

***Academic Articles***  
***University of Notre Dame***  
***[Effective July 1, 2022]***

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## **Preamble**

These academic articles define the structure of academic governance at the University, and the participation of faculty and University administration therein, so that all who sustain the University's academic life may unite in cooperative understanding and effort.

The academic articles themselves result from mutual communication and shared action. The process of their writing has been open to the views of the community; it has drawn upon ideas and language proffered by officially constituted bodies of the University; and it has culminated in the decisions of the Academic Council, a body whose membership represents the scope of the University's academic concern, and the approval of the President and the Board of Trustees.

The academic articles constitute the document by which academic government is entrusted to the faculty and the administration. These academic articles and the letter of appointment constitute the contract between the faculty members and the University.

## **Article I, The University**

The University is an institution of higher learning that promotes excellence in research and teaching, informed by the Mission of the University and enriched by the Catholic intellectual and cultural traditions, with the authority to grant academic degrees at the undergraduate, professional, and graduate levels. The University is comprised of the academic units identified below, which are bodies that are primarily engaged in teaching, research, and/or creative activities.

A College is an academic unit of the University that is comprised of Departments. A College has the authority to hire regular faculty and offer degree programs. A Department is a constituent component of a College. Departments ordinarily are organized by discipline.

A School is an academic unit of the University without Departments. A School has the authority to hire regular faculty and offer degree programs.

Degree programs are courses of study that lead to bachelor's, master's, doctoral, or professional degrees.

A University Institute or a University Center is an academic unit that is devoted primarily to research and education.

A University Institute includes a significant number of faculty, often from different Colleges and Schools, whose intellectual activities contribute to a comprehensive and multifaceted mission.

With the permission of the Provost, a University Institute may hire faculty, excluding tenured and tenure-track faculty.

A University Center ordinarily has a single focus or mission. A University Center is typically located within a single College or Department, although its faculty may draw at times on the expertise of faculty in other disciplines to support their work. With the permission of the Provost, a Center may hire faculty, excluding tenured and tenure-track faculty.

University Institutes, University Centers, and other organizations such as Academic Support Units, College Institutes, and College Centers are governed by the [Guidelines for University Centers and Institutes](#) approved by the Academic Council, which may be supplemented by special statutes for the University Institute or University Center that are approved by the Provost.

The Hesburgh Libraries is an academic unit that provides collections, expertise, services, and spaces that enhance the teaching, learning, and research activities of the University. The Hesburgh Libraries may only hire library faculty.

## **Article II, Executive Administration**

### ***Article II/Section 1/The Governance of the University***

The governance of the University is vested in the Fellows and Trustees as provided in the [original charter](#), and the [statutes](#) and [bylaws](#) of the University. Such matters in these academic articles as are dealt with in the statutes or bylaws are understood to derive from and accord with those documents. In the event of any inconsistency between the academic articles and the statutes and bylaws, the statutes or bylaws shall be controlling.

### ***Article II/Section 2/The President***

The President is the first officer of the University and is vested with full and final authority over all matters pertaining to its government, except as limited by the original charter and the statutes and bylaws of the University.

Ordinarily, the President is guided in setting University policy by consultation with the other senior administrators, by the deliberations of the Academic Council, and by the recommendations of the Faculty Senate.

The President is elected by the Board of Trustees from the clerical members of the Congregation of Holy Cross, United States Province of Priests and Brothers by the Board of Trustees, after consultation with representatives of the faculty.

### ***Article II/Section 3/The Acting President***

When the President is absent or unable to carry out the duties of the President as described above, the Provost shall serve as Acting President. In the absence of the President and Provost, the Executive Vice President shall serve as Acting President. In the absence of the President, Provost, and Executive Vice President, the Vice President and Senior Associate Provost, followed by such others as the President may designate, shall serve as Acting President.

### **Article III, Academic Officers**

#### ***Article III/Section 1/The Provost***

Within the framework of University policies and procedures, the Provost has responsibility, under the President, for the administration, coordination, and development of all the academic activities and functions of the University.

The Provost is assisted in the duties of office by the Vice President and Senior Associate Provost, the Vice Presidents and Associate Provosts, and by Associate/Assistant Provosts. The Associate/Assistant Provosts perform such duties and exercise such authority as may be delegated by the Provost.

The Provost is elected by the Board of Trustees upon recommendation by the President. When such an appointment is to be made, the President so advises the University through the Academic Council. The Council then elects five members from its elected faculty representatives and one member from its student representatives to constitute a committee chaired by the President. The President may also appoint to the committee up to three members from among the regular faculty and one student in order to ensure that a broad range of views and perspectives is represented on the committee. This committee receives and considers nominations from all sources. After consideration of each candidate and deliberation among all committee members, the members of the committee other than the President make a recommendation to the President. The President reports the results of the committee's deliberations and its recommendation to the Board of Trustees, along with a personal recommendation.

Except in extraordinary circumstances, the Provost's appointment is subject to formal review every five years. For the five-year review of the Provost, a committee is constituted in the same way as the committee that considers the Provost's initial appointment. The President may, in his discretion, serve on that committee. The President names the Chair of the Review Committee from the elected members and may assign another person to assist the committee as a non-voting member. The five-year review of the Provost includes an overall review of the Provost's performance as well as that of the Associate Provosts. After receiving the report of the committee, the President forwards the recommendation of the committee to the Board of Trustees, along with a personal recommendation.

Ordinarily, the Provost is guided in setting major academic policies by consultation with the other senior administrators and by the deliberations and recommendations of the Provost's Advisory Committee and of the Faculty Senate.

***Article III/Section 2/Vice Presidents and Associate Provosts***

The President appoints the Vice Presidents and Associate Provosts upon the recommendation of the Provost. When the appointment of a Vice President and Associate Provost is to be made, the Provost consults with the Provost's Advisory Committee and reports the complete results of this consultation to the President, along with a personal recommendation. The Provost may, at his or her discretion, designate a Vice President and Associate Provost to serve as Vice President and Senior Associate Provost.

In the absence of the Provost, the Vice President and Senior Associate Provost acts as Provost. In the absence of the Provost and the Senior Associate Provost, a Vice President and Associate Provost so designated by the Provost or the President acts as Provost.

Ordinarily, the Associate Provosts and Vice Presidents are guided in setting major academic policies by consultation with the other senior administrators and by the recommendations of the Faculty Senate, and by their associated University committees.

***Article III/Section 3/The Vice President and Associate Provost for Graduate Studies and the Dean of the Graduate School***

The primary title for this position is that of Vice President and Associate Provost for Graduate Studies. The incumbent also serves as Dean of the Graduate School.

When such an appointment is to be made, the Provost so advises the faculty through the Academic Council, which then elects five members from the regular faculty of the University and one member from the advanced graduate and professional students of the University to constitute a committee chaired by the Provost. The Provost may appoint to the committee up to two additional members from among the regular faculty of the University in order to ensure that a broad range of views and perspectives is represented on the committee. The committee receives and considers all nominations, including those received from the faculty. The Provost consults with the Provost's Advisory Committee and reports the complete results of this consultation, including the recommendation of the appointment committee, to the President, along with a personal recommendation.

Within the framework of University policies and procedures, the Vice President and Associate Provost for Graduate Studies and Dean of the Graduate School has responsibility, under the Office of the Provost, for the development and well-being of all students enrolled in the Graduate School and for the administration of the Graduate School, its programs, courses of study, and

other services, and is charged with the interpretation and administration of the academic regulations of the Graduate School. Ordinarily, the Vice President and Associate Provost for Graduate Studies is guided in setting major academic policies by consultation with the Deans of Colleges and Schools, other senior administrators, and by the recommendations of the Faculty Senate, and by the associated University committees.

The Vice President and Associate Provost for Graduate Studies and Dean of the Graduate School is assisted in the duties of office by Associate and/or Assistant Deans, who are appointed by the Vice President and Associate Provost for Graduate Studies upon approval of the Provost and who perform such duties and exercise such authority as may be delegated to them by the Vice President and Associate Provost for Graduate Studies.

Except in extraordinary circumstances, the appointment is subject to review every five years. The Provost notifies the Academic Council of the review and solicits feedback from the entire faculty, graduate students, Collegiate and School Deans, and then, after consultation with the Provost's Advisory Committee, makes a recommendation to the President.

#### ***Article III/Section 4/The Vice President for Research***

Within the framework of University policies and procedures, the Vice President for Research has responsibility, under the Office of the Provost, for the general supervision, administration, and development of research activities, including all sponsored programs, conducted by the University and its faculty. The Vice President for Research is assisted in the duties of office by Associate and Assistant Vice Presidents, who are appointed by the President and who perform such duties and exercise such authority as may be delegated to them by the Vice President for Research.

The Vice President for Research is appointed by the President upon recommendation by the Provost. When such an appointment is to be made, the Provost so advises the faculty through the Academic Council. In a joint session, the Academic Council and the University Committee on Research and Sponsored Programs then elect five members from the regular faculty of the University and one member from the advanced graduate and professional students of the University to constitute a committee chaired by the Provost. The Provost may appoint to the committee up to two additional members from among the regular faculty of the University in order to ensure that a broad range of views and perspectives is represented on the committee. The committee receives and considers all nominations, including those received from the faculty. The Provost then reports the recommendations of the committee to the President, along with a personal recommendation.

Except in extraordinary circumstances, the appointment is subject to formal review every five years. For the five-year review, a committee is constituted in the same manner as when an initial appointment is to be made. The Provost may, in his or her discretion, serve on that committee.



The Provost names the Chair of the Review Committee from the elected members and may assign a Vice President and Associate Provost to assist the committee as a nonvoting member. The Provost reports the recommendation of the committee to the President, along with a personal recommendation.

Ordinarily, the Vice President for Research is guided in setting major research-related policies by consultation with the other senior administrators and the Faculty Senate, and by the deliberations of the University Committee on Research and Sponsored Programs.

### ***Article III/Section 5/Deans of Colleges***

Within the framework of University policies and procedures, the Dean of a College has responsibility, under the Office of the Provost, for the administration, well-being, and development of the College, its faculty, its courses of study, and its other activities. The Dean is, in particular, charged with the interpretation and administration of the academic regulations of the College.

The Dean of a College is assisted in the duties of office by Associate and/or Assistant Deans of the College, who are appointed by the Dean upon approval of the Provost and who perform such duties and exercise such authority as may be delegated to them by the Dean.

The Dean is appointed by the President. When such an appointment is to be made, the Provost so advises the College of the pending appointment through the College Council. The Council then elects five members from the tenured faculty of the College and one student from the student members of the College Council to constitute a committee to facilitate the search. The committee is chaired by the Provost, who may appoint to the committee up to two additional members from the regular faculty of the University in order to ensure that a broad range of views and perspectives is represented on the committee. The Provost may assign a Vice President and Associate Provost to assist the committee as a non-voting member. The committee receives and considers nominations, including those received from the faculty of the College. Before making any recommendation to the Provost, the committee shall consult with the faculty and students of the College. The Provost then reports the recommendations of the committee to the President, along with a personal recommendation. In addition, the President receives nominations from appropriate sources, both within and without the University.

Except in extraordinary circumstances, the appointment is subject to formal review every five years. For the five-year review, a committee is constituted in the same way as the committee that considers the Dean's initial appointment. The Provost may, in his or her discretion, serve on that committee. The Provost names the Chair of the Review Committee from the elected members and may assign a Vice President and Associate Provost to assist the committee as a non-voting member. The Provost reports the recommendations of the committee to the President, along with

a personal recommendation. The Provost shall also share the recommendations with the Dean and, in the case of the retention of the Dean, the Provost shall inform the faculty of the decision.

When the inaugural dean of a new College is to be appointed, the Provost appoints a committee with five members drawn from the tenured faculty of the University. If any members of the faculty have already been appointed to the new College, those faculty should be represented, to the extent possible, on the committee. The committee is chaired by the Provost. The Provost may assign a Vice President and Associate Provost to assist the committee as a non-voting member. The committee receives and considers nominations, including those received from the faculty of the College, to the extent applicable. The Provost reports the recommendations of the committee to the President, along with a personal recommendation. In addition, the President receives nominations from appropriate sources, both within and without the University.

Ordinarily, the Dean of a College is guided in setting academic policy by consultation with other senior administrators, the College Council, and Department Chairs.

#### ***Article III/Section 6/Deans of Schools***

Within the framework of University policies and procedures, the Dean of a School has responsibility, under the Office of the Provost, for the administration, well-being, and development of the School, its faculty, its courses of study, its library (in the case of the Law School), and its other activities. The Dean is, in particular, charged with the interpretation and administration of the academic regulations of the School.

The Dean of the School is assisted in the duties of office by the Associate and/or Assistant Deans, who are appointed by the Dean upon approval of the Provost and who perform such duties and exercise such authority as may be delegated to them by the Dean.

