

Davis & Elkins College™

POLICY MANUAL

VOLUME IV

Faculty Handbook

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Introduction

This *Faculty Handbook* is incorporated by reference into the individual letter of employment of each faculty member, and its provisions are thereby legally binding upon the parties. No oral representations by a College official shall supersede these provisions; when unusual circumstances occasion a variation in the terms of an individual's employment, such exception must be stated in writing in the official letter of employment.

This *Faculty Handbook* supersedes all policies and procedures related to previous *Faculty Handbooks*.

Proposals for amending this *Faculty Handbook* may be initiated by the Faculty Assembly, the administration, or the Board of Trustees in accordance with Section 4.12 of the *Faculty Handbook*. Such proposals will be given consideration by both the Faculty Assembly and the Board of Trustees before they are included in the Faculty Handbook. The proposed revision shall have no status, not even a promissory one, until final action by the Board of Trustees has been taken.

Note: Davis & Elkins College acknowledges that some sections of the *Faculty Handbook* use language taken from policy statements of the American Association of University Professors. The use of AAUP language does not, however, represent any College endorsement of AAUP policies other than those explicitly contained in this *Faculty Handbook*.

4.1 Faculty Categories and Rank

4.1.1 Introduction

The College asks of its faculty that they demonstrate not only learning but also integrity and that they respect the mission of the College as a comprehensive liberal arts institution affiliated with the Presbyterian Church (U.S.A.).

A faculty member at Davis & Elkins College is entitled to academic freedom as set forth in the 1940 Statement of Principles on Academic Freedom and Tenure formulated by the Association of American Colleges and the American Association of University Professors. Academic freedom is the right whereby members of the academic community are protected in the privilege to receive, discover, convey to others, and act upon knowledge and ideas. Academic freedom is a right extended by Davis & Elkins College to all faculty, full-time, part-time or special status, tenured and non-tenured, regardless of academic rank. However, academic freedom is distinguished from the personal freedoms guaranteed by the Constitution of the United States. In addition, faculty members are entitled to academic freedom in the classroom, but they should be careful not to introduce into their teaching controversial matter, which has no relation to their subject.

Faculty members are citizens, members of a learned profession, and officers of an educational institution. When they speak or write as citizens, they should be free from institutional censorship

or discipline, but their special position in the community imposes special obligations. They should remember that the public might judge their profession and their institution by their utterances. Hence, they should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that they are not institutional spokespersons.

There shall be consultation and participation of the faculty, as appropriate, in the selection of the President of the College and other principal administrative officers.

This *Faculty Handbook* incorporates by reference the Constitution and By-Laws of the Board of Trustees.

4.1.2 The Faculty of Davis & Elkins College

The Faculty at Davis & Elkins College shall consist of all full-time employees of the College whose letters of appointment indicate that they serve under the terms of the Davis & Elkins College *Faculty Handbook*. A full-time faculty member's primary responsibility to the College is teaching, enriched by professional activity and growth, as well as institutional, professional and community service activities (see Section 4.6.1.1). Such persons automatically have voice and vote in the Faculty Assembly.

By virtue of the academic nature of their appointments, the President and the Vice President for Academic Affairs are eligible for faculty rank, voice and vote in the Faculty Assembly, and participation in the faculty's committee structure. The terms of employment of persons who serve in these capacities, however, are defined in the current edition of the Davis & Elkins College *Personnel Handbook* ([Volume III](#) of the *Davis & Elkins Policy Manual*) or by specific action of the Board of Trustees. See Subsection 4.1.3.3.1 for additional information.

In addition, the privilege of voice and vote in the Faculty Assembly and/or participation in the faculty's committee structure may be extended to non-faculty members who are qualified for faculty appointment and whose work directly supports the teaching/learning mission of the College. Extension of these privileges to non-faculty members shall be recommended to the Faculty Assembly by its Executive Committee and requires a majority vote of the Faculty Assembly. Conferring of these privileges shall in no way alter the terms of employment specified in the employee's letter of appointment.

Persons appointed to offer courses, clinical instruction, laboratories, and/or private instruction on less than a full-time basis -- i.e., less than 7 semester hours of instruction or the equivalent per semester -- are not members of the Faculty Assembly and receive only those fringe benefits required by federal and/or state law. Such persons are not eligible for tenure or advancement in faculty rank, nor are they normally eligible for institutional faculty development funds. See the Part-time Faculty definition in Subsection 4.1.3.2 below for additional information.

4.1.3 Faculty Status Categories

4.1.3.1 Full-Time Faculty

A full-time faculty member's primary responsibility to the College is teaching a normal, full-time instructional load. In addition, full-time faculty members engage in professional activity and

growth, as well as institutional, professional and community service activities (see Section 4.6.1.1). Such persons automatically have voice and vote in the Faculty Assembly.

To be appointed to the full-time faculty, candidates must possess the appropriate academic credentials and/or equivalent experience (see Faculty Credentialing Policy in Section 4.1.5) to teach courses in their academic discipline and be assigned one of the following academic ranks: **Instructor, Assistant Professor, Associate Professor, or Professor** (see Faculty Ranks Policy in Subsection 4.1.4.1). At the time of the initial appointment, a full-time faculty member will be appointed pursuant to a **probationary** (tenure-track) or **term** (non-tenure track) letter of appointment as negotiated by the parties during the recruitment process.

Members of the full-time faculty enjoy the rights and are bound by the responsibilities set forth in the policies, procedures and practices of Davis & Elkins College that have significance to their professional performance, including but not limited to those specified in this *Faculty Handbook*.

Note: In extremely rare circumstances, an initial appointment may be made with tenure upon the approval of the Appointment, Promotion & Tenure Committee, Vice President for Academic Affairs, President, and Board of Trustees.

4.1.3.2 **Part-time Faculty**

Part-time faculty are appointed for a specified term to offer courses, clinical instruction, laboratories, and/or private instruction on less than a full-time basis -- i.e., less than 7 semester hours of instruction or the equivalent per semester. Part-time faculty members are not members of the Faculty Assembly and receive only those fringe benefits required by federal and/or state law. Part-time faculty are not eligible for tenure or advancement in faculty rank, nor are they normally eligible for institutional faculty development funds.

To be eligible for a part-time appointment, candidates must possess the appropriate academic credentials and/or equivalent experience (see Faculty Credentialing Policy in Section 4.1.5) to teach assigned courses in their academic discipline.

Part-time faculty are generally assigned the academic rank of **Lecturer** (see Faculty Ranks Policy in Subsection 4.1.4.2). Those persons who have attained a professorial rank as a full-time faculty member at another institution, however, may be appointed to that rank upon the recommendation of the Appointment, Promotion & Tenure Committee.

Reappointment of a part-time faculty member is at the discretion of the College and successive reappointments do not confer continuing employment status and imply no employment rights beyond the duration of the term of employment as set forth in the letter of appointment.

4.1.3.3 **Special Status Faculty**

4.1.3.3.1 *Administrative Faculty*

1. **Academic Administrators:** By virtue of the academic nature of their appointments, the President and the Vice President for Academic Affairs are eligible for faculty rank, voice and vote in the Faculty Assembly, and participation in the faculty's committee structure. The terms of employment of persons who serve in these capacities, however, are defined in the

current edition of the Davis & Elkins College *Personnel Handbook* ([Volume III](#) of the *Davis & Elkins Policy Manual*) or by specific action of the Board of Trustees.

2. **Full-Time Staff Who Teach:** College staff employees may teach on a per-course basis if they possess the appropriate academic credentials or equivalent experience (see Faculty Credentialing Policy in Section 4.1.5) to teach assigned courses. Such persons are not members of the Faculty Assembly. Moreover, they are not eligible for tenure or promotion in faculty rank, nor are they normally eligible for institutional faculty development funds.

Those staff members who teach assigned courses as part of their normal administrative workload are subject to the terms and conditions of employment set forth in [Volume III](#) of the *Davis & Elkins College Policy Manual*.

4.1.3.3.2 *Artist/Writer/Scholar-in-Residence*

Davis & Elkins College may appoint distinguished artists, writers, or scholars on a full or part-time basis to the special faculty status of Artist/Writer/Scholar-in-Residence. Artist/Writer/Scholar-in-Residence faculty are appointed for a specified term pursuant to the College's Procedures for Part-time and Special Status Faculty (see Subsection 4.2.2.2). Such appointments automatically terminate upon the expiration of the term specified in the appointment letter. No notice or action by the College is required to effectuate such termination.

Artist/Writer/Scholar-in-Residence faculty are not members of the Faculty Assembly and do not serve on College committees. Moreover, they are not eligible for sabbatical leave, promotion in faculty rank, or tenure. In all instances, faculty appointed to the status of Artist/Writer/Scholar-in-Residence must possess the appropriate academic credentials or equivalent experience (see Faculty Credentialing Policy in Section 4.1.5) to teach assigned courses in the academic discipline.

4.1.3.3.3 *Developmental Educators*

The College offers one-year special status faculty appointments on a part or full-time basis to individuals who have specialized skills in selected academic areas, but who would not otherwise qualify for appointment to the full-time faculty. Developmental educator personnel teach subjects such as writing, reading, mathematics, and study skills that are critical to the teaching and learning process at Davis & Elkins College. Developmental educators are appointed for a specified term pursuant to the College's appointment procedures for the Part-time and Special Status Faculty (see Subsection 4.2.2.2). Such appointments automatically terminate upon the expiration of the term specified in the appointment letter. No notice or action by the College is required to effectuate such termination.

Developmental educators are not members of the Faculty Assembly and do not serve on College committees. Moreover, they are not eligible for sabbatical leave, promotion in faculty rank, or tenure. In all instances, faculty appointed to the special status of Developmental Educators must possess the appropriate academic credentials or equivalent experience (see Faculty Credentialing Policy in Section 4.1.5) to teach assigned courses in the academic discipline.

4.1.3.3.4 *Replacement Faculty*

Davis & Elkins College may appoint to the faculty a temporary replacement for a full-time faculty member who is on sabbatical, on leave, has retired or resigned or to otherwise meet the short-term curricular needs of the College. Replacement faculty are appointed pursuant to the College's Appointment Procedures for Part-time and Special Status Faculty (see Subsection 4.2.2.2) on a full-time basis until such time as the regular full-time faculty member returns to the College or a permanent replacement is found. Such appointments automatically terminate upon the expiration of the term specified in the appointment letter. No notice or action by the College is required to effectuate such termination.

If a replacement faculty member is subsequently appointed to a full-time faculty position, time served under any replacement appointment does not count toward advancement in rank, tenure or sabbatical leave unless so indicated in the faculty member's initial appointment letter to the full-time faculty.

Replacement faculty members are not members of the Faculty Assembly and do not serve on College committees. Moreover, they are not eligible for sabbatical leave, promotion in faculty rank, or tenure. In all instances, replacement faculty must possess the appropriate academic credentials or equivalent experience (see Faculty Credentialing Policy in Section 4.1.5) to teach assigned courses in the academic discipline.

4.1.3.3.5 *Visiting Faculty*

Visiting appointments are reserved for individuals who hold a full-time position at another institution of higher education and are associated with Davis & Elkins College while on leave from such other institutions. Visiting faculty are appointed for a specified term pursuant to the College's Procedures for Part-time and Special Status Faculty (see Subsection 4.2.2.2). Such appointments automatically terminate upon the expiration of the term specified in the appointment letter. No notice or action by the College is required to effectuate such termination.

Visiting faculty are assigned the rank they hold from their most recent employer. They do not, however, have voting privileges or serve on College committees and are not eligible for sabbatical leave, promotion in rank, or tenure. In all instances, Visiting Faculty must possess the appropriate academic credentials or equivalent experience (see Faculty Credentialing Policy in Section 4.1.5) to teach assigned courses in the academic discipline.

4.1.3.4 **Emeritus Status**

A full-time faculty member with the rank of assistant professor or above who has served Davis & Elkins College with distinction for ten (10) years or more prior to retirement is eligible for consideration for emeritus status at the rank held at the time of retirement. Granting of Emeritus status requires approval by the Appointment, Promotion & Tenure Committee, the Vice President for Academic Affairs, the President, and the Board of Trustees.

Emeriti Faculty are entitled to the following recognition and privileges:

1. Award of an inscribed seal of the College;
2. Listing in the College Catalog;

3. The right to participate in formal and informal academic events;
4. Library and electronic mail privileges;
5. Office space as available; and
6. Access to social, cultural, recreational, and dining events and facilities on the same basis as current full-time faculty members.

4.1.4 Faculty Ranks

4.1.4.1 Full-Time Faculty Ranks

At the time of their initial appointment, all full-time faculty members will be assigned to one of the following ranks: **Instructor**, **Assistant Professor**, **Associate Professor**, or **Professor**. The criteria for initial appointment to these ranks are the same as those used in considering candidates for promotion. (See below).

The Appointments, Promotions & Tenure Committee may in extraordinary cases recommend a candidate for a particular rank who does not meet the usual criteria, but who merits that rank because of outstanding accomplishments in his or her discipline.

4.1.4.1.1 Instructor

Those faculty members appointed to the rank of Instructor must hold a minimum of a master's degree in a discipline appropriate to his or her teaching assignment from either a regionally accredited institution or an internationally recognized institution of higher education and should show promise of successful teaching; professional growth and development; and service to the College, his or her discipline, and the broader community.

In lieu of the master's degree in a discipline appropriate to his or her teaching assignment, the faculty member must possess equivalent experience in the teaching discipline, as evidenced by appropriate licensing, certifications, and/or professional achievements. See the College's Faculty Credentialing Policy (see Section 4.1.5 below) for additional information.

4.1.4.1.2 Assistant Professor

Those faculty members appointed or promoted to the rank of Assistant Professor must have earned a doctorate in the appropriate discipline (or an earned a Master's Degree in disciplines in which a Master's degree is considered appropriate for undergraduate teaching) from either a regionally accredited institution or an internationally recognized institution of higher education.

In addition to the academic credentials listed above, the candidate must show promise of, or have a record of: successful college teaching; ongoing professional growth and development; and service to the College, the profession, and the community.

4.1.4.1.3 Associate Professor

Those faculty members appointed or promoted to the rank of Associate Professor must have earned a doctorate in the appropriate discipline (or an earned a Master's Degree in disciplines in which a Master's degree is considered appropriate for undergraduate teaching) and at least six

years of successful full-time teaching as an Assistant Professor; a record of ongoing professional growth and development; and demonstrated record of service to their College, profession, and community. In all instances, a candidate's academic degree must have been earned from either a regionally accredited institution or an internationally recognized institution of higher education.

4.1.4.1.4 *Professor*

Those faculty members appointed or promoted to the rank of Professor must hold an earned doctorate in the discipline (or an earned a Master's Degree in disciplines in which a Master's degree is considered appropriate for undergraduate teaching; a minimum of six years of exemplary full-time teaching at the level of Associate Professor; a demonstrable record of ongoing professional growth and development; and a demonstrable record of outstanding service to their College, profession, and community. In all instances, a candidate's academic degree must have been earned from either a regionally accredited institution or an internationally recognized institution of higher education. A Professor is expected to be an exemplary scholar/teacher and a leader within both the College, and wider academic community.

4.1.4.2 **Part-time Faculty Ranks**

4.1.4.2.1 *Lecturer*

The rank of Lecturer is assigned to part-time persons appointed to offer courses, clinical instruction, laboratories, and/or private instruction on less than a full-time basis – i.e., less than seven (7) semester hours of instruction or the equivalent per semester who have not attained rank as a full-time faculty member at another institution.

Those appointed to the rank of Lecturer must hold at least a master's degree in a discipline appropriate to his or her teaching assignment from either a regionally accredited institution or an internationally recognized institution of higher education. In lieu of the master's degree in a discipline appropriate to his or her teaching assignment, a Lecturer must possess equivalent experience in the teaching discipline, as evidenced by appropriate licensing, certifications, and/or professional achievements. See the College's Faculty Credentialing Policy (see Section 4.1.5 below) for additional information.

4.1.5 **Faculty Credentials**

It is the policy of Davis & Elkins College to ensure that every faculty member and class instructor assigned to teach credit bearing coursework meet or exceed the minimum faculty credentialing requirements set forth below. This policy applies to all faculty, administrators, and staff members assigned teaching responsibilities for academic credit, whether they are teaching on the Davis & Elkins College campus, online, or at an off-campus location.

4.1.5.1 **Credential Guidelines**

Academic Credentials: When determining acceptable credentials of its faculty and course instructors, Davis & Elkins will require all faculty and course instructors to possess an academic degree relevant to what they are teaching and at least one level above the level at which they teach. At Davis & Elkins, this translates to the minimum of a master's degree in the teaching discipline

earned from either a regionally accredited institution or an internationally recognized institution of higher education.

Note: Individuals assigned to teach distance education courses and programs must possess the same formal educational qualification profile as those assigned to teach on-campus classes.

Equivalent Experience: Exceptions may be made for individuals who do not meet the above academic qualifications, but who are considered by the College to possess other demonstrated equivalent experience that provides evidence to support effective teaching and student achievement. In order to be considered for the equivalent experience exception, instructors must demonstrate that peers recognize them as a respected authority in the field. The fact that an individual has taught a particular subject or in a particular field for a number of years does not carry sufficient weight, by itself, to justify an exception. All instructors assigned to teach credit bearing courses at Davis & Elkins College are expected to have a broad base of knowledge in a discipline or field such as the knowledge obtained through formal academic training in a graduate degree program. Similarly, if professional experience is to be considered in lieu of formal academic preparation, the experience must span many years and encompass a broad range of positions with increasing levels of responsibility. Truly outstanding achievements in job performance must exist, be documented, and must lead professional faculty to conclude that the individual is competent and knowledgeable in the teaching field or discipline.

