



EMERSON COLLEGE
BOSTON MASSACHUSETTS

Faculty Handbook

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Faculty Handbook

1 Introduction

The *Faculty Handbook* contains policies and procedures that govern the relationships between full-time faculty members and the administration at Emerson College. Its broader purpose is to promote outstanding teaching, significant learning opportunities, and innovative scholarly and creative work that allow Emerson, as a leader in communication and the arts, to make positive contributions to society through education.

The central organizing concept for this Handbook is the *engaged faculty* working with a supportive administration. This concept reflects certain core values. The engaged faculty refers both to the individual faculty member and the collective Emerson faculty. Engaged professionals work passionately with commitment to excellence in teaching, advancing the frontiers of knowledge and artistry, and providing service. Engaged faculty members are empowered to do their best and know their work is consequential. The institution supports these goals by valuing, appreciating, and using the contributions of its members—this is *employment* in the broadest sense.

The engaged faculty concept relies upon **mutual commitment** between the institution and the faculty. The College administration encourages and supports faculty members to achieve their best for the benefit of the students; in return, faculty members strive to do their best in ways that further the College's goals. As Jerry Berberet writes in *A New Academic Compact*:

In fulfilling their workload obligations, individual faculty members add value to their academic unit (e.g., department or school), which in turn adds value in contributing to the mission of the institution as a whole. The institution in turn adds value to individual faculty, notably through professional development support that enhances the value of faculty contributions to the unit and the institution.¹

Accordingly, this relationship rests upon an understanding of and commitment to the **rights and responsibilities** that accompany the faculty role.

The engaged faculty concept is rooted in **interdependence**. Faculty and administration rely on each other to succeed. By the nature of their roles, they attend to somewhat different demands, constituencies, and constraints. The Handbook acknowledges these legitimate differences and provides mechanisms for the parties to work together successfully. Emerson's success relies upon productive interactions between and among students, faculty members, administrators, and staff.

The engaged faculty concept also envisions a **career perspective**. Ongoing intellectual growth is necessary for individual success, as a model for our students, and as a way for the College to thrive. Individual strengths, interests, directions, motivations, and practices change and develop

¹ Berberet, J. (2002) A new academic compact. In L. A. McMillin & J. Berberet (Eds), *A new academic compact: Revisioning the relationship between faculty and their institutions* (pp. 3-28). Bolton, MA: Anker.

over time. The engaged faculty member continually seeks to connect these changes to the enduring values and the ongoing needs of the College's mission. A supportive administration recognizes the value of these changes and creates openings for their application.

2 Governance

Emerson College is a corporation organized under the laws of the Commonwealth of Massachusetts. The Board of Trustees, as the director of the corporation, has ultimate authority over and fiduciary responsibility for the College. The Board and the President have shared with the faculty responsibility for certain academic policies and practices, on the terms and conditions set forth in this Faculty Handbook.

3 Definition of Faculty Status, Faculty Ranks and Criteria for Appointments

3.1 Faculty Status

The term "faculty" means only those individuals appointed to a faculty position by the President of the College or his or her designee.

3.1.1 Full-time Faculty

A full-time faculty member is an employee of Emerson College who receives a term, tenure track or tenured appointment to one of the academic ranks listed in Sub-section 3.4.

3.1.2 Part-time Faculty

A part-time faculty member is an employee of Emerson College who is appointed to a part-time teaching position. No right of tenure accrues to any person holding a part-time position regardless of cumulative length of service.

3.1.3 Emerita/Emeritus Status

Emeritus status is one of honor and esteem at Emerson College. The Board of Trustees may confer the status of Emerita/Emeritus to any tenured full-time faculty member who has a record of distinguished service and achievement at Emerson College and who is retiring or has retired from the College.

3.2 Process for Determining Emerita/Emeritus Status

Any person wishing to nominate a current or retired full-time tenured faculty member may submit a nomination in writing no later than December 1 of any year to the Dean of the School from which the nominee retired or is retiring. The Dean solicits comments and recommendations regarding the nomination from the full-time faculty of the College. The Dean forwards a recommendation to the Vice President for Academic Affairs, who forwards a recommendation to the President for consideration. The President recommends to the Academic and Student Affairs Committee of the Board of Trustees. Prior to the next Commencement Day, the Board of Trustees votes on the nomination.

3.3 Privileges of Emerita/Emeritus Status

Those faculty members granted Emerita/Emeritus status receive the following privileges:

1. The title Professor Emerita/Emeritus of the College.

2. Access to the College's library and academic computing facilities.
3. When available, the use of College facilities for professional activities.
4. Participation in the College's social and ceremonial functions.
5. Faculty privileges at the College bookstore and College events.

3.4 Definitions of Full-time Faculty Positions and Criteria

3.4.1 Instructor

An Instructor is pursuing a terminal degree. In addition, the Instructor must give promise of achievement as (1) a teacher, and (2) either a scholar, an artist or a professional, and (3) indicate a willingness to participate in the activities and programs within the Instructor's School.

The College expects that an Instructor serves in that rank for no more than 2 years, with the requirements for the terminal degree to be completed by November 15 of the second academic year of employment. The College will move an Instructor to the rank of Assistant Professor at the beginning of the next academic year after the attainment of the expected terminal degree, at which time the tenure clock begins. The faculty member must provide evidence satisfactory to the Vice President for Academic Affairs of completion of the terminal degree by November 15 of the second year. Failure to do so results in non-reappointment.

3.4.2 Assistant Professor

An Assistant Professor holds an earned doctorate, an M.F.A., other terminal degree deemed appropriate by the Vice President for Academic Affairs, or has significant professional accomplishments deemed by the School Dean in consultation with the appropriate faculty to be the equivalent of one of those degrees. In addition, the Assistant Professor must show promise of, or if having taught at another institution, have demonstrated (1) achievement as a teacher, (2) achievement as a scholar, an artist and/or a professional, and (3) a willingness to serve in College activities and programs. The Assistant Professor also must show willingness to advise and serve students' professional goals, maintain office hours, support program advising and the like.

3.4.3 Associate Professor

An Associate Professor meets all of the requirements for appointment as an Assistant Professor. Additionally, the Associate Professor must have a record of excellence in teaching. This record will normally include multiple indicators such as student evaluations, peer evaluations, and annual reviews. The Associate Professor must have produced nationally recognized research, scholarship, creative work, and/or professional work. The Associate Professor must show promise of becoming a scholar, artist or professional of distinction. The Associate Professor must have demonstrated a satisfactory record of College and professional service.

3.4.4 Professor

A Professor meets all of the requirements for appointment as an Associate Professor. Additionally, a Professor must exemplify distinguished achievement in teaching that is supported by a record including both student evaluations and peer evaluations. A Professor must demonstrate a continuing record of nationally recognized scholarly, artistic or professional work that is mature in nature. The Professor will demonstrate leadership in service contributions to the Department, the School, the College and/or the profession.

3.4.5 Endowed Chairs

Emerson College bestows the title of Endowed Chair upon a distinguished appointee. The highest level of performance and recognition of that performance at the national and international level are inherent criteria for appointment to an Endowed Chair. The appointment to an Endowed Chair may recognize a current member of the faculty or it may be associated with recruitment of a new faculty member. All appointees should demonstrate continued outstanding performance based on national and international standards.

3.4.6 Term Faculty

A Term Faculty member is an employee of Emerson College holding a title such as Artist-in-Residence, Executive-in-Residence, Scholar-in-Residence, Scientist-in-Residence, Writer-in-Residence, Lecturer, or Visiting Professor. Appointment as Term Faculty includes no right to tenure, reappointment, or promotion to any tenure-seeking rank, regardless of length of service. Such appointments normally entail teaching duties. Persons receiving such appointments are expected to adhere to the rights and responsibilities as described in Section 11. The appointee should continue appropriate professional engagement. The Department Chair or the Dean of Liberal Arts/Executive Director of the Institute for Liberal Arts and Interdisciplinary Studies (hereafter referred to as the Dean of Liberal Arts) will articulate the appropriate service expectations for each faculty member.

3.4.6.1 Lecturer

A Lecturer is a full-time term faculty member who may be appointed annually, for a semester or a year, for up to five years.

3.4.6.2 Visiting (Rank) Professor

A Visiting (Rank) Professor is a full-time term faculty member who may be appointed annually, for a semester or a year, for a period not to exceed two years.

3.4.6.3 (Faculty)-in-Residence

(Faculty)-in-Residence is a full-time term faculty member who is appointed annually, for a semester or a year, and may be reappointed for more than five years. Such appointments normally entail teaching duties.

4 Policies Pertaining to Faculty Appointments

4.1 Types of Appointments

The College issues the following types of appointment:

4.1.1 Continuous Appointment (Tenured)

A Continuous Appointment is an appointment offered to those who have achieved tenure.

4.1.2 Probationary Appointment (Tenure Track)

A Probationary Appointment-Tenure Track is an annual appointment for those faculty members on the Tenure Track, which the College may renew each year, for up to six years, at which point tenure must be either granted or denied. If the Vice President for Academic Affairs approves

stopping a faculty member's tenure clock for any documented reason (e.g. medical leave), the time frame will be extended for the period designated in writing by the Vice President for Academic Affairs.

4.1.3 Probationary Appointment (Instructor)

A Probationary Appointment-Instructor is an annual appointment for a maximum of two years.

4.1.4 Terminal Appointment

A Terminal Appointment is the final appointment issued to a tenure track faculty member for the following year in the case of denial of tenure, non-renewal, or resignation.

4.1.5 Term Appointment

A Term Appointment is a full-time appointment issued for a year or a semester. Those holding a Term appointment may have such titles as Artist-in-Residence, Executive-in-Residence, Scholar-in-Residence, Scientist-in-Residence, Writer-in-Residence, Lecturer, Visiting Professor. Faculty members appointed to a Term Appointment are not eligible for tenure. Notice of non-reappointment is not required.

4.2 Locus of Appointments

Each faculty appointment has as its locus the Department and School or the Institute for Liberal Arts and Interdisciplinary Studies (cited hereafter as the Institute) that is stated in the appointment letter. At the discretion of the Vice President for Academic Affairs, in consultation with the appropriate Dean(s), Department Chairs and the faculty member, the Vice President for Academic Affairs can change the locus of a faculty member's appointment to meet the curricular needs of the institution.

