

## BOARD OF REGENTS FACULTY PERSONNEL POLICIES

The material on pages 31 - 46 is taken from the Policy Manual of the Board of Regents of Oklahoma Colleges, unless otherwise indicated (right aligned, underlined & italicized). Locally developed policies and procedures for promotion/tenure of faculty, which have been approved by the Board of Regents of Oklahoma Colleges, begin on page 84.

### 3. ACADEMIC AFFAIRS

**3.1 FACULTY PERSONNEL POLICY.** It is the policy of Board to recognize and implement the functions assigned to the regional universities by the Oklahoma State Regents for Higher Education. These functions are teaching, research, continuing education and public service. The responsibility for carrying out this policy is shared by the Board of Regents of Oklahoma Colleges, administrative officers, and the faculty of the constituent universities.

**3.1.1 Membership.** The faculty is composed of two groups, the regular and the supplemental faculty. In most cases, these individuals have an instructional or research relationship to the university, either direct or supervisory. The faculty includes permanent and temporary, full-time and part-time personnel.

Regular Faculty: The regular faculty includes members of the faculty who are full-time employees of the university and who hold the rank of professor, associate professor, assistant professor, instructor, or special instructor. Regular faculty may hold one of the following appointments: 1) Tenured; 2) Tenure Track (non-tenured, on tenure track); 3) Non-Tenure Track (non-tenure earning); 4) Temporary (one academic year or less).

Supplemental Faculty: The supplemental faculty consists of:

- a) Members of the Department of Military Science. Members of the Department of Military Science include the commissioned and non-commissioned officers assigned to the university by the Department of the Army. The senior commissioned officer holds the rank of professor.
- b) Adjunct Faculty. Adjunct faculty hold part-time appointments that may be made for one academic year or less. The rank of such faculty may be instructor or lecturer.
- c) Visiting Faculty. Visiting faculty are employed by the university to teach or perform research for a limited time and are on leave of absence from another institution of higher education or professional practice. Visiting faculty may be appointed at any rank.
- d) Volunteer Faculty. A person who has special talents or expertise and whose time and services are donated, may be appointed to the university volunteer faculty. Volunteer

faculty enjoy all the privileges of the academic community except those,

such as tenure, which are applicable specifically to regular faculty. Volunteer faculty who meet the education qualifications may hold academic rank.

- e) Clinical Supervisors. Clinical supervisors are not employees of the university. They are practitioners who are assigned regular and continuing responsibilities in the clinical setting.

**3.1.2 Types of Appointments to Faculty.** The regular faculty holds one of five types of appointments:

- a) Tenured. A tenured appointment is reserved for those regular faculty members who have been granted tenure by the Board. Tenured faculty members are on continuous appointment and, therefore, are not notified of their appointment status for the following year unless their appointment is being terminated. The procedures for dismissal of tenured faculty are covered in this chapter.

*(See also pages 37-42 of the Faculty Handbook.)*

- b) Tenure Track. Tenure track appointments are for one (1) year, renewable annually at the option of the university. A person on tenure track will be given written notification of non-reappointment by March 1, prior to the termination of the current appointment.
- c) Non-Tenure Track. A non-tenure track appointment is one in which the faculty member is appointed to the regular faculty but is not eligible to receive tenure and is classified as on a non-tenure track. Faculty with this type of appointment will be given written notification of non-reappointment by March 1, prior to the termination of the current appointment. A faculty member on non-tenure appointment may be continued annually, at the option of the university, for a period of seven (7) years. Thereafter, the appointment must be approved by the Board on an annual basis as a waiver of policy.
- d) Temporary. A temporary appointment is one in which the faculty member is appointed to the regular faculty for a period of one year or less. Upon termination of the temporary appointment, the position, if continued, will be opened and advertised.
- e) Administrative. An administrative appointment is one in which the faculty member is assigned to perform executive duties and function as part of the administration of the university.

*(See also page 114 on employment status.)*

**3.1.3 Length of Appointments.** The Board may not obligate itself beyond a current fiscal year for salaries or compensation in any amount to its employees except as authorized by the Oklahoma Constitution.

**3.1.4 Initial Appointments to the Regular Faculty.** Authority to make appointments

to the regular faculty is delegated to the university presidents. Appointments to the regular faculty are reported to the Board at the next regular meeting following the appointment.

**3.1.5 Appointments to the Supplemental Faculty.** An appointment to the supplemental faculty is made by the university president and reported to the Board quarterly. These appointments are limited to specific duties and a specific period of time. Supplemental faculty are not entitled to notification of non-reappointment.