4.1.5.2 Verification of Credentials

It is the responsibility of the division and/or department chairs to certify that the faculty and course instructors of record in their respective departments are qualified to teach the courses they are assigned, whether it is through the verification of formal educational credentials or equivalent experience qualifications. Prior to any current faculty member or course instructor teaching a newly assigned course for academic credit, the procedures outlined below must be followed. For prospective faculty members, the procedures detailed below are followed as part of the recruitment and selection process.

Davis & Elkins defines an Instructor of Record as the individual designated by the academic department who has overall responsibility for the development/implementation of the syllabus, the achievement of student learning outcomes included as part of the syllabus, and for issuing grades. For team-based courses in which multiple instructors participate in the design, delivery and assessment of the course, the department/division chairs will identify a team coordinator, who will serve as the instructor of record.

Verification of Academic Credentials

1. The relevant department chair will collect and examine all documents needed to demonstrate that the current or prospective faculty member/instructor's academic credentials satisfy the College's credential guidelines (see Subsection 4.1.5.1). This documentation includes, but is not limited to:
 - a. A current curriculum vita;
 - b. Official transcripts (indicating master's degree, terminal degree or other appropriate transcripts);

- c. Appropriate licenses or certifications; and
 - d. Verification of employment related to teaching experience (as needed).
2. In initially assessing the academic transcript, the department/division chair must ensure that the transcript includes the following elements:
 - a. The issuing institution's official seal;
 - b. Signature of the appropriate authorizing agent, preferably the institution's registrar;
 - c. The institution's official letterhead or stationary;
 - d. The institution's watermark or other identifier; and
 - e. The date of issue.
3. If a transcript is unclear, the department/division chair (or a designee) will contact the institution producing the transcript and request additional information regarding the transcript or courses in question. Documentation received in response to such a request will be placed in the faculty member/instructor's personnel file. Only course work and degrees granted by either a regionally accredited college or university or an internationally recognized institution of higher education will be accepted for credentialing purposes. In the event the institution ceases to exist and there are no records or method of verification, references to support academic course work must be provided by the prospective faculty member or instructor.
 - a. **Foreign Academic Credentials:** In those instances where a faculty member/course instructor holds a degree and/or graduate credit hours from an institution in another country, it will be necessary for the individual to obtain an independent evaluation of his or her academic credentials. The evaluation must be completed by an evaluation service acceptable to Davis & Elkins College. Costs, if any, associated with this service will be the responsibility of the faculty member/instructor.
4. If, as a result of the document review, it is determined by the department/division chair that the faculty member/instructor's academic credentials satisfy the College's academic credentials guidelines, the department/division chair will complete the Verification of Faculty Credentials Form (Volume IV Appendix 1) and forward it to the Vice President for Academic Affairs for approval.
5. If the Vice President for Academic Affairs agrees with the department/division chair's assessment, he or she will sign the Verification of Faculty Credentials Form and file it in the faculty member/instructor's personnel file.
6. The Verification of Faculty Credentials Form must be signed by the department/division chair and Vice President for Academic Affairs prior to the faculty member/instructor being assigned to teach a course or the prospective faculty member being appointed to the College Faculty.

Verification of Equivalent Experience

In cases where a current or prospective faculty member/instructor does not possess the required academic credentials, equivalent experience will need to be approved and documented by the department/division chair and then submitted to the Appointment, Promotion & Tenure Committee

for approval in accordance with the following procedures:

1. The department/division chair's documentation must include a copy of the faculty member/instructor or prospective faculty member's C.V., as well as a written narrative explanation of the individual's equivalent experience qualifications to teach the specific courses that may be assigned based on:
 - a. The individual's academic and professional preparation;
 - b. Diplomas, certificates, or relevant licensures;
 - c. Publications and presentations in the field; honors, awards, and professional recognitions;
or
 - d. Other demonstrated competencies, skills, and experiences which the current or prospective faculty member brings to the College.
2. If it is determined by the department/division chair that the individual's equivalent experience qualifications are clearly tied to the specific course(s) to be taught and establish beyond doubt that the individual is competent and knowledgeable in the teaching field or discipline, the department chair will complete the Equivalent Experience Qualifications Form (Appendix 2), attach it to the Verification of Faculty Credentials Form, and forward both to the Appointment, Promotion & Tenure Committee.
3. If the Appointment, Promotion & Tenure Committee agrees with the department/division chair's assessment, the chair of the committee will sign both forms and forward them to the Vice President for Academic Affairs' office for inclusion in the faculty member's personnel file.
4. Both the Verification of Faculty Credentials and Equivalent Experience Qualifications Forms must be signed by the department/division chair, chair of the Appointment, Promotion & Tenure Committee, and the Vice President for Academic Affairs prior to the individual being assigned to teach a course or the prospective faculty member being appointed to the faculty.

Note: The acceptance of equivalent experience qualifications by Davis & Elkins College is contingent upon final review and approval by a visiting team from the College's accreditor(s). In the event that an accrediting organization disagrees with the College's decision to grant an exception to a faculty member/instructor and an appeal to the accrediting agency is unsuccessful, the faculty member/instructor will be considered out of compliance with both College and accreditation requirements for minimum qualifications. Such a ruling may result in termination, reassignment, or restriction in teaching activities.

4.2 Appointment of New Faculty

4.2.1 Application for Faculty Positions

Openings for faculty positions are subject to approval by the President. Applicants for both full-time and part-time teaching positions shall submit the following documents in order to be considered for employment: a letter of application, curriculum vitae, and the names and contact information of references.

When a position is open, all applicants will be considered. After consulting with the Search Committee and the Vice President for Academic Affairs, the judgment of the President is final in determining who among the applicants for a full-time faculty position is most qualified for a faculty appointment at Davis & Elkins College. The decision of the Vice President for Academic Affairs is final for the appointment of part-time and special status faculty. Davis & Elkins College is an equal opportunity employer.

4.2.2 Appointment to the Faculty

4.2.2.1 Appointment Procedures for Full-time Faculty

1. Upon the recommendation of, and in consultation with the department/division chair, the Vice President for Academic Affairs shall review and assess the needs of the College and of the particular department and shall recommend to the President the need to fill the position.
2. Following approval by the President, the Vice President for Academic Affairs shall appoint a search committee in consultation with the appropriate department and/or division chair.
3. The search committee shall consist of a minimum of three (3) members, one of whom—as designated by the Vice President for Academic Affairs—shall serve as chair of the committee. The members of the committee shall include at least two faculty representative(s) from the applicable department, or a closely related department. The search committee will work collaboratively with the Vice President for Academic Affairs to develop a position announcement, review applications which are received, and develop a list of prospective candidates.
4. All candidates for full-time faculty appointments are expected to possess the academic credentials or equivalent experience qualification credentials set forth in the College’s Faculty Credentials Policy (see Subsection 4.1.5).
5. The search committee, in consultation with the Vice President for Academic Affairs shall select candidates for on-campus interviews.
6. The applicant shall be interviewed by the President of the College, the Vice President for Academic Affairs, the Search Committee and the Faculty Assembly Appointment, Promotion & Tenure Committee. The Vice President for Academic Affairs, in consultation with the Faculty Assembly Appointment, Promotion & Tenure Committee and the chair of the search committee, shall recommend to the President candidates for appointment. The final decision rests with the President.
 - a. During the interview process, the candidate will be notified that any job offer is contingent upon successful completion of background and reference checks (see the Background Policy in [Volume III](#) of the *Davis & Elkins College Policy Manual*), as well as verification and approval of academic or alternative qualification credentials (see Faculty Credentials Policy in Subsection 4.1.5). Moreover, notice of the availability of the Davis & Elkins College [Annual Security and Fire Safety Report](#) will be provided to the interviewee if the position was advertised.

7. The Vice President for Academic Affairs, in consultation with the department/division chair involved, the Appointment, Promotion, and Tenure Committee, and the President of the College, will determine how prior service, if any, will be considered in the faculty member's rank for the initial appointment and for subsequent promotion.
8. If the President of the College accepts the recommendation, he or she (or his or her designee) will extend a verbal offer to the candidate that is contingent upon verification of the candidate's academic or alternative qualification credentials and the successful completion of requisite background and reference checks (see College's Background Policy in [Volume III](#) of the *Davis & Elkins College Policy Manual*). Following verification of the candidate's credentials and the successful completion of the background and reference screens, the President will issue a formal letter of appointment stating the terms of employment including rank, position, and salary.
 - a. In order for the appointment to become valid, the faculty member must sign and return to the President's Office the letter of appointment, indicating acceptance of the terms, within thirty (30) days of issuance of the offer. Offers of employment not accepted and returned within 30 days will be considered null and void.
9. Following the issuance and acceptance of the letter of appointment, the Vice President for Academic Affairs shall make a full report of the appointment to the Academic Affairs Committee of the Board of Trustees at the next Board of Trustees meeting. The Chair of the Academic Affairs Committee shall issue a report to the full Board at the meeting.

4.2.2.2 **Appointment Procedures for Part-time and Special Status Faculty**

1. Part-time and special status faculty will be appointed to teaching positions when full-time faculty are not available or to meet the need for specializations outside the expertise of regular full-time faculty.
2. Eligibility. All candidates for part-time and special status faculty appointments are expected to possess the academic credentials or equivalent experience qualification credentials set forth in the College's Faculty Credentials Policy (see Subsection 4.1.5).
3. Appointment Procedure. Part-time and special status faculty will be recommended by the department/division chair and the Appointment, Promotion & Tenure Committee of the Faculty Assembly to the Vice President for Academic Affairs, who will recommend the appointment to the President. The final decision to appoint rests with the President.
 - a. In order for the appointment to become valid, the part-time or special status faculty member must sign and return to the President's Office the letter of appointment, indicating acceptance of the terms, within thirty (30) days of issuance of the offer. Offers of employment not accepted and returned within 30 days will be considered null and void.
4. Qualifications. Part-time faculty will be appointed to the rank of Lecturer. Faculty who have attained rank as a full-time faculty member at another institution may be appointed to that faculty rank upon the recommendation of the Appointment, Promotion & Tenure Committee.
5. Compensation. The compensation of part-time faculty will be specified in their letters of appointment.

4.2.2.1 Appointment Procedures for Department and Division Chairs

Department and division chairs are appointed by the President, upon the advice of the Vice President for Academic Affairs in consultation with the full-time faculty of the relevant department or division. Full-time members of the faculty who are appointed to serve as division chairs are granted a teaching load reduction. A faculty member who is appointed to a division chair position will be reassigned to his or her full-time prior faculty position upon cessation of the appointment.

Department and division chairs report to the Vice President for Academic Affairs and assist in implementing College and department/division policies and regulations within their department/division. They are responsible for working with the Vice President for Academic Affairs to establish and pursue institutional academic goals, to establish and pursue department/division goals, and to promote and support high professional standards within the department/division.

The term of office for a department/division chair is set forth in the appointment letter. The Vice President for Academic Affairs evaluates the chair's administrative performance on an annual basis following the same procedures set forth in Subsection 4.5.3. Moreover, at not more than three-year intervals, the Vice President for Academic Affairs surveys the full-time faculty members of the department/division to assess the chair's performance.

4.3 Letters of Appointment

4.3.1 Full-Time Faculty Letters of Appointment

4.3.1.1 Non-tenured Faculty

All non-tenured, full-time faculty members at Davis & Elkins College are appointed to the Faculty pursuant to either a **probationary** (tenure-track) or **term** (non-tenure track) letter of appointment as defined below. Both types of appointments are potentially renewable and entitle the faculty member to advance written notice pursuant to the schedule detailed in Subsection 4.3.1.1.3 if the College determines not to reappoint the faculty member at the expiration of the appointment period.

4.3.1.1.1 Types of Appointments

Probationary (Tenure Track) A probationary tenure-track appointment is renewable annually at the discretion of the College and granted in anticipation of consideration for tenure in accordance with the tenure policies set forth in Section 4.8. The faculty member's initial letter or notification of appointment will state the anticipated date upon which the faculty member will become eligible to apply for tenure consideration.

Term (Non-Tenure Track) A term appointment is granted to full-time faculty appointed to non-tenure track positions. An initial term appointment is for a period of one academic year. Thereafter, a second one-year appointment, followed by a third one-year appointment may be granted. Term (non-tenure track) faculty members continuing beyond the third year of service at Davis & Elkins College are then eligible to receive successive three-year term appointments. Faculty members with term appointments may expect the appointment to be renewed unless

otherwise notified pursuant to the schedule detailed below if the College determines not to reappoint the faculty member.

- a. *One-Year Term Appointments*: One-year term appointments are required for the first three years of employment at Davis & Elkins College. Either the faculty member can resign, or the College can terminate progress toward the three-year appointment option after either of the first two years, having observed the notification requirements in Subsection 4.3.1.1.3.
- b. *Three (3) Year Term Appointments*:
 - i. In the third year of continuous full-time service, after successful reviews, the Vice President for Academic Affairs, in consultation with the relevant department/division chair and the Appointment, Promotion, and Tenure Committee, will recommend to the President the issuance of a three-year term appointment. If advancement to a three-year term appointment is denied, the faculty member will receive a notice of non-reappointment according to the schedule set forth in Subsection 4.3.1.1.3.
 - ii. Review at the end of the second year of a three-year appointment will assess eligibility for continuation to a three or five year-appointment.
- c. *Five (5) Year Term Appointments*:
 - i. In the sixth year of continuous full-time service, after successful reviews, the Vice-President for Academic Affairs (VPAA), in consultation with the relevant department/division chair and the Appointment, Promotion, and Tenure Committee (APT), will ordinarily recommend to the President the issuance of a five-year term appointment. If a three-year appointment is offered instead to the faculty member, a clear rationale must be provided to the faculty member as to why a three rather than five-year term is being offered. If continuation on a three-year appointment or advancement to a five-year term appointment is denied, the faculty member will receive a notice of non-reappointment according to the schedule set forth in Subsection 4.11.1.3.
 - ii. In the second-year of a five-year appointment, the faculty member shall request a meeting with the department/division chair for a performance review and address any issues that are of concern. The Chair will then write a progress report and send to the APT and the Vice President for Academic Affairs for their review. A copy of the progress report and the responses from the APT and VPAA will be placed in the faculty member's personnel file.
 - iii. In the fourth-year of the five-year appointment, after successful reviews, the Vice President for Academic Affairs, in consultation with the relevant department/division chair and the APT committee, will recommend to the President the issuance of a three-year or subsequent five-year term appointment. If a three or five-year appointment is denied, the faculty member will receive a notice of non-reappointment according to the schedule set forth in Subsection 4.11.1.3.

Time served in a term appointment capacity applies toward advancement in academic rank, and could count toward a tenure-track process if circumstances warrant such a change. Term

appointments are expected normally to comprise no more than 40 percent of the full-time faculty. The Vice President for Academic Affairs recommends the use of term appointments to the President, who has the final decision.

4.3.1.1.2 *Moving to a Probationary Appointment*

Transfer from Term to Probationary Appointment

Transfers from a term appointment to a probationary (tenure-eligible) appointment are administrative decisions that will be considered on a case-by-case basis. To be considered for a transfer from a term to probationary (tenure-eligible) status, a term faculty will be required to provide at least three (3) years of full-time service at Davis & Elkins in the term track with favorable annual evaluations. If a transfer is granted, the faculty member must apply for tenure when he or she becomes eligible.

The department/division chair initiates the process for transfer after the request is made by the faculty member.

Procedure:

1. The department/division chair will submit a written request to the Vice President for Academic Affairs along with the candidate's curriculum vita.
2. The Vice President for Academic Affairs may approve, disapprove, or defer a decision on the change of appointment status. In evaluating the request, the Vice President for Academic Affairs will consider the current percentage of term appointments at the College, as well as whether the proposed transfer is in the best interest of the faculty member and the institution.
3. If granted, the change in appointment takes effect on the date specified in the written approval from the Vice President for Academic Affairs. Moreover, the Vice President's written approval will specify the amount of time served by the faculty member in a term appointment capacity that will count toward the probationary period before the faculty member may apply for tenure.
4. All changes in tracks are subject to formal approval by the President.

Transfer from Probationary to Term Appointment

Transfers from the probationary (tenure-eligible) appointment to the term are administrative decisions that will be considered on a case-by-case basis in accordance with the following procedure.

Procedure:

1. The department/division chair will submit a written request to the Vice President for Academic Affairs along with the candidate's curriculum vita.
2. The Vice President for Academic Affairs may approve, disapprove, or defer a decision on the change of appointment status. In evaluating the request, the Vice President for Academic Affairs will consider the current percentage of term appointments at the College, as well as whether the proposed transfer is in the best interest of the faculty member and the institution.

3. If granted, the change in appointment takes effect on the date specified in the written approval from the Vice President for Academic Affairs.
4. All changes in tracks are subject to formal approval by the President.

4.3.1.2 Tenured Faculty

All tenured faculty shall be considered to be continuously employed by the College, subject to the provisions of Section 4.11.1 below. They shall receive from the President an annual letter by June 15 stating the terms and conditions of their appointment for the following academic year, including rank and salary. They will indicate their acceptance of the offer of employment by returning a signed copy of the offer of employment to the President's Office within 30 days of issuance of the offer. Offers of employment not accepted and returned within 30 days will be considered null and void.

4.3.1.3 Period of Appointment

Appointment of a faculty member for the academic year begins in mid-August (i.e. approximately two weeks prior to the start of the fall semester) and concludes nine months later (i.e. shortly after the conclusion of the spring semester). Appointments for less than a full academic year will be specified in the faculty member's letter of appointment. Attendance at fall and/or spring faculty workshops, training sessions, meetings, or retreats as may be called by the Vice President for Academic Affairs is required, so long as such events are scheduled within the specified period of appointment. Salary and benefits for full-time faculty members normally will be distributed over a 12-month period, August 31 through August 15 of the following year. Special arrangements may be made in the Human Resources Office for payment over the nine-month period of appointment.