5 Guidelines for Search and Appointment

5.1 Search and Appointment of New Full-time Faculty Members

5.1.1 Step 1

Each year, the Department Chair, after consultation with the full-time faculty of the Department, sends to the Dean a written request for new or replacement positions. The Dean and the Vice President for Academic Affairs review these requests. When the Vice President for Academic Affairs approves the recruitment of a full-time faculty position, the Department Chair initiates the recruitment process in consultation with the appropriate full-time faculty of the Department and the Dean.

5.1.2 Step 2

The eligible full-time faculty members of the Department (as determined by the Department) elect the search committee from a slate of candidates recommended by the Chair in consultation with the Dean. In certain circumstances, the Chair, in consultation with the Dean, may appoint an additional person. The Chair and faculty strive to include individuals with different perspectives and expertise and with a demonstrated commitment to diversity. The search committee elects its own Chair. The search committee develops appropriate selection criteria and ensures that they

apply the criteria consistently to all applicants. The committee solicits nominations and applications through appropriate professional channels as well as from within the College.

5.1.3 Step 3

After the search committee reviews all applicants and checks references, the Chair of the search committee and the Department Chair consult with the Dean prior to the Dean's authorization of on-campus interviews. Only the Dean may authorize on-campus interviews.

5.1.4 Step 4

Subsequent to the on-campus interviews, the search committee reports its findings and recommendations to the full-time faculty of the Department. After consideration of the search committee's report and recommendations, the eligible full-time faculty and teaching staff (as determined by the Department) first votes on the acceptability of each candidate interviewed and then rank orders the acceptable candidates. When applicable, the recommendation includes suggested rank and/or tenure transfer. The Chair of the search committee forwards a written recommendation on the acceptability and rank ordering of the candidate(s) through the Department Chair to the Dean. The Department Chair forwards his or her independent written recommendation on the acceptability and rank ordering of the candidate(s) to the Dean. The search committee Chair, the Department Chair and the Dean (with the possible inclusion of the search committee) meet to discuss the recommendations.

5.1.5 Step 5

The Dean recommends to the Vice President for Academic Affairs a candidate for appointment. If the Vice President for Academic Affairs accepts the recommendation, the Dean sends a written offer of employment to the recommended candidate as expeditiously as possible and notifies the Department Chair and the Chair of the search committee that she or he has made the offer.

5.1.6 Step 6

Should the Dean find it necessary to reject the recommendations of the faculty, the Dean may ask the faculty to re-evaluate the candidate pool. Should no acceptable candidate(s) emerge, and after consultation with the Vice President for Academic Affairs, the Dean may ask the Department Chair to recommence the search procedures outlined above. The Dean may recommend to the Vice President for Academic Affairs an interim term faculty member (as referenced in 4.1.5) to hold that position during the period of the recommenced search. In the case of two unsuccessful searches for a given position, the Dean may institute an alternative procedure accommodating as much of the usual process and involvement of faculty and administrators as is possible.

5.2 Unplanned Vacancy

When circumstances require, the Dean, in consultation with the Department Chair and Department faculty (if possible), recommends an interim term appointment to the Vice President for Academic Affairs.

5.3 Search and Appointment of New Full-time Institute Faculty

In consultation with the Institute Advisory Committee and the Academic Affairs Council, the Dean of Liberal Arts develops a position description and submits it to the Vice President for Academic Affairs. The Dean of Liberal Arts recommends a search committee of full-time faculty who represent different perspectives and expertise and who demonstrate a commitment to diversity. The Vice President for Academic Affairs authorizes the search committee and the search. The search committee elects its own Chair.

The search committee develops appropriate selection criteria and ensures that they apply the criteria consistently to all applicants. The search committee solicits nominations and applications through appropriate professional channels, as well as from within the College.

The Chair of the search committee and the Dean of Liberal Arts consult with the Vice President for Academic Affairs prior to the Vice President's authorization of on-campus interviews. Only the Vice President may authorize on-campus interviews for Institute positions.

The search committee reports its findings and recommendations to the Dean of Liberal Arts and the Institute Advisory Committee. After consideration of the search committee's report, the Dean of Liberal Arts forwards a written recommendation to the Vice President for Academic Affairs. If the Vice President for Academic Affairs accepts the recommendation, the Dean of Liberal Arts sends a written offer of employment to the recommended candidate as expeditiously as possible.

Should the Vice President for Academic Affairs find it necessary to reject the recommendations of the Dean of Liberal Arts, the Vice President may ask the search committee to re-evaluate the candidate pool. Should no acceptable candidate(s) emerge, the Vice President for Academic Affairs usually asks the Dean of Liberal Arts to recommence the search procedures outlined above.

When circumstances require, the Dean of Liberal Arts, involving faculty as much as possible, recommends an interim term appointment to the Vice President for Academic Affairs.

5.4 Faculty Orientation

The Office of Academic Affairs conducts orientation for new faculty members prior to the first day of class. This program focuses on the roles and responsibilities of faculty members and the history and mission of the College. Orientation provides an opportunity for faculty members to meet appropriate administrators and staff. All newly appointed faculty are required to attend.

5.5 Selection of Endowed Chairs

The Vice President for Academic Affairs establishes a search plan for selection of each Endowed Chair, in consultation with Departmental faculty and such administrators, as she or he deems appropriate.

5.6 Selection of Department Chairs

In the event of a vacancy, the Dean forms a search committee. The full-time Department faculty elects two tenured faculty members and one or two additional tenured/tenure track faculty members from the Department to serve on the search committee. The Dean, in consultation with Department faculty, appoints one or two members from the Emerson College community (e.g. Dean of Liberal Arts, Department Chair) to serve on the search committee. The committee elects a Chair from the Department's tenured committee members.

The search committee solicits nominations and applications through appropriate professional channels, and accepts nominations and applications from within the College. No member of the search committee may also be a candidate for the position. Only the Dean may authorize on-campus interviews. The faculty of the Department engage in the interview process and express their views to the search committee. The search committee reports its recommendations to the faculty. The search committee forwards its recommendations to the Dean.

The Dean forwards the search committee's recommendations as well as the Dean's own recommendations to the Vice President for Academic Affairs who has the authority to appoint. The Dean or the Vice President for Academic Affairs may ask the search committee to consider additional candidates from the pool. When circumstances require, the Vice President for Academic Affairs, in consultation with the Dean and the full-time faculty of the Department, may appoint a Chair until an appropriate search can be constituted.

5.7 Selection of Dean of Liberal Arts

When it becomes necessary to appoint a new Dean of Liberal Arts, the Vice President for Academic Affairs constitutes an advisory committee to conduct the search. Faculty Assembly elects five tenured/tenure track faculty members, with at least one from each School. The Vice President for Academic Affairs appoints two representatives from the Emerson College community to serve on the advisory committee. If the Faculty Assembly does not elect within one month of the request, the Vice President for Academic Affairs will appoint the committee. No member of the advisory committee may be a candidate for the position. The Vice President for Academic Affairs appoints a Chair from among the members of the advisory committee.

The advisory committee solicits nominations from constituencies of the College as well as from appropriate professional sources outside the College. The advisory committee consults regularly with the Vice President for Academic Affairs. The advisory committee submits the names of potential interviewees to the Vice President for Academic Affairs. Only the Vice President for Academic Affairs may authorize on-campus interviews. The faculty from both Schools and faculty and administrators from the Institute will be engaged in the interview process and have the opportunity to express their views to the advisory committee. The advisory committee submits the names of the qualified candidates to the Vice President for Academic Affairs, who submits a recommendation to the President.

In the event of a vacancy, the President, after consultation with appropriate faculty and the Vice President for Academic Affairs, appoints an Interim Dean of Liberal Arts.

5.8 Selection of the School Deans

When it becomes necessary to appoint a Dean, the Vice President for Academic Affairs constitutes an advisory committee to assist in locating candidates qualified to fill the vacancy. Full-time faculty from the School for which the Dean is to be selected elects four tenured/tenure track faculty members, with at least one from each Department, to serve on the advisory committee. Faculty Assembly selects one tenured/tenure track faculty member from the other School to serve on the advisory committee. The Vice President for Academic Affairs appoints two representatives from the Emerson College community to serve on the advisory committee. No member of the advisory committee will be a candidate for the position. The Vice President for Academic Affairs appoints a Chair from the advisory committee.

The advisory committee solicits nominations from constituencies of the College as well as from appropriate professional sources outside the College. The advisory committee consults regularly with the Vice President for Academic Affairs. The advisory committee submits the names of potential interviewees to the Vice President for Academic Affairs. Only the Vice President for Academic Affairs may authorize on-campus interviews. The faculty of the School engage in the interview process and have the opportunity to express their views to the advisory committee. The advisory committee meets with the Vice President for Academic Affairs to discuss the qualifications of the candidates. The Vice President for Academic Affairs submits a recommendation to the President. The President makes the final recommendation to the Board of Trustees, which has the authority to accept or reject the recommendation.

In the event of a vacancy, the President, after consultation with the faculty of the School and the Vice President for Academic Affairs, may appoint an Interim Dean.

5.9 Selection of the Vice President for Academic Affairs

When it becomes necessary to appoint a Vice President for Academic Affairs, the President of the College constitutes an advisory committee, which includes faculty members, and the President names the Chair of that committee. Only the President may authorize on-campus interviews. Faculty engage in the interview process and have the opportunity to express their views to the advisory committee. The President submits a recommendation to the Board of Trustees, which has the authority to accept or reject the recommendation.

In the event of a vacancy, the President may appoint an Interim Vice President for Academic Affairs.

6 Faculty Review of Chairs and Deans

Effective working relationships among the faculty, Chairs and Deans are central to the academic success of the College. The Chair annually will seek formative feedback from the department faculty using a format distributed by the school Dean. From time to time, but no later than in the fifth year, the Vice President for Academic Affairs initiates a review of a Chair or Dean other than the annual review. Such a review includes substantive input from the faculty.

The faculty in a Department may request that the Dean conduct a special review of the Chair, provided that two-thirds of the full-time faculty members in the Department vote to do so (by confidential ballots submitted in signed envelopes to the Dean).

7 Assessment of Tenured/Tenure Track Faculty

The areas of assessment for appointment or reappointment and for promotion and/or tenure are (1) teaching; (2) scholarship and creative/professional work; (3) service; and, (4) long-term usefulness to the College. Sub-section 7.1 through 7.4 below are examples of the sorts of qualities and accomplishments a reviewer may consider in assessing an individual's teaching, scholarship and creative/professional work, service, and long-term usefulness to the College. The failure of any particular reviewer to consider any particular example in 7.1 through 7.4 is not, however, a process violation within the meaning of Section 15.