**3.1.6 Appointments to the Summer Teaching Faculty.** An appointment to the summer faculty is limited to the specific summer for which the appointment is made. Summer faculty appointments from regular faculty are made by the university president and reported to the Board quarterly.

### **3.1.7 Full- and Part-Time Appointments.**

a) **Full-Time Appointments.** Full time faculty have instructional and non-instructional duties as assigned by the University. Instructional duties include but are not limited to the teaching of assigned classes, evaluating the students in the classes, and meeting with those students who require assistance in their classes. Non-instructional duties include but are not limited to conducting research and other scholarly activity, advising students, serving on committees, sponsoring organizations, and participating in professional organizations. A full-time faculty member should generally carry an instructional load of twelve (12) to thirteen and one-half (13.5) hours per semester and a non-instructional equivalent load of four and one-half (4.5) to six (6) hours per semester so the full-time load would be the equivalent of eighteen (18) hours per semester.

**Sayre Campus** – A full-time faculty member would normally carry an instructional load of fifteen (15) hours per semester.

b) **Part-Time Appointments.** Part-time faculty are generally employed only for the purpose of teaching classes. The assigned responsibilities are to provide instruction, evaluate students pertaining to that instruction, and to meet with those students who require assistance in their classes. The load of a part-time faculty member who does not have additional duties will be determined by dividing his/her teaching load by eighteen (18). For example, a nine (9) hour teaching load would equal one-half time.

**Sayre Campus** – The load of a part-time faculty member who does not have additional duties will be determined by dividing his teaching load by fifteen (15).

c) **Graduate Assistants.** Graduate assistants are graduate students at the institution who hold appointments as teaching, research, or administrative assistants. Graduate assistants must be enrolled in a minimum of three (3) semester hours. Teaching assistants shall not teach more than six (6) credit hours per semester.

d) **Joint Appointments.** Appointments between two or more academic units or colleges or universities are encouraged when they are of mutual benefit. However, they (a) must not total more than 1.0 Full-Time Equivalent (FTE) and (b) must be approved by all the units and

colleges or universities involved. Such appointments must have the approval of the appropriate administrative officials of all units involved and one academic unit and college shall have primary responsibility for promotion and tenure consideration.

e) Adjunct Appointments. Adjunct appointments are temporary appointments made for one semester or summer session only and involve instructional duties for certain course sections only. Compensation is determined at the university level.

### **3. 2 ACADEMIC RANK AND PROMOTION OF FACULTY.**

**3.2.1 Rank or Promotion Granted by Board of Regents.** Authority to grant academic rank or promotion in academic rank is delegated to the university presidents. Determination of merit and granting promotion in rank shall be in accordance with the promotion policies and procedures of the university as well as the minimum criteria, policies, and procedures contained in this policy.

**3.2.2 Principal Academic Ranks of the University.** The principal academic ranks of the university shall be Professor, Associate Professor, Assistant Professor, and Instructor. Educational qualifications for these ranks shall be as follows:

- a) Professor: An earned doctorate degree awarded by a regionally accredited or internationally recognized institution.
- b) Associate Professor: An earned doctorate degree awarded by a regionally accredited or internationally recognized institution.
- c) Assistant Professor: An earned doctorate degree awarded by a regionally accredited or internationally recognized institution. Institutions may elect to award the rank of assistant professor to individuals who have completed all requirements in a doctoral program except the dissertation (or equivalent requirement) or have completed a non-doctoral degree program requiring a minimum of 60 graduate hours.
- d) Instructor: An earned degree awarded by a regionally accredited or internationally recognized institution.

#### **Sayre**

**Instructor**: An earned degree awarded by a regionally accredited or internationally recognized institution.

- Instructor I: Master's degree
- Instructor II: Instructor I + not less than 3 years relevant experience
- Instructor III: Instructor II + 30 graduate hours in relevant field
- Instructor IV: Instructor III + special abilities or experiences which enhance assignment, I.e. M.F.A., J.D., C.P.A.
- Instructor V: Doctorate requiring dissertation, must be in appropriate field

e) Others: Institutions may classify instructional personnel who are not subject to

assignment of rank by such titles as special instructors, lecturers, graduate assistants, adjunct instructors, part-time instructors, or by other title.

