policy
- Intellectual Property Policy
- Copyright Policy
- Patent Policy

Annual Faculty Review Forms

Appointment of Academic Administrators Form

Form for Survey of Academic Administrators

Tenure and Promotion Standards Promulgated by the Colleges

FACULTY CONSTITUTION*

TEXAS SOUTHERN UNIVERSITY

3100 Cleburne

Houston, Texas 77004

CONSTITUTION AND BYLAWS

OF

THE FACULTY ASSEMBLY

AND

FACULTY SENATE

Approved by the Board of Regents of Texas Southern University_____

**SECTION I
THE CONSTITUTION OF THE FACULTY ASSEMBLY
AND THE FACULTY SENATE**

**PART I
THE FACULTY ASSEMBLY**

**ARTICLE I
FUNCTIONS OF THE FACULTY**

The faculty of the University shall perform the following functions in regard to the academic operation of the university: approval of degrees; curriculum planning; determination of requirements for earned degrees; establishment of academic regulations, recommendation of candidates for appointment, tenure, retention, and promotion; participation in the selection and evaluation of academic administrators; and consider matters that affect the welfare of the members of the faculty.

The Faculty Assembly is the official policy making body of the Texas Southern University (TSU) faculty. It is the faculty's vehicle for participation in the shared governance of the university.

The recommendations of the Faculty Assembly are made to either the Provost or directly to the President of the University for appropriate action or for endorsement to the Texas Southern University Board of Regents. The Assembly may delegate such powers as it chooses to the Faculty Senate. All decisions and/or actions of the Faculty Senate, however, are subject to review, endorsement or repeal by the Faculty Assembly.

ARTICLE II MEMBERSHIP

The Faculty Assembly (Assembly) shall consist of all instructional personnel of TSU with the rank of instructor or above, including professional librarians of faculty rank. The President, Provost, Deans and other administrators with faculty rank, including assistant and associate deans are members; but they may not hold office or vote during the election of officers of the Assembly, or on any matter before the Assembly. All persons identified above are automatically members of the Faculty Assembly.

**ARTICLE III
ORGANIZATION**

Faculty Chairperson: The Chairperson of the Assembly shall be a tenured member of the faculty and shall be elected by the Assembly for a term of two (2) years and shall be the presiding officer of the Assembly. The Chairperson shall have only such other duties and responsibilities as specifically designated in the Constitution and Bylaws or as may be granted by vote of the Assembly membership or the Faculty Senate. It shall be the responsibility of the Chairperson to transmit all decisions and recommendations of the Assembly to the President of TSU, either

directly or via the Provost or to the Provost through the appropriate TSU Vice President, with a copy being submitted simultaneously to the Assembly Vice Chairperson. The Chairperson shall inform the Assembly within fifteen (15) university working days of the status of the recommendations made by the Assembly. The Chairperson and the Secretary of the Assembly shall maintain (in duplicate) a certified file of all proceedings of the Assembly. Such file(s) shall be accessible for review by faculty members upon request.

To serve as assembly chairperson a faculty member must be a full-time faculty person in school or college must hold a joint appointment in two or more schools or colleges of Texas Southern University, and have had 5 or more years of full-time employment at TSU as a member of the instructional staff.

A member of the Assembly may not hold the position of Faculty Assembly Chairperson for more than two (2) consecutive terms unless continued service is requested by the Assembly and is subsequently confirmed by a two-thirds (2/3) vote of the Assembly members present at the election.

Faculty Vice Chairperson: The Assembly shall elect a Vice Chairperson, who must be a tenured faculty member, to serve for a term of two (2) years. This person shall be chairperson pro-tem and shall preside over the Assembly in the absence of the Chairperson or at the pleasure of the Chairperson. It shall be the responsibility of the Vice Chairperson to communicate all decisions of the Assembly to the appropriate persons when acting as presiding officer of the Assembly, and to follow the same rules and guidelines that apply to the Chairperson.

A member of the Assembly may not hold the position of Vice Chairperson for more than two (2) consecutive terms unless continued service is requested by the Assembly and subsequently confirmed by a two-thirds (2/3) vote of the Assembly members present at the election. To serve as Assembly Vice Chairperson a member must have had five (5) or more years of full time employment as a member of the TSU instructional staff.

Faculty Secretary: The Assembly shall elect a Secretary to serve for a term of two (2) years. The Secretary shall oversee the keeping of a correct record of the proceedings of the Assembly and of the Faculty Senate, shall supervise the transcription and processing of minutes of the meetings of the Assembly, and have these edited and distributed to members of the Assembly and/or Faculty Senate within twenty (20) working days following each Assembly meeting.

A member of the Assembly may not hold the position of Secretary of the Assembly for more than two (2) consecutive terms unless continued service is requested by the Assembly and is subsequently confirmed by a two-thirds (2/3) vote of the Assembly members present at the election.

Editor: The Assembly shall elect an Editor of the Faculty Speaks to serve for a term of two (2) years. The Editor shall bear primary responsibility for communicating information from the Faculty Assembly and Faculty Senate to the University's faculty. This includes the publication of the newsletter "The Faculty Speaks."

A member of the Assembly may not hold the position of Editor for more than two (2) consecutive terms unless continued service is requested by the Assembly and is subsequently confirmed by a two-thirds (2/3) vote of the Assembly members present at the election.

Faculty Treasurer. The Assembly shall elect a Treasurer to serve in that position for a term of two (2) years. This person shall keep accurate accounts and records of all funds budgeted by the Assembly. The Treasurer shall also collect and disburse any and all funds which the Assembly and the Faculty Senate may collect or assess. The Faculty Treasurer shall have such other duties and activities as determined by the Assembly and the Senate. The Treasurer shall make a written, official, fiscal report semi-annually to the Assembly and shall make additional reports upon request from the Assembly or from the Chairperson.