The Dean is appointed by the President. Except in extraordinary circumstances, the appointment is subject to formal review every five years. When such an appointment is to be made or a review conducted, the Provost consults formally with all regular faculty members of the School. A committee comprised of four tenured faculty of the School elected by the regular faculty of the School shall be established to facilitate either a search or a review. One student shall also be elected to serve on the search or Review Committees. When a Dean is to be appointed, the Provost chairs the committee. In the case of an appointment or a review, the Provost may appoint to the committee up to two additional members from the regular faculty of the University in order to ensure that a broad range of views and perspectives is represented on the committee. The Provost may assign a Vice President and Associate Provost to assist the committee as a non-voting member. Before making any recommendation to the Provost, the committee shall consult with the faculty and students of the School. In appointment and review cases, the Provost gives the President a full account of all consultations with the faculty. The Provost reports the

recommendations of the committee to the President, along with a personal recommendation. The Provost shall also share the recommendation with the Dean and, in the case of retention of the Dean, the Provost shall inform the faculty of the decision. Schools may provide for additional procedures to the extent they do not conflict with the procedures in these articles.

When the inaugural Dean of a new School is to be appointed, the Provost appoints a committee with five members drawn from the tenured faculty of the University. If any members of the faculty have already been appointed to the new School, those faculty should be represented, to the extent possible, on the committee. The committee is chaired by the Provost. The Provost may assign a Vice President and Associate Provost to assist the committee as a non-voting member. The committee receives and considers nominations, including those received from the faculty of the College, to the extent applicable. The Provost reports the recommendations of the committee to the President, along with a personal recommendation. In addition, the President receives nominations from appropriate sources, both within and without the University.

Ordinarily, the Dean of a School is guided in setting academic policy by consultation with other senior administrators and the faculty of the School.

#### ***Article III/Section 7/Chairpersons of Departments***

Within the framework of University policies and procedures, the Chairperson of a Department has responsibility, under the Dean of the College, for the administration, well-being, and development of the Department, its faculty, its courses of studies, and its other activities.

The Chairperson of a Department may be assisted in the duties of office by Associate and/or Assistant Chairpersons, who are appointed by the Chairperson upon approval of the Provost or the Provost's designee and who perform such duties and exercise such authority as may be delegated to them by the Chairperson.

The Chairperson of a Department is appointed by the President or his designee for a stated term, usually three to five years, and may be reappointed. When an appointment is to be made, the Dean of the College consults formally with all regular faculty of the Department. The Dean of the College reports their recommendations to the Provost, along with a personal recommendation. Procedure for reappointment is the same as for appointment.

Ordinarily, the Chairperson of a Department is guided in setting academic policy by consultation with Associate or Assistant Chairpersons and the faculty of the Department.

#### ***Article III/Section 8/Directors of University Institutes and University Centers***

Within the framework of University policies and procedures, the Director of a University Institute or University Center has responsibility, under the Provost and in cooperation with other

appropriate academic officers, for the administration, well-being, and development of the University Institute or University Center, its faculty, staff, programs, and other activities.

Directors of University Institutes and University Centers are appointed in a manner consistent with the Guidelines for University Institutes and University Centers approved by the Academic Council. The reporting responsibilities of Directors of University Institutes and University Centers shall also be determined in a manner consistent with these guidelines.

***Article III/Section 9/ Dean, Hesburgh Libraries and University of Notre Dame Press***

The Dean, Hesburgh Libraries and University of Notre Dame Press, as the Director of University Libraries, has responsibility, under the Office of the Provost, for the administration, well-being and development of the Hesburgh Libraries, its faculty and staff, its services and other activities, and its collections in any format. The Dean is a member of the University Committee on Libraries and, in particular, is charged with the interpretation and administration of the academic regulations of the Hesburgh Libraries.

The Dean is appointed by the President. When an appointment is to be made, the library faculty elects three of its members, and the University Committee on Libraries elects two members of the tenured and tenure-track faculty, to constitute a committee chaired by the Provost. The Provost may appoint up to two additional members to the committee from among the regular faculty of the University in order to ensure that a broad range of views and perspectives is represented on the committee. The Provost may assign a Vice President and Associate Provost to assist the committee as a non-voting member. The committee receives and considers nominations, including those received from the faculty. The Provost then reports the recommendations of the committee to the President, along with a personal recommendation.

Except in extraordinary circumstances, the appointment is subject to formal review every five years. For the five-year review, a similar committee is constituted. The Provost may, at his or her discretion, serve on that committee. The Provost names the Chair of the Review Committee from the elected members and may assign a Vice President and Associate Provost to assist the committee as a non-voting member. The Provost reports the recommendation of the committee to the President, along with a personal recommendation. The Provost shall also share the recommendations with the Dean, and in the case of retention of a Dean, the faculty shall be informed of the reasons for the retention.

Ordinarily, the Dean is guided in setting policy decisions through consultation with the University Committee on Libraries.

***Article III/Section 10/Other Academic Administrators***

The President or his designee appoints other academic administrators as necessary to manage an array of academic support services.

## **Article IV, The Faculty**

### ***Article IV/Section 1/Membership***

The faculty consists of the regular faculty as designated in subsection (a) and other faculty as designated in subsection (b). Faculty are engaged primarily in teaching and research.

Members of the clergy and of religious orders are appointed to the faculty on the same basis as all other members of the faculty, and all procedures and principles indicated in this article apply to them in their capacity as faculty.

### ***Article IV/Section 1/Subsection (a) The Regular Faculty***

Members of the faculty described in subsections (a)(1) through (a)(7) are regular faculty. Normally, members of the regular faculty hold full-time appointments. Part-time appointments to the regular faculty may be made for persons who for appropriate reasons cannot serve full-time, provided the service is at least half time and that the individual is not employed outside the University. This requirement may be waived by the Provost. The responsibilities and privileges of regular faculty members on part-time appointments are the same in nature as, but on a proportionate scale to, those for members on full-time appointments.

The categories of regular faculty are defined below in terms of a faculty member's primary activities. Faculty members appointed under one category may also engage service-related activities and/or activities associated with other faculty categories, as may be agreed between the faculty member and the appointing unit and specified in that faculty member's letter of appointment. In those cases, the faculty member should be evaluated in proportion to the activity levels specified in the terms of his or her appointment.

### ***Article IV/Section 1/Subsection (a)(1) Tenured and Tenure-Track Faculty***

Tenured and tenure-track faculty are primarily engaged in teaching, research, and service activities. They hold appointments in the academic units of the University and have the ranks of Professor, Associate Professor, Assistant Professor, and Instructor.

### ***Article IV/Section 1/Subsection (a)(2) Research Faculty***

Research faculty are primarily engaged in research activities. Research faculty hold appointments in academic units of the University and have the ranks of Research Professor, Associate Research Professor, Assistant Research Professor, and Research Specialist.

### ***Article IV/Section 1/Subsection (a)(3) Teaching Faculty***

Teaching faculty are engaged primarily in teaching activities and academic program support. Teaching faculty hold appointments in academic units of the University and have the ranks of Teaching Professor, Associate Teaching Professor, and Assistant Teaching Professor.

***Article IV/Section 1/Subsection (a)(4) Professors of the Practice***

Professors of the Practice are engaged primarily in teaching and research and/or other creative work. The designation of Professor of the Practice may be based primarily upon significant professional experience and achievement rather than academic achievement. Professors of the Practice hold appointments in academic units of the University and have the ranks of Professor of the Practice, Associate Professor of the Practice, and Assistant Professor of the Practice.

***Article IV/Section 1/Subsection (a)(5) Clinical Faculty***

Clinical faculty are primarily engaged in clinical teaching, which consists of training and supervising students in the actual practice of professional skills outside of the classroom, on behalf of others, through a structured pedagogical program. Clinical faculty hold appointments in academic units of the University and have the ranks of Clinical Professor, Associate Clinical Professor, and Assistant Clinical Professor.

***Article IV/Section 1/Subsection (a)(6) Library Faculty***

Library faculty are primarily engaged in teaching, providing access to information, imparting knowledge and skills to faculty and students, assisting faculty in their scholarly pursuits, and in their own research activities. Library faculty hold appointments in the Hesburgh Libraries or the Law School's Kresge Library and have the ranks of Librarian, Associate Librarian, and Assistant Librarian.

***Article IV/Section 1/Subsection (a)(7) Advising Faculty***

Advising faculty are primarily engaged in academic advising activities. Advising faculty hold appointments in the academic units of the University and have the ranks of Advising Professor, Associate Advising Professor, and Assistant Advising Professor.

***Article IV/Section 1/Subsection (b) Other Faculty***

In addition to the regular faculty, other members of the faculty include visiting, adjunct, guest, affiliated, and retired faculty. Time spent on the faculty in any of these categories does not count for purposes of tenure, and these other faculty members do not have voting rights.

***Article IV/Section 1/Subsection (b)(1) Visiting Faculty***

Visiting faculty members assume duties similar to those of regular faculty members with analogous titles. A visiting faculty member normally has a full-time appointment in an academic unit. A visiting appointment is always for a fixed term, typically one academic year. Normally a visiting appointment does not exceed two years.

***Article IV/Section 1/Subsection (b)(2) Adjunct Faculty***

Adjunct faculty members hold part-time teaching positions of less than three-quarter time within an academic unit for purposes of teaching. An adjunct appointment is for a fixed term of up to one academic year and may be renewed. An individual may hold adjunct appointments in more than one Department, but the total appointment must be less than three-quarter time. An individual holding a full-time faculty appointment in another unit at the University normally would receive a concurrent appointment rather than an adjunct appointment.

***Article IV/Section 1/Subsection (b)(3) Guest Faculty***

Guest faculty members are not employees of the University and are appointed for extended visits to the University to participate in research or other scholarly programs. A guest appointment is normally uncompensated and provides identification and access to University facilities and services for the period of the visit. A guest appointment is inappropriate for an individual who will not be physically present at the University and requiring University services. The appointment should be for the actual period of the visit, but typically no longer than one academic year. A guest appointment is renewable.

***Article IV/Section 1/Subsection (b)(4) Affiliated Faculty***

Affiliated faculty, who may be denominated “affiliated scholars” or “affiliated practitioners,” are not employees of the University but rather are part-time, non-permanent faculty members who visit the University to participate in teaching and/or research related activities. Affiliated faculty appointments are normally for a fixed time period of less than one academic year, but they may be recurring over a period of years.

***Article IV/Section 1/Subsection (b)(5) Retired Faculty***

Retired faculty members once held regular faculty appointments in an academic unit of the University and have retired from their full-time positions. Upon retirement from a full-time position, a regular faculty member may be designated emerita or emeritus upon the approval of the Provost or the Provost’s designee upon recommendation from the Dean.

All retired faculty members have access to University facilities, including the libraries, and retain computer network identification privileges. If a retired faculty member will teach, submit grant proposals, manage research funds, or receive University compensation for scholarly activities, a letter of agreement between the faculty member and the head of the relevant academic unit defining the duties and expectations is necessary. The term of such an agreement normally coincides with the academic calendar and is renewable.

***Article IV/Section 1/Subsection (c) Multi-Unit Faculty***

Multi-unit faculty members have full-time appointments in an academic unit of the University or full-time staff positions at the University and are also appointed in another academic unit. Multi-unit faculty include joint faculty, concurrent faculty, term teaching faculty, and fellows of institutes.

***Article IV/Section 1/Subsection (c)(1) Joint Faculty***

Joint faculty have regular faculty appointments in two or more academic units. A joint appointment normally confers full rights, privileges, and obligations on the holder in each academic unit to which the faculty member is appointed. The terms of such an appointment are formally agreed to by the holder of the joint appointment and the heads of the respective academic units in a memorandum of understanding, and they are approved by the units' respective Committees on Appointments (CA) and Committee on Reappointment, Promotion, and Tenure (CRPT). A joint appointment is intended to be an appointment without a time limitation. It therefore is generally made with no fixed term, but it is terminable upon agreement of the holder and heads of the respective units to which the holder is appointed.

***Article IV/Section 1/Subsection (c)(2) Concurrent Faculty***

Concurrent faculty members hold regular or visiting faculty appointments in an academic unit of the University and temporary appointments of at least one academic term in another academic unit, by consent of both academic units. A concurrent appointment does not confer full rights, privileges, and obligations in the academic unit where the concurrent appointment is held.

***Article IV/Section 1/Subsection (c)(3) Term Teaching Faculty***

Term teaching faculty are full-time staff members who hold temporary faculty appointments in an academic unit. Term teaching faculty appointments last for at least one academic term, by the consent of all appropriate parties in the academic unit and in the unit of the staff member's full-time position, and they may be renewed. A term teaching faculty appointment does not confer full rights, privileges, and obligations in the academic unit where the concurrent appointment is held.

***Article IV/Section 1/Subsection (c)(4) Fellows of Institutes and Centers***

Faculty Fellows of University Institutes and University Centers hold regular faculty appointments in an academic unit of the University and are designated as Fellows by a University Institute because of their special relationship to that Institute. The rights and responsibilities of Fellows of University Institutes and University Centers are defined by the governing documents of those Institutes.

Visiting Fellows are individuals external to the University who are appointed to a University Institute or a University Center for a fixed term of up to one academic year. The rights and



responsibilities of Visiting Fellows of University Institutes and University Centers are defined by the governing documents of those Institutes.

***Article IV/Section 2/Academic Freedom and Associated Responsibilities of Faculty***

Freedom of inquiry and freedom of expression are safeguarded by the University. The rights and obligations of academic freedom take diverse forms for the faculty, the students, and the administration; in general, however, these freedoms derive from the nature of the academic life and accord with the objectives of the University as a community that pursues the highest scholarly standards, promotes intellectual and spiritual growth, maintains respect for individuals as persons, and advances the Catholic mission.