**3.2.3 Education Requirements.** The doctoral granting institution must meet the standards of the Carnegie Classification System. The earned degrees or graduate work should be in a field relevant to the individual's assignment.

**3.2.4 Experience Requirements.** Faculty members generally remain at the same rank for a minimum of five (5) years.

**3.2.5 Educational and Experience Requirements.** The educational and experience requirements delineated above do not imply that attainment of given educational qualifications and/or experience requirements shall be the sole criteria for granting rank or promotion in rank.

**3.2.6 Other Criteria.** Providing that candidates possess the required educational and experience qualifications the following are considered minimum criteria upon which promotion in rank is based: 1) effective classroom teaching, 2) scholarly or creative achievement, 3) contributions to the institution and profession, and 4) performance of non-teaching semi-administrative or administrative duties.

*(Locally developed criteria upon which rank and promotion in rank are based may be found on pages 84-109.)*

**3.2.7 Reduction in Rank.** No person presently employed shall suffer reduction in rank as a result of the operation of these policies.

**3.2.8 Appeal.** Individuals who are not satisfied with action taken as a result of the review process for change in rank may follow the established university appeal procedure.

*(Locally developed appeal procedure may be found on page 101.)*

**3.2.9 Exceptions.** Exceptions to criteria for promotion in rank may be recommended by the President.

### **3.3 ACADEMIC FREEDOM, ACADEMIC RESPONSIBILITY, TENURE AND DISMISSAL OF FACULTY.**

#### **3.3.1 Academic Freedom.**

- a) Faculty members are entitled to freedom regarding research and in the publication of the results, subject to the adequate performance of instructional and non-instructional duties. Patent and copyright ownership will vest consistent with Board policy.
- b) Faculty members are entitled to freedom in the classroom in discussing their subject,

but faculty should be objective in teaching of a controversial matter which has relation to that subject and of controversial topics introduced by students. The faculty member should not introduce controversial matters which have little or no relation to the subject of instruction.

c) University faculty members are individuals, members of a learned profession, and representatives of a university. When faculty members speak or write as individuals, they should be free from institutional censorship or discipline, but faculty position in the community imposes special obligations. As persons of learning and education representatives, the faculty members should remember that the public may judge the profession and the university by extramural utterances. Hence, each faculty member should, at all times, be accurate, should exercise appropriate restraint, should show respect for the opinions of others and should make every effort to indicate that faculty do not speak on behalf of the university.

d) Academic freedom should be distinguished clearly from constitutional freedoms, which all citizens enjoy equally under the law. Academic freedom is an additional assurance to those who teach and pursue knowledge and, thus, pertains to rights of expression regarding teaching and research within specific areas of recognized professional competencies.

### **3.3.2 Academic Responsibility.**

a) The concept of academic freedom must be accompanied by an equally-demanding concept of academic responsibility. The concern of the university and its members for academic freedom safeguards must extend equally to requiring responsible service, consistent with the objectives of the university.

b) Faculty members have responsibilities to their discipline and to the advancement of knowledge generally. Their primary obligation in this respect is to seek and to state the truth as they see it. To this end, they shall devote their energies to developing and improving their scholarly competence. They shall exercise critical self-discipline and judgment in using, extending, and transmitting knowledge and they shall practice intellectual honesty.

c) Faculty members have responsibilities to their students. They shall encourage in students the free pursuit of learning and independence of mind, while holding before them the highest scholarly and professional standards. Faculty members shall show respect for the student as an individual and adhere to their proper role as intellectual guides and counselors. They shall endeavor to define the objectives of their courses and to devote their teaching to the realization of those objectives. A proper academic climate can be maintained only when faculty members meet their fundamental responsibilities regularly, such as preparing for and meeting their assignments, conferring with and advising students, evaluating fairly and participating in group deliberations which contribute to the growth and development of students and the university. All faculty members also have the responsibility to accept those reasonable duties assigned to them within their fields of competency, whether curricular, co-curricular, or extra-curricular. Faculty members make every reasonable effort to foster honest academic conduct and to assure that their evaluations of students reflects their true merit. They do not exploit students for private advantage and acknowledge significant

assistance from them. They protect students' academic freedom.

d) Faculty members have responsibilities to their colleagues, deriving from common membership in a community of scholars. They shall respect and defend the free inquiry of their associates. In the exchange of criticism and ideas, they should show due respect for the opinions of others. They shall acknowledge their academic debts and strive to be objective in the professional judgment of their colleagues. Faculty members accept a reasonable share of faculty responsibilities for the governance of the university.