A member of the Assembly may not hold the position of Treasurer' for more than two (2) consecutive terms unless continued service is requested by the Assembly' and is subsequently confirmed by a two-thirds (2/3) vote of the Assembly members present at the election.

Faculty Parliamentarian. The Assembly shall elect a Parliamentarian to serve in that position for a term of two (2) years. This person shall have the duty to serve as the authority on procedures regarding the conduct of Assembly and/or Senate meetings, and shall answer all questions incidental thereto. Robert's Rules of Order, latest edition, shall be recognized by the Assembly as the procedural authority of the Assembly.

A member of the Assembly may not hold the position of Parliamentarian for more than two (2) consecutive terms unless continued service is requested by the Assembly and is subsequently confirmed by a two-thirds (2/3) vote of the Assembly members present at the election. To serve as Parliamentarian, a member shall have had two (2) or more years of full-time employment as a member of the TSU instructional staff.

Faculty Assembly / Faculty Senate Counsel. The Faculty Assembly/Faculty Senate Counsel (Counsel) shall be a tenured faculty member of the Assembly who is licensed to practice law in Texas. To serve as Counsel, a member shall have had five (5) or more years of full time employment as a member of the TSU instructional staff.

The Counsel shall advise the Assembly and Senate on legal matters and shall represent the Assembly and Senate in all legal affairs and proceedings. The Faculty Chairperson shall appoint the Counsel for a term of two (2) years with confirmation being made by the Faculty Senate.

The member may not hold the position of Counsel for more than two (2) consecutive terms unless continued service is requested by the Faculty Chairperson and is subsequently confirmed by a two-thirds (2/3) vote of the Faculty Senate members present at the confirmation.

ARTICLE IV MEETINGS

A. General and Special Meetings: The Chairperson, or in his/her absence, the Vice Chairperson, shall convene the Faculty Assembly meetings through written notices which are circulated at least ten (10) days in advance of the meeting date, except under emergency circumstances.

At least two (2) meetings shall be convened during each academic year. Special meetings may be called at the written request of ten (10) percent of the membership at large or by seventy-five (75) percent of the faculty' of any College or School when such a request is presented to the Chairperson or Vice Chairperson. The Chairperson or Vice Chairperson must respond to such requests for special meetings by circulating a written notice of the special meeting call within three (3) university working days subsequent to receiving the petition or request.

- B. Agenda: The Chairperson, Vice Chairperson and the Secretary shall determine the agenda for all meetings except emergency' or special meetings. Emergency and special meetings shall be called for a specific purpose and that purpose shall determine the agenda and shall be so stated in any meeting notices. All meeting notices shall contain an agenda. Except in the case of special or emergency meetings, members of the Faculty Assembly may submit or communicate in writing to the Chairperson or Vice Chairperson any items for consideration on the agenda under the general headings of either old or new business. Such submissions for inclusion on the agenda may be made up to and including five (5) university working days before the scheduled meeting. Any items not completed on a meeting agenda must be included on the next available meeting agenda unless these items have been indefinitely suspended by a vote of the assembly, are tabled until a specific date, or are handled by the assembly in some other manner consistent with *Robert's Rules of Order*, latest edition.
- C. Quorum: A quorum shall consist of ten (10) percent of the Assembly's membership, or thirty five members, whichever is smaller.
- D. Succession: In the absence of the Chairperson and Vice Chairperson, the succession for presiding officer shall go from the Vice-Chairperson to the Secretary to the Treasurer to the Parliamentarian to the Assistant Secretary, and then to any member of the Assembly so elected by the Assembly.

ARTICLE V AMENDMENTS

This Constitution may be amended by a three-fourths (3/4) vote of the members present and voting at a meeting called for that purpose. The amendments (additions and/or changes) shall be distributed to the membership at least thirty (30) calendar days prior to any meeting at which a vote is required; such a meeting must be called and the agenda distributed at least ten (10) working days in advance of such a meeting.

ARTICLE VI COMMITTEES

- A. University Committee on Rank, Tenure, Promotion and Salary: The Faculty Assembly shall elect annually tenured faculty members to serve on the University Committee on Rank, Tenure, Promotion and Salary. The composition of the Committee shall be as follows: One (1) member from the College of Humanities, Fine Arts and Social Sciences, one member from the College of Science and Technology; one (1) member from the library faculty; one

(1) member from each of the remaining Schools and Colleges within TSU. No “current department chair or other faculty member who currently holds an appointment that reviews matters within the jurisdiction of the Committee may serve as a member of the committee. Members of this Committee shall serve two-year terms, but terms shall be staggered so that approximately one-half of the committee members’ terms shall expire in alternate years. The functions of the Committee are to (1) review the recommendations and the denials thereof which originate at the library, departmental, school, and college levels with regard to rank, tenure, promotion and salary; (2) monitor the processes and criteria by which faculty members are promoted or advanced from one rank to another; (3) monitor compensation with regard to merit pay, salary disparity, and salary inequity; and (4) make such reports to the administration as might be appropriate based upon its reviews and findings.

