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Faculty Senate Minutes

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## Faculty Senate Meeting Minutes – January 2017

Faculty Senators

*University of South Alabama*

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**UNIVERSITY OF SOUTH ALABAMA**  
**Faculty Senate**

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**January 18, 2017 – Faculty Club - 3:00 pm**  
**A G E N D A**

**Present:** Jason Brooks, Coral Gubler, Ron Morgan, Tracy O'Connor, Cherie Pohlmann, Brad Swiger, Phil Carr, Rene Culler, Sam Fisher, Chris Freed, Nick Gossett, Ellen Harrington, Mara Kozelsky, Patricia Mark, Juan Mata, Andrei Pavelescu, Matthew Reichert, Phillip Smith, Justin St. Clair, Sam Stutsman, Rebecca Williams, David Bourrie, Matt Campbell, JT McDonald, Chimene Gecewicz, Leslie Whitson, Elizabeth Allison, Laureen Fregeau, Linda Reeves, Neil Schwarz, Jim Van Haneghan, John Cleary, Kevin West, Saami Yazdani, Clista Clanton, Ellen Wilson, Mikhail Alexeyev, Michael Chinkers, Gene Cioffi, Mark Gillespie, William Richards, Mark Taylor, Bill Gillis, Terry Grant, Gwen Pennywell, Kelly Woodford, Terrie Platt, Bettina Riley, Elizabeth Vandewaa, Joyce Varna, Jennifer Scalici, Kumar Palle, Gary Piazza,

**Excused:** Laura Moore, Sinead Ni Chadhain, Sam Stutsman, Grant Glover, Wito Richter, Ted Poston, Natalie Bauer, D. Bennett-Baldwin, Wilburn Bolton, Bassam Omar, A. Ponnambalam, Tom Rich, Amy Davis, Caron Dolan, Rod Rocconi

**Call to order:** 3:01 by Sam Fisher

**Approval of minutes:** November 2016 meeting; **moved, 2nded**

**Approval of agenda:** moved; 2nded

**President's Report**

Searches

Executive Director Library

- Involved in negotiations with one of the candidates

Dean, Honors College

- Meeting next week to go through applications. About 40. Some applications look really good. A strong pool.

Dean and VP, Graduate School

- We are meeting with a search firm, Parker, to start the process anew. Hope to reach a decision this semester.

#### Dean, Nursing

- We are also meeting next Thursday with the same search firm. Heard there may not be an interim.

#### Summer Pay

- Making some progress. Summer pay was based on set figure dating to 2008-09. Dumping all lines not filled will lower the “tax” in theory, and in theory, colleges will have more money to pay for summer teaching.
- Ex Comm officer: Clear that there is plenty money there to pay the faculty, but it looks like they will leave summer contracts to the discretion of the Deans. Try and meet the Deans to negotiate.
- Pres: We strongly encouraged the principle that deans should not treat courses in isolation when making decisions on full or pro-rated pay.
- Officer: The deans will know how much money they will get this summer, which is new. In the past they did not. Now they have more information in advance.

#### Financial Aid Summary

- Meeting with Financial aid on Jan 27 to discuss ways to improve communication between faculty and that office and to expressed concerns about the late disbursement of financial aid. Many senators expressed agreement this is a problem.

#### FS Web Page

- FS webpage updated; searchable resolutions, computer science students helping to create a tracking mechanism.

### **Announcements**

#### Health Care Reimbursement Flex Account

You should have received a card; not everyone received instructions.

- 1) if you have money from 2016, use the old system until the fund is exhausted.
- 2) Sign up on the web-page.
- 3) You will need to use 2 different transactions at the pharmacy, one for goods, one for pharmacy.
- 4) Not required to use the card, just need to specify which system to use.
- 5) Will encourage the office in charge to send out an email.

## Chair for Life Model

- As the University evolves, other ways of models of administration appear. A new committee was established comprised of faculty, chairs, and administrators. Will research other institutions. Eric Loomis had researched this a few years ago and was impressed with a five-year renewable rotation. If you have ideas about chair terms, I will pass the information along to the committee.
- Question: can you look at term limits for Deans?
  - Ans.: Maybe in future.