e) Institutions of higher education are committed to open and rational discussion as a principal means for the clarification of issues and the solution of problems. In the solution of certain difficult problems, all members of the academic community must take note of their responsibility to society, to the institution, and to each other, and must recognize that at times the interests of each may vary and will have to be reconciled. The use of physical force, harassment of any kind, or other disruptive acts which interfere with ordinary institutional activities, with freedom of movement from place to place on the campus, or with freedom of all members of the academic community to pursue their rightful goals, are the antithesis of academic freedom and responsibility. So, also, are acts which, in effect, deny freedom to speak, to be heard, to study, to teach, to administer, and to pursue research. It is incumbent upon each member of the academic community to be acquainted with his individual responsibilities, as delineated by appropriate institutional statements found in the faculty handbook.

f) Faculty members have responsibilities to the educational institution in which they work. While maintaining their right to criticize and to seek revisions, they shall observe the stated regulations of the institution. Faculty members shall determine the amount and character of the work they do outside their institution with due regard to their paramount responsibilities within it. When considering the interruption or termination of his or her service, the faculty member recognizes the effect of such a decision upon the program of the institution and gives due notice of the decision.

g) Faculty members have responsibilities to their community. As a person engaged in a profession that depends upon freedom for its health and integrity, the faculty members have a particular obligation to promote conditions of free inquiry and to further public understanding of academic freedom.

h) Administrators must protect, defend and promote academic freedom.

### **3.3.3 Academic Tenure.**

a) Tenure is a privilege and a distinctive honor. Tenure is defined as continuous reappointment which may be granted to a faculty member in a tenure-track position, subject to the terms and conditions of appointment. The tenure decision shall be based on a thorough evaluation of the candidate's total contribution to the mission of the university. While specific responsibilities of faculty members may vary because of special assignments or because of the particular mission of an academic unit, all evaluations for tenure shall address at a minimum whether each candidate has achieved excellence in: 1) effective classroom teaching; 2) scholarly or creative achievement; 3) contributions to the institution

and profession; and 4) performance of non-teaching semi-administrative or administrative duties. Each university may formulate standards for this review and determine the appropriate weight to be accorded each criteria consistent with the mission of the academic unit.

b) Tenure is granted by the Board of Regents of Oklahoma Colleges upon recommendation of the university president. Determination of merit and recommendation for granting tenure shall comport with the minimum criteria and policies and procedures contained in this chapter.

c) The terms and conditions of every appointment or reappointment shall be stated in writing and be in the possession of both the institution and faculty member before the appointment is consummated. Tenure shall be granted only by written notification after approval by the Board. Only full-time faculty members holding academic rank of assistant professor, associate professor, or professor may be granted tenure. Qualified professional librarians shall be considered faculty members if they are given academic rank.

d) Tenure does not apply to administrative positions, but a tenured faculty member appointed to an administrative position retains tenured status previously granted as a member of the faculty.

e) The Board intends that tenured personnel are reappointed to the faculties of the institutions under its control within existing positions that are continued the next academic year. The Board reserves the right to terminate tenured faculty at the end of any fiscal year if the Legislature fails to appropriate or the Oklahoma State Regents for Higher Education fails to allocate sufficient funds to meet obligations for compensation.

f) The Board recommends that not more than sixty-five percent (65%) of the full-time faculty at a university receive tenure.

#### **3.3.4 Periods of Appointment and Tenure.**

a) Faculty members holding academic rank above the level of instructor (assistant professor, associate professor, or professor) shall be on probation for five (5) years after date of first being employed by the university in a tenure track position. Years of experience in a non-tenure track position may be used for the probation only if approved by the university. Seven (7) years shall be the maximum probationary period for the eligible faculty member to become eligible for tenure. If, at the end of seven (7) years any faculty member has not attained tenure, there will be no renewal of appointment for the faculty member unless a specific recommendation for waiver of policy from the president to the contrary is approved by the Board each year.

b) For the purpose of determining probationary employment of faculty members for tenure consideration, sabbatical leave counts as a part of the period of probationary employment, and a leave of absence is not included as part of the probationary period.