4.3.1.4 Joint Appointments

All full-time appointments to the faculty at Davis & Elkins College are granted in a particular academic department or division as stated in the appointee's appointment letter. In rare cases, joint appointments to different academic departments or divisions may be granted to an appointee. In such a case, the President, in consultation with the Vice President for Academic Affairs, will identify in the appointment letter one academic department or division as the appointee's primary academic department/division and delineate appropriate department/division teaching load responsibilities. The primary academic department or division will have primary responsibility over matters affecting promotion in rank. If a primary appointment ends, the joint appointment also ends unless otherwise specified in writing by the President.

4.3.2 Part-time and Special Status Faculty Appointment Letters

Part-time and special status faculty members are issued appointment letters for a designated period of time. Such appointments automatically terminate upon the expiration of the appointment term specified in the appointment letter. No notice or action by the College is required to effectuate such termination. Re-employment after expiration of the appointment period is at the sole discretion of Davis & Elkins College and no other procedures shall apply.

A part-time or special status faculty member may be discharged during his or her period of appointment for just cause as set forth in Subsection 4.11.2. Moreover, per College policy, an assigned course and/or teaching assignment may be cancelled for insufficient enrollment at the sole discretion of the Vice President for Academic Affairs or his/her designee. If a course or assignment is cancelled, the College reserves the right to immediately terminate the affected part-time or special status faculty member's appointment. In such an event, the Vice President for Academic Affairs or a designee will promptly notify the part-time or special status faculty member.

4.3.3 Content of Letter of Appointments

The terms and conditions of every faculty appointment will be specified in writing, and a copy of the appointment letter will be supplied to the faculty member. The appropriate department or division chair will be informed in writing of all terms and conditions of the appointment except salary. Letters of appointment will include the following information:

1. Type of Appointment: Probationary, Term, Part-time or Special Status;
2. Base Salary Amount;
3. Designation of Department or Division;
4. Designation of Type of Faculty: Full-time, Part-time, Special Status;
5. Duration of the Appointment;
6. Special Conditions (such as administrative duties, departmental expectations, etc.);
7. A statement that the *Faculty Handbook* is incorporated by reference into the individual contract letter of employment of each faculty member, and its provisions are thereby legally binding upon the contracting parties;
8. As applicable, specification of years of prior service credit granted and the year when evaluation for tenure and/or promotion shall be conducted.

4.4 Faculty Personnel Files

4.4.1 Faculty Personnel Files

Personnel records pertaining to appointees granted faculty status are comprised of human resource and academic-specific documents as follows:

1. **In the Office of Human Resources:** personal data information (race, gender, date of birth, marital status, religion, etc.); Human Resource forms; hiring transaction documents (payroll notices, etc.); payroll change documents (salary increases or changes, changes in status); salary and fringe benefit data; and other documents required by law.
2. **In the Office of the Vice President for Academic Affairs:** Appointment letters; original materials submitted by faculty members for initial employment (i.e., letters of application and licensure documents, credentialing forms and related materials, copies of transcripts, etc.); student course evaluations; portfolio materials; annual evaluation documents; and promotion in rank materials.

4.4.2 Access to and Copies of Faculty Personnel Files

Official files are available on a need-to-know basis only to the Board of Trustees, the President, the Vice President for Academic Affairs, legal counsel, designated Human Resource staff, the appropriate department or division chair, the faculty employee, or others specifically designated by the President and/or the employee.

Faculty member files are securely kept and maintained in the Human Resources Office and the Vice President for Academic Affairs as applicable. Faculty members may obtain copies of any materials in their official faculty files. In case of an official action, these files shall be available to the faculty member. Further, the College may permit access to and copying from such files pursuant to lawful requests and identification of federal or state agencies relevant to investigations, hearings, or other proceedings pending before such agencies or the courts.

4.4.3 Maintenance of Records

All faculty personnel records are securely maintained in the appropriate office. Following separation for any reason, the records are retained pursuant to the Davis & Elkins College Record Retention Policy and Schedule (see [Volume III](#) of the *Davis & Elkins College Policy Manual*).

4.5 Faculty Responsibilities and Rights

4.5.1 Faculty Responsibilities

4.5.1.1 Full-time Faculty Responsibilities

Members of the full-time faculty facilitate the College's mission by exhibiting academic and faculty excellence in the performance of their teaching, professional activity and growth, and service responsibilities.

4.5.1.1.1 Teaching Responsibilities

The primary duty of a full-time faculty member is to facilitate the intellectual growth and development of students through teaching as defined in Subsection 4.6.1.1.1 of the *Faculty Handbook*.

4.5.1.1.1.1 Class Schedules

Full-time faculty members are expected to be available for classes at any regular scheduled period, including time periods consistent with programming offerings. The class schedule for resident as well as distance learning courses is arranged to accommodate the needs of students. The Vice President for Academic Affairs is responsible for developing the class schedule, which is distributed by the Registrar's Office. Department and division chairs will submit to the Vice President for Academic Affairs proposed departmental/division schedules, suggested enrollment limits, anticipated number of students, and, if specific rooms are requested for on-campus courses, the rationale for seeking a specific room. The Vice President for Academic Affairs is responsible for finalizing a schedule that takes into account student needs, the distribution of course offerings throughout the day and week, and department and division recommendations.

4.5.1.1.2 Teaching Load

Under normal circumstances, each full-time faculty member shall teach 24 semester hours per year or the equivalent. Ideally, this load should be distributed over the fall and spring terms. For division chairs, the usual teaching load is 18 semester hours per year or the equivalent. If problems arise from disproportionate teaching and non-teaching loads, faculty members shall discuss these with the Vice President for Academic Affairs.

Faculty members shall make themselves available to conduct an occasional special arrangement or independent study offering. Such courses do not count toward teaching load, and faculty members shall use their own discretion concerning the number of students accepted for independent study projects.

Release from Teaching: Any release from teaching to perform administrative or other specified duties shall be approved by the Vice President for Academic Affairs following consultation with the faculty member receiving the release and the appropriate department or division chair.

Overload: In addition to the normal teaching load of 24 semester hours per year or the equivalent, a full-time faculty member may teach one or two courses (maximum of six credits) in the fall or spring term as an overload. Reimbursement for these additional teaching responsibilities will be according to the current overload salary scale. Permission to teach more than two additional courses in any semester must be requested from the Vice President for Academic Affairs; more than two courses, however, may be taught in a summer session.

4.5.1.1.3 Office Hours

The advising and counseling of students are critical components of the professional responsibilities of each faculty member and are considered part of the normal teaching load. The faculty member shall notify students in writing (i.e. through syllabi and posted office hours) of his or her office hours.

Each faculty member shall provide a minimum of five (5) office hours per week at various times of the day so that each student, regardless of his or her class schedule, may take advantage of these opportunities. Faculty members are also expected to make themselves available to students outside of formal office hours. Faculty assigned to teach online courses are expected to post times they will be available to students throughout the week, recognizing that most distance learners work on their courses in the evenings and on weekends. Online faculty are expected to respond to online student questions within twenty-four (24) hours and to make their presence in a course known by using the communication tools provided by the College throughout each week the course is scheduled to be offered.

In general, faculty members shall do everything possible to fulfill the expectations of students at a small private college that the faculty member is accessible and eager to participate in both formal and informal conversation with them.

4.5.1.1.4 Faculty Absences

The faculty member shall report all his or her absences from professional activities to his or her department and/or division chair and the Office of the Vice President for Academic Affairs by

filling out and submitting the appropriate form. Notice shall be given in advance whenever possible. Excused absences from Faculty Assembly meetings shall be arranged through the Academic Affairs Office.

Faculty members shall make appropriate arrangements for their classes in their absence, subject to approval by their department or division chair and/or the Vice President for Academic Affairs.

4.5.1.1.5 Textbook Orders

Securing desk copies of required textbooks and other instructional supplies is the responsibility of faculty members.

No book order submitted to the bookstore by a faculty member will be withheld from order without prompt notice to the faculty member.

4.5.1.1.6 Requisition of Supplies

All classroom, laboratory, and office supplies should be requisitioned on the appropriate form and directed to the department or division chair for approval. Requisitions shall be limited to the provisions of the current department or division operating budget. No purchases above an amount annually specified by the Business Office are authorized unless made on a purchase order issued by the Business Office. Generally, this requisition procedure applies to any purchase made in the name of the College.

4.5.1.1.2 *Professional Growth and Development Activities*

Davis & Elkins College faculty shall be continuously engaged in professional growth and development experiences as defined in Subsection 4.6.1.1.2 of the *Faculty Handbook*. A variety of programs are available to support these activities, including numerous externally and/or internally funded faculty development institutes, programs, and experiences. In addition, the College reimburses full-time faculty members for membership dues in appropriate learned or professional societies or other organizations clearly related to their College duties up to an annually specified limit. The College also supports attendance at professional meetings up to an annually specified limit. It also has a sabbatical leave program. See the Faculty Development section of the *Faculty Handbook* for additional information.

4.5.1.1.3 *Service Responsibilities*

Members of the full-time faculty are responsible for using their time, talent, and energy to perform necessary College, professional and community service activities as defined in Subsection 4.6.1.1.3 of the *Faculty Handbook*.

4.5.1.1.3.1 *Academic Program and Administrative Service Activities*

Subject to the authority of the Board of Trustees, full-time members of the appointed faculty are responsible for the development, evaluation and improvement of the College's curriculum. This includes developing and enhancing current courses; participating in course and program review activities; and recommending academic requirements and policy. Full-time faculty members generally engage in these activities through participation in Faculty Assembly meetings and votes;

College-wide standing committees; task forces and working groups; and by participating in department and/or division meetings.

In addition, full-time faculty members are expected to participate in other assigned College or program activities as requested by the administration. Examples of such activities include, but are not limited to:

1. Assisting in the supervision and administration of various forms of assessment, including surveys, focus groups, and testing;
2. Advising the library staff of acquisitions needed to support their disciplines;
3. Assisting the Office of Development with activities related to fund raising;
4. Participation in campus visitation days and alumni weekend;
5. Preparing division or department budget requests; and
6. Participating in activities related to the recruitment and retention of students.

4.5.1.1.3.2 Attendance at College Assemblies

Full-time faculty are expected to attend official College assemblies. For the opening and closing College assemblies, faculty shall participate in the academic procession.

4.5.1.1.3.3 Attendance at Faculty Meetings

Full-time faculty members shall attend Faculty Assembly meetings. From time to time, as the need arises, the Vice President for Academic Affairs may call special faculty meetings to address issues relevant to the faculty. Participation in such faculty meetings is required of all faculty members entitled to vote. In situations where a meeting will have to be missed, the faculty member shall inform the Vice President for Academic Affairs of the absence.

Note: See Article II: 2.3 of the By-Laws of the Faculty Assembly in Davis & Elkins College Policy Manual [Volume I](#) for additional information on special meetings.

4.5.1.1.3.4 Governance Service

Members of the full-time faculty are expected to participate in the system of faculty governance. If elected or appointed, full-time faculty members are expected to participate as members of committees, councils, task forces, and working groups.

4.5.1.1.3.1 Professional and Community Service

Faculty members should remain active in their professional organization(s). Examples of professional service include attending professional meetings, program and organizational development, leadership, committee and board membership, and professional presentations. In addition, faculty members are expected to participate in community service activities. See Section 4.6.1 for additional information.

4.5.1.1.3.2 Student Recruitment

Faculty members are expected to work collegially with the Office of Enrollment Management in appropriate ways, such as participating in visitation days; inviting visiting students to attend classroom or laboratory sessions, and communicating with prospective students.

4.5.1.1.4 Classroom Policies and Procedures

Davis & Elkins College grants faculty members considerable academic freedom in the conduct of their classes. They are encouraged to develop effective styles and to discuss with colleagues techniques and methods appropriate for a variety of class sizes. Team-taught courses or courses with multiple sections, however, require coordination of procedures and materials.

Class expectations per hour of academic credit:

1. The average student shall be expected to work approximately 40 hours (in-class plus out-of-class) per semester for each hour of academic credit.
2. Internships, practical clinicals, and special arrangement classes shall require approximately the same work per hour of academic credit as a regular class.
3. Faculty members shall develop and distribute a class syllabus early in each course, which will align with the template provided by the Office of Academic Affairs. Every syllabus shall contain: a course description, learning outcomes, and requirements of the course, including the factors used to determine the final course grade. A syllabus must also include the following: attendance and plagiarism policies, office hours, an ADA statement, reading assignments, and due dates for required course work. The Office of Academic Affairs maintains a file of current syllabi for all courses; as such, faculty are responsible for submitting a copy of all course syllabi to the Office of Academic Affairs every semester and term. A sample syllabus template is available in the Academic Affairs Office (see also Volume IV Appendix 3).
4. Faculty are encouraged to incorporate the development of research and other skills into assignments designed to promote life-long learning.

Keeping grade records is the professional responsibility of each faculty member. When the relationship between the faculty member and the College ceases, all grade books or grade records shall be submitted to the Office of Academic Affairs. Part-time faculty will turn in their grade books or grade records at the end of each semester. Grade books are the property of the College. When the faculty member is away from the College for an extended period of time due to illness or leave of absence, he or she is responsible to see that all student grades have been completed and recorded in the Office of the Registrar.

4.5.1.1.4.1 Grade Review Policy

Davis & Elkins College affirms the principle of academic freedom and its responsible exercise by the faculty in the program of instruction. The College also recognizes the right of students to fair treatment within the membership of the academic community. In affirming these principles, the College recognizes the prerogatives and responsibilities of the faculty in establishing the criteria

for evaluating student performance in courses of instruction, as well as in reporting the grade to the College Registrar.

A student who believes he or she has been inaccurately evaluated in the determination of the final grade in a course shall first confer with the instructor who assigned the grade. If the student remains dissatisfied, the next step is to submit a written request for a reconsideration of the grade to the instructor with copies to the department and/or division chairs and the Vice President for Academic Affairs. This written request must be made within two weeks of the grade report from the Registrar's Office.

If, after consultation with the instructor and the department and/or division chairs, the student concludes that a further appeal is warranted, the division chair shall advise the student on the process of appeal to the Office of Academic. The Vice President for Academic Affairs will consult with all relevant parties and may make recommendations, but the final determination of the grade remains the responsibility of the faculty member.

4.5.1.1.4.2 Examinations

Final examinations are to be administered at the times scheduled. Only the Vice President for Academic Affairs may authorize exceptions.

4.5.1.1.4.3 Submission of Grades

Instructors of record have the responsibility and authority for the assignment of all course grades. Mid-term and final grades shall be submitted by the instructor of record to the Registrar in the period set in the academic calendar. Grades for graduating students are due earlier than for other students. Midterm grades are reported for all students and communicated to both the student and their advisors.

4.5.1.1.4.4 Class Attendance Requirements

The College expects that students will attend classes and laboratories regularly and punctually throughout the school year. Faculty members will set out their specific expectations for attendance in their class syllabi, which shall align with College policy on excused absences. The validity of absences other than those officially excused by the College will be determined by the policy of each faculty member. Faculty concerned with a student's excessive absence are encouraged to notify the Office of the Registrar.

4.5.1.1.5 *Other Full-time Faculty Responsibilities*

4.5.1.1.5.1 Academic Advising and Personal Counseling

Academic Advising: Academic advising, which is recognized as part of a full-time faculty member's teaching responsibility, is central to the process of assisting and mentoring students as they form relationships that foster successful academic careers. Each entering student is advised through the Office of the Registrar. Students transition to an academic advisor (chosen from among the College's full-time faculty members) after they formally declare a major.

In order that they may become thoroughly acquainted with the College and its academic program, full-time faculty members in their first semester at Davis & Elkins College are not ordinarily asked to accept advisees. All full-time faculty beyond their first year at Davis & Elkins College shall ordinarily serve as advisors as assigned by the department or division chair.

Academic advising is critical to the students' success and is considered a major responsibility of all full-time faculty. Regular faculty office hours shall be posted and maintained. Faculty are also expected to be available to assist students outside of regular class periods and office hours.

Personal Counseling: Advising often extends beyond the realm of academic concerns into personal, social, or emotional issues. The faculty shall refer students with more complex problems to the professional counseling staff. Counseling assistance for students is available through the Office of Counseling and Wellness.

4.5.1.1.5.2 Academic Regalia

Academic regalia must be worn at ceremonial occasions by the President, academic administrators, and faculty as the College may indicate.

4.5.1.1.5.3 Collegiality

As members of a community of scholars and a liberal arts college, Davis & Elkins College has a strong history of collegiality. Collegiality, expected of all members of the College, includes civility, mutual respect, common courtesies, personal accountability, and a willingness to contribute to the effective functioning of the institution as a whole, as well its departments and divisions.

4.5.1.1.5.4 Compliance with College Policy

All employees of the Davis & Elkins College, including but not limited to the full-time faculty, are guided by the mission and goals of the College and are bound by the policies, practices, and terms of the College set forth in this *Faculty Handbook*. In addition, full-time faculty are expected to be familiar with policies and practices published by the College that have significance to their professional performance, including, but not limited to those published in Volumes II ([Campus Community](#)), III ([Personnel](#)), and V ([Academic Policies](#)) of the *Davis & Elkins College Policy Manual*, the College [catalog](#), and applicable departmental and division handbooks.

4.5.1.1.5.5 Faculty Role in Campus Security

Faculty members who believe that a member of the College community or a visitor may commit an act of violence, is engaging in behavior or making statements that generate concern about the potential for violence, or otherwise may pose an imminent threat to the health or safety of any member of the College community or its visitors are expected to call or text the Office of Public Safety immediately at 304-704-9111. The Elkins Police Department may also be contacted by dialing 911. As Campus Security Authorities, faculty members are required to report all Clery crimes to the Office of Public Safety (www.dewv.edu/campus-life/safety-security/campus-incident-reporting). As Responsible Employees, faculty members are obligated to report all

instances of gender-based discrimination, harassment, and sexual misconduct to the Title IX Coordinator.