## Old Business

Grievance Policy (Passed A&S, and Dean's council, waiting for confirmation in Handbook)

- Made it through the Deans' Council. Will go into the Handbook, waiting for Angela Coleman to review and address formatting issues.

Civil Campus Statement (Retooling)

- Going back to ground 0. Talking to Jeannie Maes to put together a larger committee composed of those people it should apply to.

Resolution: Sabbatical Policy (vote)

- Summary of changes: clarification of wording. Apply in 6<sup>th</sup> year as opposed to after 6 year. Friendly amendment to remove word tenure in bold part.
- Motion to accept with the friendly amendment. **Motion, 2nded.**
- Motion to vote. **2nded.**
- Vote carries.

## COM Extended Tenure

The average age of grant receipt has moved from 37 to 42, but the age at which we hire has not changed. The criteria is changing, and this is an attempt to recognize changing reality. Everybody wins to extend the tenure clock.

In essence, the extended tenure clock is not automatic. A person can ask for extension for professional reasons. Chair will need to make the decision. The notion is that we don't do this lightly, but it is carefully monitored. Not done routinely, but there are clear expectations.

There is also interest expressed in Stop the Clock for personal and medical reasons as well.

Q: Is there any interest in this being applied for the entire university?

Discussion ensues, points for and against raised. Tabled for further debate.

Proposal to vote for COM only. The FS is really only giving a Spirit of the Senate

- Motion to Vote, 2nded: carries.
- The Proposal was forwarded to John Marymount, who shared policy with Mary Townsley. Townsley made suggestions, which were incorporated before sending on to the Provost. (See Below)

## **New Business**

### Tenure Termination Policy (Ellen)

- Discussion of policy. Questions raised about “for cause” definition. Going to faculty handbook for review. Comments and suggestions to be emailed to HB committee.

## **TOC**

Committee Reports & Caucus Reports – Submitted in Writing

FLEX SPENDING ACCOUNTING Summary

COM Extended Tenure Policy

COM Extended Tenure Policy + Amendments

Sabbatical Policy

Sabbatical Policy + Amendments

## **COMMITTEE REPORTS**

Academic Development and Mentoring Committee Report, January, 2017

In the Fall Semester, our committee met to form the Mentor-Mentee pairs and establish activities of the mentoring Program. A luncheon was held for Mentors in the Faculty Club in September. In October, a WebEx was held to assess needs and skills of Mentors so that they could best assist Mentees.

In the Spring semester, the Committee is planning to hold a luncheon for Mentees (and Mentors if they wish to attend) to discuss topics such as student advising, tenure and promotion, collegiality, and service opportunities at USA.

Respectfully submitted,

Elizabeth VandeWaa,  
Chair, Academic Development and Mentoring Committee

**FLEX SPENDING ACCOUNT SUMMARY  
(EMAIL EXCHANGE BETWEEN FS VICE PRESIDENT AND HR)**

Employees with the flexible spending accounts need to register with the new service. Registration is not automatic.

Once registered the employee can either use the debit card to pay for health expenses or can continue to utilize his/her own card for the benefits associated with the card (e.g., I would be losing 2600 Disney points by using the debit card).

Employees who use the debit card may be asked to submit additional information (eg. an Explanation of benefits statement) to verify the proper use of the card. Note if you are picking up a prescription at the drug store and buying additional stuff, you will now have to do two separate purchases if using the debit card - one for the script and a separate transaction for non covered stuff with a separate payment method.

Blue Cross and Express Scripts will both feed claims information into the new system. For employees who want to use their own credit or debit card, the employee will have to go into the new account program and select which of the claims should be reimbursed. The reimbursement will then be electronically transmitted to the appropriate bank account that was entered at the time of the on-line registration.

Note: none of this information was included with the debit cards.

I have sent a question I received today to Tina: what happens if the employee had money remaining from 2016 that can be used during the first quarter of 2017. How are those transactions handled between the old account and new account.