#### **3.3.5 Procedure for Granting Tenure and Reviewing of Tenured Faculty.**

a) When a faculty member is to be considered for tenure, the head of a division or department shall call a meeting of the tenured members of the division or department for a discussion of the case. The faculty member's contributions to the mission of the university shall be reviewed and evaluated by the tenured members of his or her division or department including his or her division and/or department head if applicable, and a poll by secret ballot will be taken to determine whether a recommendation for the granting of tenure will be made. This review may be conducted in a manner that allows for input from non-tenured colleagues, students, alumni and administrative information from the department head. In the event that the number of tenured faculty members in a division or department is fewer than five (5), the actual tenured members in that division or department, plus additional tenured faculty members appointed by the chief academic officer or his or her designee to form a group of at least five (5) tenured faculty members shall act as an ad hoc committee for tenure recommendation. A simple majority rule shall prevail. The division or department head shall report the results of the vote, together with his or her recommendation, to the dean who will forward that recommendation as well as the dean's recommendation to the chief academic officer. The chief academic officer will report these recommendations as well as his or her recommendation to the president. A recommendation for tenure may also come directly from the chief academic officer or from the president of the university without prior recommendation from the division or department. If the president determines to recommend granting of tenure, he or she will make the recommendation to the Board.

b) The results of all balloting, recommendations from the division or department head, recommendations from the dean, and recommendations from the chief academic officer shall be separate and held in confidence.

c) The academic and professional performances of each tenured faculty member at each institution must be reviewed at least every three (3) years. When the review results in a finding that a tenured faculty member's academic and professional performance is unsatisfactory, the faculty member shall be notified of the deficiencies in performance and must be reviewed again within one (1) year. The results of each review will be placed in the personnel record of the tenured faculty member. The tenured faculty member should be given a copy of the review and an opportunity to respond. Two consecutive unsatisfactory reviews will be grounds for dismissal based on incompetence or on an act or acts which demonstrate unfitness to be a member of the faculty.

**3.3.6 Causes for Dismissal or Suspension of Tenured Faculty.** No tenured member of the faculty shall have his or her appointment terminated in violation of the principles of tenure adopted by the Board except for one or more of the following causes:

a) Committing a felony or other serious violation of law that is admitted or proved before a competent court, preventing the faculty member from satisfactory fulfillment of professional duties or responsibilities, or violation of a court order which relates to the faculty member's proper performance of professional responsibilities.

b) Moral turpitude

c) Insubordination

- d) Professional incompetence or dishonesty
- e) Substantial or repeated failure to fulfill professional duties or responsibilities
- f) Personal behavior preventing the faculty member from satisfactory fulfillment of professional duties or responsibilities
- g) An act or acts which demonstrate unfitness to be a member of the faculty
- h) Bona fide lack of need for one's services in the university
- i) Bona fide necessity for financial retrenchment

**3.3.7 Suspension of a Tenured Faculty Member.** The president of the university shall have the authority to suspend any faculty member formally accused of causes a, b, c, d, e, f, or g (listed above). The president shall notify the Board of the terms and conditions of the suspension. A faculty member should be suspended only if harm to the faculty or students is possible or disruption of proper conditions for teaching and learning are threatened by the faculty member's continuance. During the suspension period, compensation for the suspended person should be continued. If during the suspension period the faculty member is convicted of or admits to the commission of a felony or a crime involving moral turpitude or other serious violation of law referenced above, the institution shall not continue compensation.

**3.3.8 Dismissal of a Tenured Faculty Member for Cause.** Dismissal proceedings shall begin with a conference between the faculty member and the appropriate academic officer. The conference may result in agreement that the dismissal proceedings should be discontinued or that the best interest of the tenured faculty member and the university would be served by the faculty member's resignation. If this conference does not result in mutual agreement, the academic officer will submit a recommendation in writing with rationale to the faculty member and to the vice president for academic affairs. Within fourteen (14) days, the vice president for academic affairs should have a conference with the faculty member.

This conference may result in agreement that the dismissal proceedings should be discontinued or that the best interest of the tenured faculty member and the university would be served by the faculty member's resignation.

If this conference does not result in mutual agreement, the vice president for academic affairs will submit a recommendation in writing with rationale to the faculty member and to the president. If the president concurs with the recommendations for dismissal, the president shall send a written notification to the faculty member and to the vice president for academic affairs. Every reasonable effort must be made by the president to insure that the communication of this action is received by such faculty members without delay.

