Jacksonville University Faculty Bylaws

Amended and Restated: Adopted April 2006
Amendments: November 2007, February, March, November 2008, February 2009, May 2018, April 2019, May 2020**,** October 2022, February 2025

JU-Faculty Bylaws

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AMENDED AND RESTATED
FACULTY BYLAWS

JACKSONVILLE UNIVERSITY

PART ONE: FACULTY ASSEMBLY PROCEDURES

These procedures define the official governance body of the faculty of Jacksonville University**,** henceforth referred to as the Faculty Assembly, and will provide the operational structure and procedures for that body, its officers, and its committees.

ARTICLE I: THE FACULTY ASSEMBLY

Section 1. Faculty

a. Definition of Faculty
A full-time faculty member is one whose major employment is with the institution, whose primary assignment is in teaching and/or research, and/or whose employment is based upon a full-time faculty contract.

b. For the purposes of faculty business described in the Faculty Bylaws, which includes but is not limited to voting, attending special sessions, and serving on faculty committees, a voting member of the Faculty Assembly is one whose employment is based upon a full-time faculty contract with Jacksonville University and whose contracted teaching responsibilities is equal to or greater than 50 percent of the typical load in their College.

Section 2. The Faculty Assembly

a. The Faculty Assembly shall be the name given to the official body consisting of all full-time faculty members at Jacksonville University.

b. Officers assigned to the Naval Reserve Officers Training Corps (NROTC) program who have faculty rank will be considered members of the Faculty Assembly.

c. The official number of faculty used for determining a quorum, and for other provisions of these bylaws referring to the number of faculty, shall be the number meeting the definition of Section 1 as of the second Monday of the Fall semester each year, as reported by the Office of Academic Affairs.

ARTICLE II - FACULTY GOVERNANCE

Section 1. Responsibilities of the Faculty Assembly

a. The Faculty Assembly has special responsibility for oversight and shall be consulted on all proposals regarding the formation of faculty governance committees; creation and delivery of curriculum; policies on student media; and academic standards including but not limited to graduation requirements, criteria for probation and suspension of students, the academic calendar, standards for academic progress, certification for degrees, academic honesty, honors program, independent studies, academic honors, study abroad, and internships.

b. The Faculty Assembly has shared responsibility through recommendations to and consultation with the chief academic officer (CAO), the President and the Board of Trustees on the establishment of new academic programs; the structure of the academic organization; the procedures for evaluating faculty effectiveness; admission standards; the University's mission; strategic planning; financial matters including but not limited to faculty development policies, academic budgeting, and fringe benefits; the abolition of programs, majors academic units or subunits; academic ceremonies and public occasions; as well as policies regarding scholarships and academic support services.

c. The Faculty Assembly shall be consulted in many areas. To formally consult with the faculty, the administration shall inform the faculty chair, and the faculty can provide responses through the faculty chair or appropriate channels. Areas of consultation include changes in athletic policy; in library policy; administration organizational changes; policies on student loans and financial aid; the formation of new University committees; and any matter involving governance and good repute of the University and the welfare and morale of faculty and students.

d. Faculty members, as a body, adhere to self-regulation in the interest of achieving the highest possible standard of ethical conduct.

Section 2. Meetings of the Faculty Assembly, Executive Committee, and Standing Committees

a. The Faculty Assembly shall meet monthly during the full months of the fall and spring semesters. The Assembly may consider any matter referred to it by the executive committee, faculty committees, colleges, divisions, or by one or more of its members. Resolutions passed at each meeting shall be forwarded to the CAO.

b. The Executive Committee of the Faculty (as outlined in Article II, Section 4) will meet at least monthly with the CAO and with committee chairs two weeks prior to the faculty assembly meeting to establish the meeting agenda.

c. The Executive Committee of the Faculty shall meet at least monthly during the fall and spring semesters with the president and appropriate University personnel to discuss any new resolutions passed by the Faculty Assembly and other business as outlined in Article II, Section 1.

d. Special meetings of the Faculty Assembly may be called by the president of the University, the CAO, the chair of the faculty, or upon the petition of twenty-five percent of the faculty. A special meeting may be held at a time different from that of any regular meeting and shall be convened only to consider one or more items of business specified in the called meeting agenda. Special meetings generally require five working days' notice to the faculty.

e. Meetings of the Faculty Assembly shall be open to other members of the University community who shall have voice but no vote. However, an executive session may be called by the chair of the faculty or by a majority vote of the faculty present.

f. Meetings of standing committees shall be open to all members of the University community who shall have voice but no vote. Executive session may be called by the chair of the committee.

g. Items for inclusion on the agenda shall be submitted to the chair of the faculty one week prior to any regularly scheduled meeting of the Faculty Assembly.

h. The chair, in consultation with the Committee Chairs and other members of the Executive Committee, shall either place items on the agenda or route them to the appropriate committee(s) for attention. The chair of the faculty shall report to the Faculty Assembly the status of all items submitted.

i. Twenty-five percent of the members of the Faculty Assembly shall constitute a quorum at all meetings of the Faculty Assembly. *Robert's Rules of Order* shall govern procedures in all meetings of the Faculty Assembly except when *Robert's Rules of Order* conflict with procedures detailed in these bylaws or other special rules of order adopted by the faculty.

Section 3. Voting

a. Election of members to the Executive Committee of the Faculty, of members to the Committee on Academic Freedom and Grievance, and of members to the

Committee on Tenure and Promotion, and the voting to amend the bylaws shall be by secret electronic ballot during and within two days of Faculty Assembly at which the vote was called. Preferential voting is not permitted in these situations.

b. Voting of proposals and resolutions shall be by secret electronic ballet during and within two days of Faculty Assembly at which the vote was called.

Section 4. Officers of the Executive Committee of the Faculty

a. The Executive Committee of the Faculty shall consist of the chair of the faculty, the vice chair of the faculty, the secretary, and the immediate past chair of the faculty.

b. The chair of the faculty, the vice chair of the faculty, and the secretary shall be elected by the Faculty Assembly for a two-year term, not to exceed two consecutive terms. The Appointments Committee is responsible for soliciting and receiving the nominations by the March meeting. Nominations may also be made from the floor by any Faculty Assembly member during the March meeting. The election will be held in April. Any tenured member of the Faculty Assembly except unit administrators shall be eligible for the Executive Committee. Unit administrator's roles and administrative responsibilities are indicated in their contracts and their position would be defined in discussion with their academic dean. Typically, faculty with these roles would have a percent teaching load of 50 percent or less (Part Two, Article II, Section 3).

c. The Chair of the Faculty must be a full-time tenured professor with a terminal degree in their field.

d. Officers shall assume office following spring term graduation.

e. The parliamentarian shall be appointed by the chair of the faculty and serve concurrently but is not a member of the Executive Committee. The appointment is for a two-year term, not to exceed two consecutive terms, unless approved by majority faculty vote.

f. A vacancy in the office of chair of the faculty prior to the expiration of the term shall be filled by special election if the amount of time remaining in the unexpired term is greater than or equal to one academic semester; otherwise, the vice chair of the faculty shall assume the office of chair of the faculty. A vacancy in the office of vice chair of the faculty or secretary prior to the expiration of the term shall be filled by special election if the amount of time remaining in the unexpired term is greater than or equal to one academic semester; otherwise, the chair of the faculty shall appoint an interim.

Nominations and election for the position(s) will be held within the next month. The newly elected officer(s) shall assume office immediately following the election and will serve until the end of the predecessor's unexpired term.

Section 5. Duties of the Faculty Officers

a. The chair of the faculty shall preside over the meetings of the Faculty Assembly. The chair shall report on actions of the Board of Trustees to the Faculty Assembly. The chair of the faculty shall meet at least twice a month with the CAO. The chair of the faculty shall preside over the meetings of the Executive Committee and the joint meeting of the Executive Committee and the Committee Chairs. Additionally, the chair of the faculty shall represent the faculty by advocating faculty interests on committees and serving as a liaison of the faculty with students, the administration, the CAO, the Board of Trustees, and other members of the University community. The chair of the faculty serves as a member of the president's advisory body.

b. In the absence of the chair of the faculty, the vice chair of the faculty shall assume the duties and responsibilities of the chair and may appoint a temporary vice chair. Additionally, the vice chair shall review minutes and accompanying materials, and ensure their timely distribution to members of the Faculty Assembly. Furthermore, it is the responsibility of the vice chair to publicize all meetings of the Appointments Committee and all committee vacancies in a timely manner.

c. The secretary maintains all records of the Faculty Assembly (e.g. routing forms, agendas, curricular proposals, etc.) and monitors the Faculty Assembly budget.

d. The parliamentarian shall ensure that proper procedures are followed for meetings of the Faculty Assembly and shall serve as elections officer in all faculty elections.