- B. Faculty Advisory Committee: This Committee shall be constituted according to the provisions called for in the *TSU Faculty Manual*.
- C. Faculty Hearing Committee. This Committee shall be constituted according to the provisions called for in the *TSU Faculty Manual*.
- D. Budget Committee: This Committee shall be constituted as provided for in the *TSU Faculty Manual*.
- E. Committee on Inquiry: The Committee on Inquiry shall be a standing committee of the Assembly whose members have Ad Hoc status and who are appointed by the Assembly Chairperson. The purpose of this Committee shall be to provide a mechanism for faculty members, individually or collectively, to initiate inquiry into matters pertaining to administrative impropriety. The charge of this Committee shall be to determine if there exists a substantial basis for any complaint lodged by the faculty or a faculty member. Should the Committee determine that there is sufficient evidence to warrant an inquiry, it is further vested with plenary power to investigate charges identified in the faculty’s complaint and to report formally its findings and/or recommendations to the Faculty Assembly, Faculty Senate, the President of the University, and/or the TSU Board of Regents, as well as to any other involved parties. Access to the Committee’s services can be achieved through: (1) written petition by the aggrieved party to the office of the Faculty Assembly, (2) through the office of the Provost, or (3) to the office of the President.
- F. Advisory Committee to the Faculty Manual: This Committee shall be constituted as provided for in the *TSU Faculty Manual*.
- G. Faculty Research Committee: This Committee shall be constituted as provided for in the *TSU Faculty Manual*.
- H. University Library Committee: This Committee shall be constituted as provided for in the *TSU Faculty Manual*.
- I. Faculty Grievance Committee: This Committee shall be constituted as provided for in the *TSU Faculty Manual*.

- J. Other Committees: The Faculty Assembly and Faculty Senate may establish other committees for any specific task and for any' specified duration of time. Such committees may be joint committees, with representatives also being drawn from the student body or from other bona fide campus groups.
- K. University Administrative Committees: Faculty representatives are appointed to all university administrative committees as provided in the *TSU Faculty Manual*.

ARTICLE VII OTHER REPRESENTATIVES

The Faculty Chairperson shall be a member of the Academic Council (Deans Council) as well as the President's Council. The Faculty Vice-Chairperson shall be a member of the Academic (Dean's) Council. The Faculty Chairperson, Vice Chairperson, or their designee may represent the Faculty Assembly and Faculty Senate on or before all committees and in all meetings to ensure the ongoing liaison with the TSU administration and thus shall represent the TSU faculty in all matters affecting the university faculty's welfare.

ARTICLE VIII REMOVAL AND RECALL

- A. Officers: All representatives and officers elected by the Assembly are subject to recall or dismissal from their duties by a three-fourths (3/4) vote of the Assembly's membership. Grounds for dismissal shall include, but are not limited to (1) failure to fulfill the duties and responsibilities of the office; (2) moral impropriety; (3) misuse of the power or information associated with the office; (4) misuse of Assembly funds; (5) misrepresentation of any material facts that affect the Assembly and its relations with other organizations or entities within or outside the University. In all cases, the Assembly is the final arbiter of misconduct, impropriety or malfeasance; and the Assembly may establish whatever rules or definitions of these terms, which it chooses.

The procedure for recall or dismissal shall be by submission of these issues as agenda items or as privileged motions from the floor, in accordance with *Roberts Rules of Order*, latest edition. Under no circumstances may the person who is the subject of a recall or dismissal preside over the meeting that is to decide the issue. When submitted as an agenda item, this item must appear on the agenda of the next available meeting.

When this agenda item is reached, charges and debates of charges are initiated via a motion to recall or dismiss. This motion is not subject to amendment, subsidiary motion, postponement, or reconsideration. Recall or Dismissal is accomplished only when the motion to recall is passed by a three-fourths (3/4) vote of the Assembly membership.

This action vacates the office and the Assembly may elect a replacement for the person dismissed or recalled to fill the remainder of the term of office, and may do so immediately if the Assembly so chooses.

- B. Committee Members: A member of any committee formed by the Assembly may be removed from that Committee by the Chairperson of that Committee if he/she is absent without cause from three (3) consecutive sessions, including called meetings. A substitute member may be appointed by the Committee Chairperson with the approval of the Faculty Chairperson.

ARTICLE IX VACANCIES

A member may resign from his elective office for personal reasons or will be considered to have resigned if he/she is away from the University for one (1) or more academic semester. All vacancies arising from such resignations shall be filled by election within thirty days of the Chairperson's having been apprised of the resignation. However, if a member receives a paid leave of absence or a sabbatical leave, and then a replacement shall be elected within thirty days of the leave having been made known to the Faculty Chairperson. The replacement member shall serve temporarily in the position until either the faculty member returns from leave or until the originally elected faculty member's term of office expires. The resulting part-term service in the elective office shall not be counted towards the maximum number of consecutive terms, which a member can serve.

Vacancies in the office of the Chairperson of the Assembly shall be filled by elevation of the Vice Chairperson to Chairperson and by the election of a new Vice Chairperson by the Assembly.

PART II
FACULTY SENATE
ARTICLE I
SCOPE

The Faculty Senate shall serve as the executive body of the Faculty Assembly. It derives its power from the Faculty Assembly and is responsible to the Assembly. It shall have power to discuss and to adopt resolutions upon matters relating to University life. It shall make preliminary formulations of educational policies or plan programs and make recommendations to the Assembly. Its recommendations and/or decisions and actions are subject to review, approval, or rejection by the Faculty Assembly.

ARTICLE II
MEMBERSHIP

The membership of the Faculty Senate shall consist of the elected officers of the Assembly, the Parliamentarian, the Deans (as associate, non-voting members), the Faculty Assembly/Senate Counsel, and twenty-one (21) elected representatives chosen such that there shall be not less than one (1) representative from each of the University's schools and colleges and from the University Library. Representatives shall be full time faculty and staff. Further, in compliance with the rule that there must be at least one (1) representative from each unit, election of the remaining representatives shall be carried out by the University's Schools and Colleges in a manner proportionate to the number of students enrolled in each school or college. The apportionment shall be based on the University 20th day full-time equivalent enrollment figures for the preceding year's fall term. Each Senate member shall serve a term of two (2) years.

ARTICLE III
ORGANIZATION

The Faculty Chairperson shall be the presiding officer of the Faculty Senate. The Faculty Chairperson and the Vice Chairperson shall each maintain a file of all the proceedings of the Faculty Senate. It shall be the responsibility of the Faculty Chairperson to transmit all of the Senate's decisions, actions and/or recommendations to the Faculty Assembly for its review, approval, disapproval, information, or action.