**3.3.9 Disciplinary Action Other Than Dismissal or Suspension.** Disciplinary action affecting the terms of employment taken by the university against a tenured faculty member must be based upon causes stated in this chapter, or any other adequate cause which

related directly and substantially to the fitness of the tenured faculty member to perform professional duties. Disciplinary action shall begin with a conference between the tenured faculty member and the appropriate academic officer. If as a result of the conference, the academic officer finds that disciplinary action is warranted, a written recommendation for action should be forwarded to the appropriate dean or division head. If, after review, the dean or division head decides not to proceed with further disciplinary action, both parties should be notified in writing. If the dean or division head determines that additional action is warranted, then a conference with the tenured faculty member should be arranged. The dean or division head may determine that no further action is necessary. If, however, additional action is warranted, the faculty member and the vice president for academic affairs shall be notified in writing within fourteen (14) days. The vice president for academic affairs should arrange for a conference with the faculty member. The vice president may then determine that no additional action is necessary.

However, the vice president for academic affairs should notify the faculty member in writing if an additional plan of disciplinary action is made. A copy of the disciplinary action should be placed in the faculty member's personnel file.

**3.3.10 Dismissal of Tenured Faculty for Program Discontinuance or Financial Retrenchment.** A faculty member with tenure whose position is terminated based on genuine financial retrenchment, bona fide discontinuance of a program or lack of need for one's services, will be given five (5) months written notice unless an emergency arises.

Before terminating an appointment because of discontinuance of a program or department, or because of other lack of need of services, the university will make reasonable efforts to place affected members in other suitable positions.

If an appointment is terminated because of financial retrenchment, or because of discontinuance of a program, the released faculty member's position will not be filled by a replacement within a period of two years, unless the released faculty member has been offered reappointment at the previous status.

**3.3.11 Appellate Committee on Dismissal of Tenured Faculty Members.** A faculty member who receives notice of pending dismissal may request and shall be afforded a hearing before the Appellate Committee on Dismissal of Tenured Faculty Members. Failure to make a request in writing to the president within fourteen (14) days after receipt of notification shall constitute a waiver by such faculty member of his or her right to a hearing before the Appellate Committee on Dismissal of Tenured Faculty Members. Each university shall institute an Appellate Committee on Dismissal of Tenured Faculty Members. The committee shall not exceed nine (9) tenured faculty members, eight (8) of whom shall be nominated or elected by the faculty governing body of the university and one member appointed by the president of the university. A quorum shall be five (5) members or a majority of qualified members of the committee. Initially, one half (1/2) of the elected members shall be elected for twelve (12) months and one half (1/2) shall be elected for twenty-four (24) months; thereafter, one half (1/2) shall be elected each year. No member may serve more than two (2) consecutive terms. One (1) or more alternate members of the committee shall be elected to serve in the event a regular member is unable to serve. If any member of the committee is an

interested party in a case which comes before the Appellate Committee on Dismissal of Tenured Faculty Members, said committee member shall not serve on that case.

The incumbent committee shall serve until the completion of any case pending at the time their term of service expires.

The decision of the committee will be based on majority vote. The committee will elect its own chair, who will have the right to vote.

### **3.3.12 Appeal Procedures for Tenured Faculty.**

a) After a faculty member has requested a hearing before the Appellate Committee on Dismissal of Tenured Faculty Members, service of notice of hearing with specific charges in writing will be made at least twenty (20) days prior to the hearing. The faculty member may respond by waiving the hearing and filing a written brief or the matter may proceed to a hearing. If the faculty member waives hearing, but denies the charge or asserts that the charges do not support a finding of adequate cause, the Appellate Committee on Dismissal of Tenured Faculty Members will evaluate all available evidence, including testimony and documentary evidence presented by the university, and make its recommendation upon the evidence in the record.

b) If the faculty member requests a hearing, the Appellate Committee on Dismissal of Tenured Faculty Members shall, with due diligence, and in keeping with the Administrative Procedures Act, considering the interest of both the university, and the faculty member affected, hold a hearing and report its findings and recommendations to the university president and to the involved faculty member.

c) At hearings before the Appellate Committee on Dismissal of Tenured Faculty Members, faculty members and the university shall be permitted academic advisors and/or counsel. A court reporter will be retained by the university to record the proceedings. Parties will pay the cost of a copy of the transcript. The committee will determine whether the hearing should be public or private.

d) The faculty member will be afforded an opportunity to obtain necessary witnesses and documentary or other evidence, and the administration of the university will attempt to secure the cooperation of such witnesses and will make available necessary documents and other evidence within its control. No employee of the institution, regardless of position, should be excluded or excused from appearing before the committee, if available.

e) The faculty member and the university will have the right to cross examine all witnesses present. Depositions are admissible whenever a witness cannot appear.