ARTICLE III - COMMITTEE ON ACADEMIC FREEDOM AND GRIEVANCE

Section 1. Duties

It shall be the responsibility of the committee on Academic Freedom and Grievance (see Statute I) to track and study developments and possible problems in the area of academic freedom at Jacksonville University. Additionally, the committee shall hear faculty grievances regarding pay issues, teaching assignments, leaves, academic freedom, tenure and promotions, terminations, and other academic issues.

a. Grievances must be made in writing to the chair of the committee, citing the grievance and the basis for the request. The committee may hear or refuse to hear a grievance, based on the merits of the case. The committee may conduct an investigation, in which case all relevant parties will be consulted.

b. The committee's hearings and records will be confidential. The chair of the committee shall submit a report of the findings and recommendations to the CAO, the president, and the complainant/grievant. In cases where the University is not the respondent, the same report shall also be sent to the respondent.

c. The president may conduct a follow-up investigation or in cases where the grievance does not involve the CAO, may appoint the CAO and/or a committee to accomplish the same. The president will notify both the complainant and the committee of his or her decision as expeditiously as possible, preferably within two months. If the investigation continues for more than two months, the complainant shall be updated on the progress of ~~her/his~~ their grievance.

Section 2. Membership

a. The committee shall be composed of tenured members of the faculty. There shall be one representative from each college. These members will be faculty who do not hold administrative titles above that of a subunit administrator. Members of the Committee on Tenure and Promotion are not eligible to serve on this committee.
b. In addition, two alternate members shall be elected to serve as committee members if a regular committee member cannot participate. The committee shall have full discretion in assigning the alternate member(s) to participate in a particular case. The chair of the faculty shall serve as an ex officio non-voting member, as is the case for all ex officio members described in this document.

Section 3. Elections

a. The committee members shall be elected for terms of four years on a rotating basis, not to exceed two consecutive terms, so that the Faculty Assembly shall annually elect at least one member to fill a vacancy caused by the expiration of a term of office. Nominations shall be made in February with the election in March. The new member(s) shall take office at the beginning of the following fall semester.

b. Should a member of the committee resign, a faculty member who meets the requirements of Article III, Section 2 shall be nominated and elected as a replacement within the next month.

c. Within three weeks of the March election of the new members, the committee shall convene to elect a chair for the following academic year. The existing committee shall remain as constituted through the summer.

ARTICLE IV - COMMITTEE ON TENURE AND PROMOTION

Section 1. Duties

a. The committee on Tenure and Promotion shall review tenure and promotion portfolios, evaluate recommendations on tenure and promotion made by either a college's existing tenure and promotion committee or tenured faculty in a division/unit, unit administrators, and deans, and make recommendations to the CAO on tenure and promotion proposals, and any cases of reinstatement of tenure.

b. With the exception of cases of discrimination or harassment (cases of discrimination or harassment must be immediately referred to the Title IX Coordinator or a Deputy Title IX Coordinator or as otherwise required by the applicable University policy), the committee shall review cases for removal of tenured members of the Faculty and make recommendations to the CAO and president simultaneously (see Part Two, Article IX).

Section 2. Membership

The committee shall be composed of seven tenured members of the faculty who have rank of professor and who do not hold administrative titles above that of subunit administrator. Members of the Committee on Academic Freedom and Grievance are not eligible to serve on this committee. There shall be at least one member from each of the colleges.

Section 3. Elections

a. The committee members shall be elected for terms of four years on a rotating basis, not to exceed two consecutive terms. Nominations shall be held in February with the election in March. The new member(s) shall take office at the beginning of the following fall semester.

b. Should a member of the committee resign, a faculty member who meets the requirements of Article IV, Section 2 shall be nominated and elected as a replacement within the next month.

c. Within three weeks after the March election of its new member(s), the committee shall convene to elect its chair for the following academic year. The existing committee shall remain as constituted through the summer.

ARTICLE V - APPOINTMENTS COMMITTEE

Section 1. Duties

a. Annually, and as needed, each elected member of the Appointments Committee will contact all members of the division, unit, or college and seek interested candidates for committee openings.

b. The committee shall convene as needed to complete tasks assigned by the chair of the faculty. Additionally, the committee shall meet in February to fill vacancies on all standing committees, and in March of an election year to formalize nominations for the Executive Committee of the Faculty.

c. The committee shall convene as needed to nominate candidates to fill vacancies on all standing committees if the vacancies occur outside of the regular rotation.

Section 2. Membership

The committee shall be composed of the vice chair of the faculty and at least one faculty member from each of the colleges. Each college will determine whether it will be represented by one faculty member or by a representative of each division or academic unit. It is recommended, but not required, that members be tenured faculty. Subunit administrators are eligible to serve.

Section 3. Elections

a. The members shall be elected by their respective divisions, units, or college, as appropriate, and shall serve for two-year terms, not to exceed four consecutive terms.

b. The elections shall be held in the spring semester, and new members will assume their duties at the beginning of the fall semester.

c. The vice chair of the faculty shall chair the committee.

ARTICLE VI - BYLAWS COMMITTEE

Section 1. Duties

a. The committee shall monitor the Faculty Bylaws, recommending revisions and amendments to the faculty assembly as necessary, and shall serve as a liaison to the administration regarding interpretation of the bylaws.

Section 2. Membership

a. The Bylaws Committee shall be composed of seven faculty members, including the chair of the faculty, vice-chair of the faculty, the secretary of the faculty, and four other tenured members The parliamentarian is an ex officio member of the committee.

Section 3. Appointments

a. The four other tenured members of the faculty shall be appointed by the Committee Chairs.

b. Each spring, the committee shall elect from among its members a chair-elect who will assume the responsibility of chair at the beginning of the next fall semester. Chairs may be re-nominated.

c. The appointed members of the Committee shall serve a two-year term with a three-term limit.

ARTICLE VII - FACULTY STANDING COMMITTEES

Section 1. General Policies

a. Meetings of standing committees shall be open to other members of the faculty and the University community who shall have voice but no vote. Executive session may be called by the chair of the committee.

b. A simple majority of the members of any committee enumerated in this article shall constitute a quorum.

c. The term of office of all committee members shall be two years, not to exceed three consecutive terms. Membership shall rotate so that approximately half of the membership is nominated each year. At least half of each committee's membership, but no more than 75 percent, shall be tenured faculty.

d. By the last spring meeting of the Faculty Assembly, each committee shall elect from among its members a chair-elect who will assume the responsibility of chair at the beginning of the next fall semester. Chairs may be re-nominated.

e. The chair of each committee shall convene and conduct meetings, and report on the committee's activities to the Faculty Assembly and the chair of the faculty assembly. Recommendations shall be presented to the Faculty Assembly.

f. The chair of a committee shall designate a committee member to serve as the chair's alternate and conduct meetings in the chair's absence.

g. No faculty member shall serve on more than one of the committees enumerated in this Article, however, a faculty member may also serve on the committees enumerated in Articles III, IV, and V. Chairs of committees may also serve as faculty representatives on Board of Trustees' sub-committees.

h. Members of the Executive Committee shall not serve on any of the standing committees during the term in office.

i. Normal committee procedure shall be to meet at least once per month during the fall and spring semesters or as needed to complete tasks in an expedient manner.

j. All members of the University community may submit proposals to the standing committees. Standing committees should inform the Executive Committee within one month regarding the status of any submitted proposal. Submitters should consult the Executive Committee when they feel the standing committee has failed to take expedient action.

k. Standing committee members must attend meetings regularly. Failure to attend regularly will result in removal from the committee. The Appointments Committee shall be responsible for choosing a replacement.

l. Standing committee chairs will consult with the president of the student body for student appointments in cases where a student representative is specified in the bylaws as a member of the committee.

m. Chairs of the standing committees and the Executive Committee shall meet monthly within the fall and spring semesters or as necessary to discuss proposals and coordinate the Faculty Assembly agenda.