The Vice Chairperson shall serve as Chairperson pro-tem and shall preside in the absence of or at the pleasure of, the Chairperson. In the absence of the Chairperson and Vice Chairperson, the succession for presiding officer of the Senate shall go from Vice Chairperson to the Secretary to the Treasurer to the Parliamentarian to the Assistant Secretary, and then to any member of the Senate so elected by members of the Senate.

The Secretary and Assistant Secretary of the Assembly shall keep records of the proceedings of the Senate's meetings via audio or videotaped recordings and shall transcribe, process, and

distribute these proceedings to the Senate members not less than five (5) days prior to the next Senate meeting.

ARTICLE IV MEETINGS

The Faculty Senate shall meet regularly at a time specified by the Chairperson on the first Thursday of each month, September through May. However, if the regular meeting day is a University holiday, the meeting shall convene on the following Thursday.

Special meetings shall be called by the Chairperson, or in his absence, by the Vice Chairperson. Special meetings can also be called pursuant to the written request of eight (8) or more members of the Faculty Senate.

- A. Agenda: The Chairperson, the Vice Chairperson, and the Secretary of the Senate shall decide the agenda for each meeting. Members who wish to have any particular matter included on the agenda shall communicate this wish in writing to the Faculty Chairperson or the Vice Chairperson at least five (5) days in advance of the desired meeting date. Every effort shall be made to include such items on the agenda of the next available meeting.
- B. Quorum: Forty (40) percent of the Faculty Senate membership shall constitute a quorum for any meeting of the Senate.
- C. Absences. If a member is absent from two (2) successive regular meetings, the Chairperson shall report this neglect of duty to the Senate. The Chairperson shall then notify the offending member and request that the member attend the next meeting. If absences persist, the Chairperson shall give notice to the member that an action for removal will be initiated. The Chairperson shall subsequently present the information about the offending member to the Senate for appropriate action. The Senate shall vote either to remove or retain the offending member. If the Senate votes to remove the member, the Chairperson shall notify the affected academic unit in writing that its offending member has been removed, shall give the reason for the removal, and shall indicate the unit's need to elect a replacement within thirty days.

ARTICLE V ELECTION OF THE FACULTY SENATE

Election to the Senate shall be conducted in a meeting called specifically for that purpose by the Deans of the respective Colleges or Schools. The representative of the Graduate School shall be elected by the Graduate School faculty. The head librarian shall assemble the professional librarians having faculty rank to elect their representative.

The election of Faculty Senate members shall occur no later than the 30th day of April of each odd numbered year. The election shall be by balloting, in conformity with the Bylaws of the

Faculty Assembly and of the Faculty Senate; and the results shall be communicated in writing to the Chairperson on or before May 1st of an election year.

ARTICLE VI COMMITTEES

- A. Committee Responsibilities of Chairperson and Vice Chairperson: The Chairperson and Vice Chairperson shall serve on the Academic Council (Deans' Council). One or both shall report to the Faculty Senate and the Faculty Assembly when necessary. The Chairperson shall be a voting member of the Academic Council (Deans Council). The Vice Chairperson shall be a non-voting member, except when serving in the absence of the Chairperson. The Chairperson, Vice-Chairperson or their designated representative shall attend all Board of Regents. Faculty representation on other University committees may be necessary and may even be requested by the President of the University or one of the University Vice Presidents. Names of persons to serve on these committees shall be given to the President or Provost by the Chairperson as per request.
- B. Benefits and Insurance Committee. The Faculty Senate shall elect biennially a Benefits and Insurance Committee consisting of five members who shall review and advocate the faculty's interest and protection with regard to the benefits offered to the University' employees. Joining the appointed Committee shall be a representative or representatives from the Administration and from the non-Instructional personnel. Thus, the Committee shall consist of seven (7) members unless a larger number is authorized by the Faculty Senate or by the University President. However, the number of Committee members shall not exceed a total of nine (9).
- C. Review of Administrative Personnel. The evaluation of the administrative personnel including the President, Vice-Presidents, the Deans, and the Department Chairpersons is conducted on an annual basis using instruments that have been approved by the Board of Regents as part of the normal operations of the University. The Faculty Senate shall monitor the annual evaluation of administrators and access to these evaluations shall be made available to the Faculty Senate.

ARTICLE VII RECALL AND REMOVAL

SENATORS: Members of the Faculty Senate are subject to recall and dismissal by the unit (division, department, school, etc.), which elected them as its representative. The procedure for this process shall be determined by the affected unit.

**SECTION II
BYLAWS OF THE FACULTY ASSEMBLY
AND FACULTY SENATE**

**ARTICLE I
DATE OF ELECTION**

The election for all offices, committees, and representatives of the Assembly and of the Faculty Senate shall be held no later than the thirtieth 30th day of the month of April in an election year. The election year shall be each odd numbered calendar year and shall be considered as the time when all terms of office shall have expired unless these terms are elsewhere in this document stated to be different. All election results are to be reported immediately to the Faculty Assembly Chairperson.

Newly elected officers shall take office at the beginning of the fall semester following their election.

**ARTICLE II
NOMINATIONS AND ELECTIONS OF OFFICERS**

A member shall not be nominated for any elected office unless he/she is present at the meeting and accepts the nomination. In the event of an unavoidable absence, he/she shall file written acceptance with the presiding officer, or the written acceptance shall be furnished the presiding officer by the person making the nomination at the time of the meeting to elect officers.

Voting shall be by ballot. An Ad Hoc Committee appointed by the incumbent Chairperson shall be designated to count ballots after the close of the voting. Results of an election shall be before adjournment of the meeting during which balloting has been conducted. Ballots shall be announced subject to review by any challenger. In each area where such is applicable, the nominee receiving the highest number of votes shall be declared elected, unless a specific percentage of the vote is required. Also, in the event of a tie in an election the final decision to determine the winner shall be made by the drawing or casting of lots in the presence of the Assembly and under the supervision of the presiding officer.