----- Forwarded message -----

From: **Tina Stalmach** <[tstalmach@southalabama.edu](mailto:tstalmach@southalabama.edu)>

Date: Tue, Jan 17, 2017 at 4:29 PM

Subject: Health Equity

To: Kelly Woodford <[kwoodford@southalabama.edu](mailto:kwoodford@southalabama.edu)>

Cc: Gerald Gattis <[ggattis@southalabama.edu](mailto:ggattis@southalabama.edu)>, Scott Weldon <[sweldon@southalabama.edu](mailto:sweldon@southalabama.edu)>

Kelly -

It was a pleasure speaking with you today regarding the changes to Health Equity. I understand this is a change to employees. We are here to help in any way we can to make the transition as smooth as possible. As mentioned, our website contains several links to videos and guides to assist with the understanding of the claims reimbursement process. Please refer to this page for additional information:

<http://www.southalabama.edu/departments/financialaffairs/hr/southflex.html>

The following steps can be taken to pay claims from your FSA account when you elect not to use your Health Equity Debit card. One of the changes you will notice is that Health Equity will not automatically reimburse you when a claim processes with a member out -of - pocket expense (copay, etc). The member has the ability to elect what expenses are paid from their FSA. The positive aspect with this change is that members are not overpaid from their FSA when a claim possibly processes incorrectly or even not all - making the entire expense subject to reimbursement from the FSA account.

Health Equity (HE) provides the participant the option of selecting which claims to pay. BCBS and Express Scripts will feed claims data directly into the HE system. The participant can then go to the website as claims are incurred, on a monthly basis, quarterly basis, etc . to notify HE to reimburse those claims from the FSA account. How often this is done is entirely up to the member.

If you haven't already done so, please go to the HE website ([www.healthequity.com](http://www.healthequity.com)) and register your participation. Click "Members" on the top and scroll down to "Log into your account". If you are a first time user, go through the steps to register by setting up your user name and password. Once you have completed this step, you will have full access to any claims that have processed to date.

Once in, your landing page will provide information on your annual election, the amount available to spend and any deadlines for spending, etc. From this landing page, you click Claims & Payments where you can view claims, add claims, view payments, request reimbursements, submit receipts, etc. One of the first things you will want to do is to set up your Direct Deposit. You can do this by either completing the Direct Deposit form (under Docs & Forms on your landing page)to send to HE or to set up the banking information online. You can do this online under the Request Reimbursement link. Once there , click "enter claim record and send payment" - click Next - this will take you to a new page where there is a bullet to "Reimburse Me" and a link to set up the EFT. Once your account has been verified, you can then follow the steps to the claims data to reimburse yourself from your account balance. Please note that there is a \$2.00



per check fee for manual checks processed in lieu of the EFT.

For claims that are not processed through BCBS or Express Scripts (such as eyeglasses), you would follow the same similar steps as we did with BCBS. You will upload your receipts and request to be reimbursed.

If you have any questions, please let me know.

Thanks,  
Tina

Tina G. Stalmach  
Manager Human Resources, Benefits  
Human Resources  
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## Extension of Probationary Period in the College of Medicine for Professional Reasons

Tenure-track assistant professors in the College of Medicine (COM) may request to stop the tenure and promotion (T&P) clock for two years at anytime up to the fourth year of service. This extension will not change the current/existing expectations and criteria for T&P. The professor will submit a request to the department chair with the rationale for extenuating circumstances (e.g., external national/regional funding environment, substantial clinical commitment). The chair will make a recommendation to approve or not approve and a departmental committee will do the same. The two recommendations will go to the COM Dean for a final decision.

The applicant will sign a “Stop the Clock” agreement detailing the terms for the delay in mandatory tenure review. The department chair, COM Dean, and Provost must also sign the document. The applicant may choose to apply for T&P on the previous timeline by filing a Revocation Agreement prior to April 1 the mandatory tenure review.