Section 2. Academic Standards Committee

a. The Academic Standards Committee shall be composed of seven members of the faculty including at least one from each college, except the College of Law, and the following ex-officio members: director of experiential learning, director of financial aid, chief of financial aid, chief admissions officer, and registrar.

b. The committee shall receive and review proposals, make recommendations, and monitor in the following areas: standards for admissions, satisfactory academic progress, honors, the addition of experiential learning (including service learning and research intensive) designations, speech intensive (SI), technology intensive (TI), or writing intensive (WI) designations to existing courses or new courses (for new courses this is in conjunction with the Curriculum Committee); requirements for graduation; and policies on academic honesty, scholarships, loans, and grants-in-aid.

c. The College of Law may, at its own discretion, make any and all changes to policies solely administered by the College of Law related to admissions, satisfactory academic progress, honors, experiential learning, graduation requirements, scholarships, academic honesty, scholarships, loans, and grants-in-aid.

Section 3. Curriculum Committee

a. The Curriculum Committee shall be composed of seven members of the Faculty, including at least one from each college, except for the College of Law. Academic deans, the registrar, and a librarian are ex officio members. The committee chair shall be a tenured faculty member.

b. The committee shall receive and review curriculum proposals and make recommendations to the faculty assembly concerning the following: the addition of new courses; the elimination of existing courses; significant changes to existing courses and credit hours; changes that effectively create new courses; course renumbering; requirements within majors, minors, and programs; the creation or elimination of tracks/concentrations within majors or programs; the creation or elimination of majors, minors, or programs (joint oversight with the Planning and Budget Committee); and review of University majors.

c. A decision by the Committee to formally recommend the elimination or creation of a program or department of instruction will be based essentially upon educational and institutional considerations in light of the mission statement and strategic plan of the University and as determined by data from annual program reviews conducted by Academic Affairs.

d. Subject to the catalog review process, the following curricular changes can be at the academic unit's discretion: changes that are purely editorial in the title or description of existing courses; indication of the semester in which a course is taught; cross listing; and prerequisites.

e. Subject to the catalog review process, the College of Law may, at its own discretion, make any and all curricular changes to programs solely administered by the College of Law.

Section 4. Core Curriculum Committee

a. The Core Curriculum Committee shall be composed of seven members of the faculty, including at least one from each college, except for the College of Law.

b. The committee shall develop, receive, and review proposals to change the core curriculum, including proposals for new core courses. The committee shall then make recommendations to the Faculty Assembly regarding the core curriculum. The committee shall identify core assessment objectives and Academic Affairs will be responsible for collecting and analyzing the data for accreditation purposes.

c. Proposals for new core courses must be submitted for review to the Curriculum Committee as well as the Core Curriculum Committee.

Section 5. Faculty Affairs Committee

a. The Faculty Affairs Committee shall be composed of nine members of the faculty, with at least one representative from each college.

b. The committee shall receive, review, and make recommendations to the Faculty Assembly in all areas affecting faculty welfare and morale including the areas of fringe benefits, research activities and awards, procedures and timeline for evaluation, compensation, and retirement.

Section 6. Instructional Resources Committee

a. The Instructional Resources Committee shall be composed of seven members of the faculty. The chief information officer, library director, and director of academic technology are ex officio members.

b. The committee shall receive and review proposals, and shall make recommendations in the areas of technology, library resources policy, and the distribution of other resources necessary for quality instruction.

c. The College of Law will administer its own instructional resources independent of this committee.

Section 7. Planning and Budget Committee

a. The Planning and Budget Committee shall be composed of nine members of the faculty, with at least one representative from each college. At least one committee member must be from the Davis College of Business and must have experience in accounting and finance. The registrar, senior vice president of marketing and communications, a representative from the Office of Analytics and Planning, and the chief financial officer are ex officio members.

b. The Planning and Budget Committee shall participate in the University's strategic planning to include the establishment of financial priorities and the structure of the campus environment. The committee shall report regularly to both the University's planning body and the faculty regarding strategic planning and budgeting.

c. The committee, the chief financial officer (CFO), and appropriate administrators shall consult during the process of developing the University's annual budget. The committee shall review complete summary financial reports with the CFO.

d. The Planning and Budget Committee shall also receive and review proposals and make recommendations to the Faculty Assembly in the areas of strategic planning, including; the academic calendar, the establishment of new academic majors, minors, and programs (joint responsibility with the Curriculum Committee); academic organization; the addition or elimination of unit administrators; the formation of new colleges; and the elimination of majors, minors, programs, and departments (joint responsibility with the Curriculum Committee). All proposals shall include information on the anticipated financial impact. New academic majors, minors, and programs approved by the committee shall be reviewed by the committee three years after initial implementation and the committee shall make a recommendation to the Faculty Assembly based on the outcomes of the program.

e. As part of its program review responsibilities, The Planning and Budget Committee shall consult with Academic Affairs on regular annual program review (APR) and provide feedback to the Faculty Assembly and Administration on an ongoing basis.

f. A decision by the Committee to formally recommend the elimination or creation of a program or department of instruction will be based essentially upon educational and institutional considerations in light of the mission statement and

strategic plan of the University and as determined by data from annual program reviews conducted by Academic Affairs.

Section 8. Student Life Committee

a. The Student Life Committee shall be composed of seven members of the faculty and three students, including the president of the student body and one member of the Student Athlete Advisory Committee (SAAC). The Dean of Students, or their designee, shall serve as ex officio.

b. The committee shall receive and review proposals and make recommendations to the Faculty Assembly in all areas affecting student welfare and morale, including the area of journalistic standards for student media.

c. The committee shall appoint an advisory Media Board composed of three members of the faculty as well as the chair of the Division of Humanities and two students who are not staff members of student media. The faculty advisors of each media shall serve members. The Board meets as needed to fulfill the functions delineated below*:*

1. The Board shall be charged with developing and proposing policy for student campus publications. The Board makes these recommendations to the faculty Student Life Committee.

2. The Board makes recommendations to the CAO concerning the appointment of editors, managers, and business managers. The faculty advisor and the current student media officers of each media select students to fill other positions for which scholarships may be available.

3. The Board may make recommendations to the CAO in the appointment or reassignment of faculty advisors. The Board may request legal advice through the president's and CAO's office when necessary. Faculty advisors shall insure that campus publications adhere to established media policies.

4. The Board does not exercise pre-publication or pre-broadcast review of student media. However, the Board hears grievances from members of the University community regarding the operation of campus media. The Board adjudicates grievances by reference to the *Jacksonville University Guidelines for Student Media*. The Board may recommend the reprimand or removal of media officers. All such recommendations are forwarded to the CAO.

Section 9. Athletics Committee

a. The Athletics Committee shall be composed of seven members of the faculty with representation from each college and the Faculty Athletics Representative. The chief enrollment officer, the chief student life officer, the Registrar, a compliance officer, a representative from student financial assistance, the Faculty Athletics Representative, the chief athletics officer, an academic advisor for student athletes, and one student representative from SAAC shall serve as ex officio members. Representatives from admissions, student life, the registrar, athletics compliance, financial aid, the Chief Athletics Officer, athletic bands, and the director of athletic academic services shall serve as ex officio members.

b. The committee shall receive and review proposals and shall make recommendations to the CAO and Faculty Assembly in the area of athletics, as well as provide faculty input into the development of athletic policies and academic standards for student-athletes. The goal of the committee shall be to ensure the academic success and well-being of student-athletes.

c. The committee shall be concerned with the interface between the University's athletic and academic programs. It shall report annually to the faculty assembly regarding how well the athletic programs support the mission of the University. This report could include such aspects as academic outcomes, graduation rates, the addition and deletion of programs, and financial viability.

PART TWO: FACULTY RIGHTS AND RESPONSIBILITIES

These articles constitute rules established by Jacksonville University to govern the personnel and contractual affairs of the faculty.