Specific principles of academic freedom supported at the University include: freedom to teach and to learn according to one's obligation, vision, and training; freedom to publish the results of one's study or research; and freedom to speak and write on public issues as a citizen.

Correlative obligations include: respectful allowance for the exercise of these freedoms by others; proper acknowledgment of contributions made by others to one's work; preservation of the confidentiality necessary in personal, academic, and administrative deliberations; avoidance of using the University to advance personal opinion or commercial interest; and, in the course of one's utterances, work, and other conduct, protection of the basic mission of the University.

***Article IV/Section 3/Qualifications of Regular Faculty***

***Article IV/Section 3/Subsection (a) Tenured and Tenure-Track Faculty***

The requirements for the rank of Instructor are the same as those for Assistant Professor except that the Instructor may not yet possess the terminal degree. The appointment is ordinarily for a one-year period, and may be renewed twice. If the University chooses to terminate the services of an Instructor at the end of a contract period, the University will give three months' notice of such termination. If the Instructor elects to terminate services, the University should be given three months' notice of such termination. Time spent at this rank does not count toward tenure.

The Assistant Professor should ordinarily possess the doctoral degree or its equivalent, or, in certain fields, the appropriate professional degree or license. The Assistant Professor should have demonstrated promise as a teacher and as a scholar, interest in students, willingness to serve the academic unit, the University, and his or her discipline, and that genuine spirit of study necessary to keep courses current and to assure growth in knowledge and maturity. The initial appointment is ordinarily for a three-year period, but salary is reviewed each year. If the University chooses to terminate the services of an Assistant Professor at the end of a contract period, the University will give 12 months' notice of such termination. Such 12-month notice period shall commence at the end of the existing contract period and will be considered the

terminal contract year, irrespective of whether the candidate declined to be considered for tenure. If an Assistant Professor elects to terminate services, the Assistant Professor will give the University three months' notice of such termination, and the end of the notice period should coincide with the end of an academic year. An appointment as Assistant Professor may be made for a period of one academic year. Except when a one-year contract is an extension of a three-year contract, if the University chooses to terminate the services of the Assistant Professor at the end of a one-year contract period, the University will give three months' notice of such termination.

The Associate Professor should possess the doctoral degree or its equivalent or, in certain fields, the appropriate professional degree or license. The Associate Professor should have demonstrated excellence in teaching, growth in knowledge and maturity, salutary influence on students, service to the academic unit, the University, and/or his or her discipline, and standing among colleagues. Notable achievement in scholarship, as shown by significant publication or its equivalent or, where appropriate, by meaningful contributions to public service, is ordinarily required for this rank. The salary of an Associate Professor is reviewed each year. If the initial appointment of an Associate Professor is made without tenure, then that initial appointment is ordinarily for a three-year period. If the University chooses to terminate the services of an Associate Professor without tenure at the end of a contract period, the University will give 12 months' notice of such termination. Such 12-month notice period shall commence at the end of the existing contract period and will be considered the terminal contract year. If an Associate Professor elects to terminate services, the University should be given three months' notice of this termination, and the end of the notice period should coincide with the end of an academic year.

The Professor should possess the qualifications required for appointment as Associate Professor, should have maintained excellence in teaching; should have given significant service to the academic unit, the University, and/or his or her discipline; and should have gained widespread recognition as a scholar. Principles regarding review of salary and notice periods are the same as for Associate Professor.

***Article IV/Section 3/Subsection (b) Research Faculty***

The qualifications for the rank of Research Specialist are the same as those for an Assistant Research Professor, except that the Research Specialist may not yet possess the terminal degree. The initial appointment is ordinarily for a one-year period. The appointment may be renewed annually for additional one-year periods, and salary is reviewed each year. If the University chooses to terminate the services of a Research Specialist at the end of a one-year contract period, the University will give three months' notice of such termination. If the appointee elects to terminate services, the University should be given three months' notice of such termination.

The Assistant Research Professor should ordinarily possess the doctoral degree or its equivalent or, in certain fields, the appropriate professional degree or license. The Assistant Research Professor should have demonstrated research ability, promise as a scholar, interest in students, willingness to serve the academic unit, the University, and/or his or her discipline, and that genuine spirit of study necessary to assure growth in knowledge and maturity. The initial appointment is ordinarily for a one-year period. The appointment may be renewed on mutually agreeable terms, and salary is reviewed each year. If the University chooses to terminate the services of the Assistant Research Professor at the end of an initial one-year contract period, the University will give three months' notice of such termination; subsequently, if the University chooses to terminate the services of an Assistant Research Professor at the end of a consecutive one-year contract, the University will give six months' notice of such termination. If the Assistant Research Professor elects to terminate services, the Assistant Research Professor will give the University three months' notice of such termination.

The Associate Research Professor should possess the doctoral degree or its equivalent or, in certain fields, the appropriate professional degree or license. The Associate Research Professor should have demonstrated outstanding research ability, growth in knowledge and maturity, salutary influence on colleagues and students, service to the academic unit, the University, and/or his or her discipline, and standing among colleagues. The appointment to Associate Research Professor is ordinarily for a three-year period. If the University chooses to terminate the services of the Associate Research Professor at the end of the contract period, the University will give six months' notice of such termination. Principles regarding review of salary and notice to the University are the same as for Assistant Research Professor.

The Research Professor should possess the qualifications required for appointment as an Associate Research Professor; should have given significant service to the academic unit, the University, and/or his or her discipline; and should have gained widespread recognition for contributions to a field of knowledge. The appointment to Research Professor is ordinarily for a five-year period. If the University chooses to terminate the services of the Research Professor at the end of the contract period, the University will give six months' notice of such termination. Principles regarding review of salary and notice to the University are the same as for Assistant Research Professor.

A member of the research faculty with at least six years of full-time service with the University who is notified that his or her contract will not be renewed is normally entitled, upon request, to a terminal-year contract.

The length of contracts for research faculty members whose appointments are substantially supported by external grants may differ from those identified above and are subject to identification of a continued source of funding. Contracts for research faculty members,

including provisions for the terminal year, may be contingent on external grant funding for positions substantially dependent upon such funding.

***Article IV/Section 3/Subsection (c) Teaching Faculty***

The Assistant Teaching Professor should possess an advanced degree in the field in which that faculty member will teach, or, in certain fields, the appropriate professional degree or license. The Assistant Teaching Professor should have promise as a teacher, interest in students, willingness to serve the academic unit, the University, and/or his or her discipline, and that genuine spirit of study necessary to assure growth in knowledge and maturity. The initial appointment is ordinarily for a one-year period. The appointment may be renewed annually for additional one-year periods, and salary is reviewed each year. If the University chooses to terminate the services of the Assistant Teaching Professor at the end of an initial one-year contract period, the University will give three months' notice of such termination; subsequently, if the University chooses to terminate the services of an Assistant Teaching Professor at the end of a consecutive one-year contract, the University will give six months' notice of such termination. If the Assistant Teaching Professor elects to terminate services, the Assistant Teaching Professor will give the University three months' notice of such termination.

The Associate Teaching Professor should possess an advanced degree in the field in which that faculty member will teach, or, in certain fields, the appropriate professional degree or license. The Associate Teaching Professor should ordinarily have demonstrated outstanding teaching ability, growth in knowledge and maturity, salutary influence on colleagues and students, service to the academic unit, the University, and/or his or her discipline, and standing among colleagues. Appointment at the rank of Associate Teaching Professor is ordinarily for a three-year period. If the University chooses to terminate the services of the Associate Teaching Professor at the end of the contract period, the University will give six months' notice of such termination. Principles regarding review of salary and notice to the University are the same as for Assistant Teaching Professor.

The Teaching Professor should ordinarily possess the qualifications required for appointment as an Associate Teaching Professor; should have given significant service to the academic unit, the University, and/or his or her discipline; and should ordinarily have made significant academic contributions beyond the faculty member's own courses (more generally within that faculty member's academic unit, at the University level, or through national organizations). Appointment at the rank of Teaching Professor is ordinarily for a five-year period. If the University chooses to terminate the services of the Teaching Professor at the end of the contract period, the University will give six months' notice of such termination. Principles regarding review of salary and notice to the University are the same as for Assistant Teaching Professor.

A member of the teaching faculty with at least six years of full-time service with the University who is notified that his or her contract will not be renewed is normally entitled, upon request, to a terminal-year contract.

***Article IV/Section 3/Subsection (d) Professors of the Practice***

The Assistant Professor of the Practice should possess an appropriate advanced degree and/or distinguished practice experience relevant to the field in which that faculty member will teach and/or research. The Assistant Professor of the Practice should have promise as a teacher and/or researcher, interest in students, willingness to serve the academic unit, the University, and/or his or her discipline, and that genuine spirit of study necessary to assure growth in knowledge and maturity. The initial appointment is ordinarily for a one-year period. The appointment may be renewed annually for additional one-year periods, and salary is reviewed each year. If the University chooses to terminate the services of the Assistant Professor of the Practice at the end of an initial one-year contract period, the University will give three months' notice of such termination; subsequently, if the University chooses to terminate the services of an Assistant Professor of the Practice at the end of a consecutive one-year contract, the University will give six months' notice of such termination. If the Assistant Professor of the Practice elects to terminate services, the Assistant Professor of the Practice will give the University three months' notice of such termination.

The Associate Professor of the Practice should possess an appropriate advanced degree and/or distinguished practice experience relevant to the field in which that faculty member will teach and/or research. The Associate Professor of the Practice should ordinarily have demonstrated outstanding teaching and/or research ability, growth in knowledge and maturity, salutary influence on colleagues and students, service to the academic unit, the University, and/or his or her discipline, and standing among colleagues. Appointment at the rank of Associate Professor of the Practice is ordinarily for a three-year period. If the University chooses to terminate the services of the Associate Professor of the Practice at the end of the contract period, the University will give six months' notice of such termination. Principles regarding review of salary and notice to the University are the same as for Assistant Professor of the Practice.

The Professor of the Practice should possess the qualifications required for appointment as an Associate Professor of the Practice; should ordinarily have given significant service to the academic unit, the University, and/or his or her discipline; and should ordinarily have made significant academic contributions beyond the faculty member's own courses (more generally within that faculty member's academic unit, at the University level, or through national organizations) or achieved widespread recognition in his or her field. Appointment at the rank of Professor of the Practice is ordinarily for a five-year period. If the University chooses to terminate the services of the Professor of the Practice at the end of the contract period, the

University will give six months' notice of such termination. Principles regarding review of salary and notice to the University are the same as for Assistant Professor of the Practice.

A member of the Professor of the Practice faculty with at least six years of full-time service with the University who is notified that his or her contract will not be renewed is normally entitled, upon request, to a terminal-year contract.

The length of contracts for Professors of the Practice whose appointments are substantially supported by external grants may differ from those identified above and are subject to identification of a continued source of funding. Contracts for such faculty members, including provisions for the terminal year, may be contingent on external grant funding for positions substantially dependent upon such funding.

***Article IV/Section 3/Subsection (e) Clinical Faculty***

The Assistant Clinical Professor should ordinarily possess the doctoral degree or its equivalent or, in certain fields, the appropriate advanced degree or professional degree or license. The Assistant Clinical Professor should have demonstrated promise as a clinical teacher, interest in students, willingness to serve the academic unit, the University, and/or his or her discipline, and that genuine spirit of study necessary to assure growth in knowledge and maturity. The initial appointment is ordinarily for a one-year period. The appointment may be renewed annually for additional one-year periods, and salary is reviewed each year. If the University chooses to terminate the services of the Assistant Clinical Professor at the end of an initial one-year contract period, the University will give three months' notice of such termination; subsequently, if the University chooses to terminate the services of an Assistant Clinical Professor at the end of a consecutive one-year contract, the University will give six months' notice of such termination. If the Assistant Clinical Professor elects to terminate services, the Assistant Clinical Professor will give the University three months' notice of such termination.

The Associate Clinical Professor should possess the doctoral degree or its equivalent or, in certain fields, the appropriate advanced degree or professional degree or license. The Associate Clinical Professor should have demonstrated outstanding clinical teaching, growth in knowledge and maturity, salutary influence on colleagues and students, service to the academic unit, the University, and/or his or her discipline, and standing among colleagues. Appointment at the rank of Associate Clinical Professor is ordinarily for a three-year period. If the University chooses to terminate the services of the Associate Clinical Professor at the end of the contract period, the University will give six months' notice of such termination. Principles regarding review of salary and notice to the University are the same as for Assistant Clinical Professor.

The Clinical Professor should possess the qualifications required for appointment as an Associate Clinical Professor; should have given significant service to the academic unit, the

University, and/or his or her discipline; and should have achieved widespread recognition in his or her field, either for his or her contributions to clinical pedagogy or other contributions to the field in which he or she works. Appointment at the rank of Clinical Professor is ordinarily for a five-year period. If the University chooses to terminate the services of the Clinical Professor at the end of the contract period, the University will give six months' notice of such termination. Principles regarding review of salary and notice to the University are the same as for Assistant Clinical Professor.

A member of the clinical faculty with at least six years of full-time service with the University who is notified that his or her contract will not be renewed is normally entitled, upon request, to a terminal-year contract.