7.1 Teaching

The College community recognizes the centrality of effective teaching. Teaching effectiveness involves the interplay of many qualities that include, but are not limited to, the following:

- Ability to design a well-organized course;
- Ability to engage and challenge students intellectually;
- Ability to recognize and respect diversity;
- Ability to relate the subject taught to other areas of knowledge;
- Accessibility for consultation outside of class;
- Ability to assess student work with appropriate feedback;
- Command of the subject;
- Integrity and open-mindedness in presenting material;
- Knowledge of current developments within the discipline and its pedagogy;
- Ongoing development of course content;
- Promptness and objectivity in grading student work;
- Punctuality and effective use of class time;
- Skill in communicating with students;
- Treatment of students with respect.

7.1.1 Advising and Mentoring

Advising and mentoring are important components of teaching. Goals and functions of advising and mentoring may include, but are not limited to, the following:

- Helping students choose educational and career objectives well suited to their interests and abilities;
- Helping students develop a coherent academic program and advising their registration options for courses each semester;
- Helping students explore possible short- and long-range consequences of their choices;
- Providing students with information on College policies, procedures, and programs.

7.1.2 Assessment of Teaching²

Faculty members should endeavor to achieve and maintain excellence in teaching. Excellent teaching reflects performance across five dimensions: content expertise, intellectual engagement, instructional delivery, instructional design, and course operation. Multiple indicators within these dimensions provide evidence for assessing performance. These indicators include, but are not limited to, the following:

- **Content expertise** reflects the extent to which a faculty member demonstrates skills, competencies, and knowledge in a specific discipline and subject area. Assessment involves evaluation of the course syllabus and teaching materials. Active scholarship,

² Arreola, R.A. (2000) *Developing a comprehensive faculty evaluation system*. Bolton, MA: Anker. 2nd edition.

creative, and/or professional work relate to content expertise. Student evaluations also provide an indicator of expertise.

- **Intellectual engagement** reflects the extent to which a faculty member motivates and challenges students to delve into the subject matter, consider multiple perspectives, and explore relationships in a critical and reflective way. This involves advancing knowledge and skills as well as values, attitudes, and habits of mind that affect both academic success and performance beyond the classroom. Assessment involves evaluation of the course syllabus and teaching materials in addition to class observations. Student evaluations also provide evidence of engagement.
- **Instructional design** reflects the extent to which a faculty member demonstrates pedagogical skills in developing, sequencing, and presenting material and/or experiences for student learning, as well as developing and implementing procedures for evaluating learning outcomes. Assessment involves evaluation of the course syllabus and teaching materials.
- **Instructional delivery** reflects the extent to which a faculty member communicates information, concepts, attitudes, practices and processes in a manner that promotes an effective learning environment. Assessment involves class observations of teaching and student evaluations.
- **Course operation** reflects the extent to which a faculty member demonstrates skills in preparing classes, including, but not limited to: managing routine class affairs such as providing feedback, grading examinations and assignments in a timely manner, arranging appropriate equipment, holding office hours, and keeping appropriate and accurate records. This also involves managing special class events (e.g., guest lectures, lab sessions, field trips). Assessment involves class observations of teaching and student evaluations.

A faculty member who conducts a class observation for a candidate's annual review must send a copy of the report to the candidate, the Chair of the DPTC and to the Chair of the Department.

7.2 Scholarship and Creative/Professional Work

A faculty member enriches the academic community by being a productive scholar, artist, or professional. The specific form of activity varies among academic departments due to differences among disciplines. Departmental standards, established in accordance with Sub-section 7.2.2, specify the evidence of productivity.

7.2.1 Assessment of Scholarship and Creative/Professional Work

The assessment of scholarly, creative or professional work includes, but is not limited to, an inquiry as to whether the work:

- Effectively communicates: The work is appropriately organized and presented through a suitable medium.
- Is original and/or innovative: The work demonstrates originality by investigating new content, reformulating content in a new way, offering a new synthesis of existing issues, or conducting substantive extension of prior work.

- Demonstrates breadth and depth: The work demonstrates a broad appreciation of, and builds upon, existing information, aesthetic or disciplinary issues, and possible alternatives. The work is situated in an appropriate context and displays an appropriate degree of complexity in light of applicable possibilities and limitations.
- Is externally validated through evidence of a juried or critical review process: The work is validated when subject to critical scrutiny by others qualified to evaluate the merits of the work.
- Is recognized in and makes a significant contribution to the discipline: The work is significant when it is cited by others, becomes a pedagogical tool, is invoked as the basis for policy decisions or its quality receives disciplinary recognition through grants, awards or citations. Such work enhances the reputation of the individual scholar/artist and the College. Consideration is given to the reputation and/or prestige of the venue.

7.2.2 Standards for Interpreting Scholarship and Creative/Professional Work

The tenured faculty members and the Chair of each Department define expectations for accomplishments appropriate to the discipline or disciplines of the Department. Prior to implementation, the Department Chair forwards the standards to the School Dean and the Vice President for Academic Affairs for approval. Once approved, these standards are available in the office of the Department Chair.

7.3 Service

7.3.1 Definition

Along with the rights and privileges of faculty status come responsibilities as a citizen of the College. Service activities draw on faculty expertise and maintain faculty centrality in academic matters, thus helping both the College and its faculty achieve individual and collective goals. In addition, faculty members often provide service to relevant professional organizations or their communities. Although teaching and scholarly/creative/professional activities remain central to faculty work, service also stands as a necessary component of the faculty member's profile. All faculty members are required to attend Faculty Institute, Commencement, Department meetings and Faculty Assembly. In addition, faculty members are expected to participate in events such as Open Houses, Family Weekends and Student Orientations, and attend faculty lectures in accordance with Departmental practice.

7.3.2 Examples of Service

Service activities may also include help provided to the College that is not additionally compensated. For example:

- Work done on behalf of academic programs;
- Work done on behalf of the College;
- Service to the student body such as advising extracurricular student organizations;
- Service to professional organizations;
- Community service that engages the faculty member's expertise as related to the mission of the College.

Evaluating a faculty member's service involves assessing the value of the activities and the quality of the work. Materials used for this assessment may include the Candidate's Self-Report, letters that reflect the quality of the contribution on committees, as appropriate, and other items describing and validating service activities.

7.4 Long-term Usefulness

The faculty member's long-term usefulness to the College is determined with respect to the goals and plans of the Department, School, and the College in terms of fields of specialization, curriculum, research programs, and enrollment.

8 Assessment of Term Faculty

The areas of assessment for a Term faculty member include teaching as outlined in Sub-section 7.1 and other conditions as outlined in the letter of offer.

9 Policies and Procedures Governing Reappointment and Faculty Review

9.1 Annual Review of Instructors and Tenure-Seeking Faculty

In an effort to promote faculty development and institutional progress, all instructors and tenure-seeking faculty members undergo annual review according to Section 9 and the procedures outlined below. Annual reviews document strengths and weaknesses of a faculty member's teaching, scholarly or creative/professional accomplishments, and service.

9.1.1 Candidate Dossier

To initiate the annual review, the candidate submits the following dossier materials.

1. Copy of the departmental review standards.
2. Current curriculum vitae.
3. A Candidate Statement providing a concise narrative that reflects, characterizes, contextualizes, and assesses the candidate's teaching, scholarly/artistic/professional work, and service.
4. Syllabi and selected course materials (e.g. assignments, exams) used at Emerson that assist in the evaluation of teaching effectiveness.
5. Teaching observations.
6. All student written and numerical course evaluations.
7. Evidence of scholarly/creative/professional engagement (e.g. publications, conference papers, lectures, colloquia, internal and external grants, special awards and honors, works performed, produced, or exhibited, reviews).
8. Evidence of service contribution.
9. Other relevant material the candidate wishes to include.
10. Copies of prior annual appointment reviews and related correspondence.
11. Copies of prior Candidate Statements.
12. The candidate's appointment document, excluding financial and related information.

9.1.2 Procedures for Annual Review

By March 1, the Office of Academic Affairs publishes a calendar for annual review of faculty for the following academic year.

9.1.2.1 Annual Review of Instructors

The Department Chair and School Dean annually evaluate Instructors, addressing teaching, scholarship/creative/professional work, service, and progress toward degree as defined by the appointment letter. The evaluation standards for Instructors are defined in Section 7.

9.1.2.2 First-Year, Second-Year, Fourth-Year, and Fifth-Year Reviews

The candidate submits the Dossier to the appropriate Department Chair. The Chair reviews the Dossier using the evaluation standards outlined in Section 7 and writes a recommendation to the Dean with a copy to the candidate and the Development, Promotion, and Tenure Committee (DPTC).

If the Chair recommends non-reappointment (to the Dean in writing with a copy to the candidate), the candidate may request in writing to the Chair of the DPTC an independent DPTC written review. In order for the Dean to have sufficient time to consider the DPTC written review, the candidate should request the DPTC review within 48 hours after receiving the Chair's recommendation for non-reappointment. The Chair of the DPTC delivers its written review to the Dean, with copies to the Department Chair and the candidate, within five business days of receiving the request.

The Dean reviews the Chair's recommendation (and the DPTC review if requested by the candidate) and the Dossier. The Dean writes a recommendation to the Vice President for Academic Affairs with copies to the Chair, the candidate, and the DPTC. The Vice President for Academic Affairs examines the recommendations and the Dossier. The Vice President for Academic Affairs sends written notice of re-appointment or non-reappointment to the faculty member with copies to the Dean, the Chair, and the DPTC.

The candidate may respond in writing to any level of review prior to receipt of the written notice of re-appointment or non-reappointment from the Vice President for Academic Affairs.

Upon completion of this process, if the Vice President for Academic Affairs sends notice to the candidate of re-appointment, the faculty member meets with the Department Chair to discuss the written reviews. Subsequently the faculty member may request a meeting with the DPTC, or the DPTC or departmental chair, can initiate a meeting, for further formative guidance. The discussion of the DPTC meeting should be summarized in writing and provided to the candidate for inclusion in the Dossier, with copies to the Chair and Dean.