ARTICLE I - ACADEMIC FREEDOM

Jacksonville University considers a free and unconstrained exchange of information essential among its faculty, staff, and students. While the faculty fully supports the free exchange of ideas, an explicit guarantee of academic freedom is made to faculty members through this article. Jacksonville University adopts the following portions taken verbatim from the AAUP 1940 Statement of Principles on Academic Freedom and Tenure; a restatement of principles first set forth in 1925:

> *The purpose of this statement is to promote public understanding and support of academic freedom…and agreement upon procedures to ensure… [academic freedom] in colleges and universities. Institutions of higher education are conducted for the common good and not to further the interest of either the*

individual teacher or the institution as a whole. The common good depends upon the free search for truth and its free exposition.

Academic freedom is essential to these purposes and applies to both teaching and research. 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 duties correlative with rights.

Tenure is a means to certain ends; specifically: (1) freedom of teaching and research and of extramural activities, and (2) a sufficient degree of economic security to make the profession attractive to men and women of ability. Freedom and economic security, hence, tenure, are indispensable to the success of an institution in fulfilling its obligations to its students and to society.

ACADEMIC FREEDOM

a. *Teachers are entitled to full freedom in research and in the publication of the results, subject to the adequate performance of their other academic duties; but research for pecuniary return should be based upon an understanding with the authorities of the institution.*

b. *Teachers are entitled to freedom in the classroom in discussing their subject, but they should be careful not to introduce into their teaching controversial matter which has no relation to their subject. Limitations of academic freedom because of religious or other aims of the institution should be clearly stated in writing at the time of the appointment.*

c. *College and university teachers 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 may 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 opinions of others, and should make every effort to indicate that they are not speaking for the institution.*

All full-time, part-time, adjunct, and visiting faculty members, tenured and non-tenured, enjoy full academic freedom. All full-time and part-time students enrolled in any course, credit or non-credit, also enjoy full academic freedom.

Any faculty member who believes his or her academic freedom to have been abridged may direct a written grievance to the chair of the Committee on Academic Freedom and Grievance, citing the abridgment in detail, providing corroborating documentation, and requesting corrective action.

ARTICLE II - TENURE

Section 1. Eligibility

Tenure exists to protect academic freedom in teaching, professional development, scholarship, and service (which can include university service or administrative duties for their academic unit or subunit). Faculty members earn tenure by demonstrating their expertise and achievement in these areas. For this reason, Jacksonville University awards tenure for faculty work, but not for administrative work. Tenure is granted in accordance with procedures developed by faculty and administration. A faculty member is eligible to earn and hold tenure unless he or she is appointed to a non-tenured track position.

a. A faculty member who is eligible to earn tenure shall be so informed in the annual contract. The contract shall state both the year of service during which tenure may be considered and year of service during which the pre-tenure review will be conducted.

b. A faculty member is eligible to earn and hold tenure unless he or she is appointed to a non-tenure track position. Faculty in non-tenure track positions may transition to tenure-track positions and become eligible to earn and hold tenure in accordance with Section 2 of this Article.

c. A new faculty or academic administrator hire, having been tenured at another institution, may be granted tenure by the University, and in consultation with the tenured faculty of the appropriate units, in accordance with Section 9 of this Article.

When the University hires new faculty or academic administrators tenured at other institutions, it may, after consultation with tenured faculty in the appropriate units as defined in Part Two, Article II, Section 4, recognize tenure granted by another institution. Alternatively, academic administrators moving to faculty status may earn tenure by following standard procedures for tenure-track faculty. Deferred or early tenure decisions can be addressed on a case-by-case basis by the CAO, in consultation with the tenured faculty from that college.

Section 2. Transition to Tenure Track

a. To transition from non-tenure track to tenure-track, the faculty member must submit to the unit administrator and dean a letter requesting consideration for transition to tenure-track status. The letter will include a document summarizing excellence in teaching, professional development and scholarship, and service at the level of tenure-track assistant professor.

b. The letter and summary letter will be reviewed by the college's existing tenure committee, or tenured faculty within the faculty member's academic unit, as well as the unit administrator and dean. Recommendations made by the unit's committee or tenured faculty, unit administrator, and dean will be submitted to the CAO within three weeks of review.

c. Following a positive review by the CAO, the faculty member would begin the process for transitioning to a tenure track position.

d. For faculty completing fewer than six years of service in their non-tenure track position, a maximum of two years of service at Jacksonville University in a full-time, non-tenure track faculty position may be counted in the years of service for tenure consideration. For faculty completing six or more years of service in their non-tenure track position, up to three years of service at Jacksonville University in a full-time, non-tenure track faculty position may be counted in the years for service for tenure consideration. The negotiation process regarding number of years of service that would be counted will include consultation with the college's existing tenure committee or tenured faculty in the academic unit.

e. Transition to tenure-track status and timeline for review will be indicated in a revised contract.

f. Should a non-tenure track faculty be denied consideration for transitioning to tenure-track status, the faculty member may appeal the decision to the Academic Freedom and Grievance Committee.

Section 3. Standards for Tenure

a. For tenure track faculty, an eligible faculty member to earn tenure will apply for tenure after completing five years of service and completion of a pre-tenure review. Three of the five years of service must have been completed at Jacksonville University. A maximum of two years of service at other institutions of higher learning with documentation of teaching, professional development and scholarship, and service at the level of tenure track assistant professor or higher may be counted in the years of service for tenure consideration. A maximum of two years of service at Jacksonville University in a full-time, non-tenure -track faculty position may be counted in the years of service for tenure consideration.

b. Faculty can request an extension of the tenure clock for childbirth, childcare, medical illness, family care, or other extenuating circumstances for one year. Faculty may not use more than two one-year extensions. The tenure candidate will be reviewed under the same academic standards as a candidate who has not extended the probationary period. The faculty member will submit their request for extension of the probationary period no later than November 1 for pre-tenure

and no later than July 15 for a tenure portfolio. The request will be submitted to the provost and copied to the faculty member's unit administrator and dean. The provost will inform the faculty member of the decision in writing.

c. Tenure is determined for each individual based upon academic credentials and years of service at Jacksonville University and other academic institutions (see above paragraph (a) of this section). An affirmative tenure decision must be based upon achievement in the areas of teaching, professional development and scholarship (e.g. research and creative activities), and service to the university. Faculty who have taken on administrative duties for their department or academic unit may count these duties toward tenure. However, faculty on a tenure-track appointment typically have at least a 50 percent teaching load. Additionally, faculty members are expected to interact in a cooperative and collaborative manner in fulfilling their professional obligations.

Section 4. Pre-Tenure Evaluations

a. Candidates for tenure will undergo a pre-tenure review during their mid-point of service toward tenure at Jacksonville University as determined by the CAO in consultation with the faculty member. A candidate who transitioned from non-tenure track status will submit his/her pre-tenure portfolio by February in of the academic year of transition.

b. Candidates will submit a pre-tenure portfolio which provides evidence of the candidate's achievements in the areas of teaching, professional development and scholarship (e.g., research and creative activities), and service to the university.

c. Candidates will submit the portfolio by February 1 to their unit administrator. Tenured unit members (exclusive of the unit administrator) will nominate and elect a convener who shall receive the tenure portfolio from the unit administrator and assemble the tenured members for a discussion of the candidate's progress towards tenure as outlined in Part Two, Article II, Section 3(c) 2.

In cases where the unit decides that there are insufficient tenured unit members to discuss the candidate's qualifications, the unit faculty may request a vote of the college to designate a tenure committee(s). Such tenure committee(s) may be formed by combining two or more units as deemed necessary by the unit. Once established, the same committee will review future applicants, until the unit requests for a change in the makeup of the committee. The tenured faculty will determine by vote if unit administrators may be members of the tenure committee. If unit administrators can serve on college tenure committee(s), the unit administrators shall recuse themselves from reviews of candidates from their respective units.

Upon request from the unit faculty, the dean will select a tenured member to organize the vote to create the committee(s) from the identified unit(s); that faculty member shall share the results of the vote and resulting committee composition with the dean and unit administrators. The dean shall communicate the committee makeup to the pre-tenure and tenure candidates by September 1. If the candidate has concerns regarding the committee makeup, then the candidate can explain the reason for the objection and request a different participant. Candidates are recommended to meet with their unit head to review the whole process so that the questions or concerns of the applicant could be addressed in advance.

d. The convener will submit an agreed-upon summary letter of that discussion to the unit administrator. In units without a unit administrator, the convener will submit the summary letter directly to the dean. The summary letter shall be submitted to the CAO, dean, and provided to the candidate on or before May 1. The dean will forward the record of the pre-tenure review to the Committee on Tenure and Promotion during the final tenure evaluation process.