Non-imminent threats or concerns about other issues within the scope of this policy must be reported as an at risk student to the Behavioral Assessment Team (CARE Team) (www.dewv.edu/form/risk-student-reporting-form). The concerns will then be forwarded to the Office of Public Safety and/or a College counselor, the Office of Student Life, the Naylor Learning Center, the College Chaplain, or another member of the Behavioral Assessment Team (CARE Team).

A Behavioral Assessment Team (CARE Team) referral must also be made in circumstances where a member of the College community is engaging in self-injurious behavior/suicidal ideation or attempt, or erratic behavior (including online activities) that disrupts the mission of the College and/or the normal activities of students, faculty, staff or the community.

4.5.1.1.5.6 Plagiarism

Faculty at Davis & Elkins College are responsible for conducting themselves in accordance with the following precepts regarding plagiarism, as set forth by the American Association of University Professors ([AAUP Policy Documents and Reports](#), the current edition (9th, 2001) and stated below. For the purpose of this policy, plagiarism is defined as using the ideas, methods, or works of another, without acknowledgment and with the intention that they be taken as the work of the deceiver.

Every professor should be guided by the following:

1. In his or her own work, the professor must scrupulously acknowledge every intellectual debt—for ideas, methods, and expressions—by means appropriate to the form of communication.
2. Any discovery of suspected plagiarism should be brought at once to the attention of the affected parties and, as appropriate, to the profession at large through proper and effective channels—typically through reviews in or communications to relevant scholarly journals.
3. Professors should work to ensure that their universities and professional societies adopt clear guidelines respecting plagiarism, appropriate to the disciplines involved, and should insist that regular procedures be in place to deal with violations of those guidelines. The gravity of a charge of plagiarism, by whomever it is made, must not diminish the diligence exercised in determining whether the accusation is valid. In all cases the most scrupulous procedural fairness must be observed, and penalties must be appropriate to the degree of offense.
4. Scholars must make clear the respective contributions of colleagues on a collaborative project, and professors who have the guidance of students as their responsibility must exercise the greatest care not to appropriate a student's ideas, research, or presentation to the professor's benefit; to do so is to abuse power and trust.
5. In dealing with graduate students, professors must demonstrate by precept and example the necessity of rigorous honesty in the use of sources and of utter respect for the work of others. The same expectations apply to the guidance of undergraduate students, with a special

obligation to acquaint students new to the world of higher education with its standards and the means of ensuring intellectual honesty.

4.5.1.1.5.7 Remunerative Activities Outside the College

The College encourages outside activities of a professional nature by its faculty members in the recognition that such activities may be beneficial both to the faculty member and to the College. Members of the full-time faculty may usually undertake such service at their own discretion so long as these activities do not (1) impair the performance of their responsibilities at Davis & Elkins College, or (2) reflect negatively on the College. In cases where the outside employment is to be at another educational institution, full-time faculty members must obtain prior approval from the Vice President for Academic Affairs. Faculty members holding full-time appointments may not hold full-time appointments or employment of any type in any other organization.

Faculty members shall not use the name Davis & Elkins College in connection with outside activities in a manner that implies the College's sanction or support, unless prior consent has been obtained from the Vice President for Academic Affairs.

4.5.1.1.5.8 Supervision and Safety

Faculty are responsible for providing adequate supervision of students in classroom, laboratory, and off-campus activities officially related to instruction. Faculty are also expected to provide instruction in safety procedures to students who are engaged in academic activities where a known potential danger is present and otherwise comply with the College's environmental policies (see [Volume II](#) of the *Davis & Elkins College Policy Manual*). Unsafe conditions of equipment or facilities shall be reported in writing by faculty to the Compliance and Ethics Officer or the Vice President for Academic Affairs. Guidelines on proposing, organizing and supervising off-campus trips with students are set forth in [Volume VI](#) of the *Davis & Elkins College Policy Manual*.

4.5.1.1.5.9 Research Activities

Faculty conducting or supervising research are responsible for abiding by applicable federal and state regulations pertaining to human and animal research, as well as the prevailing ethical standards for their discipline relevant to general research. Such research activities are expected to be conducted in accordance with the policies and procedures set forth in [Volume V](#) of the *Davis & Elkins College Policy Manual*.

4.5.1.1.5.10 Use of Faculty Titles and College Resources

Faculty members must make prudent use of their association with Davis & Elkins College, since faculty members' position gives to their public statements and actions an importance, which they might not have of themselves. In important matters, it is appropriate to comply with College policy with regard to any use of the Davis & Elkins College name, logos, trademarks, facilities, or resources. In addition, College resources must not be used for any personal, commercial, or similar purposes without prior written approval from the Vice President for Academic Affairs.

4.5.1.2 Responsibilities of Part-time and Special Status Faculty

While the department and division chairs determine specific roles and responsibilities, members of the part-time and special status faculty assigned to teach classes at Davis & Elkins College, in general, are responsible for providing quality instruction to students by employing teaching/learning processes and strategies that promote student learning. In addition, part-time and special status faculty responsibilities include, but are not necessarily limited to:

1. Demonstrating an understanding of the College's mission;
2. Staying current in the field of study, subject matter, and skills as appropriate;
3. Improving teaching skills by participating in on-going professional development activities;
4. Providing academic and personal counsel to students as appropriate, as well as making oneself available to students outside of class in accordance with departmental/ divisional expectations. Part-time and special status faculty assigned to teach online courses are expected to post times they will be available to students throughout the week, recognizing that most distance learners work on their courses in the evenings and on weekends. Online faculty are expected to respond to online student questions within twenty-four (24) hours and to make their presence in a course known by using the communication tools provided by the College throughout each week the course is scheduled to be offered;
5. Adhering to established policies and procedures of the College and the applicable academic program, including, but not limited to those policies and procedures set forth in Subsection 5.4.6, [Volume V](#) of the *Davis & Elkins College Policy Manual*, and the College [Catalog](#);
6. Attending department or division meetings as required by the chair;
7. Attending appropriate College assemblies and wearing appropriate academic regalia as the College may indicate;
8. Engaging in collegial behavior with members of the College community;
9. Participating in periodic teaching assessment activities as required by College policy; and
10. Maintaining appropriate and timely communication within and among colleagues in the assigned department/division.

4.5.2 Faculty Rights

4.5.2.1 Full-time Faculty Rights

Members of the full-time faculty have a number of opportunities and rights in relation to their appointment, the way they are treated, and the environment they work in. These include the following:

4.5.2.1.1 Academic Freedom

A faculty member at Davis & Elkins College is entitled to academic freedom as set forth in the [1940 Statement of Principles on Academic Freedom and Tenure](#) formulated by the Association of American Colleges and the American Association of University Professors. (See Section 4.1.1).

Members of the full-time faculty who believe they have had their academic freedom infringed upon in violation of the College's Academic Freedom Policy (see Section 4.1.1) may utilize the Faculty Grievance Policy.

4.5.2.1.2 *Access to College Facilities and Support Services*

Members of the full-time faculty have the right to access those College facilities, equipment, library, academic technologies, Information Services, and other services provided by the College that are necessary to accomplish assigned professional duties.

4.5.2.1.3 *Communication with the Board of Trustees*

The Faculty has the right to communicate as a whole with the Board of Trustees. All official communications between the Faculty and the Board of Trustees are channeled through the Vice President for Academic Affairs to the President of the College. If the Board of Trustees has a response, the Vice President for Academic Affairs shall inform the faculty of the response within a reasonable time after the meeting during which the matters were discussed. At semi-annual meetings, the Board may invite faculty members to meet with the Board's committees for the purpose of informal conversation and idea sharing.

4.5.2.1.4 *Due Process*

Members of the full-time appointed faculty have a right to due process in any disciplinary matter involving the possibility of substantial sanctions. This includes a right to be heard, a right to decision and review by impartial persons or bodies, and a right to adequate notice. Faculty members also have the privilege to expect that established College policy and procedures will be followed in all performance and promotion evaluations. Allegations of denial of due process are entitled to scrutiny through the College's Faculty Grievance Policy (see Subsection 4.5.2.1.6).

4.5.2.1.5 *Fair and Respected Treatment*

Members of the full-time appointed faculty have the right to be treated fairly, respectfully, and professionally by other members of the College community. Members of the faculty are to be free from arbitrary and capricious action on the part of the College administration and other faculty with respect to decisions on matters including, but not limited to promotion and teaching, advising, and service assignments. Every full-time member of the faculty is entitled to protection against discrimination that is illegal or unconstitutional, or without basis in the faculty member's professional performance, including, but not limited to discrimination on the basis of race, color, sex, religion, ancestry, national origin, age, sexual orientation, disability, veteran status, gender identification, or genetic information or any other characteristic protected by federal, state or local law. Please refer to the College's Equal Opportunity and Non-Discrimination Statement in [Volume II](#) and [Volume III](#) of the *Davis & Elkins College Policy Manual* for additional information.

4.5.2.1.6 *Faculty Grievances*

Davis & Elkins College recognizes and endorses the importance of fair procedures for reviewing grievances properly without fear of prejudice or reprisal. Accordingly, the College agrees to use its best efforts to encourage the informal and prompt settlement of grievances, as defined below.

Definition

A grievance is defined as an alleged misapplication, misinterpretation, or violation of any provision in this *Faculty Handbook*. Any other concern will be treated as a complaint.

Issues Not Open to Grievance

The following issues cannot be made the subject of a grievance:

1. Determination or content of a *Faculty Handbook* policy, procedure, rule or regulation appropriately approved by the College governance system;
2. Those items falling within the jurisdiction of other College policies and procedures (i.e., Discrimination and Harassment claims);
3. Normal actions taken or recommendation made by members of the College administration or applicable committee members acting in an official capacity in the grievance process;
4. Failure to satisfy the grievant after the grievance process has been completed.

Standing Committee on Faculty Grievance (Grievance Committee)

The Faculty Grievance Committee is appointed by the Executive Committee of the Faculty Assembly in accordance with Article XI the Bylaws of the Faculty Assembly found in [Volume I](#) of the *Davis & Elkins College Policy Manual*.

General Rules of Procedure for Grievance

The time schedule for each step is to be carefully observed. Time limits may be extended by mutual agreement of the parties involved and should be communicated in writing to all parties through the Grievance Committee. Minor deviations that do not cause significant negative consequences for either party shall not necessarily invalidate the process or decision.

All proceedings will be closed and confidential to protect the parties and the College.

Faculty Grievance Procedure

Step One: Attempted Resolution

1. A faculty member who feels that there are grounds for a complaint or possible grievance should first discuss informally the complaint or grievance with the supervisor having the authority to resolve the alleged complaint or appeal.
2. In cases of discrimination or harassment, all grievances shall be processed under the procedures set forth in the College's discrimination and harassment policies found in [Volume II](#) of the *Davis & Elkins College Policy Manual* as applicable.

Step Two: Formal Complaint or Grievance

1. Should the informal step fail to resolve the complaint or grievance to the satisfaction of the grievant, the grievant may submit the grievance or complaint in writing, stating in detail the subject matter of the grievance or complaint, the specific section of the *Faculty*

Handbook which is in dispute, the informal steps taken with the specific supervisor(s) named, and the remedy requested.

2. This formal complaint or grievance must be filed with the Grievance Committee:
 - a. Committee Disposition of a Grievance: In the case of alleged grievance, the Faculty Grievance Committee shall determine if there is a valid grievance. If the Committee determines that the matter is a valid grievance, the procedures set forth in Step 3 will be followed.
 - b. Disposition of a Complaint:
 - Should the Grievance Committee find that there is not a grievance but only a complaint, they will issue a recommendation to the parties directly involved. The parties have five (5) working days to accept the recommendation or to work out a solution.
 - Should either party not be satisfied with the Committee's recommendation to resolve the complaint, either party may, within five (5) working days, appeal to the President, who will render a final decision within five (5) working days and shall inform, in writing, all parties involved of his or her decision. The President's decision is final.

Step Three: Grievance Hearing

1. Should either party be unsatisfied with the attempted resolution process in Step 1 and the Committee has determined that there is a valid grievance, either party may request a formal Grievance Hearing.
2. Rights and considerations to be accorded the parties to the committee hearing are:
 - a. The right to have an advisor or representative from the College community present and acting on behalf of the party during the proceedings. Outside advisors are not permitted to be involved in the proceedings;
 - b. The right to present relevant and admissible evidence of both a testimonial and documentary nature;
 - c. The right to confront and cross-examine witnesses when available;
 - d. The right to present statements from absent witnesses.
4. It shall be the responsibility and obligation of all officers and employees of the College to respond to requests to provide testimony at grievance hearings unless such testimony is legally privileged.
5. The hearing proceedings shall be recorded by the College and made available to the Grievance Committee. A summary of the proceedings shall be provided at the expense of the party or parties requesting it.
6. In all cases, except for dismissal or suspension for cause, the burden of proof shall be on the grievant.

7. The Grievance Committee will not be bound by strict rules of legal evidence. Serious efforts will be made to obtain the most reliable evidence. The Chair shall exercise control over the hearing to avoid needless consumption of time or introduction of testimony that is repetitious or irrelevant. The decision will take the form of finding of fact, conclusions, and a recommended disposition of the grievance. The finding of fact, conclusions, and recommended disposition must be based solely on the hearing records, pertinent college policies and procedures as set forth in the *Faculty Handbook*, and the laws of the State of West Virginia.

Step Four: Presidential Review

1. The Grievance Committee will present its advisory decision in writing within five (5) working days of the hearing to all parties and to the President of the College. This decision, insofar as it consists of a recommended disposition of the grievance, may be either accepted by all parties or rejected by any party. Rejection or acceptance by either party must be communicated in writing to all persons involved within five (5) working days after receipt of the decision.
2. If the recommended disposition is not accepted by either of the parties, the President will review the findings and conclusions and recommend disposition and make a decision (that is not subject to appeal) on the grievance within ten (10) working days of his or her receipt of communication that either party has rejected the Grievance Committee disposition of the grievance. The President shall communicate his or her decision in writing to all parties.

Review of Record by Executive Committee of the Board of Trustees

1. Should the President be a direct party to the grievance, the grievant may file a petition to the Executive Committee of the Board of Trustees for a review of the record. Such an appeal will be filed within ten (10) working days of the President's decision. The Executive Committee or a special committee designated by it will review the case at a meeting called for that purpose and give a final decision on the grievance. Only when the President is directly involved will such a review take place. The trustee review committee shall be the sole judge of Presidential involvement in case of a dispute on the President's involvement.
2. The Trustee review committee shall ordinarily inform in writing all parties of its decision within five (5) working days of its review of the record.

Outside Court/Agency Action

1. Should any grievant initiate court or agency action on a grievance, the College reserves the right to discontinue internal procedures or to continue the same to complete a record as the case may warrant.
2. A grievance that has been filed and resolved by, or is on appeal in, an outside court or agency cannot then be presented as a grievance.

4.5.2.1.7 *Faculty Governance*

In matters pertaining to the faculty and the academic matters of the institution, Davis & Elkins College operates under a structure of “shared governance.” In this regard, the Board of Trustees recognizes that the Faculty, as defined in Section 4.1.2, has the right and responsibility for the recommendation of general policies on academic matters, including student admission and graduation standards, requirements for degrees, and the establishment or modification of any department or program. The faculty also has the right and responsibility for the legislation of general policies concerning faculty matters such as the curriculum, faculty qualifications, faculty duties and promotion, and the *Faculty Handbook*. The Board of Trustees recognizes the Faculty Assembly as the sole body that represents the full-time faculty in the exercise of these responsibilities.

Notwithstanding the rights and responsibilities referenced above, it is expressly recognized that the Board of Trustees retains final decision-making authority in all matters affecting the governance of Davis & Elkins College. All actions and legislation of the Faculty Assembly are therefore considered as recommendations to the Board of Trustees and the President. While recommendations and legislation from the Faculty Assembly are advisory in nature and not binding upon the Board of Trustees, in appreciation of the principles of shared governance and in the interest of the general well-being of the College, the Board and President will weigh heavily the Faculty Assembly’s recommendations. Moreover, the faculty and administration shall work meaningfully and sincerely with each other in addressing these matters of institutional importance. In those instances when the President or Board of Trustees does not accept Faculty Assembly recommendation, the President will meet with the faculty to discuss the Board’s decision and rationale not to accept the faculty recommendation.

4.5.2.1.7.1 *Voting Rights*

All duly appointed full-time faculty who hold the rank of professor, associate professor, assistant professor, or instructor and who serve under the terms of employment described in the *Faculty Handbook* and who teach 12 hours or more during a given academic year or serve as a department/division chair, will have the right to vote in all meetings of the department/division or departments/divisions in which they hold their appointment as indicated by the current College Catalog and in the Faculty Assembly.

In instances where an individual performs a significant amount of work in another department, voting rights may also be granted by members of that department. Those who are appointed as part-time or special status faculty do not hold voting rights.

4.5.2.1.8 *Intellectual Property Rights*

Members of the full-time faculty are entitled to those intellectual property rights set forth in the College’s Intellectual Property Rights and Ownership Policy (see [Volume II](#) of the *Davis & Elkins College Policy Manual*).

4.5.2.2 **Part-time and Special Status Faculty Rights**

While the department and division chairs establish specific rights, part-time and special status faculty assigned to teach classes at Davis & Elkins College, in general, have the following rights and privileges:

1. The right to academic freedom as defined by College;
2. The right to attend College ceremonies;
3. The right to fair and respected treatment;
4. The right to attend division/department meetings, but without voice or vote;
5. The right to participate in development activities made available from time to time by the College to part-time and special status faculty; and
6. The right to classroom facilities, laboratory facilities, equipment, library, academic technologies, Information Services, and other services necessary to accomplish assigned teaching duties.