9.1.2.3 Third-Year Review

The third-year review is a significant review that documents the faculty member's eligibility for reappointment and appropriate progress toward tenure, and informs the Dean's decision regarding the faculty member's application for Pre-Tenure Leave. The candidate submits the Dossier to the Department Chair. The DPTC and the Department Chair conduct independent reviews of the Dossier according to evaluation standards outlined in Section 7, and write recommendations. The Chair of the DPTC and the Department Chair send their recommendations to the Dean with copies to the candidate. The Dean reviews the Chair and DPTC recommendations and Dossier materials. The Dean writes a recommendation to the Vice

President for Academic Affairs, with copies to the candidate, the Chair of the DPTC and the Department Chair. The Vice President for Academic Affairs sends written notice of re-appointment or non-reappointment to the faculty member with copies to the Dean, the Chair, and the DPTC. During the third year faculty member meets with DPTC for further formative guidance.

The candidate may respond in writing to any level of review prior to receipt of the written notice of re-appointment or non-reappointment from the Vice President for Academic Affairs

Upon completion of this process, if the Vice President for Academic Affairs sends notice to the candidate of re-appointment, the faculty member meets with the Department Chair to discuss the written reviews.

9.1.3 Notice of Non-Reappointment

When the decision is for non-reappointment, the Vice President for Academic Affairs notifies the candidate, via certified mail, according to the following schedule:

1. Not later than March 1 of the first academic year of service if the initial appointment is not to be renewed, or at least three months prior to the expiration of an initial, one year appointment, if the initial appointment expires during the academic year;
2. Not later than January 15 of the second academic year of service if the appointment is not to be renewed, or at least three months prior to the expiration of an initial, one year appointment, if the initial appointment expires during the academic year;
3. Not later than 12 months prior to the expiration of an appointment after two or more years of service at the College.

9.2 Annual Review of Term Faculty Members

Early in the spring semester, the Office of Academic Affairs publishes a timetable for annual reviews of Term faculty. The Department Chair and School Dean, or Dean of Liberal Arts annually evaluate Term faculty members by addressing teaching, scholarship/creative/professional work, and/or service as defined by the appointment letter and by Departmental needs. The evaluation standards for teaching for Term faculty are defined in Sub-section 7.1. If the Department Chair notes that the Term faculty member fails to meet appropriate standards for teaching, the Chair meets with the Term faculty member to discuss teaching. If the Term faculty member is re-employed for more than 2 consecutive academic years, the Department Chair or the Dean of Liberal Arts solicits feedback from appropriate faculty as part of an annual review process consistent with Departmental practice. The Department Chair or Dean of Liberal Arts sends the Term faculty member a written annual evaluation after the assessment with a copy to the Dean or, in the case of the Institute, to the Vice President for Academic Affairs. A Term faculty member's employment is governed by his or her term contract. The College may elect not to appoint a Term faculty member at the College's discretion, regardless of the outcome of the annual review.

Normally, the Vice President for Academic Affairs notifies the Term faculty member by June 1 if the College will not offer an appointment for the following academic year. The Vice President for Academic Affairs normally notifies the Term faculty member of appointment in writing by June 1.

9.3 Continuous Appointment Faculty Review

9.3.1 Annual Review of Tenured Faculty

The College community values and benefits from continued faculty engagement in teaching, research/creative/professional activities, and service. The review process outlined is designed to foster that continued engagement.

By September 30, each tenured faculty member submits to the Department Chair a report of activity in the areas of teaching, research/creative/professional activities, and service performed in the preceding year; a current CV; and a workload request for the following academic year.

Between October 1 and December 15, each tenured faculty member meets with the Department Chair to discuss the faculty member's teaching, research/creative/professional activities, service, annual report and workload request. Based on the discussion, the Department Chair assigns courses and decides on requested equivalencies.

9.3.2 Developmental Meeting for Promotion

Every four years, each Associate Professor will meet with the Department Chair and School Dean to consider the faculty member's progress toward promotion to Full Professor. A faculty member may request a developmental meeting with the Chair and Dean at other times as warranted.

9.3.3 Developmental Review of Teaching

The *engaged faculty* model relies on successful teaching. The goal of the process below is to maintain high-quality teaching. When the Department Chair determines that a faculty member's teaching does not meet Departmental teaching performance standards (as defined by the Department and approved by the Dean and the Vice President for Academic Affairs), the Chair meets with the faculty member to review the teaching. The Chair specifies in writing to the faculty member the areas that need attention and improvement and recommends developmental opportunities. The Chair may also allocate resources as s/he deems necessary.

If the faculty member's teaching continues to fall below satisfactory standards, the Chair requests a diagnostic peer review by the Development, Promotion and Tenure Committee. The DPTC conducts a thorough review of the faculty member's teaching and, in a timely manner, sends its written recommendations, signed by each member of the Committee, to the faculty member, with a copy to the Chair. By the end of the semester, the Chair in consultation with the faculty member writes a plan for improvement incorporating the recommendations of the DPTC.

The faculty member has two semesters to show improvement, after which the faculty member meets with the Chair and Dean. If there is evidence that the faculty member meets teaching performance standards, no further action is taken.

If the faculty member's teaching continues to be unsatisfactory, the Dean informs the faculty member in writing of progressive sanctions for failure to meet the standards of teaching. These sanctions may include 1) withholding of promotions or pay raises, and/or 2) suspension without pay for a semester or a year.

10 Policies and Procedures Governing Promotion and Tenure

Criteria for evaluation for promotion and/or tenure include (1) teaching; (2) scholarship and creative/professional work; (3) service; and, (4) in the case of tenure, the long-term usefulness to the College, as set forth in more detail in Section 7.

10.1 Criteria for Advancement in Rank and Tenure

10.1.1 Criteria for Advancement in Rank

10.1.1.1 Transition from Instructor to Assistant Professor

The College moves an Instructor to the rank of Assistant Professor after the attainment of the expected doctorate or other appropriate terminal degree as noted in the letter of offer and meets the conditions of Sub-section 3.4.1, provided the College reappoints the individual after annual review.

10.1.1.2 Advancement from Assistant Professor to Associate Professor

Advancement to Associate Professor accompanies the granting of tenure. Advancement takes effect at the beginning of the next academic year following a favorable vote for tenure and promotion by the Board of Trustees. A faculty member must complete a minimum of four years at the rank of Assistant Professor at the College to apply for promotion to Associate Professor unless otherwise specified in the letter of offer.

The faculty member submits a Dossier, complying with Sub-section 9.1.1, documenting with evidence, qualification for the rank of Associate Professor. In order to achieve promotion to Associate Professor, the faculty member must meet the standards outlined in Section 7, the definition of rank in Sub-section 3.4.3, and the approval of the Board of Trustees.

10.1.1.3 Advancement from Associate Professor to Professor

A faculty member may apply for promotion to Professor after completing a minimum of five years as an Associate Professor at the College, unless otherwise specified in the letter of offer. The advancement in rank takes effect at the beginning of the next academic year following a favorable vote for promotion by the Board of Trustees. If denied advancement, an Associate Professor may apply for promotion after three academic years.

The faculty member submits a Dossier, complying with Sub-section 9.1.1, documenting with evidence, qualification for the rank of Professor. In order to achieve promotion to Professor, a faculty member must meet the definition of rank in Sub-section 3.4.4, and have exhibited exemplary service at the Associate level in a sustained and productive manner in at least two of the following areas:

1. To the faculty: chairing at least one major governing body (FSC, Assembly, or APC)
2. To the department: chairing important department committees (DPTC, Curriculum, Search, Program Review, and so on)
3. Leadership on major College initiatives (such as Accreditation, General Education, Curriculum Development, progress in advancing the College's commitment to increased diversity of faculty, staff, student body and programming)
4. Leadership in professional organizations, community organizations, governmental bodies or

similar institutions relating to one's academic appointment. Service may occur at the local, regional, national or international levels.

Additionally, in order to achieve promotion to Professor, the Board of Trustees must approve a faculty member's application.

10.1.2 Criteria for Tenure

In order to achieve tenure, the candidate must demonstrate a record of excellence in teaching, a nationally recognized body of work, and a satisfactory record of service (see standards outlined in Section 7). Additionally, the College community assesses the candidate's long-term usefulness to the College.

Unless otherwise specified in the initial letter of appointment, any untenured Assistant, Associate, or Full Professor must complete a minimum of four years at the College before applying for tenure. An untenured Assistant, Associate, or Full Professor must apply for tenure no later than March 1 of the fifth year of service, unless the Vice President for Academic Affairs stops the tenure clock in accordance with Sub-section 4.1.2.

10.2 Preparation for Evaluation

The candidate, Chair, and Dean compose a list of twelve potential external evaluators of scholarship and creative/professional work. The candidate may not grieve the content of this list. The candidate may eliminate two names from the list. The list will not include the candidate's dissertation advisor; research, creative, or professional collaborators; or co-authors. The Department Chair, in consultation with the Dean, selects and confirms four external evaluators from the list. The Department Chair forwards to the external evaluators a copy of the following materials supplied by the candidate: Candidate's Statement, CV, and copies of scholarly, creative and/or professional materials. The Chair also includes the Departmental standards and the due date for return of the evaluation. The Chair places the four external evaluators' letters in the Confidential File. The candidate has no right to know the identity of the external evaluators selected or be privy to the external evaluation letters. Breach of confidentiality regarding the identity of external evaluators or failure of response will not affect the validity of the review process.

The Chair places the external evaluators' letters in the Confidential File. The Dean places the solicited letters from former and current students in the Confidential File. The Vice President for Academic Affairs places letters solicited from Emerson faculty in the Confidential File.

10.3 Procedure for Evaluation

The Office of Academic Affairs distributes an annual calendar specifying the dates and deadlines for the promotion and tenure process. Early in the spring term, the Office of Academic Affairs provides a workshop and calendar for candidates. If any reviewer misses a deadline stipulated in the calendar published by the Office of Academic Affairs, the review process will continue. Failure to complete a review at any level will not affect the validity of the review process.

10.3.1 Confidentiality

Reviewers at all levels are expected to maintain strict confidentiality, but breach of confidentiality will not affect the validity of the review process.

10.3.2 Departmental Review

Prior to the first day of class of each fall semester, each Departmental faculty elects a Development, Promotion and Tenure Committee (DPTC) for service in that academic year. Department members considering a candidate for promotion must hold a rank at least as high as that for which the candidate is being considered. Only tenured faculty may serve on DPTC. Faculty serving on DPTC who hold the rank of Associate or Full Professor may vote on promotion of those seeking the rank of Associate Professor. If there are not at least four members of the Department holding appropriate ranks and/or tenure, the Dean appoints appropriate faculty from other Departments in consultation with the DPTC.