**ARTICLE III
TERMS OF OFFICE**

For purposes of the determination of terms of office, remuneration, and benefits, a year shall be construed to mean twelve (12) months and shall consist of two (2) full academic terms and the inclusive summer.

**ARTICLE IV
REMUNERATION AND RELEASE TIME**

The Faculty Chairperson, Vice Chairperson, and Faculty Secretary shall be remunerated by the University for their duties to the Assembly, Senate and University during the summer months at one-sixth (1/6) of their academic year (9 month) salaries. During the regular semester, they shall receive release time in the amount of one-half course load.

**ARTICLE V
NOMINATIONS AND ELECTIONS OF UNIVERSITY COMMITTEE
ON RANK, TENURE, PROMOTION AND SALARY**

Election of the University Committee on Rank, Tenure, Promotion and Salary shall be made from a slate of nominees submitted to the Assembly by each of the academic units eligible to have a representative on the Committee. The Assembly-at- large may vote for any nominee from any of those submitted on slates as well as for any Assembly members who may be nominated from the floor of the Assembly. The Committee, however, shall elect its own chairperson. A member of this Committee may not serve more than two (2) consecutive terms unless requested by the Assembly and subsequently confirmed by a two-thirds (2/3) vote of the membership who are present and who are voting.

**ARTICLE VII
AMENDMENTS**

These By-laws may be amended by a two-thirds (2/3) vote of the Faculty Assembly members who are present and who cast votes at a meeting called for that purpose. The amendments (additions and/or changes) shall have been distributed to the entire membership at least thirty (30) calendar days prior to any meeting where a vote is required.

THIS IS THE END OF THIS DOCUMENT

* Note: The Faculty Constitution and bylaws are included as information items. They are not subject to the same amendment process, as does the Faculty Manual.

SUMMARY OF SELECTED UNIVERSITY POLICIES

Texas Southern University has many policies and procedures to which faculty in their capacity, as employees must adhere. These policies are compiled in the Texas Southern University Operating Manual. Many of these policies affect faculty members. For example, there are policies concerning Teachers Retirement System, Optional Retirement Program, group insurance benefits, dental insurance, life insurance, disability insurance, smoking policy, freedom of information policy, travel to Washington policy, and many others.

The policies listed summarized below are rated of highest interest to the faculty.

Equal Opportunity Policies

Texas Southern University complies with the following laws, which grant equal opportunities to protected individuals:

Titles VI and VII of the Civil Rights Act of 1964, as amended as well as Title IX of the Education Amendments of 1972.

Sections 503 and 504 of the Rehabilitation Act of 1973.

The Americans with Disabilities Act of 1990.

As such Texas Southern University does not discriminate on the basis of race, color, national origin, religion, sex, or handicap in any of its policies, procedures, or practices. To ensure adherence to these policies, the University has published its policies in a document called the *Search Procedures and Employment Process at Texas Southern University*. The Human Resources Department enforces the procedures.

Drug and Alcohol Policies

In compliance with the *Drug-Free Work Place Act of 1988 and the Drug-Free School and Communities Act Amendments of 1990*, Texas Southern University is committed to maintaining a campus free of illegal or abusive use of drugs and alcohol by faculty, staff, and students. Further information can be obtained from the Human Resources Department and the Associate Provost for Student Affairs.

Nepotism Policy *Texas Government Code §§ 573.023, 573.025.*

All employees of the University are prohibited from appointing or voting for the appointment of persons related to them within the third degree of consanguinity (blood) or the second degree of affinity (marriage) when the salary or compensation of such person comes from public funds. Exceptions apply to situations where one relative does not supervise the other or have other authority over salary or other terms and conditions of employment of the relative. These rules are waivable by the university president.

Sexual Harassment Policy

In compliance with Title VII of the Civil Rights Act of 1964, as amended provides that it shall be an unlawful discriminatory practice for an employer, because of the sex of any person, to discharge without just cause, to refuse to hire, or otherwise discriminate against any person with respect to any matter directly or indirectly related to employment. The Equal Opportunity Commission (EEOC) has issued guidelines as to what constitutes sexual harassment of an employee under Title VII.

Title IX of the *Education Amendments of 1972*, as amended prohibits sexual discrimination in any educational program or activity receiving federal financial assistance. This applies to Texas Southern University.

The Board of Regents has extended the policy to students at the university. Furthermore, under the EEOC guidelines, adopted by Texas Southern University, as well as case law the following conduct and activities are prohibited:

- (1). Unwelcome sexual advances;
- (2) requests for sexual favors, whether or not accompanied by promises or threats is made relating to the employment relationship (and in the case of students – their academic standing).
- (3) any verbal or physical conduct of a sexual nature that threatens or implies, either explicitly or implicitly, that an employee's submission to or rejection of sexual advances will in any way influence any personnel decision regarding his or her employment (and in the case of students – their academic standing, employment, or career development).

Sexual harassment of university faculty, staff, or students is strictly prohibited and subjects the offender to oral or written warnings, suspensions, transfer, demotion, or dismissal. A claimant may utilize the University's compliance officer in the Human Resources Department to pursue a claim of sexual harassment.

Hostile Work Environment Policy

Combined with the new sexual harassment policy, the Board of Regents adopted a hostile work environment policy. It prohibits the following conduct:

- (1) Any verbal or physical conduct that has the purpose or effect of substantially interfering with an employee's ability to do his or her job,
- (2) Any verbal or physical conduct that has the purpose or effect of creating an intimidating, hostile or offensive working environment,
- (3) Certain conduct in the workplace, whether physical or verbal, committed by supervisors or non-supervisory personnel, including but not limited to references to an individual's body; use of sexually degrading words to describe an individual; offensive comments; off-color language or jokes; innuendoes; and sexually suggestive objects or behavior, books, magazines, photographs, cartoons or pictures.