f) The committee may conclude: a) that adequate cause for dismissal has been established by the evidence; b) that adequate cause for dismissal has not been established by the evidence; or c) that adequate cause for dismissal has been established, but an academic penalty less than dismissal, including removal of tenure, would be more appropriate. The committee may make any other recommendations it determines are appropriate. The committee's findings and recommendations shall be made to the university president. The committee shall send a copy of its findings and recommendations to the affected faculty member.

g) The president shall notify the affected faculty member of the president's recommendation to the Board. The faculty member shall have the right to request the Board to review adverse findings and recommendations of the president. The request must be in writing and filed within fifteen (15) days after final notification by the president of the university at the office of the Board of Regents of Oklahoma Colleges. If the affected faculty member does not timely request that the Board review the president's findings and recommendations, the president's determinations become final and binding.

h) In the event the faculty member submits a timely request to the Board to review adverse findings and recommendations of the president, the faculty member must indicate whether he or she desires a hearing of all of the evidence of the case, otherwise the review will be a review of the record of the case. The Board has the discretion to determine whether the review will be a de novo hearing or a review of the record.

i) Public statements and publicity about the case by the university will be avoided until the proceedings, including consideration by the Regents, have been concluded.

**3.3.13 Nontenured Faculty.** Non-tenured faculty shall be afforded the same rights of academic freedom as tenured faculty.

Annual Evaluation. The performance of non-tenured faculty members shall be evaluated by March 1, each year, and the results of the evaluation shall be placed in the personnel file of the non-tenured faculty member. The non-tenured faculty member shall be given a copy of the evaluation.

Non-reappointment. The Board delegates to the university presidents or the presidents' designees the authority to reappoint or not to reappoint non-tenured faculty members. A non-tenured faculty member whose appointment is not renewed will be given written notice from the university by March 1, prior to termination of the current appointment. Failure to reappoint may be without specific or stated cause.

Termination for Cause or Suspension of Non-Tenured Faculty. The termination of employment for cause or suspension of a non-tenured faculty member within an existing contract period shall follow the same procedures and be limited to the same reasons as provided for tenured faculty members who are terminated for cause or suspended. A failure to re-appoint may be without specific or stated cause.

## **5. GENERAL POLICIES**

### **5.5 LEAVE POLICIES.**

**5.5.1 Sabbatical Leave.** The Board of Regents of Oklahoma Colleges authorizes the university to grant sabbatical leave. If a university chooses to grant sabbatical leave, the following guidelines will prevail:

Purpose: The university may grant a sabbatical leave to faculty members to provide an opportunity for continued professional growth and new or renewed intellectual achievement through study, research, writing, and travel. The primary purpose of sabbaticals should be for post-doctoral study. A sabbatical may be used to engage in specialized scholarly activity or to provide a broad cultural experience. Such sabbaticals are intended to take place in off-campus settings. The university views a sabbatical as an investment with the expectation that the sabbatical will significantly enhance the faculty member's capacity to contribute to the objectives of the university. For this reason sabbatical leave applications are approved only when significant evidence indicates that the individual will achieve this purpose. Also, the approval of such sabbaticals shall be consistent with the appropriate budgetary and faculty arrangements so as not to disrupt the instructional program or other vital operations of the university.

Conditions of Award: A full sabbatical leave will be for one year at one-half salary. Persons who qualify for less than full sabbatical may be awarded a sabbatical on a proportional basis. Sabbatical leaves shall not be used as a means of augmenting personal income. The sabbatical program requires that persons on sabbatical devote full-time to the scholarly activity for which the sabbatical is granted and will receive no salary or stipend from sources other than the university, except that, with university approval, (1) persons on sabbatical at less than full salary may engage in other scholarly activity consistent with that for which the sabbatical is granted and receive salary, stipend, or honorarium from other sources in such amounts that total salary stipend, and honorarium do not exceed the annual income normally earned, and (2) persons on leave may receive grants from other sources for travel and research expenses incident to their scholarly activity.

Individuals receiving sabbatical leave shall enter into the following written agreement to return to the service of the university and remain for a number of months equal to four times the number of months of full-time equivalent salary (example: One half (1/2) salary x ten (10) months = five (5) full-time months; the number of months to return to the university is five (5) full-time months x four (4) = twenty (20) months) or to repay the university the amount of salary received while on sabbatical leave, unless released from the obligation by the Board. If the individual returns to the university only for part of the time required, the amount to be paid the university shall be proportionally reduced.