***Article IV/Section 3/Subsection (f) Library Faculty***

The Assistant Librarian should ordinarily possess a master's library degree or its equivalent, or in exceptional situations, the appropriate academic or professional degree or license (e.g., PhD, JD, etc.). The Assistant Librarian should demonstrate knowledge of library and information services and a commitment to professional service in a teaching and research university. The Assistant Librarian should show potential for contribution to the profession and for service to the University. The initial appointment is ordinarily for a one-year period. The appointment may be renewed on mutually agreeable terms, and salary is reviewed each year. If the University chooses to terminate the services of the Assistant Librarian at the end of an initial one-year contract period, the University will give three months' notice of such termination. Subsequently, if the University chooses to terminate the services of an Assistant Librarian at the end of a consecutive one-year contract, the University will give six months' notice of such termination. If the Assistant Librarian elects to terminate services, the Assistant Librarian will give the University three months' notice of such termination.

The Associate Librarian should ordinarily possess a master's library degree or its equivalent, or in exceptional situations, the appropriate academic or professional degree or license. For promotion to Associate Librarian, the faculty member should have a minimum of six years of qualifying professional library experience and must demonstrate significant achievement in both professional service and contribution to the profession as well as achievement in University and community service. Appointment at the rank of Associate Librarian is ordinarily for a three-year period. If the University chooses to terminate the services of the Associate Librarian at the end of the contract period, the University will give six months' notice of such termination. Principles regarding review of salary and notice to the University are the same as for Assistant Librarian.

The Librarian should possess the qualifications required for appointment as an Associate Librarian and must demonstrate outstanding achievement in both professional service and

contribution to the profession as well as achievement in University and community service, and beyond these should have gained widespread recognition for excellence in professional ability and service to the profession. Appointment at the rank of Librarian is ordinarily for a five-year period. If the University chooses to terminate the services of the Librarian at the end of the contract period, the University will give six months' notice of such termination. Principles regarding review of salary and notice to the University are the same as for an Assistant Librarian.

A member of the library faculty with at least six years of full-time service with the University who is notified that his or her contract will not be renewed is normally entitled, upon request, to a terminal-year contract.

***Article IV/Section 3/Subsection (g) Advising Faculty***

The Assistant Advising Professor should possess an advanced, and preferably terminal, degree in a field within the academic unit in which (s)he will advise students, or a comparable professional credential appropriate for the practice of advising in an academic setting. The Assistant Advisor should have demonstrated promise in advising, interest in students, willingness to serve the academic unit and the University, and that genuine spirit of intellectual engagement requisite for growth in the profession. The initial appointment is ordinarily for a one-year period. The appointment may be renewed annually for additional one-year terms, and salary is reviewed each year. If the University chooses to terminate the services of the Assistant Advisor at the end of an initial one-year contract period, the University will give three months' notice of such termination; subsequently, if the University chooses to terminate the services of an Assistant Advisor at the end of a consecutive one-year contract, the University will give six months' notice of such termination. If the Assistant Advisor elects to terminate services, the Assistant Advisor will give the University three months' notice of such termination.

The Associate Advising Professor should possess an advanced, and preferably terminal, degree in a field within the academic unit in which (s)he will advise students, or a comparable professional credential appropriate for the practice of advising in an academic setting. The Associate Advisor should have demonstrated outstanding advising ability, growth in knowledge of the theory and practice of advising, maturity, salutary influence on professional peers and students, service to the academic unit and the University, and standing among colleagues. Appointment at the rank of Associate Advisor is ordinarily for a three-year period. If the University chooses to terminate the services of the Associate Advisor at the end of the contract period, the University will give six months' notice of such termination. Principles regarding review of salary and notice to the University are the same as for Assistant Advisor.

The Advising Professor should possess the qualifications required for appointment as an Associate Advisor; should have given significant service to the academic unit and the



University; and should have made significant contributions to the theory and practice of advising beyond the faculty member's primary academic home (more generally within that advisor's academic unit, at the University level, or through substantial contributions to national organizations). Appointment at the rank of Advisor is ordinarily for a five-year period. If the University chooses to terminate the services of the Advisor at the end of the contract period, the University will give six months' notice of such termination. Principles regarding review of salary and notice to the University are the same as for an Assistant Advisor.

A member of the advising faculty with at least six years of full-time service with the University who is notified that his or her contract will not be renewed is normally entitled, upon request, to a terminal-year contract.

#### ***Article IV/Section 4 Qualifications for Conducting Courses***

Anyone having general responsibility for the conduct of a course carrying academic credit must be (1) a member of the faculty or (2) a postdoctoral scholar or graduate assistant duly appointed to teach the course by the Chairperson of the Department, acting with the departmental Committee on Appointments (or by the head of any appropriate academic unit, acting with an appropriate committee of that unit), and approved by the Dean. Any faculty member, postdoctoral scholar, or graduate assistant assigned responsibility for a course should have demonstrated preparation for teaching.

#### ***Article IV/Section 5 Procedures for Appointment, Reappointment and Promotion***

To implement the procedures stated herein, each academic unit shall have a Committee on Appointments (CA) and a Committee on Reappointment, Promotion, and Tenure (CRPT). In the case of Colleges, each Department, rather than the College, shall have a CA and a CRPT. These committees are the departmental committees that govern the appointment, reappointment, promotion, and tenure (for tenure-track faculty) of its faculty. These committees are described in more detail in Article V, Section 5.

#### ***Article IV/Section 5/Subsection (a) Tenured and Tenure-Track Faculty***

Appointments to the tenured and tenure-track faculty are made by the President, upon recommendation from the relevant Department or School, the relevant Dean, and the Provost. The formal procedure for appointments is initiated by the Chair of the appointing Department or the Dean of the appointing School, acting with the departmental or School CA. In the case of a faculty member appointed in a Department, the Chairperson of the Department submits a written recommendation, along with a written report approved by the CA of its deliberations and recommendations, to the Dean, who then submits these recommendations to the Provost, along with a written personal recommendation. In the case of a faculty member appointed in a School, the CA submits a written report of its deliberations and recommendations to the Dean of the

School, who submits that report to the Provost, along with the Dean's own personal recommendation. In all cases, the Provost, after consultation with such advisers as the Provost may choose, submits all recommendations, both positive and negative, and including a personal recommendation, to the President for final action.

Reappointments, promotions, and awards of tenure for the tenured and tenure-track faculty are made by the President. The Chairperson of the faculty member's Department or the Dean of the faculty member's School notifies a faculty member under consideration for reappointment, promotion, or tenure in advance of the evaluation process, and the faculty member submits a statement and evidence on his or her own behalf for use in the evaluation process. In the case of a faculty member appointed in a Department, the Chairperson of the Department submits a written recommendation, along with a written report approved by the CRPT of its deliberations and recommendations, to the Dean, who then evaluates the candidacy. In the case of a faculty member appointed in a School, the Dean of the School submits a written recommendation, along with a written report approved by the CRPT of its deliberations and recommendations, to the Provost. If the Dean anticipates disagreeing with the recommendation of either a CRPT or a departmental Chairperson, the Dean meets with the CRPT and the Chairperson jointly (or the CRPT itself in the case of a faculty member appointed in a School) to discuss the case before concluding his or her evaluation. If the recommendations of (1) the Dean and (2) the CRPT and/or the departmental Chairperson are negative, the Dean or, at the Dean's discretion, the departmental Chairperson must meet with the candidate and deliver written notice to him or her that the decision concerning reappointment, promotion, or tenure is negative and that the candidacy is terminated. When a candidacy is terminated at this stage, the Dean also informs the Provost in writing of the termination but does not forward to the Provost any recommendations or the results of any meeting between the Dean, the CRPT, and the departmental Chairperson. In all other cases, the Dean informs the candidate that his or her candidacy is proceeding to the Provost and forwards all recommendations to the Provost, including a written personal recommendation, along with the results of any meeting between the Dean, the CRPT, and the departmental Chairperson.

The Provost, after consultation with such advisers as he or she may choose, submits all recommendations, both positive and negative, and including a personal recommendation, to the President for final action. For reappointment, promotion, and tenure decisions, the Provost ordinarily consults with the Provost's Advisory Committee before making a recommendation to the President. The President informs the Provost of his final determination. The Provost in turn informs the Dean of this determination. The Dean or, at the Dean's discretion, the departmental Chairperson meets with the candidate and delivers written notice to him or her of the decision concerning reappointment, promotion, or tenure. Whenever the ultimate decision concerning reappointment, promotion, or tenure is negative, the Dean, upon request of the faculty member concerned, conveys to the faculty member (in writing, if so requested) the reasons for this

negative decision. If the Provost and/or President disagreed with the recommendation of the Provost's Advisory Committee, the Dean shall consult with the Provost and/or the President regarding the basis for such disagreement prior to conveying the reasons to the faculty member.

Whenever the President does not accept the CRPT's recommendation, the CRPT is entitled, upon request, to an explanation of such non-acceptance, conveyed to the committee through the Dean.

Named positions are honorific and may be supported by an endowment. Appointments to a named position of regular faculty at the Assistant, Associate, or Professor rank may be made for a limited timeframe and are granted by the President or his designee, upon the recommendation of the head of an academic unit and the Provost. Named appointments associated with administrative positions are made by the President or his designee and end when the administrative term ends.

Tenured Professors may be appointed by the President to named University Chair positions in a manner consistent with the procedures set forth in this subsection. Colleges and Schools may employ additional procedures provided that the requirements identified in this subsection are satisfied.

Except in one circumstance involving internal candidates for a named University Chair, described below, at least two committees shall be involved in the evaluation of candidates. The first of these committees is the departmental CRPT as it would be constituted for evaluating the promotion of a faculty member to Professor (See Article V, Section 5). The second of these committees is a Named University Chair Review Committee, which is appointed as necessary by the Dean of the College or School. The Named University Chair Review Committee consists of a minimum of three members who hold a Named University Chair as a Professor. At least two members of the Named University Chair Review Committee must be from outside the Department or School in which the appointment may be made. The Dean also may appoint to the Named University Chair Review Committee an ex officio committee Chair who is not required to hold or have held a named University Chair as a Professor and who does not count toward the membership of the committee.

The CRPT of the relevant Department or School evaluates each candidate for appointment to a named Chair at the Professor level and provides the Named University Chair Review Committee with a written report of its deliberations and recommendation. The Named University Chair Review Committee then assesses the candidate evaluated by the departmental or School CRPT and advises the head of the academic unit Dean as to the candidate's quality in a written report of its deliberations and recommendation. The Named University Chair Review Committee also forwards to the Dean the written report of the departmental or School Professor CRPT. If the

Dean approves the appointment, the Dean provides the Provost with a written personal recommendation along with the written reports of the departmental or School CRPT and the Named University Chair Review Committee. If the Dean disapproves the appointment, the Dean does not forward any written materials to the Provost but instead shall terminate the candidacy by informing the Provost and the committees of the decision and the reason for it. If the Provost, after receiving a positive recommendation from the Dean, and after consultation with such advisers as the Provost may choose, approves the appointment, the Provost submits a personal recommendation and all other reports and recommendations to the President for final action. If the Provost disapproves the appointment, the Provost does not forward any written materials to the President but instead terminates the candidacy by informing the President and the Dean and the committees of the decision and the reason for it.

When, in the consideration of an internal candidate for a named University Chair, there is a conflict of interest or the appearance of a conflict of interest in the departmental or School CRPT, the Dean may in his or her discretion, after consultation with other leaders of the unit such as the Chairperson of the Department, require that the internal candidate be evaluated directly by a Named University Chair Review Committee and not by the departmental or School CRPT of the Department or School.

***Article IV/Section 5/Subsection (b) Research Faculty***

Appointments of research faculty are made by the Provost or the Provost's designee. The formal procedure for appointment is initiated by the head of the relevant academic unit, acting with the departmental or academic unit CA. In cases initiated by the Chairperson of an academic Department, the Chairperson submits a written recommendation, along with a written report approved by the departmental CA of its deliberations and recommendations, to the Dean of the relevant College or School, who then submits these recommendations to the Provost, along with a written personal recommendation. In cases initiated by the head of any other academic unit, the academic unit CA delivers to the head of the academic unit a written report approved by the academic unit CA of its deliberations and recommendations, which the head of the academic unit forwards to the Provost along with the head's personal recommendation.

Research faculty to be hired with funding from external grants and contracts may be appointed by the Provost or the Provost's designee upon the recommendation of the relevant faculty member (typically the principal investigator), with concurrence of the Chairperson of the Department and the approval of the Dean of the College or School.

Reappointments and promotions of research faculty are made by the Provost or the Provost's designee. A minimum of six years of qualifying professional experience, of which at least three are at the rank of Assistant Research Professor, is ordinarily required for promotion to Associate Research Professor.

The formal procedure for reappointment and promotion is initiated by the Chairperson of the faculty member's Department or the head of the appointing academic unit, acting with the departmental or academic unit CRPT. The Chairperson of the faculty member's Department or the head of the faculty member's academic unit notifies the faculty member under consideration for reappointment or promotion in advance of the evaluation process, and the faculty member submits a statement and evidence on his or her own behalf for use in the evaluation process. In cases initiated by the Chairperson of an academic Department, the Chairperson submits a written recommendation, along with a written report approved by the departmental CRPT of its deliberations and recommendations, to the Dean of the relevant College, who then submits these recommendations to the Provost, along with a written personal recommendation. In other cases, the academic unit CRPT delivers to the head of the appointing academic unit a written report approved by the academic unit CRPT of its deliberations and recommendations, which the head of the academic unit forwards to the Provost along with the academic unit head's personal recommendation.