Ethics Laws for State Officers and Employees

The State of Texas has promulgated *A Guide to Ethics Laws for State Officers and Employees*, covering such areas as Standards of Conduct and Conflict of Interest, acceptance of benefits, abuse of office, other employment, lobbying, etc. The full version of this document can be found at [http: www.ethics.state.tx.us](http://www.ethics.state.tx.us) on the Internet.

Texas Southern University Ethics Policy

The Board of Regents has adopted an ethics policy consisting of the following topics: Principles of Ethical Conduct; Transportation, meals & lodging; Benefits, gifts & honoraria, public officials and political activities; dual office holding; university property and services; outside employment; nepotism; and sexual harassment.

Expert Witness Reporting

Under the *Texas Education Code §61.0815*, the University must report whether a faculty member has served as a consulting or expert witness against the state. The General Counsel has developed a form on which to make the report.

Faculty Consulting Policy

See Outside Private Employment in this Manual.

Intellectual Property Policy (Adopted 12 /10/99)

In general, Texas Southern University claims an exclusive property right “to all Intellectual Property (inventions, designs, improvements and discoveries) related to the individual’s employment responsibility or resulting from the activities performed on University’s time, with support of state funds or through the use of University facilities...” To the contrary, “Intellectual Property unrelated to the individual’s employment responsibility that is developed on the individual’s own time and without the University’s support or use of the University’s facilities is the exclusive property of the creator.”

(a) Copyright Policy

Texas Southern University follows federal copyright law, United States Code, *Title XVII* that places the ownership of copyrighted work with the creator of the work. However, the University claims a “copyright to materials developed with significant funds, facilities, space and equipment from Texas Southern University...”

(b) Patent Policy

All employees who create Intellectual Property are required to enter into a “Research Agreement” contract with the University “for a determination of the University’s interest.

Faculty, students, and staff who create a patentable invention must report the invention to the Standing Committee on Intellectual Property, which is appointed by the President.

Upon receipt of the information, the University may undertake one of the following actions: seek to acquire the patent, transfer the rights to the research sponsor, or waive ownership rights in favor of the inventor. However, the creator has the right to be paid *Creator's Residual Economic Interest* if the University licenses the product and receives income from the product. Under the policy, the schedule of payments to the creator range from 50 % of the first \$100,000 to 25 % of the payments over \$300,000.

Inventions created with *nominal* use of the University's materials, supplies, facilities, or services of staff or students belong to the inventor. Where the use of these items is "more than nominal," the invention belongs to the University.

(c) Computer Software and Firmware

The University claims ownership to "all software and firmware that is conceived or developed by any person engaged in research at the University."

Annual Review

Texas Southern University will conduct annual written reviews of all faculty members based upon "stated criteria. ...established by departmental faculty and approved by department chairs and deans, and disseminated to faculty by October 1 of each academic year." "Annual reviews are to be initiated no later than February 15 of each spring term and be completed no later than April 1 of each spring term..."

The criteria established will range from a level deemed most meritorious to one deemed unsatisfactory by departmental standards." "An annual review finding unsatisfactory performance shall state the basis for finding unsatisfactory performance in accordance with the criteria." "A report to the dean of unsatisfactory performance as assessed by annual review will be accompanied by a written plan for near-term improvement."

Post Tenure Review

Post tenure review is triggered when a faculty member receives unsatisfactory ratings in two consecutive annual reviews. Exemptions are available for mitigating circumstances. A three member ad-hoc committee appointed by the dean in consultation with the faculty member to be reviewed and the department chair would conduct the review. The faculty member will prepare a dossier, which will be added to by the department chair, which forms the record for Committee review.

The review will have one of three possible outcomes: No deficiencies identified, or some deficiencies identified, but not substantial, or substantial deficiencies identified. Where substantial deficiencies are found, a professional development plan will be devised by the review committee, faculty member, and department chair and submitted to the dean. Within two years

of the initiation of the plan, the department chair will report on the results of the plan. A one-year extension is available. A failure to meet the terms of the plan as agreed to by the review committee, the department chair and the dean would constitute a basis for the initiation of dismissal proceedings under the applicable tenure policies.

**TEXAS SOUTHERN UNIVERSITY
BOARD OF REGENTS**

ANNUAL FACULTY REVIEW FORMS

Packet Contents

- I. Procedure
- II. Criteria
- III. Planning Document
- IV. Report of Accomplishments
- V. Department Chair's Evaluation
- VI. Dean's Evaluation
- V. Post-Tenure Review Criteria

I. Procedure

This document covers the calendar year (January 1 – December 31)

1. The faculty member should read the Annual Faculty Review **Procedure (Section I)** and **Criteria (Section II)** thoroughly.
2. The faculty member should prepare the Annual Faculty Review **Planning Document (Section III)** and submit it to the Department Chair for review in **October**.
3. The faculty member should prepare the Annual Faculty Review **Report of Accomplishments (Section IV)** and submit it to the Department Chair for evaluation in **March**, along with the **Department Chair's Evaluation (Section V)** and the **Dean's Evaluation (Section IV)** forms for completion by administrators, respectively.
 - (a) Supporting documentation must be provided and organized to conform to Annual Faculty Review Criteria.
 - (b) A 5-year vita (organized in the style required by AACSB) must also accompany this document.
4. The Department Chair should evaluate the entire Annual Faculty Review, completing the **Department Chair's Evaluation (Section V)**, discuss it with the faculty member, and transmit results to the Dean's Office in a timely manner. *(Please refer to School of Business Calendar for exact date.)*
5. The Dean should review all Annual Faculty Reviews and Department Chair Evaluations, and complete the **Dean's Evaluation (Section VI)**, noting related comments and/or concerns. These comments will then become a part of the evaluation packet and are, therefore, available to the faculty member and Department Chair. *(Please refer to School of Business Calendar for exact date.)*

Scoring:

(see page 3)



II. Criteria*

I. TEACHING EXCELLENCE

A. QUALITY INSTRUCTION

1. Relevant Course Outlines
2. Regular Class Attendance**
3. Organized Class Presentations**
4. Regularly Maintained Office Hours**
5. Acceptable Student Evaluation**
6. Integration of Technology (Audio/Visual/Computer)
7. Other Teaching Enhancing Activities
- 8.