The DPTC elects a Chair. DPTC members evaluate the Dossier, using the standards outlined in Section 7, the definition of rank in Sub-section 3.4.3 or 3.4.4 as applicable, and any specific Departmental standards, and write a report, signed by each member of the Committee, containing the substance of the discussion and the recommendation regarding tenure and/or promotion. In compliance with the timeline published by the Office of Academic Affairs, the DPTC Chair forwards copies of the report and the recommendation to the Dean, Faculty Status Committee (FSC), and the candidate. After the deadline, specified in the calendar, the DPTC Chair forwards a copy of the report and recommendation to the Department Chair for informational purposes.

10.3.3 Department Chair Review

The Chair evaluates the Dossier, using the standards outlined in Section 7, the definition of rank in Sub-section 3.4.3 or 3.4.4 as applicable, and any specific Departmental standards, and writes a recommendation regarding tenure and/or promotion. In compliance with the timeline published by the Office of Academic Affairs, the Chair forwards copies of the evaluation and recommendation to the Dean, FSC, and the candidate. After the deadline specified in the calendar, the Chair forwards a copy of the evaluation and recommendation to the DPTC Chair for informational purposes.

10.3.4 Decanal Review

The Dean evaluates the Dossier, using the standards outlined in Section 7, the definition of rank in Sub-section 3.4.3 or 3.4.4 as applicable, and any specific Departmental standards, and writes a recommendation regarding tenure and/or promotion. In compliance with the timeline published by the Office of Academic Affairs, the Dean forwards copies of the evaluation and recommendation to the Vice President for Academic Affairs with copies to the Chair, DPTC Chair, and the candidate. After the deadline specified in the calendar, the Dean forwards a copy of the evaluation and recommendation to the FSC Chair for informational purposes.

10.3.5 Faculty Status Committee Review

The Faculty Status Committee (elected in accordance with the By-Laws of the Faculty Assembly) evaluates the candidate's Dossier, using the standards outlined in Section 7, the definition of rank in Sub-section 3.4.3 or 3.4.4 as applicable, and any specific Departmental standards, and writes a recommendation, signed by each member of the Committee, regarding tenure and/or promotion. In compliance with the timeline published by the Office of Academic Affairs, the FSC forwards an evaluation and recommendation to the Vice President for Academic Affairs with copies to the Chair, DPTC Chair and the candidate. After the deadline specified in the calendar, the FSC Chair forwards a copy of the evaluation and recommendation to the Dean for informational purposes.

10.3.6 Vice President for Academic Affairs Review

The Vice President for Academic Affairs makes a recommendation regarding tenure and/or promotion, using the standards outlined in Section 7, the definition of rank in Sub-section 3.4.3 or 3.4.4 as applicable, and any specific Departmental standards, and notifies the candidate, with copies to the Dean, FSC Chair, Department Chair and the DPTC Chair. The Vice President for Academic Affairs forwards the recommendation together with the candidate's Dossier to the President of the College. If the recommendation of the Vice President for Academic Affairs differs from all previous levels of recommendation, the Vice President for Academic Affairs invites the Chair of FSC to address the Academic and Student Affairs Committee of the Board of Trustees at the appropriate time.

10.3.7 Candidate's Responsibilities

- The candidate must notify the Dean, in writing by certified U.S. mail, return receipt requested, by March 1 of intent to stand for promotion and/or tenure in the next academic year.
- The candidate is responsible for assembling the Dossier, excluding confidential information (letters from external evaluators, faculty peers and students).
- By the dates specified in the calendar, the candidate is responsible for checking the Dossier and delivering it to the Offices of the Chair, Dean and Vice President for Academic Affairs.

10.3.8 Candidate's Rights

- After any internal review, the candidate has the right to address a written response to the reviewers at the next level by the dates specified in the calendar.
- Any candidate may withdraw from consideration for promotion and/or tenure no later than April 15 of the academic year during which the candidate is applying for promotion and/or tenure by notifying the Dean in writing by certified U.S. mail, return receipt requested. Candidates seeking an early tenure decision or promotion to Professor may withdraw from consideration and reapply at a future date without prejudice.

10.3.9 The Presidential Review and Board of Trustees Decision

The President makes a recommendation to the Academic and Student Affairs Committee of the Board of Trustees with a copy to the Vice President for Academic Affairs. The Vice President for Academic Affairs presents all Tenure and Promotion cases to the Academic and Student Affairs Committee of the Board of Trustees. The Academic and Student Affairs Committee of the Board votes and submits a recommendation to the Board of Trustees in accordance with Board by-laws. The Board of Trustees votes on the motion of the Committee. The decision of the Board of Trustees is final. The Vice President for Academic Affairs notifies the candidate of the decision of the Board of Trustees, in writing by certified U.S. mail, return receipt requested, within five business days.

10.4 Tenure Transfer and Extraordinary Tenure Considerations

On occasion, the College may wish to hire a faculty member or academic administrator who already holds tenure at another institution of higher education and who would not accept appointment at the College without tenure transfer. In such cases, after consultation with the

Vice President for Academic Affairs, Dean, Chair and the tenured faculty of the relevant Department, the President forwards the recommendation for tenure to the Board of Trustees. The Board of Trustees renders a decision which is final. The College will only appoint candidates with tenure transfer at the same rank conferred by the candidate's previous institution.

In extraordinary circumstances, the College may wish to hire eminent individuals from outside the College who do not hold tenure at another institution but who would not accept appointment to the College faculty without immediate tenure. In such cases, after consultation with the Vice President for Academic Affairs, Dean, Chair and the tenured faculty of the relevant Department, the President forwards the recommendation for tenure to the Board of Trustees. The Board of Trustees renders a decision which is final.

11 Faculty Rights and Responsibilities

11.1 Statement of Principle

The College community affirms its commitment to collegiality and academic freedom. Faculty members are free to practice their profession and fulfill their responsibilities to the College without interference or harassment because of their personal opinions or beliefs.

11.2 Academic Freedom³

A faculty member is entitled to full freedom in scholarship, research and/or creative professional work. Scholarship, research and/or creative professional work for pecuniary return should be based upon an understanding with the authorities of the institution.

The faculty member is entitled to freedom in the classroom when discussing his or her subject, but should be careful not to introduce controversial matter that has no relationship to the course.

The faculty member is a citizen, a member of a learned profession, and a representative of an educational institution. When the faculty member speaks or writes as a citizen, the faculty member should be free from institutional censorship or discipline, but the faculty member's special position in the community imposes special obligations. As a person of learning and an educational representative, the faculty member should remember that the public may judge the profession and the institution by the faculty member's utterance. Hence, the faculty member should at all times be accurate, exercise appropriate restraint, respect the opinions of others, and make every effort to indicate that s/he is not acting as an institutional spokesperson.

11.3 Intellectual Property Policy

The purpose of this policy is to encourage research, publication, and artistic, creative, and pedagogical work of the highest possible caliber and to protect the intellectual property of the College and its faculty.

11.3.1 Copyright Law Generally

³ American Association of University Professors (2001) *Policy documents and reports*. Washington, D.C.: AAUP. 9th edition.

11.3.2 Copyright Ownership Policy - Faculty

The Emerson College Board of Trustees established an intellectual property ownership policy. The portion of that policy that applies to the faculty follows.

“Faculty,” as used in this section, means tenured, tenure-track, term, and part-time faculty. “Faculty” includes staff, librarians, and administrators when they create work while teaching a course for credit. “Faculty” also includes academic administrators when they are creating scholarly, creative, or artistic work unrelated to their College duties. The faculty members retain ownership of copyright in their works, with the following limitations:

11.3.2.1 Faculty Rights in Work Created with Significant College Equipment or Staff

If faculty create the work using College cameras, film editing software or hardware, audio editing software or hardware, focus group rooms, specialized staff assistance, multimedia development staff assistance, equipment in computer production labs and suites, television studios, WERS facilities, or theaters and sound stages, then the faculty member owns the copyright in the work, and College retains a non-exclusive royalty-free license to use the work for the College’s educational, promotional, and public relations purposes. This limitation does not apply to materials developed and used for classroom or other course work; that is, the College does not claim a non-exclusive royalty-free license to use faculty created syllabi, lecture notes, PowerPoint presentations, and the like created for teaching responsibilities.

11.3.2.2 Faculty Rights in Work Created with Significant College Financial Support

In general, if faculty create the work as part of an explicit assigned task, such as the development of a new course, and receive specialized financial support, such as a special assignment contract, then the faculty member owns the copyright in the work, and College retains a non-exclusive royalty-free license to use the work for the College’s educational, promotional, and public-relations purposes. However, on occasion the College may provide faculty significant financial support on the condition that the College own the copyright in the work. The College must assert, in writing at the time the funds are first released, its ownership of the copyright in the work, and the College must grant the faculty member a non-exclusive royalty-free license to use the work for educational purposes.

11.3.2.3 Faculty Rights in Work Created with External Grant or Contract Support

When work is created with the support of an outside entity, such as a grant or contract from a government entity (local, state, federal, or foreign), a grant or contract from a foundation or other non-profit, or a grant or contract from private industry, the terms of that grant or contract will determine ownership of the intellectual property in that work. The College will make commitments regarding ownership of a faculty member's Work only with the faculty member's consent at the time of the grant application. Grants or contracts may be negotiated and signed on behalf of the College only by the President or Vice Presidents. The College expects that those signing grants and contracts on behalf of the College will obtain legal advice from the Office of General Counsel prior to execution of grants and contracts. The College also expects that those negotiating on the College's behalf will consult with faculty members regarding issues of ownership of works generated using the grant, as these issues arise.

11.3.2.4 Faculty Responsibilities

Each faculty member who participates in the creation of a work is responsible for his or her contribution to such work including, without being limited to, ensuring that his or her contribution to such work does not violate or infringe on any copyright, any right of privacy, or any other right of any person, and that such work is not libelous, obscene, or otherwise contrary to law. Each faculty member is responsible for obtaining any necessary permissions for the use of any copyrighted materials the faculty member contributes to such work.

Any advice or assistance given by any other representative of Emerson College to any faculty member in relation to the foregoing responsibilities, or otherwise in relation to the preparation or production of a work, shall not be construed (a) as the assumption of such responsibility or of any liability by such person or by Emerson College; (b) to deem the College or such person a joint venturer with such faculty member; or (c) to grant such faculty member the power, right, or authority to create any obligation or responsibility on behalf of, or otherwise, to bind the College or such person.

Each faculty member who creates or participates in the creation of a work agrees to indemnify and hold harmless Emerson College against any loss, damage, liability, or expense that the College incurs as a result of the preparation or production of such work, including, without being limited to, any material in such work that infringes or violates any copyright, right of privacy, or any other right of any person, or is libelous, obscene, or contrary to law.