In the cases initiated by the Chairperson of an academic Department, if the Dean anticipates disagreeing with the recommendations of the departmental Chairperson or with the departmental CRPT, the Dean meets jointly with the Chairperson and the departmental CRPT to discuss the case before submitting the written personal recommendation to the Provost. The results of any such meetings are forwarded to the Provost along with the recommendations. Likewise, in other cases, if the head of the relevant academic unit anticipates disagreeing with the academic unit CRPT, the academic unit head meets with the academic unit CRPT to discuss the case before submitting the written personal recommendation to the Provost.

Research faculty members appointed with external grants and contracts have a fixed-term contract and are not eligible for reappointment unless a designated source of funding is identified.

Whenever the ultimate decision concerning reappointment or promotion is negative, the head of the relevant academic unit, upon request of the faculty member concerned, conveys (in writing, if so requested) the reasons for this negative decision to the faculty member. If the Provost disagreed with the recommendation of the head of the academic unit, the head of the academic unit shall consult with the Provost regarding the basis for such disagreement prior to conveying the reasons to the faculty member.

Whenever the Provost does not accept the CRPT's recommendation, the CRPT is entitled, upon request, to an explanation of such non-acceptance, conveyed to the committee through the appropriate head of the relevant academic unit.

***Article IV/Section 5/Subsection (c) Teaching Faculty***

Appointments to the teaching faculty are made by the Provost or the Provost's designee. The formal procedure for appointment is initiated by the head of the relevant academic unit, acting with the departmental or academic unit's CA. In cases initiated by the Chairperson of a Department, the Chairperson submits a written recommendation, along with a written report approved by the departmental CA of its deliberations and recommendations, to the Dean of the relevant College or School, who then submits these recommendations to the Provost, along with a written personal recommendation. In cases initiated by the head of any other academic unit, the academic unit CA delivers to the head of the academic unit a written report approved by the academic unit CA of its deliberations and recommendations, which the head of the academic unit forwards to the Provost, along with the academic unit head's personal recommendation.

Reappointments and promotions to the teaching faculty are made by the Provost or the Provost's designee. A minimum of six years of qualifying professional experience, of which at least three are at the rank of Assistant Teaching Professor, is ordinarily required for promotion to Associate Teaching Professor.

The formal procedure for reappointment and promotion is initiated by the Chairperson of the faculty member's Department or the head of the other appointing academic unit, acting with the departmental or academic unit CRPT. The Chairperson of the faculty member's Department or the head of the faculty member's academic unit notifies a faculty member under consideration for reappointment or promotion in advance of the evaluation process, and the faculty member submits a statement and evidence on his or her own behalf for use in the evaluation process. In cases initiated by the Chairperson of an academic Department, the Chairperson submits a written recommendation, along with a written report approved by the departmental CRPT of its deliberations and recommendations, to the Dean of the relevant College or School, who then submits these recommendations to the Provost, along with a written personal recommendation. In other cases, the academic unit CRPT delivers to the head of the appointing academic unit a written report approved by the academic unit CRPT of its deliberations and recommendations, which the head of the academic unit forwards to the Provost along with the academic unit head's personal recommendation.

Whenever the ultimate decision concerning reappointment or promotion is negative, the head of the relevant academic unit, upon request of the faculty member concerned, conveys (in writing, if so requested) the reasons for this negative decision to the faculty member. If the Provost disagreed with the recommendation of the Dean or head of other academic unit, the Dean or head of other academic unit shall consult with the Provost regarding the basis for such disagreement prior to conveying the reasons to the faculty member.

***Article IV/Section 5/Subsection (d) Professors of the Practice***

Appointments as a Professor of the Practice are made by the Provost or the Provost's designee. The formal procedure for appointment is initiated by the head of the relevant academic unit, acting with the departmental or academic unit CA. In cases initiated by the Chairperson of an academic Department, the Chairperson submits a written recommendation, along with a written report approved by the departmental CA of its deliberations and recommendations, to the Dean of the relevant College or School, who then submits these recommendations to the Provost, along with a written personal recommendation. In cases initiated by the head of any other academic unit, the academic unit CA delivers to the head of the academic unit a written report approved by the academic unit CA of its deliberations and recommendations, which the head of the academic unit forwards to the Provost along with the academic unit head's personal recommendation.

Reappointments and promotions for Professors of the Practice are made by the Provost or the Provost's designee. A minimum of six years of qualifying professional experience, of which at least three are at the rank of Assistant Professor of the Practice, is ordinarily required for promotion to Associate Professor of the Practice.

The formal procedure for reappointment and promotion is initiated by the Chairperson of the faculty member's Department or the head of the other appointing academic unit, acting with the departmental or academic unit CRPT. The Chairperson of the faculty member's Department or the head of the faculty member's academic unit notifies a faculty member under consideration for reappointment or promotion in advance of the evaluation process, and the faculty member submits a statement and evidence on his or her own behalf for use in the evaluation process. In cases initiated by the Chairperson of an academic Department, the Chairperson submits a written recommendation, along with a written report approved by the departmental CRPT of its deliberations and recommendations, to the Dean of the relevant College or School, who then submits these recommendations to the Provost, along with a written personal recommendation. In other cases, the academic unit CRPT delivers to the head of the appointing academic unit a written report approved by the academic unit CRPT of its deliberations and recommendations, which the head of the academic unit forwards to the Provost along with the academic unit head's personal recommendation.

Whenever the ultimate decision concerning reappointment or promotion is negative, the Chairperson, Dean, or head of other academic unit, upon request of the faculty member concerned, conveys (in writing, if so requested) the reasons for this negative decision to the faculty member. If the Provost disagreed with the recommendation of the Chairperson, Dean, or head of other academic unit, the Dean or head of other academic unit shall consult with the Provost regarding the basis for such disagreement prior to conveying the reasons to the faculty member.

***Articles IV/Section 5/Subsection (e) Clinical Faculty***

Appointments to the clinical faculty are made by the Provost or the Provost's designee. The formal procedure for appointment is initiated by the head of the relevant academic unit, acting with the departmental or academic unit's CA. In cases initiated by the Chairperson of an academic Department, the Chairperson submits a written recommendation, along with a written report approved by the CA of its deliberations and recommendations, to the Dean of the relevant College or School, who then submits these recommendations to the Provost, along with a written personal recommendation. In cases initiated by the head of any other academic unit, the academic unit CA delivers to the head of the academic unit a written report approved by the academic unit CA of its deliberations and recommendations, which the head of the academic unit forwards to the Provost along with the academic unit head's personal recommendation.

The formal procedure for appointment is initiated by the Chairperson of a Department, by the Dean of a School, or by the head of any other academic unit authorized by the Provost to appoint teaching faculty. In cases initiated by the Chairperson of a Department, the Chairperson consults with the departmental CA and submits a written recommendation to the Dean, who submits this recommendation to the Provost, along with the Chairperson's written personal recommendation. In cases initiated by the Dean of a School, the Dean consults with the School's CA, the School CA submits its written recommendation to the Dean, and the Dean forwards the School CA's recommendation to the Provost along with the Dean's written personal recommendation. In cases initiated by the head of another academic unit, the head of the unit consults with the academic unit's CA, the academic unit CA submits its written recommendation to the head of the academic unit, and the head of the unit forwards the CA's recommendation to the Provost along with the head of the academic unit's personal recommendation.

Reappointments and promotions for clinical faculty are made by the Provost or the Provost's designee. A minimum of six years of qualifying professional experience, of which at least three are at the rank of Assistant Clinical Professor, is ordinarily required for promotion to Associate Clinical Professor.

The formal procedure for reappointment and promotion is initiated by the Chairperson of the faculty member's Department or the head of the other appointing academic unit, acting with the departmental or academic unit CRPT. The Chairperson of the faculty member's Department or the head of the faculty member's academic unit notifies a faculty member under consideration for reappointment or promotion in advance of the evaluation process, and the faculty member submits a statement and evidence on his or her own behalf for use in the evaluation process. In cases initiated by the Chairperson of an academic Department, the Chairperson submits a written recommendation, along with a written report approved by the departmental CRPT of its deliberations and recommendations, to the Dean of the relevant College or School, who then



submits these recommendations to the Provost, along with a written personal recommendation. In other cases, the academic unit CRPT delivers to the head of the appointing academic unit a written report approved by the academic unit CRPT of its deliberations and recommendations, which the head of the academic unit forwards to the Provost along with the academic unit academic unit head's personal recommendation.

Whenever the ultimate decision concerning reappointment or promotion is negative, the Chairperson, Dean, or head of other academic unit, upon request of the faculty member concerned, conveys (in writing, if so requested) the reasons for this negative decision to the faculty member. If the Provost disagreed with the recommendation of the Chairperson, Dean, or head of other academic unit, the Dean or head of other academic unit shall consult with the Provost regarding the basis for such disagreement prior to conveying the reasons to the faculty member.

***Article IV/Section 5/Subsection (f) Library Faculty***

Appointments to the library faculty are made by the Provost or the Provost's designee. The formal procedure for appointment is initiated by the Dean, Hesburgh Libraries and University of Notre Dame Press in consultation with the Hesburgh Libraries CA. The Dean submits a written recommendation, along with a written report approved by the CA of its deliberations and recommendations, to the Provost. Faculty of the Law Library follow appointment procedures set forth by the Faculty Governance Code of the Law School.

Reappointments and promotions of the library faculty are made by the Provost or the Provost's designee. The Dean notifies a faculty member under consideration for reappointment or promotion in advance of the evaluation process, and the faculty member submits a statement and evidence on the faculty member's own behalf for use in the evaluation process by the Hesburgh Libraries CRPT. The Dean submits a written recommendation, along with a written report approved by the Hesburgh Libraries CRPT of its deliberations and recommendations, to the Provost. Reappointment and promotion of faculty of the Law Library follow procedures set forth by the Faculty Governance Code of the Law School.

Whenever the ultimate decision concerning reappointment or promotion is negative, the Dean, Hesburgh Libraries and University of Notre Dame Press (or the Dean of the Law School, as appropriate), upon request of the faculty member concerned, conveys (in writing, if so requested) the reasons for this negative decision to the faculty member. If the Provost disagrees with the recommendation of the Dean, Hesburgh Libraries and University of Notre Dame Press (or Dean of the Law School), the relevant Dean shall consult with the Provost regarding the basis for such disagreement prior to conveying the reasons to the faculty member.

Whenever the Provost does not accept the recommendation made by the Hesburgh Libraries CRPT, the Hesburgh Libraries CRPT is entitled, upon request, to an explanation of such non-acceptance, conveyed to the committee through the Dean, Hesburgh Libraries and University of Notre Dame Press.

***Article IV/Section 5/Subsection (g) Advising Faculty***

Appointments to the advising faculty are made by the Provost or the Provost's designee. The formal procedure for appointment is initiated by the head of the relevant academic unit, acting with the academic unit's CA. In cases initiated by the Chairperson of an academic Department, the Chairperson submits a written recommendation, along with a written report approved by the departmental CA of its deliberations and recommendations, to the Dean of the relevant College or School, who then submits these recommendations to the Provost, along with a written personal recommendation. In cases initiated by the head of any other academic unit, the academic unit CA delivers to the head of the academic unit a written report approved by the academic unit CA of its deliberations and recommendations, which the head of the academic unit forwards to the Provost along with the academic unit head's personal recommendation.

Reappointments and promotions for advising faculty are made by the Provost or the Provost's designee. A minimum of six years of qualifying professional experience, of which at least three are at the rank of Assistant Advisor, is ordinarily required for promotion to Associate Advisor.

The formal procedure for reappointment and promotion is initiated by the Chairperson of the faculty member's Department or the head of the other appointing academic unit, acting with the departmental or academic unit CRPT. The Chairperson of the faculty member's Department or the head of the faculty member's academic unit notifies a faculty member under consideration for reappointment or promotion in advance of the evaluation process, and the faculty member submits a statement and evidence on his or her own behalf for use in the evaluation process. In cases initiated by the Chairperson of an academic Department, the Chairperson submits a written recommendation, along with a written report approved by the departmental CRPT of its deliberations and recommendations, to the Dean of the relevant College or School, who then submits these recommendations to the Provost, along with a written personal recommendation. In other cases, the academic unit CRPT delivers to the head of the appointing academic unit a written report approved by the academic unit CRPT of its deliberations and recommendations, which the head of the academic unit forwards to the Provost along with the academic unit head's personal recommendation.

Whenever the ultimate decision concerning reappointment or promotion is negative, the Chairperson, Dean, or head of other academic unit, upon request of the faculty member

concerned, conveys (in writing, if so requested) the reasons for this negative decision to the faculty member. If the Provost disagrees with the recommendation of the Chairperson, Dean, or head of other academic unit, the Dean or head of other academic unit shall consult with the Provost regarding the basis for such disagreement prior to conveying the reasons to the faculty member.

***Article IV/Section 5/Subsection (h) Other Faculty Appointments***

Appointments to other faculty categories are made by the Provost or the Provost's designee upon the recommendation of a Chairperson of a Department, the Dean of a School, or the head of any other academic unit authorized by the Provost to appoint faculty. Appointments as fellows are made in accordance with the Guidelines for University Centers and Institutes and governing documents for the University Institute.