4.6 Faculty Evaluation

4.6.1 Evaluation of Full-Time Faculty

4.6.1.1 Evaluation Criteria

Guided by the College's mission, members of the full-time faculty at Davis & Elkins College are committed to achieving excellence in the fulfillment of their professional responsibility as educators. This commitment emphasizes teaching, enriched by professional activity and growth, as well service to the College, profession and community. Faculty members are therefore evaluated throughout their careers at the College in each of these four areas using the general criteria and forms of evidence set forth below.

Note: It is recognized that within the broad definitions of the evaluation criteria set forth below, professional assignments can vary from one department or division to another. Accordingly, departments and divisions are afforded the autonomy to develop departmental or divisional evaluation criteria that supplement, but do not supersede the criteria and forms of evidence outlined below.

4.6.1.1.1 Teaching and Advising

Effective teaching is an activity which promotes the intellectual vitality of the College and the wider community. While the primary focus of this activity is transmission of knowledge and the development of new knowledge, skills, and dispositions within the classroom, teaching is not limited to that setting. It also includes the guiding, supervising and mentoring of students.

Teaching: Teaching encompasses all aspects of the educational process as it relates uniquely to each discipline, reflects changing pedagogies, and responds in service to the College's students. To be an effective teacher, one possesses several inter-related skills and various types of expertise that act in combination. These include, but are not limited to:

1. **Content Expertise:** the extent to which the faculty member stays informed and current regarding the knowledge base necessary to design and deliver the courses the faculty member teaches;
2. **Course Design Skills:** the extent to which the faculty member demonstrates the abilities to select and sequence course content and experiences so that student learning is facilitated, to structure course content so that it has integrity within the discipline and reflects the College or department/division's academic standards and expectations, and to develop and make use of techniques for evaluating student learning;
3. **Course Management:** the extent to which the faculty member demonstrates the ability to organize and manage the tasks of maintaining and operating a course, such as keeping grade records, providing timely return of exams/assignments, keeping office hours, submitting final grades, and other necessary course management duties and responsibilities.
4. **Course Conduct Skills:** the extent to which the faculty member makes effective use of communication and human interaction skills to promote learning in the classroom, including the ability to make use of various types of instructional delivery modes such as lecture, discussion, laboratory, technology, and questioning;
5. **Motivating and Mentoring Skills:** the extent to which the faculty member demonstrates the ability to engender enthusiasm and appreciation in students for the course subject matter, to help students excel as learners, to stimulate students' intellectual curiosity, and to model for students the standards of performance and professionalism expected of them.

Evidence of Successful Teaching Effectiveness

Evidence of such skills and expertise can be demonstrated by the following:

1. Peer and administrative review of teaching based on classroom visits and review of course materials;
2. Student course and teaching ratings;
3. Course syllabi and other course publications;
4. Increased student performance resulting from course instruction;
5. Development of new courses and/or laboratories;
6. Supervision of research projects;
7. Successful direction of individual student work (independent study, special student projects);
8. Development of innovative course designs which are disseminated in forms other than journals, books, and technical reports, such as integration of new technologies and techniques in the classroom, clinical setting, and/or laboratory;
9. Creation of computer software and audiovisual materials;
10. Honors or special recognition for teaching accomplishments.
11. Sustained student learning.

Academic Advising: Academic advising includes activities that assist students in planning academic programs, helping students make career plans, providing feedback to students regarding academic performance and progress, writing letters of recommendation, making referrals to support services which may be helpful to a student, and, helping students work through academic and/or personal problems

Faculty members may demonstrate characteristics of effective academic advising as follows:

- Student accessibility;
- Proficiency in applying assigned students' academic histories and progress toward the completion of academic program requirements and goals;
- Guidance of assigned students in facilitating the attainment of academic and career goals;
- Development and communication of scholarly, creative, or innovative academic advising methods and materials;
- Self-assessment of academic advising activities;
- Assuming significant additional responsibility, such as advising student organizations.

4.6.1.1.2 *Professional Activity and Growth*

Professional activity and growth activities promote the exploration of ideas, acquisition of expertise, and scholarship (research) that enriches teaching and contributes to the advancement of learning for students and faculty. Commonly recognized examples of professional activity and growth are:

- Publication of original research in refereed journals;
- Authoring or co-authoring publications in peer reviewed journals;
- Serving as a principal investigator of externally funded research;
- Participation as a panelist or speaker in campus colloquia and open seminars;
- Service as a referee for articles, extended reviews, editorial boards;
- Giving workshops to train other faculty members in a certain method or approach;
- The award of external funding, including successful grant applications for projects that focus on application problems;
- Stage presentations (both drama and music);
- Exhibitions;
- New editions of music or visual art;
- Musical performances;
- Art exhibits;
- The creation of new art forms or new techniques within an art form;

- Redesigning courses;
- Incorporating new or different instructional techniques and strategies into teaching;
- Developing new courses;
- Attending and/or participating in professional meetings, workshops and conferences;
- Earning continuing education credits;
- Developing skills as an administrator or service provider;
- Writing grant proposals;
- Participating in interdisciplinary study for pedagogical and scholarly purposes;
- Engaging in leadership roles in a professional organization related to the teaching discipline;
- Earning pedagogical and scholarly achievements recognized by grants and awards;
- Serving as a consultant or advisor;
- Serving as judge or referee of artistic or scholarly works;
- Providing professional presentations within the scholastic community;
- Developing new inventions, products, processes, software, artwork, etc.;
- Acquiring or maintaining certification in disciplinary specialties;
- Creating peer-reviewed, research-oriented websites or publications.

4.6.1.1.3 *Service to the College, Profession and Community*

Service involves the giving of time, talent, and energy to the greater good of the College, the profession, and external community and reflects awareness of the responsibility to give back to the community from the fruits of one's scholarship and practice.

Service to the College: Service to the College reflects a commitment to the good of the full-time faculty member's department or division and the greater good of the College community. It presupposes a desire to support the mission of the College beyond a discipline or department and a willingness to accept responsibility for fostering the general welfare of the College. Indications of College service can include activities such as:

- Leadership on College committees and/or within academic departments or divisions;
- Service on College committees and/or within academic departments or divisions;
- Leadership given to student organizations and/or within academic programs;
- Service given to student organizations and/or within academic programs;
- Leadership and service on appointed task forces and advisory groups;
- Participation in formal College events;

- Participation in fund-raising, community relations, admissions, trustee, and alumni events;
- Serving as a department or division chair;
- Serving as a faculty mentor;
- Acting as representative of the College to the larger community;
- A strong record of departmental/institutional participation in training;
- Leadership or active participation in development of research programs;
- The effectiveness with which a faculty member has worked with and trained colleagues.

Service to the Profession and Community of Scholars in the Discipline: Service to the profession and to the community of scholars includes professional activities that involve contributions beyond the duties directly concerned with the College. Participation in these activities enhances a faculty member's own professional standing and promotes the College. Examples of service to the profession and to the community of scholars in the discipline can include activities such as:

- Participation on editorial boards, associate editorships, or editorships of scholarly publications;
- Serving as chair or an active leadership member of a professional committee;
- Service as an officer of a professional organization;
- Registration and active participation in a nationally or internationally recognized professional society;
- Service on an advisory committee, board, or study section for relevant professional and educational organizations;
- Major consulting in areas of professional expertise;
- Leadership roles in major disciplinary meetings;
- Participation as an evaluator in an institutional or academic program accreditation review;
- Participation as a member of a doctoral dissertation committee;
- Organizing and/or teaching workshops, short courses, or conferences in areas of professional expertise.

Service to the Community: External service involves giving of time, talent, and energy to the greater good of the community and reflects awareness of the responsibility to give back to the community from the fruits of one's scholarship and service. Examples of external service include the following:

- Professional addresses to audiences beyond the campus;
- Service to the community as an unpaid consultant in one's professional area;
- Volunteer service to the community in civic, cultural, and charitable endeavors; and

- Service related to service-learning activities;
- Serving in military through active reserve.

Assessment of Service Activities: Measures and methods that may be used to assess the quality of service activities include the following:

- Percentage of faculty time/effort devoted to service activities;
- Functional roles in which the service is rendered (particularly if the candidate has assumed a leadership position);
- Levels of professional competence employed (areas of specialization will be considered);
- Monographs, reports, evaluations, program designs, etc., produced (as a method of demonstrating what has been done);
- Letters of recommendation/citation;
- Service awards and honors.

4.6.1.2 **Types of Evaluations**

To supply continuous and useful means to assist faculty members to improve their teaching, professional growth, and service performance, and to give evidence of such improvement, faculty members at Davis & Elkins College participate in a number of evaluations over the course of their careers at the College as set forth below. Such evaluations serve to identify where a faculty member excels and to target areas where improvement is appropriate. Judgments concerning the quality of each faculty member's performance are necessary to make College decisions with respect to the renewal of term appointments, the continuation of probationary appointments, as well as the granting of tenure, promotions, and sabbaticals.

4.6.1.2.1 *Student Course Evaluations*

Student course evaluations are performed for all faculty, in all courses, including distance learning courses. All individuals teaching courses at Davis & Elkins College must follow the standard procedures outlined by the Office of Academic Affairs for the dissemination of the student evaluation form to students near the end of each academic term. Once the student completes the evaluation, the course instructor is required to send the completed rating form to the Office of Academic Affairs for review and summary. The instructor then receives a copy of the summary that includes spreadsheet data and a listing of student comments. A copy of the summary is also sent to the faculty member's department or division chair.

4.6.1.2.2 *Peer Evaluations*

Full-time faculty have their teaching observed by peer evaluators according to the schedule below:

1. Done for all full-time probationary faculty in their 1st, 2nd, 4th, and 6th year of service or more frequently if a problem is indicated.
2. Done each year for all full-time term faculty in their 1st, 2nd and 3rd year of service and in the Fall semester of the final year in subsequent three (3) year term appointments.

Peer evaluations are performed by an evaluator appointed by the Appointment, Promotion, and Tenure Committee in accordance with the schedule set forth above. Classroom observations are arranged at a time that is mutually agreeable to the peer evaluator and the faculty member being observed.

The peer evaluation and written report must be completed by the applicable deadline date established by the Office of Academic Affairs; a copy will be submitted to both the faculty member observed and the Office of Academic Affairs.

4.6.1.2.3 *Supervisor Evaluation*

All members of the full-time faculty, as well as department and division chairs, are evaluated annually by their supervisors. In the case of full-time faculty members, the department/division chairs conduct the evaluation using the Annual Evaluation of Faculty Form. The Vice President for Academic Affairs evaluates department and division chairs.

The supervisor uses the faculty member's Annual Activity Report in his or her evaluation, along with personal observations of performance made throughout the year. The evaluation assesses the faculty member's performance in the areas of teaching and advising, professional activity and growth, and service to the College, profession and community pursuant to the criteria outlined in Section 4.6.1.1.

After completing the evaluation, the department/division chair and/or Vice President for Academic Affairs will meet with the faculty member to discuss the evaluation and goals for the coming year. If the faculty member disagrees with any aspect of the narrative evaluation, the faculty member should respond in writing. Copies of the supervisor's written evaluation and, if applicable, the faculty member's written response, are then sent to the Office of Academic Affairs for inclusion in the faculty member's personnel file. These documents will be available to the Vice President for Academic Affairs, department/division chairs, and members of the Appointment, Promotion, and Tenure Committee when reappointment, promotion, or tenure decisions are pending.

If, in the judgment of the chair and/or Vice President for Academic Affairs (as applicable) there is a serious deficiency in the faculty member's performance, the chair and the Vice President for Academic Affairs will inform the faculty member of the necessity to participate in the design and implementation of a formal development plan. The development plan will be drafted in consultation with the faculty member and be tailored to meet College and department or division objectives, as well as the faculty member's individual circumstances. Specifically, the plan will include:

1. Specific goals and objectives that will address those areas identified by the chair and Vice President for Academic Affairs with respect to which the faculty member failed to meet expectations;
2. An outline of the necessary activities that must take place to achieve the goals;
3. Set time lines for the accomplishment of the identified activities;
4. A listing of College resources available to support the plan and an identification of how, and when, such resources will be made available to the faculty member; and

5. A definite means of measuring progress in achieving the identified goals and a specification of how, and how frequently, progress will be monitored.

4.6.1.2.4 *Annual Activity Survey*

To improve a full-time faculty member's teaching effectiveness and foster his/her professional growth and development, all full-time faculty (except newly hired faculty or those who are on approved leave) are required to prepare self-assessment annual activity survey (see Appendix 4) that self-assesses the faculty member's performance in the areas of teaching, professional activity and growth, and service to the College, profession and community pursuant to the criteria outlined in Section 4.6.1.1. This annual activity survey, as well as a copy of the faculty member's current curriculum vitae and copies of supporting documentation evidencing the faculty member's continued contributions in teaching, professional growth and service during the evaluation period, must be submitted to the both Division Chairs and the Vice President for Academic Affairs at a designated date close to the end of the spring semester.

4.6.1.2.5 *Use of Evaluations*

Copies of all evaluative material will be available to the Vice President for Academic Affairs, department/division chairs, and members of the Appointment, Promotion, and Tenure Committee when reappointment, promotion, or tenure decisions are pending.

Summaries of student course evaluations are shared with the evaluatees.

4.6.1.2.6 *Third-Year Evaluations*

The third-year evaluation provides a more substantive means to assist new fulltime faculty members to improve their teaching and advising, professional activity and growth, and service to the College, profession and community prior to applying for promotion or tenure. For a fulltime faculty member whose record of teaching and advising, professional activity and growth, and service is strong, the review will indicate that the faculty member is on the right track toward promotion and/or tenure. For a fulltime faculty member whose record needs development in a particular area(s), the evaluation process will provide an early opportunity to adjust the focus of the faculty member's efforts and give a better sense of the goals to be pursued. When progress toward promotion or tenure is notably deficient, the review will focus on the fulltime faculty member's rights and obligations for the remaining term of employment at the College.

It should be noted that a successful third-year evaluation does not constrain the subsequent deliberations of the College during the promotion or tenure review process, as the criteria for both are more stringent and comprehensive than those for the third-year evaluation. Similarly, following suggestions emanating from the third-year evaluation should not be viewed as a guarantee of a successful promotion and/or tenure review.

Third-Year Review Process

The third-year evaluation review process begins in the spring of the fulltime faculty member's third year of employment, when the faculty member files with the Vice President for Academic Affairs the materials listed below. Specific dates to file materials are developed annually by the Office of the Academic Affairs and published in the academic calendar.

1. A copy of the completed Annual Activity Report;
2. A current curriculum vita; and
3. Supporting documents evidencing fulfillment of the Colleges teaching and academic advising, professional activity and growth, and service to the College, profession and community evaluation criteria (see Section 4.6.1).

Upon receipt of the documents, the Vice President for Academic Affairs will forward the materials to Appointment, Promotion and Tenure Committee.

The committee evaluation focuses on the faculty member's teaching and advising, professional activity and growth, and service to the College, profession and community (see Section 4.5.1) to date and the faculty member's progress toward meeting the College's criteria for promotion in rank and/or tenure as applicable. At the conclusion of the review, the committee's written report is forwarded to the Vice President for Academic Affairs and the President. In addition, the Chair of the committee, in a letter approved by other members of the committee, informs the faculty member of the committee's evaluation, including a summary of the faculty member's strengths and areas of needed improvement. The faculty member is then encouraged to meet with the department/division chair to discuss the evaluation. If warranted, the faculty member may be asked to participate in the design and implementation of a development plan tailored to meet College and department or division objectives, as well as a faculty member's individual circumstances. Specifically, the plan must include:

1. Specific goals and objectives that will address those areas needing improvement as identified by the committee;
2. An outline of suggested activities to achieve the goals specified in paragraph one above; and
3. A listing of College resources available to support the plan.

4.6.1.2.7 Promotion in Rank and Tenure Evaluations

1. At the beginning of each fall semester, the Appointment, Promotion and Tenure Committee will meet to review faculty status and to determine which faculty members are eligible to apply for promotion or tenure.
2. Early in the fall semester, the Vice President for Academic Affairs will meet with individual faculty members and discuss their status and explain to them the application procedures.
3. Faculty members must submit their application to the Vice President for Academic Affairs by December 1.
 - a. Faculty members must submit a Letter of Application summarizing their qualifications and eligibility for promotion or tenure. In addition to the Promotion in Rank and Tenure Criteria set forth in Sections 4.7 and 4.8, respectively, the applicant is expected to present his or her achievements, growth, and development in the following three areas:
 - i. Sustained success in teaching and advising;
 - ii. Continued professional activity and growth; and
 - iii. Service to the College, profession and community.

- b. Supporting documentation for achievements, growth, and development in these areas should be submitted as part of the application.
 - c. Faculty members must request a letter of support from their department and/or division chair(s) to be submitted to the Office of Academic Affairs. If a division chair is applying for promotion or tenure, his or her letter of support shall come from the Vice President for Academic Affairs.
4. The Appointment, Promotion and Tenure Committee will meet during the spring semester to consider each application.
 5. A written recommendation is then made to the Vice President for Academic Affairs for each applicant. The recommendation of the committee shall be by a majority vote. The recommendation for the grant or denial of promotion or tenure will be based on a judgment of the qualifications of the applicant and institutional needs and priorities. Neither tenure nor promotion shall be acquired by default through the mere passage of time. Tenure can only be acquired through the affirmative vote of the Board of Trustees.
 6. The Vice President for Academic Affairs will consider the input from the Appointment, Promotion and Tenure Committee and the department/division chair and make a recommendation to the President.
 7. The President makes the final decision for promotions. Positive tenure recommendations agreed upon by the President and the Vice President for Academic Affairs will be forwarded to the Board of Trustees for the necessary action at the appropriate Board meeting.
 8. In arriving at a recommendation, each evaluator's decision should represent the deliberate exercise of professional judgment in the particular circumstances. It should not be arbitrary or capricious; it should respect the faculty member's academic freedom and not inflict punishment for exercising it, either in the performance of academic duties or in activity outside the College.
 9. Unless the application is withdrawn or final action on the application is discontinued for any reason by agreement between the applicant and the Appointment, Promotion and Tenure Committee, the Vice President for Academic Affairs, or the President, the application will be passed on, in turn, according to the process set forth above.
 10. Promotions or tenure status will normally be effective the following academic year.