## **POST MEETING POLICY WITH FRIENDLY AMENDMENT AND TOWNSLEY CHANGES**

### **Extension of Probationary Period in the College of Medicine for Professional Reasons**

**Tenure-track assistant professors in the College of Medicine (COM) may request to stop the tenure and promotion (T&P) clock for two years at any time up to the fourth year of service. This extension will not change the current/existing expectations and criteria for T&P. Tenure-track assistant professors who have already received a letter of non-reappointment are not eligible for "Stop the Clock" consideration. The assistant professor will submit a request to the department chair with the rationale for extenuating circumstances (e.g., external national/regional funding environment, substantial clinical commitment). The chair will make a recommendation to approve or not approve and a departmental committee will do the same. The two recommendations will go to the COM Dean for a final decision.**

**The applicant will sign a “Stop the Clock” agreement detailing the terms for the delay in mandatory tenure review. This agreement should outline faculty plans to develop credentials supportive of T&P during this period. The department chair, COM Dean, and Provost must also sign the document. The applicant may choose to apply for T&P on the original timeline by filing a Revocation Agreement prior to January 1 of the year set for the original mandatory T&P review. Only one "Stop the Clock" request may be considered for any tenure-track assistant professor.**

**Version: 01/20/2017**

## 5.5 Sabbatical Policy

The University of South Alabama encourages eligible faculty to apply for sabbatical leaves for the purposes of professional growth, development, or renewal. Such activities would include planned travel, study, foreign education, research, writing, or other professional experience that promises to enhance their professional skills and standing and, by extension, their usefulness to the University.

### 1. Eligibility

Full-time tenured faculty who have completed six or more years of continuous service at the University of South Alabama without having received leave with pay, or who have served for six years following the completion of a previous leave with pay, are eligible to **receive** sabbatical leave. **Full-time tenured faculty are eligible to apply in their sixth year of continuous service.** In exceptional cases, clinical or other non-tenure-track faculty with at least six years of continuous service may also apply for sabbatical leave, pending the approval of the appropriate chair and division head.

The University will endeavor to approve proposals by eligible faculty that are recommended by the chair, college committee and dean. Decisions must include consideration of the impact on the academic program and budgetary constraints in a given year.

### 2. Review and Approval

Proposals are submitted by the faculty member to the department chair. The chair will submit the proposal with his/her recommendation - either favorable or unfavorable - with accompanying rationale and impact statement on the teaching program to the dean. If more than one proposal is submitted from a particular department, the chair will rank the proposals prior to forwarding to the dean.

The dean will obtain a review and recommendation with rationales and rankings of proposals from the college committee. Similarly, the dean will submit recommendations - either favorable or unfavorable - with rationales, academic program impact statements, and rankings for all proposals to the Provost/Senior Vice President for Academic Affairs (if within Academic Affairs) who will make recommendations to the President; or, in the College of Medicine, the Dean, College of Medicine/Vice President of Medical Affairs will make recommendations directly to the President. The President will make recommendations to the board of trustees for a final decision.

### **3. Compensation**

Sabbatical recipients may take a leave for one semester at full salary or for two semesters at half-salary. In extraordinary cases, leaves may be granted for less than a full semester with full pay, subject to the approval of the appropriate division head and the Provost/Senior Vice President for Academic Affairs or Dean, College of Medicine/Vice President for Medical Affairs. Although external grants or other outside funding are permitted subject to standard University regulations that apply to all faculty, the compensation for the period of the leave should not be greater than the total University salary would have been, plus a reasonable allowance for relocating and meeting the costs of living in the new location. The University is not responsible for providing travel or other living expenses incurred by the recipient.

### **4. Benefits and Credited Service**

Faculty on sabbatical are eligible for salary increases and promotions as they would be were they not on sabbatical. They will receive credit for time in rank for promotion. All fringe benefits due the recipient will continue in full force during the leave.

### **5. Replacements and Deferrals**

Sabbatical leaves normally will be financed through departmental and divisional budgets. The University will make every effort to insure that such leaves do not unduly burden the recipient's colleagues or affect course offerings or other instructional needs. To the extent that it is feasible to do so, the University encourages departments to replace faculty who choose to take a leave of two semesters at half-pay with qualified temporary appointments. Any salary relinquished by sabbatical recipients should be made available to compensate temporary replacements.