***Article IV/Section 5/Subsection (i) Joint Faculty Appointments***

Joint appointments of faculty are made by the Provost or the Provost's designee upon the recommendation of the respective departmental Chairperson, if applicable, the respective CA (for newly hired faculty) or CRPT (for current University faculty), and the head of the relevant academic unit. The terms of such an appointment are formally agreed to by the holder of the joint appointment and the heads of the respective academic units, and they are approved by the units' respective CRPTs and documented in a memorandum of understanding between the faculty member and the respective units.

***Article IV/Section 6 Tenure***

Tenure is permanence of appointment. Its principal purpose is the protection of academic freedom. Tenure may be granted only to members of the tenured and tenure-track faculty holding University appointments at ranks other than Instructor or Assistant Professor. Tenure is granted only in a written contract or letter of appointment.

Members who are appointed to the rank of Assistant Professor will not be retained in that rank in a probationary status and without tenure for longer than seven years of active service (if that period concludes with a fall semester, then seven-and-one-half years). Members who are appointed to the rank of Associate Professor will not be retained in a probationary status and without tenure for longer than six years (respectively, six-and-one-half years) of active service. These maximum probationary periods do not include the terminal contract year, during which the member is no longer considered to be in a probationary status.

The probationary periods specified in this subsection increase by one year for each appointment extended pursuant to the University policy on primary caregivers and, where applicable and appropriate, medical leaves. Except in extraordinary circumstances, as defined by the Provost, the probationary period may not increase, under this policy or otherwise, more than a total of

two years (respectively, two-and-one half years). Nothing in this section prevents the offer of tenure to a member who has served less than the specified maximum probationary period.

Evaluation of a member for tenure should generally be guided by, among other considerations, the standards for appointment or promotion to the rank of Associate Professor set out in section 3. In addition, the faculty member must demonstrate promise for continued productive scholarship, excellent teaching, and service to the academic unit, the University, and his or her discipline. Each tenure decision is a separate action guided by the application of discipline-specific criteria to these standards at the time the decision is made.

When faculty other than tenured and tenure-track faculty members or administrators are given a concurrent faculty appointment, such time does not count toward tenure, unless otherwise specified in a letter of appointment.

***Article IV/Section 7 Appeals from Negative Decisions Concerning Reappointment, Promotion, and Tenure***

A member of the tenured and tenure-track faculty may appeal a negative decision concerning reappointment, promotion, or tenure by filing a written appeal with the Provost. Likewise, a member of the research faculty, teaching faculty, Professor of the Practice, clinical faculty, library faculty, and advising faculty may appeal a negative decision concerning reappointment or promotion by filing a written appeal with the Provost. The grounds and procedures for appeal by any such regular faculty member are outlined below.

Note the following stipulations regarding discrimination on the basis of sex:

A member of the tenured and tenure-track faculty, research faculty, teaching faculty, Professor of the Practice, clinical faculty, library faculty, or advising faculty (“petitioner”) who alleges that a decision against reappointment, promotion, or promotion to tenure of that faculty member is the product of discrimination on the basis of sex may choose one of two avenues of appeal.

1. The petitioner may proceed with an appeal as outlined in Appendix A to these articles (unless Appendix A is amended in favor of the procedures established by the provisions of this subsection), which is limited to cases of alleged discrimination on the basis of sex. If the Appendix A procedure is chosen, the petitioner may also file an appeal via the process outlined below alleging discrimination on other grounds, but not discrimination on the basis of sex.

2. Alternately, the petitioner may proceed with an appeal via the process outlined below, in which discrimination on the basis of sex as well as other possible grounds for discrimination may be alleged. If the petitioner alleges discrimination on the basis of sex under the procedure outlined below, the petitioner may not also file an appeal as outlined in Appendix A.

In short, a petitioner may not submit an appeal alleging discrimination on the basis of sex under both processes but must choose one or the other.

***Article IV/Section 7/Subsection (a) Appeals by a member of the tenured and tenure-track faculty***

A member of the tenured and tenure-track faculty (“the petitioner”) may appeal a negative decision concerning reappointment, promotion, or tenure by filing a written appeal with the Provost. The grounds for appeal are limited to:

1. Academic Freedom: consideration during the reappointment, promotion, or tenure process of factors that impinge upon the academic freedom of the petitioner.
2. Discrimination: denial of reappointment, promotion or tenure, or a failure to afford the petitioner equal opportunity to demonstrate the standards expected for reappointment, promotion or tenure that has a material effect upon the reappointment, promotion, or tenure decision, as is afforded to similarly situated faculty not in the protected class, due to sex, sexual orientation, race, color, national origin, religion, disability, genetic information, age or veteran status.
3. Personal Bias: consideration during the reappointment, promotion, or tenure process of factors unrelated to the performance of the petitioner in carrying out his or her professional responsibilities, or improper and unprofessional consideration of relevant factors, demonstrating a lack of objectivity or impartiality.
4. Procedural Error: a violation of established Department, College, or University procedures during the reappointment, promotion, or tenure process.

The petitioner must submit a written appeal within 60 calendar days of notification that his or her candidacy is terminated. The written appeal shall specify each ground for appeal asserted and shall include a concise statement of facts supporting each ground for appeal. The petition should include all documents supporting the petitioner’s factual statements as are then available to the petitioner. The Provost shall disclose to the University Committee on Appeals each ground for appeal asserted, but not the name of the petitioner submitting the appeal.

Three members of the University Committee on Appeals shall constitute the committee reviewing the appeal (“the Review Committee”). The Review Committee shall be formed within 15 calendar days of the filing of the written appeal. To constitute the Review Committee, the University Committee on Appeals and the petitioner each select one member to serve on the Review Committee, after which the Provost selects a third member to serve on the Review Committee. The three members of the Review Committee decide who will chair the Review

Committee. Any person who has had prior involvement with the case, either directly or indirectly, must recuse himself or herself. In the event of the recusal of the member of the Review Committee selected by the University Committee on Appeals, the University Committee on Appeals shall elect a replacement. For appeals concerning promotion to full Professor, only full Professors on the University Committee on Appeals are eligible to serve on the Review Committee.

The Review Committee shall be provided by the Provost the petition submitted to the Provost and the petitioner's entire CRPT file. In the course of its investigation, the Review Committee shall have confidential access to all information it deems necessary and may interview the petitioner and all parties involved in the case or whom they deem necessary to interview. The Review Committee's investigation need not be limited to the grounds raised by the petitioner. The Provost or his or her designee resolves any dispute concerning access to confidential information.

The Review Committee does not consider whether reappointment, promotion, or tenure should have been granted, but rather makes a determination of whether the preponderance of the evidence establishes that the decision was negative due to one or more of the grounds for appeal. If the candidacy was terminated prior to the Provost's consideration, the Review Committee shall submit a written report detailing its determination and the facts upon which such determination is based to the Provost. If the candidacy was terminated by the President, the Review Committee shall submit this report to the President and the Provost. The Review Committee shall submit its report within 90 calendar days of the Review Committee's formation. The petitioner and the Dean shall be informed of the Review Committee's determination. The Provost or the President shall evaluate the report and shall determine what additional evaluation or action, if any, is appropriate. As part of this evaluation process, the Provost or the President may elect to meet with the Review Committee to discuss its report. The decision of the Provost or President regarding the appeal is final, except that the President may in his sole discretion review an appeal evaluated by the Provost. The decision of the Provost or President regarding the appeal shall be conveyed to the petitioner, the dean, and the Review Committee within 30 calendar days of the Provost's or President's receipt of the Review Committee's determination.

All documents, reports, notes, correspondence, minutes, and other materials generated as part of the review process or by the Review Committee shall be held in confidence by the members of the Review Committee, and shall be deposited with the Provost after the Review Committee has completed its work.

The Provost shall submit an annual report to the President and the individual at the University responsible for academic affirmative action. The report shall enumerate the appeals taken, the determination of the Review Committee, and the ultimate disposition of each case.

***Article IV/Section 7/Subsection (b) Appeals by a member of the research faculty, teaching faculty, professor of the practice, clinical faculty, library faculty, or advising faculty***

A member of the research faculty, teaching faculty, professor of the practice, clinical faculty, library faculty, or advising faculty may appeal a negative decision concerning reappointment or promotion by filing a written appeal with the Provost. The grounds for appeal are the same as for appeals by tenured and tenure-track faculty, described above.

The petitioner must submit a written appeal within 30 calendar days of notification of the decision against his or her reappointment or promotion. The written appeal shall specify each ground for appeal asserted and shall include a concise statement of facts supporting each ground for appeal. The petition should include all documents supporting the petitioner's factual statements as are then available to the petitioner. The Provost shall disclose to the University Committee on Other Regular Faculty Appeals (see Article V/Section 3/Subsection (m)) each ground for appeal asserted, but not the name of the petitioner submitting the appeal.

Three members of the University Committee on Other Regular Faculty Appeals shall constitute the committee reviewing the appeal ("the Review Committee"). The Review Committee will be formed within 15 calendar days of the filing of the written appeal. To constitute the Review Committee, the University Committee on Other Regular Faculty Appeals and the petitioner each select one member to serve on the Review Committee, after which the Provost selects a third member to serve the Review Committee. The three members of the Review Committee decide who will chair the Review Committee. Any person who has had prior involvement with the case, either directly or indirectly, must recuse himself or herself from service on the Review Committee. In the event of the recusal of the member of the Review Committee selected by the University Committee on Other Regular Faculty Appeals, the University Committee on Other Regular Faculty Appeals shall elect a replacement.

The Review Committee shall be provided by the Provost the petition submitted to the Provost and the petitioner's entire CRPT file. In the course of its investigation, the Review Committee shall have confidential access to all information it deems necessary and may interview the petitioner and all parties involved in the case or whom they deem necessary to interview. The Review Committee's investigation need not be limited to the grounds raised by the petitioner. The Provost or his or her designee resolves any dispute concerning access to confidential information.

The Review Committee does not consider whether reappointment or promotion should have been granted, but rather makes a determination of whether the preponderance of the evidence establishes that the decision was negative due to one or more of the grounds for appeal. The Review Committee shall submit a written report detailing its determination and the facts upon which such determination is based to the Provost. If the Review Committee finds that the Provost's actions caused one or more valid grounds for appeal, then the Review Committee submits the written report to the President. The Review Committee shall submit its report within 30 calendar days of the Review Committee's formation. The petitioner and the Dean or the Director shall be informed of the Review Committee's determination. The Provost or the President shall evaluate the report and shall determine what additional evaluation or action, if any, is appropriate. As part of this evaluation process, the Provost or the President may elect to meet with the Review Committee to discuss its report. The decision of the Provost or the President regarding the appeal is final, except that the President may in his sole discretion review an appeal evaluated by the Provost. The decision of the Provost or President regarding the appeal shall be conveyed to the petitioner, the Dean or Director, and the Review Committee within 15 calendar days of the Provost's or the President's receipt of the Review Committee's determination.

All documents, reports, notes, correspondence, minutes, and other materials generated as part of the review process or by the Review Committee shall be held in confidence by the members of the Review Committee, and shall be deposited with the Provost after the Review Committee has completed its work.

The Provost shall submit an annual report to the President and the individual at the University responsible for academic affirmative action. The report shall enumerate the appeals taken, the determination of the Review Committee, and the ultimate disposition of each case.

***Article IV/Section 8/Dismissal Without Serious Cause***

***Article IV/Section 8/Subsection (a) Discontinuance of a Department or Academic Unit***

Discontinuance of one of its Departments or academic units may oblige the University to terminate the services of faculty members in that organization. A bona fide effort shall be made to relocate elsewhere in the University such faculty members, especially those with tenure. If a faculty member's appointment is terminated for this reason, it shall be continued for at least 12 months from the date of notification.

***Article IV/Section 8/Subsection (b) Financial Exigency***

Circumstances of extreme financial exigency may oblige the University to terminate faculty members with tenure. Financial exigency entails a severe financial crisis that fundamentally compromises the academic integrity of the institution as a whole and that cannot be alleviated by



less drastic means. In such extreme circumstances, faculty may be terminated at the point of such a declaration.

***Article IV/Section 9/Severe Sanctions for Serious Cause***

The University may impose one or more severe sanctions on any faculty member for serious cause according to these procedures. Except for circumstances described in Section 8, faculty members with tenure may be dismissed from employment only for serious cause.

***Article IV/Section 9/Subsection (a) Definition of Serious Cause***

“Serious cause” consists of any of the following: significant and deliberate academic dishonesty or plagiarism; misrepresentation of academic credentials; professional incompetence; continued neglect of academic duties, regulations, or responsibilities; conviction of a felony; significant and deliberate personal or professional misconduct (including, but not limited to, sexual harassment or discrimination in violation of University policies); continual significant disregard for the Catholic character of the University; or causing notorious and public scandal. Gross negligence may constitute deliberate conduct for the purposes of this subsection. Nothing in these definitions shall be construed so as to deny the right of a member of the faculty to academic freedom and associated responsibilities as defined in Article IV, Section 2 of these Articles.