11.3.2.5 The Vice President for Academic Affairs

The Vice President for Academic Affairs has the authority to negotiate exceptions to this section 11.3.2 for particular members of the faculty. Such exceptions are valid only if in writing and if signed by the Vice President for Academic Affairs and the faculty member.

11.4 Professional Relationships

An atmosphere of mutual trust and respect fosters productive working relationships and promotes Emerson College's educational mission. Abuse of power or appearance of abuse by those in positions of authority diminishes trust and respect in the College community. It is especially incumbent on the tenured faculty to model appropriate professional behavior.

11.5 Faculty Plagiarism

Plagiarism is the appropriation of the ideas, methods or written words of another individual, without acknowledgment. Plagiarizing the work of another is the antithesis of the honest labor that characterizes true scholarship and without which mutual trust and respect among scholars is impossible. Accordingly, every faculty member must scrupulously acknowledge all intellectual debts owed, be they in the form of ideas, methods or expressions, by means of an appropriate acknowledgment. Any member of the College community who has evidence of faculty plagiarism must report it to the Dean, who will bring the matter to the attention of the affected parties and the Vice President for Academic Affairs. Faculty members must make clear the respective contributions of colleagues on collaborative projects, and they must exercise the greatest care not to appropriate a student's ideas, research, or presentations; to do so is to abuse power and trust. Plagiarism by faculty members is misconduct for which the College may sanction the faculty member.

11.6 Availability

In order to engage fully with students and avoid placing undue burden on colleagues, faculty responsibilities continue throughout the workweek during the academic year.

The College community expects that faculty members meet all scheduled classes during the term. Faculty members notify the Chair and the Registrar in writing of any absence, in advance when possible. The Chair records absences. Faculty members are responsible for scheduling make-up sessions for missed classes. The faculty member informs the Chair of such arrangements. Faculty members who know in advance that they will be absent for more than two sessions (or in the case of a course that meets once a week, more than once) must receive prior approval in writing from the Chair. In the case of unreported and/or excessive absences, the Chair notifies the Dean.

Faculty members submit a schedule of office hours to the Chair by the end of the first week of each semester. Faculty members post a minimum of three hours in each week of the semester on at least two separate days, with additional accommodations as appropriate.

11.7 Submission of Grades

Faculty members are responsible for submitting final grades in accordance with the time-line established by the Registrar's Office.

12 Professional Development Policies

12.1 Sabbatical Leave

The College may grant tenured faculty members leave with compensation to undertake projects that provide for significant professional growth and increased capacity to contribute to the College mission.

12.1.1 Eligibility

To be eligible to begin a sabbatical, a faculty member must have full-time, tenured status at the rank of Assistant Professor or higher and have completed:

- 7 years of full-time service to the College, if the faculty member joined Emerson as a tenure track Assistant Professor and did not have a Pre-tenure Leave;
- 6 years of full-time service since any prior Pre-tenure Leave or Sabbatical at Emerson College;
- 6 years of full-time service at Emerson College if the faculty member is tenured.

12.1.2 Application

An application for Sabbatical Leave includes a definite plan for a project using the following format:

1. State title.
2. Describe the specific short- and long-term goals.
3. Detail how the proposed project will result in professional, artistic, creative or scholarly growth that:

- a. Advances professional recognition, retraining, or professional development to the benefit of the faculty member and the College; and/or
 - b. Adds to the organized body of human knowledge and creative experience.
4. Provide specific details of the plan, including a description of artistic or performance activity, articles or books to be initiated or completed, research methods, etc. Describe the plan's feasibility and the faculty member's preparation for this work, including previous related work. Include a thorough statement of the expected outcome of the plan and the means to evaluate the results.
5. If the plan requires the participation of other individuals or institutions, provide evidence that such arrangements have or will be made prior to beginning the Sabbatical Leave.
6. Identify the specific term or terms for which the leave is requested.
7. Include a copy of the previous Sabbatical Leave report and any written responses to that work, if a previous leave occurred while a faculty member was at Emerson College. If no report is available, attach a statement describing past work that demonstrates ability to achieve the proposed sabbatical goals.
8. Include a statement of agreement to return to service at Emerson College as specified in 12.1.3.
9. Include a current CV.

12.1.2.1 Supplemental Compensation

A faculty member on Sabbatical Leave may supplement his or her compensation through fellowships, employment, or grants-in-aid to cover expenses such as travel, secretarial assistance, tuition, research, and publication.

All additional compensation must be fully explained in the application and approved before the leave is granted. The faculty member must report any subsequent supplemental compensation in writing for approval by the Vice President for Academic Affairs.

The faculty member on Sabbatical Leave may not at the same time receive supplemental funds from Emerson for additional teaching and service.

12.1.3 Agreement to Return to Service

A faculty member who takes a Sabbatical Leave must agree in writing to return to service at the College for at least one full academic year beginning with the start of the next academic year immediately following the Sabbatical Leave. The faculty member agrees to teach a 3-course load during the year of sabbatical, if the sabbatical is one semester in length. In the event of a year-long sabbatical, the faculty member teaches a 3-course load the first semester upon return. The faculty member must return any salary and benefits paid by the College if s/he fails to return for at least one academic year following the Sabbatical Leave, unless approved by the Board of Trustees; or unless the faculty member is receiving disability payments and the disability is the reason for failure to return to service at the College.

12.1.4 Procedure

12.1.4.1 Notification of Intent to Apply

By May 1, the faculty member notifies the Department Chair and the Dean in writing of intent to apply in the coming fall semester for a Sabbatical Leave.

12.1.4.2 Departmental Review

No later than September 15, the faculty member submits the Sabbatical application to the DPTC. The DPTC reviews the application, considering the success of any previous sabbaticals. No later than October 15, the DPTC forwards its written recommendation (and the application) to the Department Chair, with a copy to the faculty member. No later than November 1, the Chair forwards his or her written recommendation (and the application and the DPTC recommendation) to the Dean, with a copy to the faculty member.

12.1.4.3 Decanal and Vice Presidential Reviews

No later than November 15, the Dean forwards a written recommendation (and the application and all previous recommendations) to the Vice President for Academic Affairs, with a copy to the faculty member and the Chair. If the Vice President for Academic Affairs recommendation is positive, the Vice President for Academic Affairs forwards the recommendation to the Academic and Student Affairs Committee of the Board of Trustees with copies to the faculty member, the Department Chair and the Dean. If the Vice President for Academic Affairs does not support the application, the sabbatical is denied, with notification to all reviewing bodies. The faculty member may reapply the next year or any year thereafter.

12.1.4.4 Board of Trustee Approval

Prior to December 30, the Board of Trustees or a designated committee of the Board votes on the faculty member's application for Sabbatical Leave. The Vice President for Academic Affairs informs the faculty member, the faculty member's Chair, and the faculty member's Dean of the Board's decision in writing within five business days of the Board's vote.

12.1.4.5 Right to Withdraw Sabbatical Application

The faculty member may withdraw the application at any time prior to the December meeting of the Academic and Student Affairs Committee of the Board of Trustees.

12.1.5 Length of Time and Pay

A faculty member may take a Sabbatical Leave for one semester at full salary or for the full academic year at half salary. All regular benefits continue. When returning to full-time faculty service, a faculty member who takes a Sabbatical Leave will receive any across-the-board increases and other base salary adjustments and increments granted to faculty members of that rank during the time on the Sabbatical Leave.

12.1.6 Continuous Service

Time granted for Sabbatical Leave counts toward continuous service.

12.1.7 Sabbatical Responsibilities

If circumstances require a substantial change in the sabbatical project, the faculty member must obtain approval in writing from the Vice President for Academic Affairs. Failure to do so may result in the College requiring the individual to refund part or all of the salary and benefits received during the sabbatical.

The faculty member receiving a Sabbatical Leave assumes the following responsibilities:

- To make a reasonable effort to fulfill the expectations of the Sabbatical Leave as set forth in the application;
- To return to the College for a minimum of one academic year immediately following the completion of the Sabbatical Leave; and,
- To file a written report regarding the Sabbatical Leave with the Department Chair, Dean and Vice President for Academic Affairs within 30 days after the first day of classes following the completion of the Sabbatical Leave.

12.1.8 Subsequent Leaves

A faculty member may not start the next Sabbatical Leave until completing at least six academic years teaching at Emerson since the previous Sabbatical Leave. For example, a faculty member on Sabbatical for the academic year 2006-07 is eligible for a subsequent sabbatical beginning in academic year 2013-14.

Under certain circumstances, the Dean may request that a faculty member delay the Sabbatical Leave for one academic year (two terms). In such a case, the faculty member is eligible to begin a subsequent Sabbatical Leave after completing five academic years. For example, if the Sabbatical Leave was granted for the academic year 2006-07 but the Sabbatical was delayed for one year, the next eligible date would be academic year 2013-14.

12.2 Pre-Tenure Leave

The College grants leave with compensation to eligible tenure-seeking faculty members, in their fourth year or first semester fifth year, to encourage research, creative work or other activities preparatory to application for tenure. A faculty member is eligible for only one Pre-tenure Leave.

12.2.1 Eligibility

At the beginning of Pre-tenure Leave, the faculty member must have full-time faculty status and have completed at least three years of full-time service to the College at the rank of Assistant Professor or higher.

12.2.2 Application

Application for Pre-tenure Leave includes a definite plan for a project using the following format:

1. State title.
2. Describe the specific short- and long-term goals.
3. Detail how the proposed project will result in professional, artistic, creative or scholarly growth that:

- a. Advances professional recognition, retraining, or professional development to the benefit of the faculty member and the College; and/or
 - b. Adds to the organized body of human knowledge and creative experience.
4. Provide the specific details of the plan, including a description of artistic or performance activity, articles or books to be initiated or completed, research methods, etc. Describe the plan's feasibility and the faculty member's preparation for this work, including previous related work. Include a thorough statement of the expected outcome of the plan and the means to evaluate the results.
5. If the plan requires the participation of other individuals or institutions, provide evidence that such arrangements have or will be made prior to beginning the Pre-tenure Leave.
6. Identify the specific term or terms for which the leave is requested.
7. Include a statement to agree to return to service at the College as outlined in 12.1.3.
8. Include a current CV.

12.2.2.1 Supplemental Compensation

A faculty member on Pre-tenure Leave may supplement his or her compensation through fellowships, employment, or grants-in-aid to cover expenses such as travel, secretarial assistance, tuition, research, and publication.