B. PROFESSIONAL DEVELOPMENT RELATED TO TEACHING

Relevant professional development related to teaching which may include teaching-related conferences, workshops, seminars, continuing education, post-doctoral studies, etc.

II. RESEARCH/INTELLECTUAL CONTRIBUTIONS

A. INTELLECTUAL CONTRIBUTIONS

B. REFEREED JOURNAL ARTICLE

1. In Area of Discipline
2. Other
- 3.

III. SERVICE

A. STUDENT INVOLVEMENT EVIDENCE

- Student Advising
- Counseling
- Sponsoring Student Organizations

B. DEPARTMENT, SCHOOL, OR UNIVERSITY COMMITTEE SERVICE

C. PROFESSIONAL/COMMUNITY SERVICE

D. REGULAR ATTENDANCE AND/OR PARTICIPATION IN SCHOOL OF BUSINESS FUNCTIONS

- | | |
|--------------------------|-------------------|
| • Awards Banquet | • School Retreats |
| • Brown Bag Seminars | • Meetings |
| • Commencement Exercises | |

****STUDENT EVALUATIONS WILL BE USED IN EVALUATING THESE ITEMS.**

V. RESOURCES NEEDED

Teaching Activities	\$
Research Activities	
Service Actives	
Faculty Development Activities	
Total Resources Needed	\$

V. Department Chair's Evaluation*

Name _____

Department _____

Semester _____ Year _____

Reviewed Annual Faculty Yes No Date: _____
 Review: _____

CRITERIA

1. Relevant Course Outlines	
2. Regular Class Attendance**	
3. Organized Class Presentations**	
4. Regularly Maintained Office Hours**	
5. Acceptable Student Evaluation**	
6. Integration of Technology (Audio/Visual/Computer)	
7. Other Teaching Enhancing Activities	
B. PROFESSIONAL DEVELOPMENT RELATED TO TEACHING Relevant professional development related to teaching which may include teaching-related conferences, workshops, seminars, continuing education, post-	

II. RESEARCH/INTELLECTUAL CONTRIBUTIONS

A. INTELLECTUAL CONTRIBUTIONS (as defined by AACSB)	
<input type="checkbox"/> Intellectual Contributions – No. _____	
B. REFEREED JOURNAL ARTICLE	
1. In Area of Discipline	
2. Other	

III. SERVICE

A. STUDENT INVOLVEMENT EVIDENCE	
<input type="checkbox"/> Student Advising	
<input type="checkbox"/> Counseling	
<input type="checkbox"/> Sponsoring Student Organizations	

B.

COMMITTEE SERVICE

<input type="checkbox"/> Department	
<input type="checkbox"/> School	
<input type="checkbox"/> University	

C. PROFESSIONAL/COMMUNITY SERVICE

Professional Service Activities – No. _____

Community Service Activities – No. _____

D. REGULAR ATTENDANCE AND/OR PARTICIPATION IN SCHOOL OF BUSINESS FUNCTIONS

Awards Banquet

Brown Bag Seminars

Commencement Exercises

School Retreats

Meetings

****STUDENT EVALUATIONS WILL BE USED IN EVALUATING THESE ITEMS.**

COMMENTS:

*VII. Post-Tenure Review Criteria**

I. TEACHING EXCELLENCE

A. QUALITY INSTRUCTION

1. Relevant Course Outlines
2. Regular Class Attendance
3. Organized Class Presentations
4. Regularly Maintained Office Hours
5. Acceptable Student Evaluation
6. Integration of Technology (Audio/Visual/Computer)
7. Other Teaching Enhancing Activities
 - Library-Related Assignments
 - Team Assignments
 - Guest Lecturers
 - Recognition of Outstanding Teaching
 - Teaching Creativity

B. PROFESSIONAL DEVELOPMENT RELATED TO TEACHING

Relevant professional development related to teaching which may include teaching-related conferences, workshops, seminars, continuing education, post-doctoral studies, etc.

II. CONTINUED RESEARCH EXCELLENCE

- A. At least one intellectual contribution every two years
- B. At least one refereed journal article every five years

III. CONTINUED SERVICE

- A. Student Involvement Evidence
 - Student Advising
 - Counseling
 - Sponsoring Student Organizations
- B. Department, School, Or University Committee Service
- C. Professional/Community Service
- D. Regular Attendance and/or Participation In School Of Business Functions
 - Awards Banquet
 - Brown Bag Seminars
 - Commencement Exercises
 - School Retreats
 - Meetings

APPENDIX F

FORM

APPOINTMENT OF ACADEMIC ADMINISTRATOR

Position:
College (if applicable):

Reporting to:

I. Search committee Members:
(Elected Members) (Appointed Members)

II. Search Committee list of Nominees was forwarded for review:
By: () Date

III. Check one:

- I hereby appoint from the list of nominees submitted to me by the Search Committee.
- An appointment cannot be made from the list of nominees submitted.