Section 5. Timetable and Procedures for Tenure Evaluations

a. Faculty eligible to earn tenure will apply for tenure after completing five years of service and completion of a pre-tenure review. Prior to applying, three of the five years must have been completed at Jacksonville University. A maximum of two years of service at other institutions of higher learning with documentation of teaching, professional development and scholarship, and service at the level of tenure track assistant professor or higher may be counted in the years of service for tenure consideration. A maximum of two years of service at Jacksonville University in a full-time, non-tenure-track faculty position may be counted in the years of service for tenure consideration. In May of the academic year preceding the tenure application, following the fifth year of service, the dean shall notify the eligible faculty member that they must submit their tenure portfolio for consideration to the division chair or higher unit administrator by on or before October 15 of the next academic year.

b. On or before October 15 of the tenure application academic year, the faculty member candidate for tenure shall submit to their unit administrator an electronically accessible version of the tenure portfolio, which provides evidence of the candidate's achievements in the areas of teaching, professional development and scholarship (e.g. research and creative activities), and service to the university, as well as the candidate's pre-tenure summary letter.

c. Tenured unit members (exclusive of the unit administrator) will nominate and elect a convener who shall receive the tenure portfolio from the unit administrator

and assemble the tenured members for a discussion of the candidate's qualifications.

In cases where the unit decides that there are insufficient tenured unit members to discuss the candidate's qualifications, the unit faculty may request a vote of the college to designate a tenure committee(s). Such tenure committee(s) may be formed by combining two or more units as deemed necessary by the unit. Once established, the same committee will review future applicants, until the unit requests a change in the makeup of the committee. The tenured faculty will determine by vote if unit administrators may be members of the tenure committee. If unit administrators can serve on college tenure committee(s), the unit administrators shall recuse themselves from reviews of candidates from their respective units.

Upon request from the unit faculty, the dean will select a tenured member to organize the vote to create the committee(s) from the identified unit(s); that faculty member shall share the results of the vote and resulting committee composition with the dean and unit administrators. The dean shall communicate the committee makeup to the pre-tenure and tenure candidates by September 1. If the candidate has concerns regarding the committee makeup, then the candidate can explain the reason for the objection and request a different participant. Candidates are recommended to meet with their unit head to review the whole process so that the questions or concerns of the applicant could be addressed in advance.

The convener will submit an agreed-upon summary letter of that discussion to the unit administrator who will forward the letter to the dean. The tenured faculty in the unit will determine by vote the following:

i. whether it will be the convenor or the unit administrator who will administer the vote for or against supporting the candidate for tenure,
ii. who will meet with the candidate to share the committee summary letter and vote, and
iii. whether the summary letter will include the results of the vote for or against supporting the candidate for tenure.

d. By December 1, the candidate also will be provided with both the summary submitted by the convener and a copy of the unit administrator's evaluation and recommendation for or against tenure. The candidate shall be informed in writing by the unit administrator or in the summary letter submitted by the convenor, depending upon the will of the tenured faculty, whether the vote was favorable or unfavorable.

e. By December 1, the unit administrator shall submit to the candidate's dean the following information:

i. pre-tenure review evaluation summary letter
ii. academic unit administrator's written evaluation and recommendation for or against tenure
iii. the written summary letter prepared by the convener
iv. the result (overall favorable or unfavorable, not the numerical count) of the vote of the tenured members of the academic unit
v. the candidate's digital portfolio

f. By January 15, the dean shall submit his or her recommendation, along with the entire contents of the tenure portfolio, to the Committee on Tenure and Promotion for their its review and recommendation. The dean shall also provide the candidate with a copy of his or her letter of recommendation for or against tenure.

g. The Committee on Tenure and Promotion shall review all materials submitted. The final recommendation by of the Committee on Tenure and Promotion should be submitted to the CAO by March 15.

h. The candidate can at any time rebut the recommendations made by the tenured members of the academic unit, the unit administrator, or the dean. Rebuttals from the candidate should be submitted within five business days of their receiving the recommendation at each level and will be added to the portfolio prior to moving to the next level.

i. The CAO shall use all portfolio materials and recommendations (favorable or unfavorable) from the tenured members of the unit, the unit administrator, the dean, and the Committee on Tenure and Promotion, in addition to any rebuttals from the candidate, when making their final recommendation on tenure. The final recommendation by the CAO shall be provided to the candidate by April 15. The CAO shall then make recommendations to the president.

g. Upon the positive recommendation of the president, final approval for tenure decisions is made by the Board of Trustees during the spring. Tenure goes into effect with approval of the Board of Trustees. There is no tenure, absent approval of the Board of Trustees.

k. A copy of all documents used in the tenure-granting process shall be retained by the CAO for a period of three years from the time of the decision.

Section 6. Continuation of Tenure

A faculty member who has earned tenure continues to hold it so long as three conditions continue to be met:

- the faculty member maintains and demonstrates professional competence;
- the faculty member adheres to legal and ethical standards;
- the faculty member's position is not terminated due to financial exigency.

The lapse of one or more of these conditions may result in the loss of tenure.

Although not necessarily, loss of tenure (based on Section 7 below) may mean immediate dismissal. Employment may be continued on probationary terms to be set by the CAO. Tenure may be reinstated on terms to be set by the CAO in consultation with the Committee on Tenure and Promotion. For specifics regarding loss of tenure and notification of said loss (see Part Two, Article IX).

Section 7. Post-Tenure Review

During the fifth year after receiving tenure, and every fifth year of service thereafter, a tenured faculty member shall undergo a post-tenure review. This review shall be conducted jointly by the unit administrator and the dean. For their review they shall use annual evaluations, faculty activity reports, teaching evaluations, and other documentation at their disposal covering the previous five-year period. The member being evaluated shall provide a current curriculum vitae and goals for the next five years in the areas of teaching, professional development and scholarship (e.g. research and creative activities), and service, and shall be allowed to present additional documentation. No portfolio is required of the faculty member.

The purpose of post-tenure review is to maintain and improve faculty performance and should not be construed as a punitive device. The basic standard for appraisal shall be whether the faculty member under review discharges his or her duties conscientiously and with professional competence. The dean will submit a summary letter of that discussion to the CAO and candidate within one month of the post-tenure review.

The faculty member does not bear the burden to justify retention. Furthermore, the dean and unit administrator must both agree and demonstrate that there are serious deficiencies in the overall performance of the faculty member to warrant the sanction of a post-tenure probationary period.

If, on the basis of this review, the unit administrator and the dean find that the faculty member's performance is unacceptable, the dean after consultation with the faculty member shall recommend to the CAO that the faculty member be given a probationary period of three years in which to improve his or her performance. Criteria for acceptable

improvement shall be detailed in writing and thoroughly discussed with and understood by the faculty member. Failure to meet these criteria by the end of the probationary period may constitute grounds for removal of a tenured faculty member under the provisions of Part Two, Article IX, Section 3. All pertinent materials used in the evaluation shall be retained by the dean for a period of five years.

Section 8. Appeal

Should a faculty member disagree with the application of one or more of the provisions outlined in this article, he or she may submit a written appeal to the chair of the Committee on Academic Freedom and Grievance.

Section 9. Tenure Upon Hire

Faculty who have been granted tenure at another institution and shown evidence of excellence in the teaching, professional development and scholarship can negotiate tenure with the University at the time of hire to have that tenure recognized at Jacksonville University. The negotiation process will include consultation with the tenured faculty in the academic unit.