All additional compensation must be fully explained in the application and approved before the leave is granted. The faculty member must report any subsequent supplemental compensation in writing for approval by the Vice President for Academic Affairs.

The faculty member on Pre-tenure Leave may not at the same time receive supplemental funds from Emerson for additional teaching and service.

12.2.3 Agreement to Return to Service

A faculty member who takes a Pre-tenure Leave must agree in writing to return to service at the College for at least one full academic year beginning with the start of the next academic year immediately following the Pre-tenure Leave. The faculty member agrees to teach a 3-course load during the year in which the leave occurs. The faculty member must return any salary and benefits paid by the College if s/he fails to return for at least one academic year following the Pre-tenure Leave, unless approved by the Board of Trustees; or unless the faculty member is receiving disability payments and the disability is the reason for failure to return to service at the College.

12.2.4 Procedure

12.2.4.1 Notification of Intent to Apply

By May 1st, the faculty member notifies the Department Chair and the Dean in writing of intent to apply in the coming fall semester for a Pre-tenure Leave.

12.2.4.2 Chair Review

No later than November 15, the faculty member submits a Pre-tenure Leave application to the Department Chair. No later than December 15, the Chair forwards a written recommendation

(and the application) to the Dean, with a copy to the faculty member. The Chair comments on how the request supports the candidate's professional development plan.

12.2.4.3 Decanal Review

No later than February 1, the Dean forwards a written recommendation (and the application and the Chair's recommendation) to the Vice President for Academic Affairs, with a copy to the faculty member and the Chair. The Dean forwards the Pre-tenure Leave application and recommendations to the Vice President for Academic Affairs.

12.2.4.4 Vice President for Academic Affairs Review

Prior to the March meeting of the Board of Trustees, the Vice President for Academic Affairs forwards a written recommendation to the President, with copies of the recommendation to the faculty member, the Chair and the Dean. The Vice President for Academic Affairs also submits a copy of the Pre-tenure Leave application (which includes the recommendations of the Chair and the Dean) to the Academic and Student Affairs Committee of the Board of Trustees.

12.2.4.5 Board of Trustees Approval

The Board of Trustees or a designated committee of the Board votes on each faculty member's application. A favorable Board vote becomes effective with the conclusion of a positive third-year review resulting in a probationary contract. The Vice President for Academic Affairs informs the faculty member, the faculty member's Chair, and the faculty member's Dean of the Board's decision in writing within five business days of the Board vote.

12.2.5 Length of Time and Pay

A faculty member takes a Pre-tenure Leave for one semester at full salary. All regular benefits continue. When returning to full-time faculty service, a faculty member who takes a Pre-tenure Leave receives any across-the-board increases and other base salary adjustments and increments granted to faculty members of that rank during the time on the Pre-tenure Leave.

12.2.6 Continuous Service

Time granted for Pre-tenure Leave counts toward continuous service for tenure.

12.2.7 Pre-Tenure Leave Responsibilities

If circumstances require a substantial change in the Pre-tenure Leave project, the faculty member must obtain written approval from the Vice President for Academic Affairs. Failure to do so may result in the College requiring the individual to refund part or all of the salary received during the Pre-tenure Leave.

The faculty member receiving a Pre-tenure Leave assumes the following responsibilities:

- To make a reasonable effort to fulfill the expectations of the Pre-tenure Leave as set forth in the application;
- To return to the College for a minimum of one academic year immediately following the completion of the Pre-tenure Leave; and,

- To file a written report regarding the Pre-tenure Leave with the Department Chair, Dean and Vice President for Academic Affairs within 30 days after the first day of classes following the completion of the Pre-tenure Leave.

12.2.8 Pre-Tenure Leave Right to Withdraw Application

The faculty member may withdraw the application at any time prior to the March meeting of the Academic and Student Affairs Committee of the Board of Trustees.

12.3 Professional Leave

Any faculty member with two or more years of full-time service to the College may request, in writing, to the Department Chair with a copy to the Dean, a full-time or part-time leave of absence without pay (“Professional Leave”). The Vice President for Academic Affairs may approve a leave that has the support of the Chair and Dean and demonstrates benefits to the faculty member and the College. Examples include research, creative or professional work, a fellowship, or formal study. The Vice President for Academic Affairs approves a Professional Leave in writing, ordinarily, for not more than one academic year. The faculty member may request that the time granted for the Professional Leave be considered continuous service. The Vice President for Academic Affairs, in consultation with the Dean, decides and communicates the decision to the faculty member in writing.

12.3.1 Compensation and Benefits

Professional Leave is without pay. The faculty member may continue medical, dental, disability, accident and life insurance, and tuition benefits during the Professional Leave, provided the faculty member pays both the College’s and faculty member’s share of premiums for such benefits, and provided that s/he is not eligible for benefits elsewhere during the Professional Leave.

12.3.2 Return to Service

Upon return from a Professional Leave, the faculty member receives the salary appropriate to the rank held at the beginning of the Professional Leave, plus any across-the-board increases and other base salary adjustments and increments granted to that faculty rank during the time of the Professional Leave.

12.4 Administrative Leave

A tenured faculty member who accepts an administrative appointment in the College retains the right to return to the faculty. Upon return to the faculty, the faculty member receives salary appropriate to the rank held at the time of the administrative leave plus any across-the-board increases and other base adjustments and increments to the faculty rank during the time served. When a faculty member is promoted during the Administrative Leave, the salary will be adjusted accordingly.

The letter of appointment to a non-tenured faculty member who accepts an administrative position in the College outlines the conditions of return to the faculty.

12.5 Special Leave

A faculty member may request a Special Leave for up to one year on a paid or unpaid basis. Only the President may grant a Special Leave.

13 Faculty Workload Policies

The normal teaching load at the college is 20 credits per academic year. The normal total workload at the College is the normal teaching load plus the equivalent of four additional credits per academic year. A faculty member satisfies the difference between teaching load and the total workload by performing equivalent work of four additional credits as defined below.

13.1 Faculty Workload Principles

The faculty member's primary responsibility is to teach. The faculty member also engages in research, creative and/or professional activities beyond the classroom. Faculty members actively participate in academic departments, committees, and meetings. Faculty members also fulfill non-teaching responsibilities to students as well as in the intellectual and artistic life of the College. Each of these principles inform faculty workload.

13.1.1 Teaching Assignments

1. The Chair makes a reasonable effort to assign courses on a fair and equitable basis in consultation with faculty. The Chair assigns classes so that the beginning of the first class and the ending of the last class on any day for any faculty member are not be more than eight hours apart, unless the Chair and the faculty member agree.
2. All full-time faculty members teach a minimum of three scheduled classroom courses per year except in extraordinary circumstances pre-approved by the Vice President for Academic Affairs.
3. A three-credit graduate course counts as a four-credit course.
4. When the Vice President for Academic Affairs cancels a course due to lack of enrollment, the Chair, in consultation with the faculty member, assigns the faculty member an alternative course in that semester or a subsequent semester.

13.2 Tenure-seeking Faculty Workload

The Department Chair in consultation with each tenure-seeking faculty member establishes an annual workload, normally as follows:

Year of Appointment	# of Four-Credit Courses	# of Scholarly/Creative/Professional Equivalencies	Service
1	5	1	Satisfactory
2	5	1	Satisfactory
3	5	1	Satisfactory
4	3	3	Satisfactory
5	5	1	Satisfactory
6	5	1	Satisfactory

- i) Consistent with 7.1.1, teaching includes serving as an academic advisor. Pre-tenure faculty members do not serve as advisors in their first year.
- ii) Beginning in year two, faculty may supervise up to three directed studies/projects or theses per year. Supervision of an eight-credit MFA thesis counts as two directed studies/projects or theses.
- iii) Tenure-seeking faculty may not take overload assignments.
- iv) A three-course teaching load in year four as an Assistant Professor is contingent upon the award of a Pre-tenure Leave. Should a faculty member not be granted a Pre-tenure Leave, the Department Chair in consultation with the Dean determines an appropriate teaching load.
- v) A faculty member issued a terminal contract will normally teach six courses.
- vi) Satisfactory service for tenure-seeking faculty members includes meeting the service obligations defined in Sub-section 7.3.1. After the first year of service at the College, tenure-seeking faculty members are expected to participate in at least one and no more than two committee assignments per year.

13.3 Tenured Faculty Workload Options

Each Department, in consultation with the Dean and with the approval of the Vice President for Academic Affairs, establishes criteria for scholarly/creative/professional activities that are equivalent to a 4-credit classroom course. Tenured faculty acknowledge their responsibility to provide service activities as defined in Sub-section 7.3. Important as it is, however, service must not impede teaching and scholarship/creativity. Under extraordinary circumstances, if a tenured faculty member is called upon to contribute significantly beyond teaching and research/creative activities, the faculty member may request a workload equivalency. If a work equivalency is granted it will not be considered service. Individual Departments should provide clear guidelines on service that assist tenured faculty to balance the demands of teaching, creativity and service.

The Department Chair in consultation with a tenured faculty member establishes an annual workload (taking into consideration the Annual Self Report) from among the following options:

Options	# of 4 credit courses	# of work equivalencies		# of scholarly/creative/professional equivalencies	Service
1	5	1	or	1	Standard
2	4	1	and	1	Standard
3	4	2	or	2	Standard
4	3	2	and	1	Standard
5	6	0		0	Standard

Option 1- five courses with one work equivalency or one scholarly/creative/professional equivalency.

Option 2- four courses with one work equivalency and one scholarly/creative/professional equivalency.

Option 3- four courses with two work equivalencies or four courses with two scholarly/creative/professional equivalencies granted under extraordinary circumstances.

Option 4- three courses with two work equivalencies and one scholarly/creative/professional equivalency granted under extraordinary circumstances.

Option 5- six courses with no other equivalencies; only faculty members following option 5 may request a course overload.

Work equivalencies include assignments (such as Graduate Program Directors, First-Year Writing Coordinator or other college wide or Departmental special assignments) that are equivalent to one or two 4-credit classroom course(s), as determined by the Vice President for Academic Affairs.

A tenured faculty member is eligible to supervise and receive special assignment compensation for a co-curricular activity.

A tenured faculty member may supervise up to four directed studies/projects or theses per semester. Under extraordinary circumstances, and with concurrence of the Chair, Dean, and the Vice President of Academic Affairs, a faculty member may supervise up to two additional directed studies/projects for compensation at the prevailing rate.