4.6.1.3 Professional Growth Review

To promote the continued professional development and productivity, members of the fulltime faculty participate in a professional growth review process every five years following their last cumulative review (i.e., this applies to tenured faculty and/or any faculty who have not received a promotion in rank during the last five (5) years).

Note: Nothing in this policy should be construed as an attempt to alter the contractual relationship between the tenured faculty member and the College or to alter the nature of tenure as traditionally conceived in the American academic community.

Frequency of Review and Exceptions

Members of the fulltime faculty participate in the professional growth review process once every five years following their last cumulative review (e.g., tenure or promotion review).

Faculty members who are on leave during the prescribed year of review will ordinarily be reviewed the year after returning. Exceptions to participating in the five year review may also be granted at the discretion of the Vice President for Academic Affairs if the faculty member has submitted a letter of intent to retire, resign, or apply for early retirement to be effective within two years from the academic year of the review. Finally, a faculty member may postpone a scheduled professional growth review for extenuating circumstances, such as health problems, upon the approval of the Vice President for Academic Affairs.

Review Process

The professional growth review process is initiated by the faculty member by completing the appropriate form. The completed form, with supporting documentation, is submitted to the department/division chair on or before the date specified in the academic calendar. In turn, the chair submits the form, with supporting documentation, to the Vice President for Academic Affairs with a certification that the form is fully completed. The Vice President for Academic Affairs then notifies the Appointments, Promotions & Tenure Committee of the receipt of the form and makes it and any supporting documents available to the members of the committee. The chair of the Appointments, Promotions and Tenure Committee then promptly schedules a meeting of the committee to conduct the review.

The Appointment, Promotion and Tenure Committee's Review

The Appointment, Promotions and Tenure Committee reviews the form, supporting documentation, as well as all annual student, supervisor, and peer evaluations conducted since the faculty member's last cumulative review. In addition, the committee meets with the faculty member's department/division chair and the faculty member, either together or separately. The purpose of these meetings is to gather information and provide context and clarity regarding the form and supporting documentation. The goals of the discussions that take place in these meetings is to provide formative peer support and feedback, in the spirit of collegiality, for the faculty member's ongoing professional growth and development. The committee will strive to make assessments about the faculty member's contributions in light of how the traditional areas of evaluation receive different emphasis at different points in a faculty member's career.

After meeting with the faculty member and his or her division and/or department chair and reviewing the form and supporting documentation, the Appointment, Promotion and Tenure Committee will write a comprehensive, cumulative Professional Growth Review Report evaluating the faculty member's performance in each of the following areas as "meets expectations" or "does not meet expectations": successful teaching and advising; continued professional growth and development; and service to the College, the profession and the community. In addition, the committee will examine whether the faculty member has consistently demonstrated over the duration of the evaluation period adherence to the faculty responsibilities set forth in Section 4.5.1 of the *Faculty Handbook*, as well as those policies, procedures, and regulations of the College that have significance to their professional performance.

The determination of a "meets expectations" or "does not meet expectations" rating in each of these areas shall be based on a simple majority vote of the Appointment, Promotion and Tenure

Committee. The report will provide evidence for the committee's rating and suggestions for future performance and development. The committee will send copies of the report to the faculty member under review, who will be given the opportunity to respond in writing. In addition, the committee will send copies of the report to the faculty member's department/division chair and the Vice President for Academic Affairs.

Meets Expectations: If the result is that the faculty member's performance "meets expectations" in all areas, the review is concluded.

Does Not Meet Expectations: If the review results in a "does not meet expectations" rating in one or more areas, the Appointments, Promotions and Tenure Committee's report will document in what ways the faculty member can improve performance. Copies of the report will be forwarded to the faculty member and the faculty member's department/division chair. In the event that the department/division chair is the subject of the review, the report will be sent directly to the Vice President for Academic Affairs, who shall indicate approval of the report as outlined below.

The department/division chair will review the report and prepare a written statement indicating agreement or disagreement with the committee's evaluation and forward the statement to the Vice President for Academic Affairs, the faculty member, and the Appointments, Promotions and Tenure Committee. The Vice President for Academic Affairs will, in turn, respond in writing to the department/division chair's written statement, indicating agreement or disagreement with the "does not meet expectations" rating. If either the department/division chair or Vice President for Academic Affairs disagrees with the Appointments, Promotions and Tenure Committee's "does not meet expectations" rating, they will discuss the rating and, if in agreement, change the rating to "meets expectations." If, on the other hand, the department/division chair and Vice President for Academic Affairs agrees with the Appointments, Promotions and Tenure Committee's "does not meet expectations" rating, the faculty member will be notified in writing of the necessity to participate in the design and implementation of a development plan.

Development Plan

The development plan is developed in consultation with the faculty member, the faculty member's department/division chair, and the Vice President for Academic Affairs, and endorsed by the Appointments, Promotions and Tenure Committee. It must be tailored to meet College and department or division objectives, as well as a faculty member's individual circumstances. Specifically, the plan must include:

1. Specific goals and objectives that will address those areas identified by the Appointments, Promotions and Tenure Committee with respect to which the faculty member failed to meet expectations;
2. An outline of the necessary activities that must take place to achieve the goals;
3. Set time lines for the accomplishment of the identified activities;
4. A listing of College resources available to support the plan and an identification of how and when such resources will be made available to the faculty member; and
5. A definite means of measuring progress in achieving the identified goals and a specification of how and how frequently progress will be monitored.

Within thirty (30) days written notification to the faculty member of the necessity to develop the plan, the faculty member will submit the Appointments, Promotions and Tenure Committee endorsed development plan to the Vice President for Academic Affairs. If the development plan is accepted by the Vice President for Academic Affairs, the faculty member, the department/division chair, and the chair of the Appointments, Promotions and Tenure Committee are informed. If the development plan is not accepted by the Vice President for Academic Affairs, the faculty member, in consultation with department/division chair and the Appointments, Promotions and Tenure Committee, will modify and resubmit the plan to the Vice President for Academic Affairs. Failure to reach an agreement on a development plan will necessitate mediation by the President of the College.

Completion of the Plan: Once approved, the development plan will serve as the basis for the subsequent review by the Appointments, Promotions and Tenure Committee, which will be conducted annually until such time as the faculty member is found to have a “meets expectations” rating. In addition to the annual review, the faculty member and department/division chair will meet semiannually to review the faculty member’s progress toward remedying areas in need of development. A report will be forwarded to the Appointments, Promotions and Tenure Committee and the Vice President for Academic Affairs at the end of each academic year. During these semiannual meetings, the participants may design a new and more appropriate professional development plan that fits the changing circumstances of the individual faculty member, the department or division, or the College.

When reviewing the progress toward meeting the development plan, the annual review by the Appointments, Promotions & Tenure Committee must determine if the faculty member is meeting (or not) the expected progress of the development plan, and whether the faculty member’s performance now “meets expectations.” The response to these inquiries will be communicated to the department/division chair and must be taken into account in the annual supervisor evaluation of the faculty member.

If the faculty member is determined to have achieved a “meets expectations” rating, the professional growth review is complete and a new review cycle shall begin in the next appointment year. Copies of the development plan and the assessment of the progress achieved by the end of the development period will be added to the faculty member’s personnel file.

In cases resulting in a “does not meeting expectations” rating, the department/division chair will send a copy of the annual review to the Vice President for Academic Affairs along with the results and assessment report by the Appointments, Promotions & Tenure Committee and the faculty member’s response to the review (if any). For faculty members whose performance is “does not meet expectations” for multiple consecutive years, then other possibilities will be explored, including but not limited to a mutually agreeable reassignment of duties or separation. If these are not practicable, or if no other solution acceptable to the parties can be found, then the College may invoke other sanctions, including but not limited to termination for cause.

4.6.2 Evaluation of Part-time and Special Status Faculty

Part-time and special status faculty members will be evaluated according to the following guidelines:

1. **Student Evaluations:** All courses, every semester.
2. **Supervisor Evaluations:** The department/division chair, or designee, will observe the instructor during the first term he/she teaches an assigned course. Thereafter, observations will occur annually. In the absence of the chair, the Vice President for Academic Affairs or designee will assume the responsibility.

4.7 Promotion in Rank

Promotions in rank shall be made by the President of the College on the recommendation of the Vice President for Academic Affairs and the Faculty Assembly's Appointments, Promotions and Tenure Committee pursuant to the procedures set forth in Subsection 4.6.1.2.7.

4.7.1 Promotion Criteria

Criteria for promotion include:

1. Sustained success in teaching and advising;
2. Continued professional activity and growth; and
3. Service to the College, profession and community.

In addition, promotion in rank is made on the basis of the fulfillment of the qualifications of the rank being sought (see Section 4.1.4). The level of performance in each of these areas depends on the rank for which the faculty member is being considered. Davis & Elkins College does not award promotion in rank based solely on length of service. Finally, successful candidates for promotion in rank will have consistently demonstrated over the duration of their appointment with the College adherence to the faculty responsibilities set forth in Section 4.5.1 of the *Faculty Handbook*, as well as those policies, procedures, and regulations of the College that have significance to their professional performance.

For a full-time faculty member whose term of appointment begins after the commencement of the spring term, the applicable term of service requirement commences with the beginning of the following academic year.

4.8 Tenure

4.8.1 Tenure Criteria

Tenure is granted to certain faculty members in order to protect the academic freedom of faculty members by ensuring that, after a probationary period, they will not be dismissed except for reasons specified below. A tenured faculty member, unless terminated for cause or for lack of need or financial exigency as provided below, shall continue as such until resigning, retiring, or sustaining a physical disability, as determined by an independent medical professional, who concludes that the faculty member is unable, with reasonable accommodation, to perform the essential functions of his or her position as a result of said impairment.

A full-time faculty member who accepts a full-time administrative appointment moves automatically to the administrative appointment at the same rank classification held under his or her faculty appointment. A tenured faculty retains tenure while holding the administrative

appointment. A tenure-track faculty member who accepts an administrative appointment ceases progress toward tenure while serving in his or her administrative capacity and becomes subject to administrative non-reappointment provisions.

The probationary faculty member is required to initiate the tenure review process by applying for tenure in the fall of his or her sixth year of full-time service to the College or thereafter. A probationary faculty member may request up to two (2) one-year extensions of his or her probationary period for reasons of childbirth, child or elder care, prolonged serious illness or similar circumstances. The approval rests with the Vice President for Academic Affairs, after seeking advice from the faculty member's department or division chair and from the Appointment, Promotion and Tenure Committee. If approval is given, it is implicitly understood by the parties that service beyond the seventh year of teaching experience shall not be grounds for a claim of de facto tenure.

For those probationary faculty members reviewed for tenure, a final decision is rendered following the Spring meeting of the Board of Trustees pursuant to the procedures set forth in Subsection 4.6.1.2.7. All tenure review processes are held in the strictest confidence.

Tenure may not be acquired by default through the mere passage of time and is granted only by the affirmative vote of the Board of Trustees upon the recommendation of its Academic Affairs Committee and the President. In the making of a decision on tenure, the following matters shall be considered:

1. The length of service of the faculty member who has begun his or her full-time teaching career at Davis & Elkins College shall not be less than six years, but in no sense shall be granted automatically after six years. When someone has had full-time probationary service of more than three years at another institution of higher learning, the President in consultation with the Vice President for Academic Affairs at the time of initial appointment determines the length of the probationary period leading to tenure review.
2. The academic credentials of the faculty member, which normally shall include a doctorate, M.F.A., or master's degree and appropriate certification and/or experience in particular fields.

The evaluation of an individual's work will be the basis of the recommendations of the Vice President for Academic Affairs and the Faculty Assembly Appointments, Promotions & Tenure Committee. Successful candidates for tenure will have demonstrated sustained excellence in teaching and advising, demonstrated sustained excellence in continued professional activity and growth, as well as success in service to the College, their profession, and the community. In addition, successful tenure candidates will have consistently demonstrated over the duration of their probationary period adherence to the faculty responsibilities set forth in Section 4.5.1 of the *Faculty Handbook*, as well as those policies, procedures, and regulations of the College that have significance to their professional performance.

The Vice President for Academic Affairs shall maintain records as to the performance of the faculty member and shall make these records available to the Academic Affairs Committee of the Board as an aid in making its decision. In reaching a tenure decision, the Vice President for Academic Affairs, the President, and the Academic Affairs Committee of the Board of Trustees shall also consider:

1. The projected long-term need of the College for faculty members in the particular field(s) of work of the member; and
2. The number of previously tenured faculty members, so that the total number of tenured faculty shall not exceed sixty percent (60%) of the faculty nor should the number of tenured faculty fall below thirty (30%) of the faculty.
 - a. If a faculty member is eligible to apply for tenure and the College has reached the sixty percent (60%) tenure quota, the faculty member, upon the recommendation of the Appointments, Promotions and Tenure Committee and the approval of the Vice President for Academic affairs and President, will become a non-tenured faculty member and receive an initial three-year term appointment. Should a tenured vacancy arise at some future time, the faculty member would need to apply for tenure.
 - b. This provision does not require that one-half of the faculty be tenured, but if at any time less than thirty percent (30%) of the faculty are tenured, the Vice President for Academic Affairs shall report to the Academic Affairs Committee of the Board of Trustees as to reasons that may exist for the number of tenured faculty falling below thirty percent (30%).
3. A faculty member who is denied tenure will be offered a one-year terminal appointment for the academic year following his or her denial.
4. A tenured faculty member may be terminated for cause, lack of need, or financial exigency, but only in accordance with the procedures provided in the *Faculty Handbook*.

4.9 Faculty Enrichment and Development

Davis & Elkins College offers a variety of programs to support faculty development responsibility activities, including numerous internally and externally funded faculty development institutes, programs, and experiences. In addition, a variety of learning experiences are available through faculty development workshops, conferences, and conventions. Funds are available through the Mellon Fund Endowment of Davis & Elkins College and from institutional funds to support faculty learning and research experiences. Faculty shall make application to these programs in accordance with the Faculty Development Fund Policy in Subsection 4.9.2.

The College also supports faculty development activities by reimbursing full-time faculty members for membership dues in appropriate learned or professional societies or other organizations clearly related to his/her College duties, as well as for attendance at professional meetings. A sabbatical leave program is also available to eligible full-time faculty members. See below for additional information.

4.9.1 Professional Dues

The College will reimburse full-time faculty members for membership dues in appropriate learned or professional societies or other organizations clearly related to their College duties. Such reimbursement is subject to approval by the Vice President for Academic Affairs upon timely submission of the appropriate form.

4.9.2 Faculty Development Fund

The Faculty Development Fund includes the Mellon Fund Endowment of Davis & Elkins College, which was established to provide professional development opportunities for full-time faculty. Interest from this endowment is used annually to fund faculty development activities. Also included in the Faculty Development Fund are institutional monies to support faculty members not covered by the Mellon Fund Endowment.

Guidelines for use of this money are as follows:

1. The Faculty Development Committee in consultation with the Vice President for Academic Affairs establishes priorities and guidelines for use of the Faculty Development Fund. Funds may be used for Faculty Travel Grants, for Department Speaker Grants, and for Faculty Innovation Grants to help support summer activities;
2. General priorities for the award of the money for Faculty Travel Grants and individual development include travel to professional meetings, faculty research for presentation and/or publication, and the development of new courses or programs;
3. Grants are awarded on a competitive basis to fund projects that advance the scholarly and professional development of the individual faculty member and the academic program of the College;
4. Faculty Development funds are not expected to cover all travel costs. Normally not more than 90 percent of allowable costs are funded by the Mellon program. Faculty shall find the most cost-effective and economical means to travel;
5. Mellon funds may be used only to defer actual expenses and may not be used as an income supplement for faculty; and
6. Specific guidelines will be published annually to further guide faculty applications and utilization of Faculty Development funds.

4.9.3 Professional Meetings

The College encourages faculty members to attend meetings and seminars relevant to their professional field and other professional responsibilities, as well as other activities and experiences designed to enhance professional development.

To the extent permitted by the budget, the College will contribute to the expenses incurred for such participation through its Mellon Faculty Development Fund as well as internal and external funds. Every effort will be made to assist each interested faculty member to attend at least one such event each year. Because such professional development contributes to the faculty member's own well-being as well as to that of the College, faculty members ordinarily will be expected to bear a portion of the expenses. The College's contribution will increase when an individual is presenting a paper or serving as an officer at the meeting, or when the trip is made at the specific request of the College.

The faculty member intending to travel to a professional development event will apply to the Vice President for Academic Affairs. The Vice President for Academic Affairs will indicate, in writing, whether or not the application has been approved and the extent to which expenses will be

reimbursed. The faculty member may request a cash advance, provided that the application for such an advance is filed by the deadline indicated on the form.

After the trip is completed, the faculty member will submit an expenditure report (Travel Expense Form) with appropriate receipts. The current rate of reimbursement for mileage is available from the Human Resources Office.

Travel expense forms can be obtained from the Academic Affairs Office.

4.9.4 Sabbatical Leave

Sabbatical leaves are expected to strengthen faculty members professionally and, thereby, strengthen their subsequent service to the College. They are granted solely at the discretion of the College Administration and are contingent upon the College's ability to fund them.