Sabbatical recipients may for legitimate reasons defer an approved sabbatical leave for up to one year subject to budgetary limitations in the following year. In the event that a sabbatical recipient is asked by his or her chair, division head, or the Provost/Senior Vice President for Academic Affairs or Dean, College of Medicine/Vice President for Medical Affairs to defer an approved leave, and does so, that leave will be honored by the University in the following year. In the event that a sabbatical recipient is asked by his or her chair, division head, or the Provost/Senior Vice President for Academic Affairs or Dean, College of Medicine/Vice President for Medical Affairs to defer an approved leave, the recipient will be eligible to apply for a subsequent award following five years of full-time service after the end of the leave, rather than six.

### **6. Responsibilities**

Sabbatical recipients must return to the University for at least one academic year following the leave, or they must reimburse the University for all salary and benefits received from the University while on sabbatical. Recipients are to submit a report summarizing their activities and achievements during the sabbatical no later than the end of the first semester following their return from leave.

**7. Schedule**

- May 1 - Call for proposals (reiterated September 1)
- September 15 - Deadline for submitting proposals to the department chair or division head
- College or division sabbatical committees appointed
- October 1 - Proposal with chair's comments due in dean's or director's office and submitted to the college or division sabbatical committee
- October 15 - College committee submits recommendations with rationales and rankings to the dean
- November 1 - College/division recommendations due in the Provost/Senior Vice President for Academic Affairs, if a college/school within Academic Affairs
- November 15 - Provost/Senior Vice President for Academic Affairs or Dean, College of Medicine/Vice President for Medical Affairs makes recommendation to the President
- November 30 - President makes recommendations to the Board of Trustees
- December - Trustees act on President's recommendations and applicants
- Board Mtg. Receive written notification

## **8. Proposal Guidelines**

The sabbatical proposal should include the following:

- A brief curriculum vita
- An abstract
- A narrative statement (5-10 pages)
- Supporting documents (e.g., references, letters from grant agencies)

The narrative should explain (in non-technical language) how the leave will be used, the nature of the proposed activity or project, previous work or preparation, and the expected outcome. It should address specifically how the activity or project will contribute to the professional development of the applicant.

## **9. Impact Statement**

Chairs, deans and/or directors will submit a statement assessing the impact of each sabbatical leave requested and explaining the steps proposed to mitigate any perceived adverse impact on the teaching, research or service mission of the department, college or division. Normally, any lapsed salary of sabbatical recipients should remain within the college or division and be available to supplement the salary of temporary replacements for those who take a full year's leave.

## **10. Committees**

College or division committees should be appointed by the appropriate dean or director by September 15 and convene in early October. Committees should consist of three or more tenured faculty members and should be broadly representative of the college or division as a whole. Committees should be composed in accordance with University regulations. Committee recommendations should be presented to the dean/director before OCTOBER 15. The dean/director should send his/her recommendations to the Provost/Senior Vice President for Academic Affairs or Dean, College of Medicine/Vice President for Medical Affairs by NOVEMBER 1.

## **11. Final Reports**

The sabbatical recipient must submit a report detailing his or her activities and accomplishments during the sabbatical leave to his or her chair and dean, and to the Provost/Senior Vice President for Academic Affairs or Dean, College of Medicine/Vice President for Medical Affairs. The report should be submitted no later than the end of the first academic term during which the recipient resumes his or her University duties. The report should be used in part or in whole as the basis of the faculty member's annual merit evaluation.