ARTICLE III - NEW FACULTY APPOINTMENTS

Section 1. Filling a Vacancy

When the unit administrator, in consultation with the dean and the CAO, determines a vacancy in a subunit (e.g. department) exists, the chair shall, with the dean and CAO's approval, appoint a search committee. Prior to the search, the rank and salary range of the position shall be recommended to the CAO by the appropriate dean. The CAO shall inform the unit administrator and the search committee of the salary range. The search committee shall consist of at least three but no more than five faculty members, one of whom should be tenured. The unit administrator, or academic dean shall not serve on the committee. Where faculty size in the unit permits, the chair of the search committee shall be from the discipline in which the vacancy exists, and the majority of committee members shall be from that discipline. Other committee members may be from outside the discipline and one member may be from outside the college. The search committee shall make an appropriate search to select and rank the candidates who seem best qualified to fill the needs of the department. After preliminary discussions with the top candidates about rank, salary range, and other pertinent information, the chair of the search committee shall invite a minimum of two but generally the top three candidates to the campus for interviews.

Section 2. Conducting a Search

Members of the faculty and administration shall interview the candidates, determine their suitability, and report to the chair of the search committee. The search committee shall then rank the acceptable candidates and the chair of the committee shall inform the unit administrator of the committee's decision. The unit administrator shall then forward to the dean the committee's rankings and recommendation. If the administration and the search committee cannot reach agreement on a candidate, all parties shall meet to seek consensus.

Section 3. Appointment of a Faculty Member

After a candidate has been selected, the dean of the college, in consultation with the CAO, shall offer the individual a contract which stipulates rank, salary, teaching load, and complete information concerning tenure expectations and eligibility. The candidate will be given an appropriate timeframe in which to respond. If the contract is not accepted, the search committee shall be consulted before another candidate is offered a contract or the search is suspended

ARTICLE IV - RANK AND PROMOTION

Section 1. Evaluation for Promotion – Procedure

An eligible faculty member who wishes to be considered for promotion shall submit two hardcopies of-their promotion portfolio or accessible electronic portfolio to the unit administrator no later than October 15. Evaluation of individuals for promotion will be done by the unit administrator, the dean, the Committee on Tenure and Promotion, the CAO, and the president. Prior to December 1, the unit administrator shall submit all supporting documents to the dean. The unit administrator shall also provide the candidate with a copy of their letter of recommendation for or against promotion.

By January 15, the dean shall submit his or her recommendation, along with the entire contents of the portfolio, to the Committee on Tenure and Promotion for their review and recommendation. The dean shall also provide the candidate with a copy of his or her letter of recommendation for or against promotion. The Committee on Tenure and Promotion shall review all materials submitted and make their recommendation for or against promotion to the CAO by March 15. A copy of their recommendation will be made available to the candidate by the CAO. The candidate can at any time rebut recommendations made by the unit administrator, the dean, or the Committee on Tenure and Promotion. Rebuttals from the candidate should be submitted within five business days of their receiving the recommendation and will be added to the portfolio. The CAO shall use all portfolio materials and recommendations (favorable or unfavorable) from the unit administrator, the dean, and the Committee on Tenure and Promotion. The CAO shall then make recommendations to the president. A copy of all documents used in the

promotion-granting process shall be retained by the CAO for a period of three years from the time of the decision and then returned to the faculty member.

Section 2. Evaluation for Promotion – Criteria

Advancement from one academic rank to the next is determined for each individual in accordance with standards and procedures developed by faculty and administration and is based upon academic credentials, years of service at Jacksonville University and other academic institutions, and achievement in the areas of teaching, scholarship (e.g. research and creative activities), professional development, and service to the university.

Section 3. Category and Rank – General Description

To teach in a discipline, individuals of all categories and ranks must be at least academically qualified according to the accreditation criteria of the Southern Association of Colleges and Schools and criteria of the respective college's accrediting bodies.

a. Faculty positions at Jacksonville University fall into one of the following categories:

- *Adjunct (Part Time) Faculty*- This position is appropriate for part-time faculty members who are assigned class-related responsibilities only. Adjuncts normally teach no more than half-time and on course-by-course contracts. This is a non-tenure-track position.

- *Visiting Faculty* – These positions are appropriate as full-time teaching positions on a temporary basis. The individual may hold rank. Visiting Faculty are normally awarded one-year contracts. Visiting appointments cannot be extended beyond an individual's third year of employment at Jacksonville University. This is a non-tenure-track position. Visiting faculty positions can be converted to a tenure-track faculty position with the express approval of the faculty within the appropriate academic unit, the unit administrative, the dean, and the CAO.

- *Non-Tenure-Track Faculty* – This position is appropriate when an individual is selected to fulfill particular institutional needs and with the express approval of the faculty within the appropriate academic unit. This is a full-time faculty position. The individual may hold rank, is eligible for promotion, and may serve in such capacities as instructor, clinical assistant, associate or full professor, artist in residence, lecturer or senior lecturer, librarian, or endowed chairs. This is a non-tenure-track position with variable terms and contracts are typically renewed annually. If the contract is not to be renewed, then the timeline must be followed as indicated in Article VIII. A

combination of administrative feedback, mentoring, and time for the faculty member to refocus teaching and research efforts seems in order.

- *Tenure-Track Faculty* – This position is a full-time faculty position. The individual will hold rank and is eligible for promotion. This is a tenure-track position and contracts are issued typically annually.

b. Rank shall be determined at the time of hire. To advance from one rank to another, faculty members shall go through the proper application process outlined in Part Two, Article IV. Full-time faculty at Jacksonville University may hold the following ranks:

- *Assistant Professor* – An individual holding this rank should demonstrate high potential to excel in the three areas of evaluation. Generally, a terminal degree in the area in which the individual teaches is required.

- *Associate Professor* – An individual holding this rank typically holds a terminal degree in the area in which the individual teaches. The individual must have demonstrated the ability to excel in the three areas of evaluation. The individual must have completed a minimum of five years of full-time college-level teaching at the time of application. Two of the five years must be completed at Jacksonville University. These requirements apply in the case of promotion. However, the university administration can bring in a faculty member at any rank.

- *Professor* – An individual holding this rank must have demonstrated excellence in the three areas of evaluation. A terminal degree in the area in which the individual teaches is required. The individual must have completed a minimum of ten years of full-time college-level teaching at the time of application. At least five of the ten years must be completed at Jacksonville University. These requirements apply in the case of promotion. The university administration can, however, at the time of hire bring in a faculty member at any rank.

- *Emeritus* – Emeritus faculty are retired Jacksonville University faculty who have previously held tenure at Jacksonville University. “Emeritus faculty” is an honorary title which does not carry teaching or other duties, but which may entitle the holder access to certain college resources and facilities, if available. Faculty can be nominated or apply for this status. Nominations and applications are made to the CAO.

Section 4. Salary Increases

In addition to any across the board and cost of living adjustments, salary increases shall be made on the basis of rank and merit. Recommendations for merit raises can be made by the CAO, on the basis of the academic dean's recommendation to the CAO, the unit administrator's report, and other relevant factors.

ARTICLE V - SELECTION OF UNIT ADMINISTRATORS

Within each college, organizational units are under the direction of the academic dean, who reports to the CAO. A college may have more than one level of administrative organization; these levels may differ among colleges. In colleges that employ a division structure, with a unit administrator (e.g., division chair) selected pursuant to Sections 1 – 4 of this Article, the academic dean of the college may, in consultation with the CAO and faculty in the college, appoint an assistant or associate dean. In colleges without a division structure, an assistant or associate dean is considered a unit administrator comparable to division chairs and shall be selected pursuant to Sections 1 – 4 of this Article. The role of the elected chair administrator is to, among other duties, evaluate the faculty.

Section 1. Search Committee

When a vacancy appears or is expected in a unit administrator's position, the academic dean or CAO (as appropriate) will provide advance notice to the unit concerned. The unit will elect a search committee consisting of three faculty with an option by secret ballot. Membership on the committee shall not be considered a deterrent to selection as unit administrator. The incumbent unit administrator shall not be a member of this committee.

Section 2. Candidate Selection

Following the election of the search committee, names of interested tenured faculty members within the unit shall be submitted to the committee. A ballot shall be given to the faculty. The committee shall keep the results of the vote confidential.

Section 3. Recommendations

The search committee shall send its recommendation to the academic dean. If the college dean chooses to accept one of the recommended candidates, this candidate shall be recommended to the CAO. If the academic dean does not accept any of the candidates, the academic dean and the committee shall meet in an effort to reach consensus.