***Article IV/Section 9/Subsection (b) Definition of Severe Sanction***

“Severe sanction” consists of any of the following: dismissal from employment; suspension; revocation of tenure; demotion in academic rank; and reduction of individual salary of more than 2% (not including reduction due to financial exigency causing widespread reductions). Notwithstanding any language in the Academic Articles to the contrary, Article IV/Section 9/Subsection (c) (“Procedures for Imposing Severe Sanctions”) shall not apply to any severe sanction that is the outcome of a finding of Sexual Harassment pursuant to the University’s Policy on Discriminatory Harassment, Sexual Harassment, and Other Sex-Based Misconduct. Changes to the section of the University’s Procedures for Resolving Concerns of Discriminatory Harassment, Sexual Harassment and Other Sexual Misconduct entitled “Sexual Harassment Procedures” must generally be approved by the Academic Council. However, the Executive Committee of the Academic Council has the authority to approve changes to the “Sexual Harassment Procedures” deemed “minor” or “administrative.” When such “minor” or “administrative” changes are approved by the Executive Committee, they must be reported to the Academic Council at its next regularly scheduled meeting.

***Article IV/Section 9/Subsection (c) Procedures for Imposing Severe Sanctions***

In order to impose one or more severe sanctions on a faculty member for serious cause, the University must adhere to the following procedures:

1. Notice and Potential for Resolution. The Provost initiates the process by providing the faculty member with initial written notice of: the serious cause that is alleged; the basis for the allegation; the severe sanction(s) that are sought; the procedures available under this section of the articles, including the procedures in paragraph (2) of this subsection concerning the faculty member's right to request a hearing or submit a written response; and the earliest date on which the severe sanction(s) may be imposed if the faculty member does not request a hearing. The earliest date for imposing the severe sanction(s) must be at least 45 days after delivery of the initial written notice to the faculty member. The Provost shall also provide the President with a copy of the initial written notice. After providing the faculty member and the President with the initial written notice, the Provost may, in his or her sole discretion, meet with the faculty member to attempt resolution of the matter.

If efforts at resolution of the matter between the Provost and the faculty member do not occur or are not concluded within 15 days after delivery of the initial written notice to the faculty member, or within an extended period of time for resolution mutually agreed upon by the Provost and the faculty member in writing, then the procedures described in paragraphs (2) through (6) of this subsection will apply.

## 2. Right to Request a Hearing or Submit a Written Response.

**Right to Request a Hearing.** The faculty member has the right to request a hearing. The faculty member must make the request in a timely manner by submitting written notice of the request to the Provost within 30 days after delivery of the initial written notice to the faculty member or within 15 days of the end of an extended period of time for resolution mutually agreed upon by the Provost and the faculty member pursuant to paragraph (1) of this subsection, whichever is later. If the faculty member requests a hearing in a timely manner, no severe sanction may be imposed until after the faculty member is afforded a hearing conducted in accordance with the provisions of paragraph (3) of this subsection.

**Right to Submit a Written Response.** In lieu of requesting a hearing, the faculty member has the right to submit a written response to the initial written notice. This response becomes a part of the faculty member's record. The faculty member must submit the written response in a timely manner by submitting it to the Provost within 30 days after delivery of the initial written notice to the faculty member or within 15 days of the end of an extended period of time for resolution mutually agreed upon by the Provost and the faculty member pursuant to paragraph (1) of this subsection, whichever is later.

**Decision Without a Hearing.** If the faculty member does not request a hearing in a timely manner, the Provost shall consider all the available evidence (including the faculty member's

written response, if one is submitted in a timely manner) and decide the case. The Provost shall then inform the faculty member in writing of this decision and the reasons for it. If the decision is to impose one or more severe sanctions, the Provost may impose, on a date no earlier than the date specified in the initial written notice, either the originally proposed sanction(s), or an alternative sanction(s) agreed to in writing by the faculty member.

3. Hearing Process. If the faculty member requests a hearing in a timely manner with regard to the imposition of one or more severe sanctions, the Provost shall disclose to the Executive Committee of the Academic Council the serious cause that is alleged, but not the name of the faculty member. The Executive Committee shall then elect a three-person Hearing Committee from among the tenured faculty who are elected members of the Academic Council. The individuals elected to the Hearing Committee shall be provided upon their election with a copy of the initial written notice that was delivered to the faculty member. An individual elected to the Hearing Committee must recuse himself or herself for bias or interest and must make this determination within five days of his or her election to the Hearing Committee. In the event of a Hearing Committee member's recusal, the Executive Committee shall elect a replacement (who also must be from among the tenured faculty who are elected members of the Academic Council). After the Hearing Committee has been constituted, the Provost establishes a date for the hearing, which shall be no less than 60 days and no more than 90 days following the constitution of the Hearing Committee. The Hearing Committee shall select from its members a Chair to be primarily responsible for managing the schedule and activity of the committee.

The role of the Hearing Committee is to conduct a confidential hearing and then make a finding of whether acts or omissions of the faculty member constitute serious cause as defined in subsection (a). The burden of proof rests with the University, and the burden is satisfied only by clear and convincing evidence.

At least 30 days prior to the hearing, the Hearing Committee shall hold at least one joint pre-hearing meeting with both parties, and/or their legal counsel, in order (i) to inform the parties of the structure of the hearing, including the process that will be utilized for the presentation of witnesses and evidence; (ii) to effect stipulations of facts (if any); (iii) to inform the parties of any memoranda or statements of argument that the Hearing Committee will consider in relation to the hearing and any limitations or requirements pertaining to such documents; and (iv) to achieve such other appropriate pre-hearing objectives as will make the hearing fair, effective, and expeditious.

The Hearing Committee shall have the discretion to structure the hearing as it determines is fair and appropriate in light of the nature of the serious cause alleged, provided that with respect to all hearings (i) the faculty member shall have the right to be present and to have legal counsel present (at the faculty member's expense), the right to confront adverse witnesses for

questioning, the right to present witnesses, and the right to testify in his or her own defense; (ii) the University shall have the right to have legal counsel present, the right to confront witnesses presented by the faculty member for questioning (including the faculty member, if he or she testifies), and the right to present witnesses; (iii) the University shall present its case at the hearing first, after which the faculty member shall have the option of presenting a defense; and (iv) a verbatim record of the hearing shall be made and a copy of it shall be provided to all parties. Upon the Hearing Committee's request, the University shall provide an independent expert or experts, any of whom may have legal expertise, to advise the committee on the structure and administration of the hearing and its other functions.

Within 15 days of the conclusion of the hearing, the Hearing Committee shall present a written report to the Provost and to the faculty member stating whether clear and convincing evidence demonstrates that acts or omissions of the faculty member constitute serious cause and summarizing the facts upon which such finding is based. If the Committee finds that serious cause exists, the Committee may, but is not required to, provide an opinion in its report as to which severe sanction(s) should be imposed on the faculty member. Within 30 days after receiving the Hearing Committee's report, the Provost shall decide the case and inform the faculty member, the Hearing Committee, and the President in writing of his or her decision and of the reasons for the decision.

4. Right of Appeal. If the Provost's decision after a hearing is to impose one or more severe sanctions on the faculty member, the faculty member shall have the right to appeal the decision to the President. The faculty member appeals the decision by providing the President with a written notice of appeal within 10 days of receiving the decision.

The role of the President in the appeal is to determine whether sufficient evidence in the record supports a finding of serious cause. If the President determines that sufficient evidence in the record supports such a finding, the President also determines the severe sanction(s). The President makes the final decision on the appeal and communicates that decision, within 30 days of receipt of the written notice of appeal, to the faculty member, the Hearing Committee, and the Provost. If the President does not concur with the Hearing Committee's finding regarding serious cause, the President shall provide the faculty member, the Hearing Committee, and the Provost with a written explanation for this difference.

5. Confidentiality. All participants in the hearing process, including the members of the Hearing Committee, must maintain the strictest confidentiality concerning all proceedings, investigations, and discussions, all information or documents presented, and all recommendations made at the various levels of responsibility under this section, except in the event that litigation requires disclosure.

6. Dismissal Date. Ordinarily, any dismissal immediately follows the final decision. However, the President may, in any situation that he determines in his sole discretion to be extraordinarily grave and after receiving the initial written notice from the Provost pursuant to paragraph (1) of this subsection, immediately remove a faculty member from participation in some or all University activities, pending completion of the procedures set out in subsection (c) of this section. In all cases arising under this section, the accused faculty member is entitled to full salary until any final decision is reached.

7. Indemnification. The University shall indemnify any faculty member who participates as a member of the hearing committee from legal liability that may arise as a result of the hearing committee in fulfilling its function as described in Article IV, Section 9.

8. Extensions. Any deadline set forth in paragraph (3) or paragraph (4) of this subsection may be extended by mutual agreement of the University's legal counsel and either the faculty member or the faculty member's legal counsel.

***Article IV/Section 9/Subsection (d) Temporary Suspension of Faculty in Exigent Circumstances***

Nothing in Section 9 regarding dismissal for serious cause shall be construed to prevent the University from suspending a faculty member on a temporary basis, with pay, and/or excluding that faculty member from campus if the President determines that the faculty member poses an imminent threat of harm to himself or herself, or to any other member of the campus community (including students, faculty, and staff). Such temporary suspensions may not last for more than six months, after which the procedures for dismissal with serious cause must be followed.

***Article IV/Section 10/Contracts for Services***

The agreement for faculty services between the University and a member of the faculty is stated in a written contract or letter of appointment. Nothing in a contract or letter of appointment regarding an untenured appointment implies an undertaking by the University to reappoint that member of the faculty.

***Article IV/Section 11/Faculty Services***

The University expects members of the faculty to make significant contributions to sound instruction and to significant scholarly inquiry. Members of the faculty have the further obligation to participate in the processes by which the conditions for teaching, learning, and scholarly inquiry are determined and administered in the University. Also, members of the faculty are available to students for that further kind of tutelage that ranges beyond the strictly academic.

The University acknowledges that public service beyond the campus and the academic community, when consistent with one's obligations to the University, appropriately enhances one's academic services.

The University encourages each of its academic units to call upon the services of an individual member of the faculty according to that member's current interests and talents, and in light of the aims and needs of the program.

For each semester, the Chairperson, Dean, or Director devises for each member of the faculty a schedule of service to the program. This schedule is presented to the appropriate administrators for review, coordination, and approval.

Members of the faculty are required to attend formal meetings of the faculty of the University, College or School, and Department as appropriate, and to attend, in academic garb when requested, commencement exercises and other formal academic events.

#### ***Article IV/Section 12/Faculty Grievance Procedures***

A grievance is a claim by a faculty member to have suffered substantially unfair or unprofessional treatment in matters unrelated to dismissal or severe sanctions, compensation, reappointment, promotion, or tenure. Grievable actions include, but are not limited to: violations of academic freedom; arbitrary changes in teaching assignments or workloads; involuntary repositioning within the University; and unilateral alteration of the terms of appointment.

A faculty member asserting a grievance should, before invocation of the procedure set forth below, seek informal resolution by making the grievance known to administrators in successive echelons until the matter is satisfactorily resolved, or until the grievance is denied by the appropriate Dean or Director. If the attempt to achieve a resolution fails, the aggrieved may submit a written petition to the chairperson of the Faculty Grievance Committee ("the committee," see subsection (a) below). Such written petition must be filed within 180 days of the action being grieved or notification that informal resolution, begun within 180 days of the action being grieved, has failed, whichever is later.

The written petition, accompanied by any supporting documentation in the petitioner's possession, should set forth in detail the nature of the grievance, the person against whom the grievance is directed, and the resolution requested.

The Chairperson of the committee appoints a panel of three members from the committee. The panel consults with the grievant, the person against whom the grievance is directed and, as necessary, with other members of the faculty and administration, and conducts such other investigation as the panel deems appropriate. In any investigation, the panel has confidential

access to all necessary information. In any dispute concerning such access the Provost and the Chairperson of the committee will seek a resolution.

Should no resolution be reached, the President has final authority and must provide, in writing, a compelling reason for any denial of access to requested information. The panel takes all steps necessary to protect confidential statements and materials. At all stages of its process, the panel seeks settlement of the grievance satisfactory to the parties. If in the opinion of the panel such a settlement is either impossible or inappropriate, the panel, at the conclusion of its process, issues its written recommendations to the parties, and both a written report and recommendations to the Provost, who makes the decision. Absent extenuating circumstances, the panel completes its process within 60 days of its receipt of the petition. Upon receipt of the report, the Provost may either render a decision or ask the panel to investigate and consider the matter further. If the Provost is immediately involved in the grievance, the report and recommendations go to the President for a decision.

If redress is recommended by the panel, but denied by the Provost or President, that administrative official shall meet with the panel, and also with the petitioner, and give the petitioner, in writing, his or her reasons for rejecting the recommendations.

The panel maintains the strictest confidence consistent with its duties. This includes all proceedings, investigations, or discussions, all information or documents secured, and all recommendations made in connection with their responsibilities under this section. Nothing in this section entitles any petitioner to access any confidential information.

***Article IV/Section 12/Subsection (a) Composition of the Faculty Grievance Committee***

The committee consists of 10 members, one of whom is elected by and from the tenured and tenure-track faculty of each of the Colleges and Schools, and three of whom are elected from the other categories of regular faculty, collectively. Members serve staggered, three-year terms. No one may serve two consecutive terms.