### Faculty Handbook 3.15.4 (Chapter 3, Page 105)

#### Original:

Termination of continuous appointment, for cause, or the dismissal for cause of a faculty member, previous to the expiration of term appointment if possible should be considered by both a faculty committee and the governing board of the institution. In all cases where the facts are in dispute, the accused faculty member should be informed before the hearing in writing of the charges against him/her and should have the opportunity to be heard in his/her own defense by all bodies that pass judgment upon the case. He/she should be permitted to have with him/her an advisor of his/her own choosing who may act as counsel. There should be a full stenographic record of the hearing available to the parties concerned. In the hearing of charges of incompetence the testimony should include that of faculty members, either from his/her own or from other institutions. Faculty members on continuous appointment who are dismissed for reasons not involving moral turpitude should receive their salaries for at least a year from the date of notification of dismissal whether or not they are continued in their duties at the institution.

Termination of a continuous appointment because of financial exigency should be demonstrably bona fide.

#### Suggested Revision:

Tenured and non-tenured faculty members may be terminated “for cause”. “For cause” includes, but is not limited to, moral turpitude, commission of a felony, failure to perform assigned duties, incompetence or unethical behavior including violations of academic or research integrity. Financial exigency may also cause termination of a faculty member. Cases involving violations of research integrity will first be evaluated according to the Scientific Misconduct Policy (<http://southalabama.edu/researchcompliance/pdf/researchmisconductpolicy.pdf>).

Termination for cause will be considered by a faculty committee appointed by the Provost from the Grievance Committee Pool (sections 4.2.5 and 4.2.6). The committee will notify the faculty member in writing of the cause(s) for the termination action, **and the faculty member will be given the opportunity to be heard by the committee. The faculty member will receive one week’s notice to prepare a defense before the hearing.** The faculty member will be permitted to have an advisor of his/her own choosing who may act as counsel. A full stenographic record of the hearing will be made available to the parties concerned. The hearing may include the testimony of faculty members and/or others [~~deleted: either from this university or from other institutions~~].

Following the conclusion of the hearing, the committee shall meet in executive session, with all other persons excluded. **There will be no stenographic record of the executive session.** In this session, the committee shall prepare a recommendation to the Provost. Upon review, the Provost will make his/her recommendation to the President.

- Termination of non-tenured faculty must be approved by the President.
- Termination of tenured faculty must be approved by the Board of Trustees.

Termination of faculty members for cause cannot be appealed.

Faculty members on continuous appointment who are dismissed for failure to perform assigned duties may receive their salaries for **up to a year [replaced: at least one year]** from the date of notification of dismissal whether or not they are continued in their duties at the institution.

Termination of a continuous appointment because of financial exigency should be demonstrably bona fide.

The AAUP's 1958 Statement on Procedural Standards in Faculty Dismissal Proceedings (**updated in 1990**) as printed below has been endorsed by the University of South Alabama. Where the University policy differs with AAUP Policy, the University policy supersedes and prevails.

**[1990 version, which removes gender-specific language, is below.]**

#### Introductory Comments

Any approach toward settling the difficulties which have beset dismissal proceedings on many American campuses must look beyond procedure into setting and cause. A dismissal proceeding is a symptom of failure; no amount of use of removal process will help strengthen higher education as much as will the cultivation of conditions in which dismissals rarely, if ever, need occur.

Just as the board of control or other governing body is the legal and fiscal corporation of the college, the faculty is the academic entity. Historically, the academic corporation is the older. Faculties were formed in the Middle Ages, with managerial affairs either self-arranged or handled in course by the parent church. Modern college faculties, on the other hand, are part of a complex and extensive structure requiring legal incorporation, with stewards and managers specifically appointed to discharge certain functions.

Nonetheless, the faculty of a modern college constitutes an entity as real as that of the faculties of medieval times, in terms of collective purpose and function. A necessary precondition of a strong faculty is that it have first-hand concern with its own membership. This is properly reflected both in appointments to and in separations from the faculty body.

A well-organized institution will reflect sympathetic understanding by trustees and teachers alike of their respective and complementary roles. These should be spelled out carefully in writing and made available to all. Trustees and faculty should understand and agree on their several functions in determining who shall join and who shall remain on the faculty. One of the prime duties of the administrator is to help preserve understanding of those functions. It seems clear on the American college scene that a close positive relationship exists between the excellence of



colleges, the strength of their faculties, and the extent of faculty responsibility in determining faculty membership. Such a condition is in no way inconsistent with full faculty awareness of institutional factors with which governing boards must be primarily concerned.