By:

Dean
Provost

IV. I hereby approve the appointment made in Section III hereof.

By:
Provost

By:
President

APPENDIX C

FORM FOR SURVEY OF ACADEMIC ADMINISTRATORS TEXAS SOUTHERN UNIVERSITY

Faculty of _____

As mandated by the Faculty Manual, a review of is underway. As part of this process, the input of all personnel in your administrative unit is sought. Therefore, please take the time to fill out this questionnaire, and feel free to use additional sheets if necessary. Your responses will remain anonymous.

Please check your position in the unit (optional).

<input type="checkbox"/> Professor <input type="checkbox"/> Associate Professor <input type="checkbox"/> Assistant Professor	<input type="checkbox"/> Instructor <input type="checkbox"/> Staff <input type="checkbox"/> Other: _____
--	--

1. Please rate

on each of the following:

	Excellent	Very Good	Good	Fair	Poor	Unknown	
Administration of academic programs	5	4	3	2	1	U	
NA							
Seeking external funding	5	4	3	2	1	U	NA
Alumni and constituent relations	5	4	3	2	1	U	NA
Human resources	5	4	3	2	1	U	NA
General administrative support	5	4	3	2	1	U	NA

2. Please rate on each of the following:

	Excellent	Very Good	Good	Poor	Unknown	
<u>Academic Leadership Areas</u>	5	4	3	2	1	U
Academic Standards	5	4	3	2	1	U
Advocacy for the Unit	5	4	3	2	1	U
Encouragement of effective teaching	5	4	3	2	1	U
Encouragement of research	5	4	3	2	1	U
Support for the mission of the Unit	5	4	3	2	1	U
Handling of promotion and tenure matters	5	4	3	2	1	U

<u>Personal Leadership Areas</u>	5	4	3	2	1	U
Communication and listening skills	5	4	3	2	1	U
Dedication/Commitment	5	4	3	2	1	U
Administrative style	5	4	3	2	1	U
Delegation and follow through	5	4	3	2	1	U
Conflict resolution	5	4	3	2	1	U
Fairness/Equity	5	4	3	2	1	U
Advocacy for support staff	5	4	3	2	1	U

3. What are the strengths of this administrator?

4. What are the weaknesses of this administrator?

6. What specific recommendations do you have to improve the performance of

6. On a scale of 5 (high) and 1 (low), how would you rate _____ in terms of overall effectiveness?

5 4 3 2 1 U

7. On a scale of 5 (high) and 1 (low) indicate your level of enthusiasm for the continuance/reappointment of _____

5 4 3 2 1

APPENDIX I.

BEST PRACTICES for a PERFORMANCE REVIEW SYSTEM FOR *FACULTY*

1. The performance review system must meet the “Criteria and Procedures for Evaluation” (4.8.10) of the Southern Association of Colleges and Schools which stipulate that: (1) an institution must conduct periodic evaluations of individual faculty members; (2) the evaluation must include a statement of the criteria against which the performance of each faculty member will be measured; (3) the criteria must be consistent with the purpose and goals of the institution and be made known to all concerned; and (4) the institution must demonstrate that it uses the results of this evaluation for improvement of the faculty and its educational program.
2. The performance review system should be both formative (designed to be a supportive process that promotes self-improvement) and summative (assesses and judges performance).
3. The performance review system process and criteria should be explained to new hires.
4. All faculties, including tenured faculty at all ranks, are reviewed annually and receive a written performance evaluation. In this way, for those institutions with a tenure system, the performance review should not pose a threat to the tenure system but extends and enlarges it.
5. The performance review system should have been developed jointly by the faculty and administrators of an institution.
6. The performance review system should allow for discipline-specific components.
7. The performance review system should provide opportunities for reflection, feedback, and professional growth whose goal is to enhance instruction at the institution.
8. The performance review system should include written performance evaluation data from four sources:
 - a. Annually, instruction and course evaluation forms completed anonymously by students through a standardized process and submitted for each course (not section) taught;

- b. Annually, administrative evaluation that includes assessments from the department chair and/or dean;
 - c. Annually for untenured faculty and at least every three years for tenured faculty, internal peer evaluations, i.e. evaluation of faculty by their peers within the institution of higher education;
 - d. At least every six years, input from peers external to the department and/or institution as appropriate to the role and function of each faculty member. External evaluators to the institution include national peers from the same field of expertise from other institutions of higher education, professional organizations and societies, federal agencies, etc. Specialized national accreditations and the CHE program reviews, which include external reviewers' assessments, could be incorporated into the external peer review component, where appropriate.
9. At an institutional level, the performance review system must include the following criteria as appropriate to the institution's mission:
- instruction/teaching; advisement and mentoring of students; graduate student supervision; supervision of other students (teaching assistants, independent study students); course/curriculum development; research/creative activities; publications; service to department; service to institution; service to community participation in professional organizations/associations; honors, awards, and recognitions; self-evaluation; participation in faculty development activities/programs; activities which actively support the economic development of the region or the State.
10. The results of each performance review, including pot-tenure review, must be used by the institution as part of the faculty reward system and faculty development system, and the system should include a plan for development when deficiencies are indicated in the review. Specifically
- a. when an instructor or untenured faculty member receives an overall rating of unsatisfactory on the annual performance review, the faculty member may be subject to non-reappointment;
 - b. when an instructor or tenured faculty member receives an overall rating of unsatisfactory on the annual performance review, the faculty member is immediately subject to a development process, developed by the specific unit, whose goal is to restore satisfactory performance. The development process will include a written plan with performance goals in deficient areas, with appropriate student and peer evaluation of performance.
 - c. when an instructor or a tenured faculty member fails to make substantial progress towards the performance goals at the time of the next annual review or fails to meet the performance goals specified in the development plan within a specified period, that

faculty member will be subject to dismissal or revocation of tenure for habitual neglect of duty under the terms of the senior institution's faculty manual.

11. The institution should develop an appeals procedure for those faculty who do not agree with the results of the performance evaluation and/or the resulting recommendations or requirements for improvement.