Section 4. Appointment

The unit administrator shall be appointed by the CAO upon recommendation by the academic dean. The appointment shall be for a term of four academic years, or for three and a fraction if the appointment occurs during an academic year.

It is the responsibility of all unit administrators to distribute accurate and appropriate information to their constituencies. A unit administrator may be reappointed for additional terms by the academic dean and reviewed by the CAO. The procedures of Article V, Sections 1-4, shall be followed for reappointments.

In the case of an unexpected vacancy or in case of a deadlock, the CAO may appoint an acting unit administrator to serve until the above procedures can be fully implemented. Such acting appointments shall normally remain in effect a maximum of one year.

Section 5. Evaluation

A unit administrator shall be evaluated annually by the unit. Evaluations shall be forwarded to the dean and the CAO.

Section 6. Remuneration

The remuneration of a unit administrator in the form of reduced teaching load or in other ways shall be determined by the dean and the CAO.

Section 7. Subunit (e.g., Department) Chairs

When a unit administrator, academic dean, and the CAO determine a need exists to establish a subunit within a division or a school, a chair shall be appointed by the unit administrator and academic dean. The subunit chair shall report to the academic unit administrator, who with the approval of the dean shall determine the role and function of the subunit chair. The subunit t shall be maintained as long as the unit administrator, academic dean, and the CAO determine the need exists. The remuneration of subunit chairs, in the form of reduced teaching load or in other ways, shall be determined by the dean and CAO.

Section 8. Removal

Unit administrators selected pursuant to Sections 1 – 4 of this Article, and subunit chairs, may be removed from the position of chair by the CAO after consultation with the academic dean and the tenured members of the academic unit and if it exists, the subunit. Such removal shall not affect the chair's or unit administrator's tenure or position as a member of the faculty.

ARTICLE VI - SELECTION OF THE CHIEF ACADEMIC OFFICER AND ACADEMIC DEANS

Section 1. Chief Academic Officer

a. **Search Committee**

When a vacancy occurs or is expected in the position of CAO, a faculty search committee shall be established. The search committee shall conduct a national search to select and rank the candidates who seem best qualified. The committee shall make recommendations on the candidates to the president.

Should the University decide to add, remove, or replace positions in Academic Affairs (e.g., Vice, Assistant- or Associate-CAO positions), the faculty should be consulted as outlined in Part I, Article II, Section 1c, regarding both the creation of any new position and who shall fill it.

The CAO search committee shall include two elected representatives from each college. The chair of the faculty shall serve on and chair the search committee. Half of the committee's membership shall be tenured faculty.

Should the chair of the faculty be a candidate, the individual shall withdraw from the search committee and be replaced by the vice chair of the faculty. Should the vice chair of the faculty also be a candidate, the secretary of the Faculty will replace the vice chair on the committee.

b. Candidate Selection

Candidates shall be interviewed by the faculty search committee, by the members of the faculty, and by the administration. Members of the faculty who interview the candidate shall report their views to the search committee. The search committee shall recommend acceptable nominees directly to the president.

c. Appointment

If the president is considering to appoint a CAO against the recommendations of the committee, the president shall meet with the committee and justify the reasons for the appointment.

The president, after discussion with the Executive Committee of the Faculty, may appoint an interim CAO, if necessary, until the procedures of this article result in an appointment. If a college is not represented on the Executive Committee of the Faculty, a representative shall be selected by the chair of the faculty to participate

in the discussions between the Executive Committee of the Faculty and the president.

Interim appointments shall normally be for one calendar year. In the event it is necessary to extend the appointment, the president will confer in advance with the chair of the faculty and the Executive Committee. Extensions will normally not be made past one additional year.

d. Evaluation

The CAO shall be evaluated annually by the Faculty, as directed by Human Resources. Evaluations shall be forwarded to the president.

Section 2. Academic Deans

a. Search Committee

When a vacancy occurs or is expected in the position of an academic dean, a faculty search committee shall be established. The search committee shall conduct a national search to select and rank the candidates who seem best qualified. The committee shall make recommendations on the candidates to the CAO. Should the University decide to add assistant- or associate-dean positions, the faculty in the college should be consulted as outlined in Part I, Article II, Section 1c, regarding both the creation of any new position and who shall fill it.

The committee shall be composed of at least five and no more than seven elected representatives from the unit under the dean's jurisdiction and the chair of the faculty. Half of the committee's membership shall be tenured faculty. The committee should broadly represent the unit. The chair of the faculty shall preside over the search committee.

Should the chair of the faculty be a candidate, the individual shall withdraw from the search committee and be replaced by the vice chair of the faculty. Should the vice chair of the faculty also be a candidate or for any reason is unable to serve, the committee shall then elect one of its members to serve as chair.

b. Candidate Selection

Candidates shall be interviewed by the faculty search committee, by the members of the faculty, and by the administration. Members of the faculty who interview the candidate shall report their views to the search committee. The search committee shall recommend directly to the CAO, who shall inform the president of the committee's recommendation, as well as ~~his/her~~ their recommendation.

c. Appointment

If the president appoints (or announces the planned appointment of) a dean against the wishes of a majority of the committee, the president shall meet with the committee and justify the reasons for the appointment.

The president, after discussion with the CAO and Executive Committee of the Faculty, may appoint an interim dean, if necessary, until the procedures of this article result in an appointment. If the college is not represented on the Executive Committee of the Faculty, a representative from that college shall be selected by the chair of the faculty to participate in the discussions between the Executive Committee of the Faculty and the president.

Interim appointments shall normally be for one calendar year. In the event it is necessary to extend the appointment, the president will confer in advance with the chair of the faculty. Extensions will not be made past one additional year.

d. Evaluation

All deans shall be evaluated annually by the appropriate college faculty. Evaluations shall be administered by Human Resources and results forwarded to the CAO.

ARTICLE VII - SELECTION OF THE PRESIDENT OF THE UNIVERSITY

Section 1. Search Committee

The faculty recommends that when selecting a new president of the University, the chair of the faculty be a member of the search committee created by the Board of Trustees. Additionally, the faculty recommends that four tenured faculty members, one elected by secret ballot within each college, shall serve on the search committee.

Section 2. Faculty Views

When a candidate for the presidency is brought to the campus, the faculty recommends it be given the opportunity to interview the candidate and report their views to a faculty representative of the search committee.

ARTICLE VIII - TERMINATION OF A NON-TENURED FULL-TIME APPOINTMENT

Termination of a non-tenured full-time (tenure-track or non-tenure-track, including Visiting Professors) appointment can occur when, following appropriate review, evaluation, and communication with the faculty member, it is judged that the faculty

member is failing to fulfill the terms, conditions, and expectations of their appointment, or for financial exigency, professional incompetence, or cause.

Terminated faculty members alleging that the decision not to reappoint violated due process [as outlined in these bylaws or in the procedures developed by the administration and faculty (see Part Two, Article II, Section 1)] or was based upon discriminatory or prejudicial treatment may request review by the Committee on Academic Freedom and Grievance. The petitioning faculty member shall have the burden of introducing evidence sufficient to support a decision that the non-renewal resulted from a failure to follow due process or that the decision was based upon discriminatory or prejudicial facts and reasons. Review on appeal shall be limited to these areas of consideration.

Notice of non-reappointment will be given in writing in accordance with the following:

a. For a full-time faculty member who has served less than one academic year, notice shall be given no later than March 1 of that academic year.
b. For a full-time faculty member who has more than one year of service at Jacksonville University, notice of a terminal contract shall be given no later than September 15 of the terminal year.

In cases of removal for cause, and only if immediate harm to the individual or others is threatened by continuance, the faculty member shall be temporarily suspended by the president after consultation with the Committee on Academic Freedom and Grievance or assigned to other duties in lieu of suspension. Temporary suspension is appropriate only pending a hearing. Salary shall not be withheld during the period of temporary suspensions.

ARTICLE IX - TERMINATION OF A TENURED FACULTY MEMBER

Section 1. Reasons for Termination

Termination of a tenured faculty member’s position may be carried out by the University only for financial exigency, for professional incompetence, or for cause, but not to restrain his or her academic freedom.

Section 2. Financial Exigency

Prior to a declaration of financial exigency by the University which could result in the termination of a faculty member's position, the Planning and Budget Committee must participate in the decision that a condition of financial exigency exists or is imminent. In such situations, after full justification is presented to the Faculty Assembly at a formal meeting, faculty reduction may take place.