In the effective college, a dismissal proceeding involving a faculty member on tenure, or one occurring during the term of an appointment, will be a rare exception, caused by individual human weakness and not by an unhealthful setting. When it does come, however, the college should be prepared for it, so that both institutional integrity and individual human rights may be preserved during the process of resolving the trouble. The faculty must be willing to recommend the dismissal of a colleague when necessary. By the same token, presidents and governing boards must be willing to give full weight to a faculty judgment favorable to a colleague.

One persistent source of difficulty is the definition of adequate cause for the dismissal of a faculty member. Despite the 1940 Statement of Principles on Academic Freedom and Tenure and subsequent attempts to build upon it, considerable ambiguity and misunderstanding persist throughout higher education, especially in the respective conceptions of governing boards, administrative officers, and faculties concerning this matter. The present statement assumes that individual institutions will have formulated their own definitions of adequate cause for dismissal, bearing in mind the 1940 Statement and standards that have developed in the experience of academic institutions.

This statement deals with procedural standards. Those recommended are not intended to establish a norm in the same manner as the 1940 Statement of Principles on Academic Freedom and Tenure, but are presented rather as a guide to be used according to the nature and traditions of particular institutions in giving effect to both faculty tenure rights and the obligations of faculty members in the academic community.

#### Procedural Recommendations

1. Preliminary Proceedings Concerning the Fitness of a Faculty Member. When reasons arise to question the fitness of a college or university faculty member who has tenure or whose term appointment has not expired, the appropriate administrative officers should ordinarily discuss the matter with the faculty member in personal conference. The matter may be terminated by mutual consent at this point; but if an adjustment does not result, a standing or ad hoc committee elected by the faculty and charged with the function of rendering confidential advice in such situations should informally inquire into the situation, to effect an adjustment, if possible, and, if none is effected, to determine whether in its view formal proceedings to consider the faculty member's dismissal should be instituted. If the committee recommends that such proceedings should be begun, or if the president of the institution, even after considering a recommendation of the committee favorable to the faculty member, expresses the conviction that a proceeding should be undertaken, action should be commenced under the procedures that follow. Except where there is disagreement, a statement with reasonable particularity of the grounds proposed for the dismissal should then be jointly formulated by the president and the faculty committee; if there is disagreement, the president or the president's representative should formulate the statement.

2. Commencement of Formal Proceedings. The formal proceedings should be commenced by a communication addressed to the faculty member by the president of the institution, informing the faculty member of the statement formulated, and also informing the faculty member that, at the faculty member's request, a hearing will be conducted by a faculty committee at a specified time and place to determine whether he or she should be removed from the faculty position on the grounds stated. In setting the date of the hearing, sufficient time should be allowed the faculty member to prepare a defense. The faculty member should be informed, in detail or by reference to published regulations, of the procedural rights that will be accorded. The faculty member should state in reply whether he or she wishes a hearing, and, if so, should answer in writing, not less than one week before the date set for the hearing, the statements in the president's letter.
3. Suspension of the Faculty Member. Suspension of the faculty member during the proceedings is justified only if immediate harm to the faculty member or others is threatened by the faculty member's continuance. Unless legal considerations forbid, any such suspension should be with pay.
4. Hearing Committee. The committee of faculty members to conduct the hearing and reach a decision should be either an elected standing committee not previously concerned with the case or a committee established as soon as possible after the president's letter to the faculty member has been sent. The choice of members of the hearing committee should be on the basis of their objectivity and competence and of the regard in which they are held in the academic community. The committee should elect its own chair.
5. Committee Proceeding. The committee should proceed by considering the statement of grounds for dismissal already formulated, and the faculty member's response written before the time of the hearing. If the faculty member has not requested a hearing, the committee should consider the case on the basis of the obtainable information and decide whether the faculty member should be removed; otherwise, the hearing should go forward. The committee, in consultation with the president and the faculty member, should exercise its judgment as to whether the hearing should be public or private. If any facts are in dispute, the testimony of witnesses and other evidence concerning the matters set forth in the president's letter to the faculty member should be received.