#### AGREEMENT

1. I agree to report in writing to the Chief Academic Officer via my department chair or division chair within three months of returning to University service a report of the activities I undertook on my sabbatical and I understand that should I fail to do so any future leave application can be denied.
2. I agree to withdraw from all departmental, college, and University committees for the duration of my leave.
3. I agree to remain in the service of the University at not less than my present salary for a number of months equal to four times the number of months of full-time equivalent salary.

4. I further agree that, in the event I do not return to the University, I will repay the University salary and cost of benefits received from the University during the sabbatical leave, and that, if I do not repay such sums upon demand the University may bring all necessary legal actions to recover this money from me.
5. I have read the section of the Faculty Handbook regarding the official policy of sabbatical leave.

NAME (Please type):

SIGNATURE: \_\_\_\_\_

At the termination of the sabbatical, and not later than three months after returning to the campus, the individual shall submit a report of the activities undertaken to the vice president for academic affairs through the department chair and division chair. The report will be used to evaluate future applications for sabbaticals of faculty members who have been granted one or more sabbaticals.

Eligibility: Faculty members are eligible for full sabbatical leaves when they have been full-time employees of the university for six academic years. In order to qualify for a prorated sabbatical, the individual must have been a full-time employee of the university for a minimum of two academic years. For the purpose of determining eligibility for a sabbatical leave, time spent on a sabbatical is considered as full-time employment; however, time spent on leave without pay is not considered full-time employment. A faculty member is eligible for a subsequent full sabbatical after six years following any sabbatical leave grant whether full or partial.

Application: A faculty member shall make formal application for a sabbatical leave which includes the reasons for requesting the sabbatical leave, the activities planned during the sabbatical, and a schedule of the use of time while on the sabbatical leave. The application should be submitted to the president of the university through the appropriate department chair, division chair or dean, and vice president. The department chair, division chair or dean, and vice president shall each include a recommendation regarding the sabbatical leave. The decision for recommendation of a sabbatical leave shall be based on the following criteria:

- a) evidence of the highest critical need in order to maintain academic effectiveness;
- b) total years of academic or professional service at the university;
- c) potential contribution to an academic or professional discipline;
- d) length of remaining service to the university;
- e) possession of a terminal degree in the teaching field assigned; or pursuing a terminal degree in a teaching field in which there is a shortage of qualified faculty.

**5.5.2 Leave of Absence Without Pay.** The Board of Regents authorizes the universities to grant leaves of absence without pay.

**5.5.3 Sick Leave.** Sick leave is accrued and taken in accordance with individual university policies.

Sick leave may not be earned by an employee during leave of absence without pay, suspension, layoff, not under contract, or removal from the payroll for any reason.

**5.5.4 Special Leave/Personal Leave.** Special Leave/Personal Leave is taken in accordance with individual university policies.

**5.5.5 Annual Leave.** Annual leave is accrued and taken in accordance with individual university policies.

**5.5.6 Family and Medical Leave.** Eligible employees may take unpaid family and medical leave in accordance with the Family and Medical Leave Act of 1993, and applicable state law. (Compare 74 O.S. § 840.7c and Office of Personnel Management rule 530:10-15-45.)

**5.5.7 Paid Holidays Regents' Administration Office.** Pursuant to 25 O.S. § 82.1, holidays listed and proclaimed by the Governor are observed by the state and the Regents' Administration Office will be closed.

University holidays are declared by the university president.

**5.5.8 Military Leave.** Pursuant to 72 O.S. § 48, all employees who are members, either officers or enlisted, of the Reserve Components to include the Army and Air National Guard and the Army, Navy, Air Force, Marine Corps, the Coast Guard Reserves, or any other component of the Armed Forces of the United States, shall, when ordered by the proper authority to active or inactive duty or service, be entitled to a leave of absence for the period of such service without loss of status or seniority. During the first twenty (20) regularly scheduled work days of such leave during the federal fiscal year, the employee shall receive his full regular pay. During the remainder of such leave in any federal fiscal year, the state may elect to pay the employee an amount equal to the difference between his full regular pay and his military pay.

**This concludes the material on Academic Affairs taken from Chapter 3 and Leave Policies taken from Chapter 5 of the Policy Manual of the Board of Regents of Oklahoma Colleges. One copy of the Policy Manual of the Board of Regents of Oklahoma Colleges is available to faculty in the Library. The revised (local) policies and procedures follow.**