A faculty member who has completed at least six years of continuous, full-time service at Davis & Elkins College, and who has had no extended leave of any kind during the preceding four years, is eligible to apply for sabbatical leave. A sabbatical leave shall ordinarily be for either one semester or a full academic year. The actual time involved for each leave shall be arranged by the individual concerned and the Vice President for Academic Affairs, taking into consideration the needs of both the individual and the College for the specific period. The salary paid shall be mutually agreeable but shall not exceed the individual's full salary for a one-semester sabbatical leave or 50 percent of the individual's annual salary for a full, academic year sabbatical leave.

The total number of sabbatical leaves granted for any academic year shall be governed by the size of the faculty, the number of persons eligible, the merits of proposed projects, and budgetary considerations. Such budgetary considerations include the expense of obtaining a temporary replacement.

A faculty member granted a sabbatical leave shall be eligible to apply for subsequent sabbatical leave after at least six additional years of continuous, full-time service following the return from a previous leave.

Sabbatical leaves are intended to refresh faculty members and to broaden their experience. In keeping with these objectives, recipients shall be expected to engage in research, travel, study, and other educational experiences which will add to their professional stature and contribute to making them more valuable faculty members. In order to establish records of the results from such leaves, recipients shall be expected to file with the Vice President for Academic Affairs, and to make available to the College community, a full report of the activities at the conclusion of such leaves. These reports shall be taken into account in considering applications for later leaves, shall become a part of the applicant's personnel record, and shall be available to the Faculty Assembly Appointment, Promotion and Tenure Committee in connection with consideration of promotion in rank.

While on sabbatical leave, a faculty member shall be entitled to participate in all College retirement, insurance, hospitalization, and other fringe benefit programs on the same terms as he or she participates when not on such leave. In the determination of the salary of a faculty member who returns after sabbatical leave, the time spent on leave will be considered as time spent in the

service of the College. In addition, the time spent on leave will be considered as time spent in the service of the College for purposes of promotion in rank and tenure applications.

Except for grants received for research, travel or study, and for nominal salary received as a visiting or research professor at another college or university, a faculty member on sabbatical leave shall not accept remunerative employment during such leave unless specific arrangements have been made and approved in advance by the President and the Vice President for Academic Affairs.

The granting of a sabbatical leave to any faculty member presupposes the intention of the recipient to return to the College at the end of such leave and to continue in the service of the College for a reasonable time thereafter, at least two years in any case. A faculty member who fails to meet this service obligation shall be required to reimburse monies received from the College during the leave period or for a prorated portion thereof.

No College monies may be paid to a faculty member on sabbatical leave beyond those agreed to in the regular annual appointment agreement.

Application Procedures:

1. A faculty member interested in applying for a sabbatical leave must first discuss their plans and possible arrangements with their department/division chair and with the Vice President for Academic Affairs.
2. If a sabbatical leave seems possible, then a formal, written proposal must be submitted to the Vice President for Academic Affairs by October 15^t of the year prior to the year of the proposed leave. The proposal must:
 - a. Be 2-5 double-spaced typewritten pages;
 - b. Describe, in detail, the activity proposed;
 - c. Describe the scholarly goals and content of the proposed activity; and
 - d. Describe the importance of the activity to the individual, department, College, and students.
 - e. The applicant must also provide a letter of support, including instructional loads and plans for staffing, from the department/division chair.
3. The Faculty Development Committee will review the proposal for merit and make a written recommendation to the Vice President for Academic Affairs. When more than one proposal is being reviewed the Faculty Development Committee will make a recommendation as to the relative merits of the proposals.
4. The Vice President for Academic Affairs will consider the Faculty Development Committee's recommendation and the financial/staffing considerations and make a recommendation to the President, who will make the final decision.

4.10 Faculty Compensation, Leaves and Benefits

4.10.1 Faculty Compensation

Davis & Elkins College is committed to compensating faculty members fairly and equitably for their professional services and to ensure competitiveness in attracting and retaining highly qualified faculty members. To this end, the College strives to compensate faculty members at a level equal to or above the average faculty salaries at similar institutions. Faculty compensation shall take into account the following considerations:

1. Formal academic preparation;
2. Relevant professional experience;
3. Academic rank;
4. Record of success in teaching and professional achievement;
5. Quality of service to the College; and
6. Market pressures.

Faculty salaries will be reviewed periodically by the Vice President for Academic Affairs and the President to (1) assess the fairness and equity of individual salaries and make appropriate adjustments and (2) determine the adequacy of overall levels of compensation.

4.10.1.1 Payday

All full-time faculty are paid twice a month on the fifteenth and the last day of each month unless otherwise specified. If these dates fall on a weekend or holiday, the nearest prior workday becomes payday. Checks are distributed by the Office of Human Resources. Normally, payroll advances are not permitted. Part-time faculty are normally paid in one payment on the first payday after the end of the semester; other arrangements can be made by contacting the Office of Human Resources.

4.10.1.2 Paycheck Deductions

The College, like other employers, makes several deductions from the paychecks of its employees. These include Federal withholding tax, West Virginia State income tax, F.I.C.A. (Social Security), group health insurance for those employees eligible, and other deductions that may be required by law. Part-time faculty have only those deductions required by law taken from their paychecks. The Director of Human Resources will discuss these deductions with employees who have questions. Arrangements can be made with the Office of Human Resources for most individual voluntary deductions, i.e., United Way, College campaigns, College Annual Fund, supplemental retirement funds, etc.

4.10.1.3 Summer Term

Faculty electing to teach during the summer term are compensated based on applicable pay scales.

4.10.2 Faculty Leaves of Absence

Information about the various leaves available to all eligible employees of the College, including Family and Medical, Funeral, Election Day, and Military leaves, is contained in [Volume III](#) of the *Davis & Elkins College Policy Manual*. Below is a summary of leave benefits that accrue only to eligible faculty members.

4.10.2.1 Maternity Leave

Leave for pregnancy is considered medical leave. Leave beyond that covered by medical leave may be arranged as a leave of absence without pay in accordance with the provisions outlined in the College's Family and Medical Leave Policy (see [Volume III](#) of the *Davis & Elkins College Policy Manual*).

4.10.2.2 Medical Leave Accrual

Faculty members at Davis & Elkins College serving under terms of employment described in the *Faculty Handbook* do not earn paid vacation and/or personal leave.

A full-time faculty member employed for a regular nine-month academic year (August 15 through May 15) earns 7 ½ hours of paid medical leave per month for the nine-month period. Earned medical leave may accumulate to a maximum of 517 1/2 hours. Faculty members employed for less than the full academic year will earn medical leave on a prorated basis. Medical leave may be used exclusively for bona fide illness, and unused medical leave will be forfeited without payment to the employee.

In addition to paid medical leave as outlined above, unpaid family and medical leave will be provided to eligible employees in conformity with the College's Family and Medical Leave Act (FMLA) Policy (see [Volume III](#) of the *Davis & Elkins College Policy Manual*).

4.10.2.3 Special Leaves of Absence

After completing two years of service at the College, a full-time faculty member of any rank may be granted a special leave of absence, based on personal needs and/or needs of the College.

A person eligible for and wishing to apply for a special leave of absence shall discuss the matter with the Vice President for Academic Affairs and the department or division chair concerned well in advance of the date he or she wishes to begin the leave. After initial approval by the Vice President for Academic Affairs, the faculty member shall submit a written application to the President of the College, stating the reasons for requesting the leave and the plans for its use. If financial support is needed, a request for a specified amount shall be included with the application for the leave.

The granting of a special leave of absence to any faculty member presupposes the intention of the recipient to return to the College at the end of such leave and continue in the service of the College for a reasonable time thereafter, to be specified at the time the special leave is granted. A faculty member who fails to meet this service obligation shall be required to reimburse monies received during the leave period or a prorated portion thereof.

4.10.3 Faculty Benefits

The College offers a comprehensive and valuable package of fringe benefits to eligible faculty members. College policies and procedures pertaining to these benefits, which are summarized below for ease of reference, are set forth in [Volume III](#) of the *Davis & Elkins College Policy Manual*. For additional information regarding the various benefit programs available, contact the Office of Human Resources.

- Retirement Plan;
- Insurance Benefits:
 - Comprehensive General Liability Insurance
 - Sickness and Accidental Insurance
 - Life Insurance
 - Disability Insurance
 - Travel Accident Insurance
 - Workman’s Compensation
 - Unemployment Compensation Insurance
- Educational Benefits
 - Tuition Waivers and Remission
 - External Tuition Benefits
 - Graduate Tuition Benefits
- College Facilities and Activities Benefits:
 - Athletic and Cultural Events
 - Dispensary Services
 - College Bookstore Discount
 - Use of College Swimming Pool
 - Use of College Fitness Center
 - Outdoor Resource Center
 - Career and Personal Counseling Centers

4.11 Faculty Discipline and Separation

4.11.1 Full-time Faculty

Members of the full-time faculty may sever their employment with the College voluntarily (through resignation or retirement), or the College may take action for separation (through non-reappointment or discharge). Temporary separation may occur through suspension or other disciplinary action.

4.11.1.1 **Resignation**

A faculty member may resign effective at the end of an academic year provided that written notice is given to the Vice President for Academic Affairs, with a copy to the President at the earliest possible opportunity. In consideration of the welfare of students, faculty should resign at a time that coincides with the end of their appointment period. The Vice President for Academic Affairs will inform the faculty member promptly of the action taken on the resignation.

4.11.1.2 **Retirement**

No full-time faculty member who is fully able to perform all his or her duties with reasonable accommodations shall be required to retire because of age. A faculty member who has attained the age of 55 and who has provided 15 years or more of full-time service to the College may elect to retire from full-time service at any time.

Full-time faculty who intend to retire shall submit a letter stating the effective date of retirement to the Vice President for Academic Affairs, with a copy to the President, at the earliest possible opportunity. In consideration of the welfare of students, faculty should communicate an intent to retire no later than nine months prior to the effective date of the retirement.

4.11.1.3 **Non-Reappointment**

All non-tenured full-time faculty may be reappointed at the will of the College. If reappointed, the full-time faculty member shall receive from the President a letter of appointment or other notification stating the terms and conditions of appointment, including rank and salary. Additionally, this notification shall state whether the appointment is probationary or term.

In order for the appointment of a non-tenured faculty member to become valid, the faculty member must sign and return to the President's Office the letter or notification of appointment, indicating acceptance of the terms, within thirty (30) days of issuance of the offer. Offers of employment not accepted and returned within 30 days will be considered null and void.

Letters of non-renewal will be sent to all full-time, non-tenured faculty members in accordance with the following schedule:

- No later than March 1 for full-time faculty members in their first year of full-time service to the College; or
- No later than December 15 of the second academic year of full-time service; and
- At least twelve months before the expiration of an appointment after two or more years of full-time service at Davis & Elkins College.

A non-tenured faculty member may be discharged during his or her period of appointment for the same just cause as a tenured faculty member as set forth in Subsection 4.11.1.4. The procedures for such discharge shall be the same as for a tenured faculty member.

A non-tenured faculty member may be denied reappointment, with or without cause, after the expiration of his or her period of appointment at the sole discretion of Davis & Elkins College, subject only to the sending of the letter of non-renewal in accordance with the notice provisions

set forth above. With the exception of appeals pertaining the allegations of violation of academic freedom or discrimination, no other procedures shall apply.

Denials of reappointment decisions shall be made by the President, in consultation with the Appointments, Promotion and Tenure Committee and the Vice President for Academic Affairs. The President's decision not to reappoint a full-time faculty member may not be discriminatory or violative of academic freedom. In cases where a full-time faculty member believes that non-reappointment has been discriminatory or violative of academic freedom, he or she may commence an appeal in accordance with the College's Faculty Grievance Policy. The Grievance Committee's review will be limited to determining whether the non-reappointment was motivated solely by unlawful discrimination or was violative of academic freedom.

After a faculty member has received notice of non-reappointment according to the schedule above, the College, at its option, may either continue to employ the faculty member until the end of the period of employment or may relieve him or her from service while continuing to pay him or her until the end of the period of employment.

4.11.1.4 Discipline and Discharge for Cause

Faculty terminations or other disciplinary decisions shall be made by the President, or his or her designee, who will ordinarily consult with and consider any recommendations made by the Faculty Assembly Appointment, Promotion and Tenure Committee. Under unusual circumstances, when a faculty member needs to be removed from teaching duties, a suspension may, at the discretion of the President, require action without first consulting with the Vice President for Academic Affairs and the Faculty Assembly Appointment, Promotion and Tenure Committee. In such cases, the normal procedures outlined below will be followed, inasmuch as possible, in making the final determination of non-reappointment or the termination or discharge of faculty members.

The tenured faculty member has been assessed by a rigorous, comprehensive, and lengthy process that includes peer and administrative evaluation, Presidential review, and finally, approval by the Board of Trustees. As such, tenure warrants the assumption of continuing performance within the boundaries of acceptable practice at Davis & Elkins College.

Note: Claims of sexual misconduct will be investigated and adjudicated pursuant to the Davis & Elkins College [Gender-based Discrimination, Harassment, and Sexual Misconduct Policy](#) (see [Volume II](#) of the *Davis & Elkins College Policy Manual*). Claims of harassment and discrimination not involving gender will be investigated and adjudicated pursuant to the Davis & Elkins College Discrimination and Harassment Policy (see [Volume II](#) of the *Davis & Elkins College Policy Manual*).

Reasons for Discharge for Cause

Termination of a tenured faculty member or of a non-tenured, full-time faculty member during his or her period of appointment may be effected by the College for adequate cause and in accordance with the procedures outlined below.

Just cause for discharge shall be determined in each instance by the President. Just cause may occur for reasons including, but not necessarily limited to:

1. Professional incompetence, such as continued neglect of faculty responsibilities or academic duties, failure to perform academic duties satisfactorily, or lack of professional development.
2. Serious personal misconduct which is directly related to the faculty member's fitness to practice his or her profession, such as dishonesty, failure to comply with legitimate and reasonable authority, moral turpitude, engaging in harassing or discriminatory behavior, deliberate and serious violation of the rights and academic freedom of fellow faculty members, administrators, or students, or which otherwise impairs the faculty member's fulfillment of institutional responsibilities.
3. Conviction of a felony or any crime.
4. Falsification of credentials or experience.
5. Failure to follow the professional ethics of the academic discipline, including but not limited to engaging in research misconduct or academic dishonesty.
6. Repeated failure to follow the standards of the College in respect to the policies and directives within the *Davis & Elkins College Policy Manual*, including but not limited to those in the *Faculty Handbook*, as well as other applicable College publications.
7. Formal or overt rejection of the fundamental mission and purposes of the College.
8. Inability or unwillingness to perform the essential functions of the faculty position. In compliance with the Americans with Disabilities Act and any applicable state statutes governing discrimination against persons with disabilities, the College will make reasonable accommodation for any faculty member otherwise qualified to perform the essential functions of the position.
9. Breach of the faculty member's appointment letter.

Disciplinary Action Procedures

The following procedures for disciplinary action will be followed:

Warnings

1. If the faculty member's department or division chair has evidence that a faculty member is demonstrating continued serious neglect of professional standards, duties, and/or responsibilities stated in the *Faculty Handbook*, then he or she will consult with the Vice President for Academic Affairs. If the Vice President for Academic Affairs agrees that faculty member is demonstrating continued serious neglect of professional standards, duties, and/or responsibilities, he or she may issue a written warning to the faculty member.
 - a. The written notice will specify the basis upon which the warning is warranted, suggest appropriate remedial action(s), and invite the faculty member to respond in writing or in a meeting with the Vice President for Academic Affairs.
 - b. The written warning and, if submitted, the faculty member's written response will be entered into the faculty member's personnel file.
2. Following the written warning, and, in the presence of evidence that the faculty member's conduct has not substantially changed, the Vice President for Academic Affairs, after

consultation with the faculty member's department or division chair, will issue another warning letter or recommend to the President that specific sanction(s) be imposed.

3. If the Vice President for Academic Affairs recommends sanction(s) and the President concurs, then the President will send written notice to the faculty member specifying the sanction(s) being applied.
4. When disciplinary action involves the imposition of a sanction--such as an oral reprimand, a written reprimand, denial of specific faculty privileges, reassignment of teaching duties, or removal from assignments or administrative duties--the faculty member may grieve the imposition of the sanction in accordance with the Faculty Grievance Policy.

Suspension Procedures

A faculty member may be summarily suspended upon a finding of the President that there is good cause to believe that:

1. The continued presence of the faculty member on the grounds of the College would endanger the safety or well-being of the faculty member or other members of the College community; or
2. The continued functioning of the faculty member in the position would substantially impair or disrupt the regular functions of the College.

Before suspending a faculty member, the President will ordinarily consult with the Appointment, Promotion and Tenure Committee regarding the propriety, length, and other terms of the suspension. As note earlier, however, under unusual circumstances, a suspension may, at the discretion of the President, require action without first consulting with the Faculty Assembly Appointment, Promotion and Tenure Committee.

The suspended faculty member shall have the opportunity of a review hearing in accordance with the Faculty Grievance Policy. Salary and benefits shall remain in force for the duration of the suspension.

Note: A suspension which is intended to be final shall be treated as a discharge for cause.

Discharge for Cause Procedures

Discharge for cause may be recommended by the Vice President for Academic Affairs, after consultation with the faculty member's department or division chair, in accordance with the steps set forth below:

1. A meeting of the faculty member, his/her chair and the Vice President for Academic Affairs to present charges and evidence to the faculty member. The faculty member may be accompanied by an adviser. If this fails to yield a mutual resolution, the process will move to Step 2 below.
2. The Vice President for Academic Affairs will consult with the President. If the President agrees that the conduct at issue warrants discharge for cause, the President will consult with the Appointments, Promotion and Tenure Committee to examine the circumstances of the discharge action. After the Appointments, Promotion and Tenure Committee consults with the President, the President will notify the Vice President for Academic Affairs to issue a written

notice to the faculty member either indicating that the faculty member has been discharged or that discharge action will not be taken. If the latter, the written notice will outline any applicable disciplinary sanctions.