13.4 Term Faculty Track

A Term faculty member's primary responsibility is to teach. Under extraordinary circumstances, the Chair may recommend a special assignment (which may include one or more course equivalencies), to the Dean who may approve such special assignment(s). Term faculty members are required to attend Faculty Institute, Commencement, Department meetings and Faculty Assembly. In addition, Term faculty members are expected to participate in events such as Open Houses, Family Weekends and Student Orientations, and attend faculty lectures etc. as requested by the Chair or Dean of Liberal Arts.

14 Dispute Resolution

The purpose of this Faculty Handbook is to establish a frame for shared governance at Emerson College, provide definitions, outline processes and procedures, and reflect values that affect the life of an engaged faculty member. In that spirit, while recognizing that Handbook-related disputes will inevitably arise, the College community endorses the use of non-litigious resolution methods whenever possible.

When a Handbook-related dispute arises, the concerned parties should attempt to resolve matters directly with each other. If that is not possible, the parties should seek resolution at their Department or School levels, as appropriate.

Should the above procedures fail, one or more of the disputing parties may write to the Vice President for Academic Affairs describing the concerns. The Vice President for Academic Affairs may request a meeting with one or more of the disputing parties to discuss possible solutions. The Vice President for Academic Affairs establishes a process for facilitated resolution which may include external mediation or makes a decision. The decision of the Vice President for Academic Affairs with respect to issues other than those listed in Section 15 is final.

15 Grievance

For purposes of the Handbook, a grievance is defined as an allegation that there has been a process violation of one of the following sections of this Handbook by the College. Only the sections listed below are grievable:

- 9.1.2
- 9.1.3
- 9.3.1 The last sentence of this Sub-section is not subject to grievance or arbitration.
- 9.3.3
- 10.2
- 10.3 (excluding 10.3.1, 10.3.7 and 10.3.8)
- 16.1

Any full-time tenured/tenure track faculty member may file a grievance with the exception of grievances alleging a violation of Sub-section 16.1 which will be filed by the Faculty Assembly. The written grievance must contain the following or it will not be processed:

- I.* The facts upon which the grievance is based;

2. The express provision of this Handbook allegedly violated and explanation of how the facts state a violation of such provision; and
3. The remedy sought.

Grievances are procedural only and not substantive in nature. This means that only the failure to meet as required, to conduct required reviews, to forward required materials, to give the required notice, or to complete the required writings or reports are grievable. The content or substance of such meetings, reviews, materials, writings, or reports are not grievable. A faculty member may grieve the severity of the sanction imposed under Sub-section 9.3.3. The only remedy for a procedural/process violation is that the faculty member is entitled to have the procedure/process repeated in a timely fashion without the error. A faculty member may not file a grievance against the College for an action engaged in by either a part-time or full-time faculty member, including actions engaged in as a member of a DPTC, FSC, Faculty Assembly, or other faculty committee.

15.1 Procedure

15.1.1 Step 1

The faculty member or the Chair of Faculty Assembly, in the case of an alleged violation of Sub-section 16.1, must submit a grievance in writing either by mailing the written grievance by certified mail, return receipt requested, to the Vice President for Academic Affairs or by personally delivering the written grievance to the Vice President for Academic Affairs or the Associate Vice President for Academic Affairs (and no one else) and contemporaneously receiving a written acknowledgement of delivery from the Vice President for Academic Affairs or the Associate Vice President for Academic Affairs (and no one else) on or before the 30th calendar day after the action to be grieved first occurred. In the case of a grievance involving tenure and promotion, the grievance shall be timely if it is delivered or mailed on or before the 30th day of receipt of notice of the Board action under Sub-section 11.3.8 of this Handbook. Upon request by the College the faculty member or the Chair of Faculty Assembly must provide to Vice President for Academic Affairs a copy of the completed USPS Receipt for Certified Mail to prove that the written grievance was mailed on or before the 30th calendar day. Failure to submit a written grievance in a timely manner or to provide a copy of the completed USPS Receipt for Certified Mail will render the grievance untimely. The grievance will be deemed denied and the grievance will not be processed.

On or before the seventh business day after the receipt of the faculty member's or Faculty Assembly's written grievance by the Vice President for Academic Affairs, the Vice President for Academic Affairs or a designee will meet with the faculty member, or in the case of an alleged violation of Sub-section 16.1, with representatives of the Faculty Assembly concerning the written grievance. On or before the fifth business day after that meeting, the VPAA or a designee will mail a written answer to the grievance by certified mail, return receipt requested, to the faculty member or to the Chair of Faculty Assembly. The written answer will be the final resolution of the grievance unless the faculty member or the Chair of Faculty Assembly, in the case of alleged violations of Sub-section 16.1, seeks arbitration on or before the 20th business day after the answer is mailed by the College.

15.1.2 Step 2

If the grievance is appealed from Step 1 to the American Arbitration Association on or before the 20th day after the answer is mailed, the faculty member or the Chair of Faculty Assembly, in the

case of an alleged violation of Sub-section 16.1, must mail by certified mail, return receipt requested, a copy of the Demand For Arbitration to the Vice President for Academic Affairs. Upon request by the College, the faculty member or the Chair of Faculty Assembly must provide a copy of the requested completed USPS Receipt for Certified Mail. The parties may agree not to use the services of the American Arbitration Association and select a mutually acceptable arbitrator to resolve the grievance within the appeal period but this process will not extend the appeal period.

15.2 Arbitration

Multiple or related grievances will not be resolved in the same arbitration proceeding unless mutually agreed to by the College and the faculty members in writing.

Each party will pay any compensation and expenses (including time off from work) relating to its own witnesses and/or representatives.

The fee of the arbitrator and other administrative expenses of the arbitration, including room rental, if applicable, shall be shared equally by the parties unless the arbitrator awards fees (which may in the discretion of the arbitrator include legal fees) and costs to a prevailing faculty member.

Either party may request that a stenographic record of the hearing be made and that party may provide a copy of the record to the arbitrator. The party requesting such a record will pay the cost; however, if the other party also requests a copy, the stenographic costs will be shared equally. If the College and the faculty member or the Chair of Faculty Assembly, in the case of an alleged violation of Sub-section 16.1, mutually request that a stenographic record of the hearing be made, the costs shall be shared equally and they will mutually decide which stenographic firm to hire.

In arriving at any decision under the provisions of the Section, the arbitrator shall not have the authority to alter this Handbook in whole or in part or to add to or delete any of its provisions or to render any award in conflict with its provisions. The award shall be based solely upon the evidence and arguments presented to the arbitrator in the presence of both parties and may also be based upon arguments presented in written briefs exchanged between the parties so long as such arguments are based upon the evidence presented at the arbitration hearing. The arbitrator may decide only whether the College violated this Handbook as alleged in the grievance and the appropriate remedy under this Handbook, if any. The arbitrator shall have no power to award continuous appointment or tenure.

The arbitrator's decision shall be final and binding on the faculty member or on the Faculty Assembly and the College and the individuals affected thereby.

15.2.1 General Provisions

Time limits designated in this Section for processing grievances and for bringing a matter to arbitration may only be extended by mutual written consent between the parties and cannot be extended by an arbitrator. Failure to comply with any time limitation will render the grievance untimely, the grievance will be deemed denied and the grievance will not be processed unless specific language in the Section provides otherwise.

Arbitration shall be the exclusive avenue for faculty members to bring grievances relating to a faculty member's employment with the College, provided however that nothing in this

Handbook shall prevent (i) the ECCAAUP from bringing grievances that it is authorized to bring under the collective bargaining agreement between the ECCAAUP and the College dated September 15, 2006 and (ii) a faculty member from bringing a claim of illegal discrimination before an administrative agency, or court, of competent jurisdiction.

16 Amending the Faculty Handbook

16.1 The Normal Amendment Process

The Faculty Handbook is a living document that requires review and modification. The Faculty Handbook Committee (FHC) is responsible for this process. The FHC includes two faculty members selected by the Faculty Assembly, three academic administrators selected by the President of the College, and the Chair of Faculty Assembly, who serves as the Chair of the FHC. Other than the Chair of the Faculty Assembly, FHC members serve three-year terms (staggered). For the first three years after the College ratifies the Handbook, at least one of the faculty members and one of the academic administrators are individuals who were members of the Committee that drafted the Handbook.

The Faculty Handbook Committee has the responsibility to review the Handbook. Any member of the Faculty Assembly, the Vice President for Academic Affairs or the President of the College may propose changes or amendments to the Handbook, in writing to the FHC. FHC reports recommendations for change or amendments, along with a timeline for implementing those changes, with the committee's analysis, signed by each member of the Committee, to the Faculty Assembly for further discussion and vote, except in cases where the FHC unanimously rejects a proposed change. During the academic year, the FHC acts on submitted changes within 60 days of receipt of the recommendation for change.

Faculty Assembly votes on proposed changes at the next Faculty Assembly meeting after the introduction of the item. If at least a majority of eligible voting members support the change, the change stands as recommended by Faculty Assembly. Voting members of Faculty Assembly who are unable to attend the meeting at which the vote is to be taken may submit an absentee ballot to the Chair of Faculty Assembly prior to the meeting.

The Chair of the Faculty Assembly forwards the Faculty Assembly vote to the Vice President for Academic Affairs, who forwards the proposal with recommendation to the President. The President forwards the proposal with recommendation, together with all previous recommendations, to the Chair of Academic and Student Affairs Committee of the Board for presentation to the full Board of Trustees. The Board accepts or rejects the proposed change.

If the Faculty Assembly has not acted on a given proposal forwarded from the FHC within 2 regularly scheduled Faculty Assembly meetings, the President will meet with the Chair of the Faculty Assembly to discuss the reasons for not advancing the recommendation. If the meeting between the President and the Chair of the Faculty Assembly fails to produce a timetable for action on the proposed change, then the Board may consider the change.

16.2 Amendments in Extraordinary Circumstances

The Board of Trustees of Emerson College is empowered to amend unilaterally the provisions of the Handbook if required by law, necessitated by fiscal exigency, or caused by emergency, without complying with the provisions of Sub-section 16.1.

16.3 Grievance and Arbitration

By majority secret ballot, the Faculty Assembly can authorize the Chair of Faculty Assembly to grieve and, if necessary, arbitrate a claim that under Sub-section 16.1 the Board of Trustees has accepted an amendment to the Handbook without satisfaction of the procedural requirements of Sub-section 16.1. The claim will be with respect to procedure only. Actions of the Board of Trustees that invoke the authority of Sub-section 16.2 will not be subject to grievance or other legal challenge.