The president should have the option of attendance during the hearing. The president may designate an appropriate representative to assist in developing the case; but the committee should determine the order of proof, should normally conduct the questioning of witnesses, and, if necessary, should secure the presentation of evidence important to the case.

The faculty member should have the option of assistance by counsel, whose functions should be similar to those of the representative chosen by the president. The faculty member should have the additional procedural rights set forth in the 1940 Statement of Principles on Academic Freedom and Tenure, and should have the aid of the committee, when needed, in securing the attendance of witnesses. The faculty member or the faculty member's counsel and the representative designated by the president should have the right, within reasonable limits, to

question all witnesses who testify orally. The faculty member should have the opportunity to be confronted by all adverse witnesses. Where unusual and urgent reasons move the hearing committee to withhold this right, or where the witness cannot appear, the identity of the witness, as well as the statements of the witness, should nevertheless be disclosed to the faculty member. Subject to these safeguards, statements may, when necessary, be taken outside the hearing and reported to it. All of the evidence should be duly recorded. Unless special circumstances warrant, it should not be necessary to follow formal rules of court procedure.

6. Consideration by Hearing Committee. The committee should reach its decision in conference, on the basis of the hearing. Before doing so, it should give opportunity to the faculty member or the faculty member's counsel and the representative designated by the president to argue orally before it. If written briefs would be helpful, the committee may request them. The committee may proceed to decision promptly, without having the record of the hearing transcribed, where it feels that a just decision can be reached by this means; or it may await the availability of a transcript of the hearing if its decision would be aided thereby. It should make explicit findings with respect to each of the grounds of removal presented, and a reasoned opinion may be desirable. Publicity concerning the committee's decision may properly be withheld until consideration has been given to the case by the governing body of the institution. The president and the faculty member should be notified of the decision in writing and should be given a copy of the record of the hearing. Any release to the public should be made through the president's office.
7. Consideration by Governing Body. The president should transmit to the governing body the full report of the hearing committee, stating its action. On the assumption that the governing board has accepted the principle of the faculty hearing committee, acceptance of the committee's decision would normally be expected. If the governing body chooses to review the case, its review should be based on the record of the previous hearing, accompanied by opportunity for argument, oral or written or both, by the principals at the hearing or their representatives. The decision of the hearing committee should either be sustained or the proceeding be returned to the committee with objections specified. In such a case the committee should reconsider, taking account of the stated objections and receiving new evidence if necessary. It should frame its decision and communicate it in the same manner as before. Only after study of the committee's reconsideration should the governing body make a final decision overruling the committee.
8. Publicity. Except for such simple announcements as may be required, covering the time of the hearing and similar matters, public statements about the case by either the faculty member or administrative officers should be avoided so far as possible until the proceedings have been completed. Announcement of the final decision should include a statement of the hearing committee's original action, if this has not previously been made known.

## Sabbatical Policy reflecting friendly amendment

### 5.5 Sabbatical Policy

The University of South Alabama encourages eligible faculty to apply for sabbatical leaves for the purposes of professional growth, development, or renewal. Such activities would include planned travel, study, foreign education, research, writing, or other professional experience that promises to enhance their professional skills and standing and, by extension, their usefulness to the University.

#### 1. Eligibility

Full-time tenured faculty who have completed six or more years of continuous service at the University of South Alabama without having received leave with pay, or who have served for six years following the completion of a previous leave with pay, are eligible to receive sabbatical leave. Full-time faculty are eligible to apply in their sixth year of continuous service. In exceptional cases, clinical or other non-tenure-track faculty with at least six years of continuous service may also apply for sabbatical leave, pending the approval of the appropriate chair and division head.

The University will endeavor to approve proposals by eligible faculty that are recommended by the chair, college committee and dean. Decisions must include consideration of the impact on the academic program and budgetary constraints in a given year.

Deleted: apply for

Deleted: tenured