3. If the President decides to proceed with dismissal, the Vice President for Academic Affairs shall institute proceedings by giving the faculty member a written notice of discharge by certified mail. The discharge notice shall contain:
 - a. A full and complete statement of the charge or charges upon which discharge is based;
 - b. A copy of the rules and regulations governing the faculty member's procedural rights;
 - c. A statement that the faculty member has a right to file a grievance or complaint regarding the decision; and
 - d. A statement that, within twenty (20) days from the receipt of the dismissal notice, the faculty member may, in writing, file a grievance or complaint by contacting the President of the College. The request must be accompanied by a written response to the charges. If the faculty member fails to file a grievance or complaint within the prescribed time, the notice of dismissal shall be final. (See the Faculty Grievance Procedures.)

4.11.1.5 Discharge Due to Financial Exigency

Termination of an appointment with tenure or of a probationary or term appointment before the end of the specified appointment term may occur under extraordinary circumstances because of financial exigency, i.e., an imminent financial crisis which threatens the survival of the College as a whole and which cannot be alleviated by less drastic means.

1. The Board of Trustees, in consultation with the President and the Executive Committee of the Faculty Assembly, will determine that a condition of financial exigency exists or is imminent. In the event that the Board of Trustees determines that a condition of financial exigency exists, the Board of Trustees will next make a determination that all feasible and reasonable alternatives have been explored. After a determination is made by the Board of Trustees that all feasible and reasonable alternatives have been explored, a determination will then be made of which appointments shall be terminated.
2. Judgments determining where, within the overall academic program, termination of appointments may occur involve considerations of educational policy and faculty status. These judgments shall be the responsibility of an ad hoc committee appointed by the President and consisting of faculty representatives. This committee will exercise primary responsibility in determining the criteria for identifying those individuals whose appointments are to be terminated. These criteria will emphasize program needs and integrity and will favor tenure, academic rank, and years of service. The appointment of a faculty member with tenure will not be terminated in favor of retaining a faculty member without tenure, except in extraordinary circumstances where a serious distortion of the academic program would otherwise result.
3. The responsibility for identifying individuals whose appointments are to be terminated according to the criteria established by the ad hoc committee belongs to the Vice President for

Academic Affairs. The case of a faculty member given notice of proposed termination of appointment will be governed by the following procedure:

- a. If the Vice President for Academic Affairs issues notice to a particular faculty member of an intention to terminate the appointment because of financial exigency, the faculty member will have the right to a full hearing before the Faculty Grievance Committee. The issues in this hearing may include:
 - 1). The validity of the educational judgments and the criteria for identification for termination, but the recommendations of the ad hoc committee above will be considered presumptively valid concerning these matters.
 - 2) Whether the criteria are being properly applied in the individual case.
 - b. After deliberation, the Grievance Committee will submit, within three (3) calendar days of the hearing, a written report of its findings with a recommendation of a specific course of action to the Vice President for Academic Affairs. Copies of the report will also be forwarded to the President and the Chair of Executive Committee of the Faculty Assembly.
 - c. The President will notify the faculty member within fifteen (15) days of her/his final determination on the appeal. The President's decision will also be reported to the Vice President for Academic Affairs and the Chair of Executive Committee of the Faculty Assembly.
4. If the College, because of financial exigency, terminates appointments, it will not at the same time make any new appointments except in extraordinary circumstances where a serious distortion in the academic program would otherwise result.
 5. In all cases of termination of appointment because of financial exigency, the place of the faculty member concerned will not be filled by a replacement within a period of three years, unless the released faculty member has been offered reinstatement and has had three (3) weeks in which to accept or decline it.
 6. Before terminating an appointment because of financial exigency, the College, with the concerned faculty member's participation, will make a demonstrated or documented effort to place the concerned faculty member in another position within the institution.
 7. In all cases of termination of appointment because of financial exigency, the faculty member concerned will, if the College is fiscally able, give written notice of severance salary at least equivalent to the following schedule:
 - a. At least three (3) months in first year of full-time service, if decision is made on or before March 15;
 - b. Six (6) months in second year, if decision on or before December 15; or
 - c. One (1) year after 18 months or if tenured.

4.11.1.6 Discharge Due to Program Termination, Reduction or Redirection

Termination of an appointment with tenure or of a probationary or term appointment before the end of the specified appointment term may occur as a result of bona fide formal termination,

reduction or redirection of a program or department of instruction. In order to ensure, as fully as possible, a fair accommodation of institutional and individual interests, the following policies, guidelines, and procedures have been adopted by Davis & Elkins College.

1. The decision to formally terminate, reduce or redirect discontinue a program, department or division of instruction will be based essentially upon educational considerations or issues of financial exigency. “Education considerations” must reflect long-range judgments that the educational mission of the College as a whole will be served by the decision to terminate, reduce, redirect, or discontinue a program, department or division of instruction. If termination, reduction or redirection of a program, department or division of instruction of the program is due to issues of financial exigency, the standards under the College’s Financial Exigency Policy, which is set forth in the Faculty Handbook (4.11.1.5), will apply.
2. When a recommendation for program termination, reduction or redirection is proposed by the President or the Vice President of Academic Affairs, the impacted department or division chair, in consultation with the departmental or division faculty, will conduct a review within 15 days of receipt of the proposal and make a recommendation to the Vice President for Academic Affairs. The review of the Vice President for Academic Affairs, department or division chair, and department/division faculty may be either separate or joint and include, but is not limited to, the following criteria:
 - a. Relevancy and relationship of the program to the mission and objectives of the department or division and Davis & Elkins College;
 - b. Overall quality metrics of the program, presently and potentially, including but not limited to graduate placement and employment opportunities for students;
 - c. Cost and revenues associated with the program;
 - d. Historical, current and projected student enrollment;
 - e. Current and projected relationship to other programs;
 - f. Implications with respect to research;
 - g. Impact on student needs.
3. The Vice President for Academic Affairs notifies the Professional Affairs Committee that it will be receiving materials concerning the recommendation for program termination, reduction or redirection. Upon receipt of the proposal, the Professional Affairs Committee (having signed a confidentiality agreement) will consider the reports submitted by the department or division chair and Vice President for Academic Affairs and send its recommendations for action to the College President. The Professional Affairs Committee will complete its consideration of the program termination, reduction or redirection within thirty days of receiving the program review, recommendations, and other appropriate documentation materials. If this consideration is not completed within the thirty-day period, such inaction will be considered a recommendation to support the original proposal to terminate, reduce or redirect the program. The original proposal and all reviews conducted by the impacted department or division, the Vice President for Academic Affairs and the Professional Affairs Committee must all be submitted for review to the President who, in

consultation with the Board of Trustees, will make the final decision as to whether the program shall be terminated, reduced or redirected.

4. Before the administration issues notice to a faculty member of its intention to terminate an appointment because of formal termination, reduction or redirection of a program, department or division of instruction, the College will make a documented effort to place the faculty member concerned in another suitable position. If placement in another position would be facilitated by a reasonable period of training of up to no more than one academic year, financial and other support for such training will be offered. If no position is available within the College, with or without retraining, the faculty member's appointment may be terminated, with provision for severance salary adjusted to the faculty member's years of full-time service to the College, but only if the College is fiscally able to provide such severance salary.
5. A faculty member may appeal a proposed relocation or termination resulting from a discontinuance and has a right to follow the Faculty Grievance Policy. The issues in such a hearing may include the failure to satisfy any of the conditions specified in steps 2 and 3 of this policy. In such a hearing, the College's determination that a program or department of instruction is to be discontinued will be considered presumptively valid, but unlike a typical grievance hearing where the burden of proof rests with the grievant, the burden of proof on other issues will rest on the administration.

4.11.2 Discipline and Separation of Part-time and Special Status Faculty

Part-time and special status faculty may be terminated prior to the expiration of the appointment for one of the following reasons:

1. Upon cancelation of an assigned class. Davis & Elkins College reserves the right to render the appointment null and void if the College determines, in its sole discretion, that the planned courses should be canceled due to insufficient enrollment or any other reason(s);
2. Upon discontinuance of the department, division or program;
3. For reasons of financial exigency; or
4. For cause without prior notice. A decision to terminate for cause will be made by the appropriate department/division chair, after consultation and approval by the Vice President for Academic Affairs. At the discretion of the Vice President for Academic Affairs, progressive discipline in lieu of termination may be implemented. The College's decision to terminate for cause is not subject to appeal.

4.12 Revision of Faculty Handbook

Proposals for amending the *Faculty Handbook* may be initiated by the Faculty Assembly, the administration, or the Board of Trustees. Such proposals will be given consideration by both the Faculty Assembly and the Board of Trustees before they are included in this policy statement. The proposed revision shall have no status, not even a promissory one, until final action by the Board of Trustees has been taken. It is the policy and intent of the Board, however, to consider amendments for approval only after Faculty Assembly has voted approval by a two-thirds majority

of those present. In those unusual instances in which the Board and the faculty are unable to reach agreement, the Board of Trustees will render a binding decision in harmony with its legal obligations and responsibility to the College. Should this occur, the President will meet with Faculty Assembly to discuss the Board's decision and the Board's rationale for not accepting the Assembly's recommendation.

In recognizing the need for timely decision-making, proposed additions, deletions and modifications to the Faculty Handbook submitted to the faculty by the administration or Board of Trustees or a committee thereof ("referring party") shall be processed within a reasonable period of time prescribed by the referring party. In all cases, the referring party will provide the faculty a minimum of sixty (60) regular academic days to consider and process the referred matter unless emergency circumstances otherwise exist that require the introduction of an Interim Policy (see Interim Policies subsection in [Volume I](#) of the *Davis & Elkins College Policy Manual*, Section 1.8.3). If the faculty are not able to consider and process the referred matter in the prescribed period of time, the Chair of the Executive Committee of the Faculty Assembly may petition the referring party for an extension of time to respond appropriately.

Once any part of the *Faculty Handbook* has been properly amended, the new statement shall replace all former statements on the issue in question, rendering them void. This applies to deletions as well as additions or changes in wording or emphasis.

Appendix 1: Verification of Faculty Credentials Form

VERIFICATION OF FACULTY CREDENTIALS FORM

(To be completed by the Department or Division Chair)

This form documents that candidates being appointed to the Davis & Elkins College Faculty or instructors being assigned to teach new courses at the College meet established qualifications. This form must be completed by the department or division chair and forwarded to the Vice President for Academic affairs with supporting documentation of qualifications.

**CANDIDATE/INSTRUCTOR
NAME:**

DATE:

COURSE INFORMATION:

**ACADEMIC
DEPARTMENT/DIVISION:**

Please List Candidate/Instructor's Highest Degree First:

Degree Earned	Discipline	Year Degree Earned	Institution Name	Location of Awarding Institution	Terminal Degree in the Teaching Field?

Please Answer the Following Questions:

1. Degree information was obtained from the following source:

- Official Transcript**
- Unofficial Transcript**
- Diploma**
- Vitae**

If degree information was not obtained from an official transcript, submit the official transcript within 60 days of hire. Please ensure that the official transcript includes the following elements:

- The issuing institution's official seal;
- Signature of the appropriate authorizing agent, preferably the institution's registrar;
- The institution's official letterhead or stationary;
- The institution's watermark or other identifier; and
- The date of issue.

Was degree awarded by a foreign institution?

NO _____ YES _____

If yes, have educational credentials been evaluated for equivalency by an approved agency?

NO _____ YES _____

2. If the highest degree earned is NOT considered a terminal degree in the teaching discipline:

a. Does the candidate hold at least a master's degree in the teaching discipline?

Yes **No**

If "No," then answer to #2b MUST be "Yes."

b. Do equivalent experience qualifications justify the candidate teaching without the recommended educational credential?

Yes **No**

If "Yes," please forward the Equivalent Experience Qualifications Form to the chair of the Appointment, Promotion and Tenure Committee with this form.

Based on credentials above, please list the courses being proposed to be assigned:

Course Prefix of Teaching Discipline	Check the Following for each prefix: Instructor is qualified to teach assigned course

Approved, Department Chair

Signature/Date

Approved, Division Chair

Signature/Date

Approved, Vice President for Academic Affairs

Signature/Date

Appendix 2: Alternative Qualifications Form

EQUIVALENT EXPERIENCE FORM

(To be completed by the Department Chair or Division Chair and Vice President for Academic Affairs)

NAME:	_____	DATE:	_____
COURSE INFORMATION:	_____	DEGREE(S):	_____
DEGREE TYPE(S):	_____	DEGREE AWARDING INSTITUTION(S)	_____

Instructions: Complete this form for all course instructors who are NOT degree qualified according to Davis & Elkins College academic credentials requirements. Please check all equivalent experience qualifications that apply, and explain each checked item in the explanation space provided. Supporting documents such as transcripts, copies of licenses and certifications, etc. must be submitted with this form.

1. Equivalent Experience Qualifications Justification

- Research and Publications
- Professional Licensure or Certification
- Special Training
- Related Work Experience
- Documented Teaching Excellence in Discipline
- Honors, Awards, or Special Recognition
- Other Competencies or Achievements

2. Department Chair’s explanation of equivalent experience qualifications to teach the course based on the instructor or prospective faculty member’s experience/background/expertise:

(Please provide a narrative explanation of the candidate’s qualifications to teach each course based on the academic and professional preparation; diplomas, certificates, or relevant licensures; publications and presentations in the field; honors, awards, and professional recognitions; and other demonstrated competencies, skills, and experiences which the instructor brings to the College. These qualifications should be clearly tied to the specific course to be taught and should establish that the candidate is qualified to teach the specific course to be assigned and that the individual is competent and knowledgeable in the teaching field or discipline.)

(Expand Form as Necessary)

3. Approved Courses

Course Prefix of Teaching Discipline	Check ONE of the following for each prefix: Instructor is qualified to teach assigned course(s)

Department Chair

Date

Division Chair

Date

Vice President for Academic Affairs

Date

Appendix 3: Course Syllabus Template



Davis & Elkins College
Course Syllabus

Course Number - Title:
Department:

Instructor:
Office/Office Hours:
Phone/E-mail:

Academic Term:
Days/Time/Room:
Credits/Prerequisites:

Course Description (catalog description or more detailed description):

Learning Outcomes:
By the end of this course, students will be able to:

Required Texts/Materials:

Optional Texts/Materials:

Grading:

Your grade will be calculated as follows:

Assignments and Tests:

Course Policies:

Attendance:

All students must attend every class or laboratory unless officially excused. Excused absences include representing the College, participating in approved field trips, illness, a family emergency or others as determined by the instructor. Students will be responsible for all course work missed while absent. Absences in classes immediately before and after holidays are unexcused.

Late Assignments:

Makeup Assignments/Exams:

Classroom Courtesy:

Academic Honesty:

Davis & Elkins College expects its students to pursue their academic careers with integrity. By policy, teachers report instances of cheating and plagiarism to the Vice President of Academic Affairs and recommend a penalty, which may be an F on the assignment in question or even expulsion from the course or the College.

Academic Support:

The Naylor Learning Center provides academic support by providing tutorial services, the Supported Learning Program and Disability services. Visit The Naylor Learning Center in Albert Hall, Suite 200 or call (304) 637-1384 for more information.

Davis & Elkins complies with federal and state laws and regulations regarding discrimination, including the Americans with Disabilities Act of 1990 and Title IX of the Educational Amendments of 1972.

If you have a disability and need a reasonable accommodation for equal access to education or services at Davis & Elkins College, please contact Disability Services at (304) 637- 1384. If you believe that you or someone else has been the victim of discrimination or harassment at Davis & Elkins College, you may contact your adviser or the Title IX/ADA Section 504 Coordinator at (304) 637-1277.

Davis & Elkins College faculty members are designated as “responsible employees” in keeping with guidance from the Office of Civil Rights. As such, D&E faculty must report any observations or disclosures (by a member of D&E’s community) of gender-based harassment, gender-based abuse, or gender-based violence or related experiences and incidents shared with them to the Title IX Coordinator.

Course Schedule:

Appendix 4: Annual Faculty Survey of Professional Activities

Annual Survey of Professional Activities [Insert Year] Academic Year

This survey is distributed annually at the end of each academic year to collect information about the professional growth and development of the Davis & Elkins College faculty.

Please return to the Office of Academic Affairs on or before

I. General Information

- 1) Name:
- 2) Department/Division:
- 3) Number of credit hours/contact hours (*data for questions 3 and 4 will be generated by the Office of the Registrar*):

Fall ____: Spring ____: Total: ____

____ Initials of faculty member verifying that the information above is correct.

- 4) Number of advisees Fall ____: Spring ____:

____ Initials of faculty member verifying that the information above is correct.

- 5) Please note any other assigned duties (e.g., clinical supervision, department chairperson, etc.):

III. Professional Development

10) Please note any professional development activities you have undertaken during the past year in support of your growth and development as a scholar and/or teacher.

11) Please note any scholarly, research, and/or professional activities/accomplishments from the past year.

12) Please note any grants, honors, and/or awards you have received during the past year.

13) Please offer a self-assessment of your progress/development in this area over the course of the preceding academic year.

14) Please describe your plans and goals for the upcoming academic year in this area.

IV. Service

15) Please note your work on committees and/or additional ad hoc groups (e.g. working groups, search committees, club advisor, etc.) and the roles you have played.

16) Please note your work in any capacities offering service to your discipline and/or the community of scholars in your discipline (e.g. service in professional organizations, editorial boards of journals, general and/or specialized accreditation activities, etc.) and the roles you have played.

17) Please note any community service activities from the past year.

18) Please offer a self-assessment of your progress/development in this area over the course of the preceding academic year.

19) Please describe your plans and goals for the upcoming academic year in this area.

20) Are there any other accomplishments or achievements that you would like to share?

V. Accomplishments of Students

21) Are you aware of any recent accomplishments of D&E graduates of your program that the College should be aware of?