When reduction for financial exigency is justified, it shall be done in the following order:

- Non-tenured faculty members: Annual evaluations shall be used as criteria. Tenured faculty members within the unit shall meet and forward a recommendation to be forwarded to the academic unit administrator. The dean, in consultation with the college's existing tenure and promotion committee or unit administrator, when appropriate, shall make final recommendation to the CAO.

- Tenured faculty members: Reduction among tenured faculty members may then take place on the basis of consistency with the University's mission and vision. The annual evaluations, departmental needs, University needs, and the recommendations of the unit administrators, deans, and CAO shall be used as criteria. Efforts shall be made prior to termination to place the faculty member in an appropriate position.

A tenured appointment terminated due to financial exigency shall not be filled by a replacement for three years, unless the released faculty member has first been offered the reappointment in writing and given a reasonable time to accept or decline it.

If questions arise about the financial survivability of the institution and the need to eliminate entire programs and departments, the Planning and Budget Committee, the Curriculum Committee, the Core Curriculum Committee, and the Executive Committee shall meet jointly to form recommendations to make to the CAO.

Section 3. Removal for Professional Incompetence

Removal for professional incompetence may result after a tenured faculty member, placed on probation for two consecutive years following a post-tenure review, fails to make documented progress towards fulfilling the criteria for a successful review (see Part Two, Article II, Section 7) as indicated in annual evaluations with her/his unit head. The faculty member will be supported throughout this process with a combination of committed administrative feedback, mentorship, and opportunity to fulfill the criteria.

The University Committee on Tenure and Promotion may review the FAAR(s) and annual evaluation(s) upon request of the faculty member and submit a recommendation supporting or not supporting the unit head's findings to the CAO. If the faculty member is still deemed unsuccessful by his/her unit head at the end of the two-year probationary period, notice of termination must follow the time guidelines set forth in Article VIII category c. Under these conditions, a final recommendation supporting or not supporting the termination decision will be submitted by the Committee on Tenure and Promotion to the CAO.

Section 4. Removal for Cause - Due Process

With the exception of discrimination and harassment cases, removal for cause must be based upon greater weight of the evidence that the faculty member should not continue to fulfill the terms and conditions of his or her appointment.

In the case of removal for cause, the termination procedure must guarantee due process and shall be preceded by these steps:

1) Discussions between the faculty member and the CAO looking toward a mutual settlement.

2) A full hearing by the Committee on Tenure and Promotion. If termination is considered too severe, the committee shall recommend to the president at the conclusion of its hearing one of the following: dismissal of charges, written reprimand placed in the permanent file, probation, suspension with or without pay, reduction in pay, or reduction in rank. The proceeding shall be kept confidential.

3) The president may accept the Committee's recommendation, reject it, or refer it back for reconsideration in light of new evidence or hearing irregularities. Prior to the final decision being rendered, the president or the faculty member may initiate a mutual meeting.

Section 5. Removal for Cause – Discretionary Suspension

Pending the final decision, and only if immediate harm to the individual or others is threatened by continuance, the faculty member shall be temporarily suspended by the president after consultation with the Committee on Tenure and Promotion or assigned to other duties in lieu of suspension. Temporary suspension is appropriate only pending a hearing. Salary shall not be withheld during the period of temporary suspension.

Section 6. Termination Contingencies

Upon termination for cause and upon recommendation of the Committee on Tenure and Promotion or of the president after consultation with the Committee on Tenure and Promotion, salary may be continued for a period not to exceed 12 months.

Section 7. Regarding Administrators with Faculty Rank

The regulations in this Article shall apply to administrative personnel who hold faculty rank, but not in their capacity as administrators.

ARTICLE X - OUTSIDE EMPLOYMENT AND LEAVES OF ABSENCE

Section 1. Outside Employment

Individuals accepting full-time faculty employment at Jacksonville University recognize that their primary professional responsibility is to the fulfillment of their obligations to Jacksonville University. Full-time faculty engaged in outside employment shall inform their immediate supervisor of such employment, make certain that this outside employment does not represent a conflict of interest with employment at the University, and not accept an employment schedule that could or does present a conflict with duties and responsibilities as full-time employees of the University. Declarations of outside employment will be requested by the CAO's office by May 15 and must be submitted to the CAO's office by July 1 of each year.

Section 2. Leaves Without Pay (Unpaid Sabbaticals)

Leaves without pay may be granted upon written request to the /unit administrator who shall forward a recommendation to the dean, and then to the CAO. Such leaves do not count toward accumulation of time for tenure appointment, although a tenure appointment already granted is not affected by such leave.

Section 3. Leaves With Pay (Paid Sabbaticals)

When financially feasible, the University shall provide for leaves of absence with pay. The faculty member must be tenured at the time of application. The faculty member may apply for one semester at full-pay, or two semesters at half-pay, or two semesters at full pay with half-time teaching load. A faculty member becomes eligible to apply for leave with pay after a minimum of five consecutive years of service at Jacksonville University. Faculty will submit a proposal outlining their plan to the unit administrator and to the Faculty Affairs Committee a full year prior to the leave start date. No more than ten percent of the eligible faculty members may be awarded leaves with pay during any given semester. A faculty member may reapply for subsequent leaves after five additional years of service, not including the year on leave. Faculty receiving leaves with pay are expected to return to their full-time teaching positions.

In order to be considered for compensated professional leave, a faculty member must submit a written statement of plans for scholarly work that can be expected to enhance the individual's professional development and the academic reputation of Jacksonville University, and which can justify the length of the leave time requested. Examples of such work include, but are not limited to, scholarly activities (e.g. research and creative activity), and continuing education. Requests for leaves with pay require recommendation by the Faculty Affairs Committee, the unit administrator, the academic dean, and the CAO. Upon completion of the period of leave the faculty member shall describe their activities in their faculty annual activities report.

Time spent by a faculty member on leave with pay shall be credited toward years of service on the same basis as if the faculty member were in residence at Jacksonville University.

On written request, special assignment with pay may be granted by the CAO for scholarly or professional work beneficial to the academic reputation of the University.

PART THREE: ADOPTION AND APPROVAL OF THE BYLAWS

ARTICLE I - PROCEDURE FOR AMENDMENT OF THESE BYLAWS

Section 1. Presentation

Proposed amendments may be presented in writing to the Faculty Assembly at any regular meeting. Proposed amendments may be initiated by petition of ten percent or more of the members of the Faculty Assembly or by any standing committee.

Section 2. Adoption

After presentation, a properly proposed amendment shall be voted on by the Faculty Assembly at the next regular meeting or at a regular meeting designated by the chair of the faculty**.** Acceptance shall be by two-thirds majority of those voting on the proposal. Adopted amendments shall be forwarded by the chair of the faculty to the CAO, and then to the president for approval and forwarding to the Board of Trustees for approval.

Section 3. Effective Date

Any approved amendment shall take effect upon approval by the Board of Trustees.

ARTICLE II - AUTHORITY OF THESE BYLAWS

Subject to the Charter of the University and the University Bylaws, which shall prevail in the event of conflict, these bylaws shall take precedence over publications and regulations which pertain or refer to these bylaws.

ARTICLE III - METHOD OF ADOPTION

Section 1. Approval

These bylaws shall become effective upon approval by the faculty, the CAO, the President, and the Board of Trustees.

a. Presentation: These bylaws shall be formally presented at a regularly scheduled meeting of the Faculty Assembly.

b. Faculty Approval: Approval by the Faculty Assembly shall occur upon two-thirds majority vote of those present at the meeting.

c. Approval by the Administration and the Board of Trustees: Upon approval by the faculty these bylaws shall be submitted to the CAO, then the president. Upon the president's approval, the president shall submit these bylaws to the Board of Trustees for approval.

d. Effective Date: These bylaws shall take effect immediately upon approval by the Board of Trustees.

Note: These articles constitute rules established by Jacksonville University to govern the personnel and contractual affairs of the faculty. The President (or their designee) has the authority to promulgate workplace policies and procedures on the operation of the University or as otherwise required by law and nothing in these bylaws should be construed as limiting the President's authority in this regard.

[end document]