The Chairperson, elected yearly by the committee, sends a written report to the Academic Council before the beginning of each academic year. The report includes only the total number of grievances filed during the preceding year and the general categories into which the grievances fell.

***Article IV/Section 13/Faculty Salaries***

The services of members of the tenured and tenure-track faculty are usually engaged for the academic year of two semesters. The services of members of other categories of regular faculty usually will be engaged for the academic year of two semesters or for the full calendar year of 12 months, as specified in the faculty member's letter of appointment.

In cases where services of members of the faculty are engaged for the academic year of two semesters, salaries are for services during that period. If appointed for the summer session, such members receive additional compensation.

In cases where the services of members of the faculty are engaged for the full year of 12 months, such members serve in the summer period without additional compensation. Research and study are also recognized as summer services, and periodic summer leaves of absence with pay can be granted to members who are on full-year contracts.

Members who are engaged in University research projects supported by outside agencies during the periods for which their services are contracted are not compensated for such work in addition to their regular salaries.

#### ***Article IV/Section 14/Leave of Absence***

Consistent with its views on faculty services, the University recognizes the importance, for its own wellbeing, of faculty leaves of absence. The University does not, however, subscribe to rigid formulae for such leaves. Requests for a leave of absence must ordinarily be submitted to the Chairperson of the Department or other appropriate academic officer at least six months in advance of the beginning of the period of leave requested. Leave of absence is also granted as indicated in the family and medical leave policy. Leave of absence officially granted by the University with or without remuneration is counted as service for purpose of tenure and promotion unless otherwise expressly stipulated.

#### ***Article IV/Section 15/Retirement***

A member of the faculty may retire in accordance with the Notre Dame Faculty and Administrators' Retirement Plan. Retired faculty members are eligible for benefits set forth in the [plan](#).

### **Article V, Organization of the Faculty**

#### ***Article V/Section 1/Academic Organization***

The faculty is organized into Colleges, Schools, academic Departments, University Institutes and Centers, and the library.

#### ***Article V/Section 2/Meetings***

The faculty meets as a whole at least once a year on a date to receive an address from the President. Additional regular or special meetings may be called at the President's discretion. The faculty of each Department and academic unit meets at least once each semester to consider the business, policies, and development of its interests. Meetings are called by the appropriate Department Chair or head of the academic unit; such a meeting may be called, and/or an item



placed on the agenda, upon written petition of at least 25 percent, or 25 members, of the faculty concerned, whichever is smaller, unless otherwise expressly stipulated herein. A Department may place any item on the agenda of its College or School meeting.

Recommendations of individual members of the faculty for the agenda should be made to the appropriate Department Chair or head of the academic unit at least one week in advance. The Department Chair or head of the academic unit or his or her designee, chairs such meetings.

Minutes of all meetings are recorded and distributed promptly to the faculty of the Department or academic unit involved, the President of the University, the Provost, Dean of the College or School, and, where appropriate, the Vice President for Research and the Dean of the Graduate School.

#### ***Article V/Section 3/Committees of the University***

There are two types of standing University level committees: those enumerated in the Academic Articles and those that are not. The former have specific responsibilities and clear authorities in particular aspects of the governance of the University as a whole. Many other standing University [committees](#) perform crucial functions but are not included in the Academic Articles. University committees may make recommendations for action to the President and Provost or, as they direct, for action by the other officers of the University.

Should the University administration (President, Provost, or other senior administrator) contemplate constituting a committee the charge for which substantially overlaps the jurisdiction of a standing committee under the Academic Articles, the administrator shall give advance notice to the Faculty Senate and the Academic Council and is encouraged to seek the advice of these, or other relevant University committees, as to the charge of such committee and its personnel.

#### ***Article V/Section 3/Subsection (a) The Academic Council***

The principal functions of the Academic Council are to determine general academic policies and regulations of the University; to approve major changes in the requirements for admission to or graduation from the Colleges and Schools, and in the programs of study offered by Colleges, Schools, and Departments; to authorize the establishment, major modification, or discontinuance of any academic unit or degree program of the University; and to provide for review, amendment, and final interpretation of the academic articles, without prejudice to article VI. “Major changes” involve the creation, modification, or dissolution of a degree program or the establishment of an academic unit with University-level implications such as cross-college degrees, or any other academic program that has substantial curricular, financial, or organizational impact beyond the academic organization or unit making the proposal. The decisions of the Council are by majority vote and are subject to the approval of the President.

The temporary suspension of a degree program is not considered a major modification to a degree program. A temporary suspension ordinarily will not exceed two years. To institute a temporary suspension, the appropriate Dean(s) will write a letter to the Executive Committee of the Academic Council prior to each year of the temporary suspension, explaining the reasons for the suspension. Extension of the temporary suspension may be requested by the appropriate Dean(s) if the unit is making reasonable progress on addressing the issues leading to the suspension.

The council meets at least once each semester. Meetings are called by the President. The President may call a meeting upon request of a member of the council, and shall call a meeting at the earliest possible time upon petition of six members of the council. Any member of the council may propose to the Executive Committee an item for the agenda, and any six members may place an item on the agenda. Agenda proposals should be received one week in advance of the meeting. Ex officio members of the Academic Council may, if necessary, be represented at meetings by their designees, who will have speaking but not voting privileges. Elected members may be represented by elected alternates, who shall have voting privileges.

The council has an Executive Committee composed of the Provost, who chairs the committee, a Vice President and Associate Provost designated by the Provost, the Chairperson of the Faculty Senate, five members elected annually by and from the council and three members appointed annually from the council by the President. The Executive Committee is charged with setting the agenda of the Council, receiving and distributing reports from other University Committees to the full Council and its committees, and constituting permanent, regular, and *ad hoc* committees of the Academic Council.

The Academic Council consists of the President, who chairs the Council; the Provost; the Executive Vice President; the Vice President and Senior Associate Provost; the Vice Presidents and Associate Provosts; the Vice President for Student Affairs; the Vice President for Research; the Chairperson of the Faculty Senate and the Chairpersons of the standing committees of the Faculty Senate; the Deans of the Colleges and Schools; the Associate Provost and Dean of the Graduate School, the University Librarian, 21 elected faculty members, and three additional faculty-at-large appointed by the Chair of the Academic Council. In addition, there are six student members: the academic commissioner of the student government; a student from the Graduate School; one student alternating between the Law School, the School of Global Affairs, and the business graduate programs; and three undergraduates from the three Colleges not represented by the academic commissioner of the student government (with the School of Architecture considered jointly with the College of Engineering for purposes of this allocation). Student members are selected according to procedures approved by the Academic Council.

Eighteen of the 21 elected faculty members are elected by and from the tenured and tenure-track faculty of the four Colleges and three Schools in numbers proportionate to the size of the College or School. Three of the elected faculty members are elected by and from the other categories of regular faculty collectively. Faculty members are elected by majority vote in such a manner that one-third of the elected membership is elected each year (hereinafter, such election each year of one-third of the membership shall be referred to as “staggered three-year terms”). In no case shall the elected members of the Academic Council constitute less than a majority of the voting membership. For the purposes of determining a majority, those ex officio members appointed by virtue of serving on the Faculty Senate count as elected members. Student members are not counted in determining the majority. To maintain the balance, at-large faculty shall be elected.

***Article V/Section 3/Subsection (b) The Faculty Senate***

The Faculty Senate is an assembly through which the faculty exercises a collective and independent voice in the governance of the University. It represents the faculty as a whole in the formulation of policy recommendations affecting the entire life of the University. It is the responsibility of the Senate to represent faculty opinion on matters affecting the academic process of the University, the relationship of faculty to the administration, the welfare of the faculty, and student life. It is the responsibility of the Senate to receive and study proposals that may be initiated by other groups within the University community and that require faculty consideration. The Senate may also initiate its own proposals in the interest of the University’s development. In forming its recommendations, the Senate reaches conclusions based on research and free and open discussion. The Faculty Senate has the authority to adopt [bylaws](#) that govern its internal operations.

As the voice of the faculty, the Faculty Senate is a consultative partner with the Administration in University decision-making. The Provost and the Executive Vice President shall ensure that the Faculty Senate is consulted early in the decision-making process about the establishment, charge, and composition of any new committee whose charge substantially overlaps the jurisdiction of a standing committee under the Academic Articles. Similarly, the Provost and the Executive Vice President shall ensure that the Faculty Senate is consulted early in the decision-making process about major University policies that substantially affect the faculty.

The recommendations of the Senate on matters of academic concern may be conveyed to the President, the Provost, the Executive Vice President, or any other officer of the University. When such recommendations are referred to the Executive Committee of the Academic Council, they shall be placed on the Council’s agenda. The Chair of the Senate and the Chairs of the Senate’s standing committees are ex officio members of the Academic Council and the Chair of the Senate is a member of the Academic Council’s Executive Committee.

Each Department in the College of Arts and Letters, the College of Science, the College of Engineering, and the College of Business has one senate seat. The School of Architecture, the Law School, and the School of Global Affairs each have one senate seat. The College of Science has two additional at large seats. The College of Arts and Letters, the College of Business, and the College of Engineering each have one additional at-large seat. These senators are generally elected from the tenured and tenure-track faculty in the Departments, Colleges, and Schools; Associate Professors and Professors from among the other categories of regular faculty in Departments with a significant proportion of those categories may serve as departmental representatives, contingent upon approval of the Executive Committee of the Faculty Senate. The programs of military science collectively have one seat, with that single senator representing all three of those programs. The Library Faculty (representing both the Hesburgh and Kresge Libraries) has two senate seats. The remaining seats are distributed on an at-large basis as follows: the emeritus faculty has two seats and the categories of regular faculty other than tenured and tenure-track have five seats collectively. Senators are elected by majority vote for staggered three-year terms.

***Article V/Section 3/Subsection (c) The Core Curriculum Committee***

The Core Curriculum Committee (CCC) is concerned with oversight of the core curriculum, providing rationales for each of the core requirements, formulating procedures for designating which courses fulfill a core requirement, conducting a review of the courses that fulfill a core requirement, seeking ways to enhance student learning through the Core Curriculum, and developing metrics to assess the success of the Core Curriculum. The committee provides an annual report of its activities and findings to the Provost's Office and to the Academic Council through its Executive Committee.

The CCC consists of the elected chairs of such core curriculum subcommittees as the CCC may form, the Deans of the Colleges or Schools offering undergraduate degrees (or their delegates), the Academic Commissioner of Student Government, and up to three faculty members appointed by the Provost to achieve appropriate representation. An additional faculty member appointed to a three-year term by the Provost serves as Chair of the committee. Faculty membership of this committee shall be chosen from the regular faculty. There are two non-voting members: an Associate Provost designated by the Provost, and the University Registrar (or a delegate).

Each of the core curriculum subcommittees shall function as specified by the Core Curriculum Committee. For example, subcommittee authority, responsibilities, composition, member qualifications, and Chair election procedures will be determined by the CCC, as set forth in guidance, policy, or procedure documents approved by the CCC or as otherwise specified by the CCC. Details of its structure and procedures can be found in [“Core Curriculum Committee Structure, Duties, and Policies.”](#)

***Article V/Section 3/Subsection (d) The University Committee on Research and Sponsored Programs***

The University Committee on Research and Sponsored Programs consists of the Vice President for Research, who chairs the committee; 12 faculty members actively involved in research or research management: two with tenure elected by and from the tenured and tenure-track faculty of each of the Colleges, one elected with tenure by and from the tenured and tenure-track faculty of each of the Schools, and one elected by and from all research faculty. Elected members serve staggered three-year terms.

Among its principal functions, the University Committee on Research and Sponsored Programs provides faculty perspectives on all aspects of the Vice President for Research's responsibility for supporting research, scholarship, and creative endeavor across all disciplines of the University. Particularly for externally funded programs, the Committee formulates policies for research and sponsored educational programs; advises on the implementation of research compliance programs; advises appropriate offices about programs to assist faculty with finding and securing sponsored research and education programs; makes recommendations for the planning, establishment, and operation of interdisciplinary facilities for the conduct of research; serves as an avenue of communication among the administrative officers of the University and the members of the faculty and staff engaged in research and sponsored educational programs; disseminates to the faculty information about committee actions; and receives suggestions for future action. The Committee provides an annual report of its activities to the Academic Council.

***Article V/Section 3/Subsection (e) The University Committee on Libraries***

The University Committee on Libraries reviews policies and practices relating to library resources and services. It constitutes a principal interface among the campus units responsible for providing information resources and services, and also serves as a communications link between the libraries and the University community.

The committee consists of the Dean, Hesburgh Libraries and University of Notre Dame Press, the Director of the Law Library, the chief information officer or his or her designee, and 12 other regular faculty members: one elected by and from the tenured and tenure-track faculty of the Law School, the College of Business, the School of Global Affairs, the College of Engineering, the College of Science, the division of the humanities of the College of Arts and Letters, the division of social sciences of the College of Arts and Letters, and the School of Architecture together with the division of the arts of the College of Arts and Letters; one elected by and from the library faculty (representing both the Hesburgh and Kresge Libraries); and three elected at large by and from the tenured and tenure-track faculty of the University. Two student members, including one graduate student and one undergraduate student, are selected annually according to procedures approved by the committee. Elected members serve staggered three-year terms.

The committee annually elects a Chair from the elected members. It meets at least twice each semester, publishes its approved minutes, and reports annually to the Academic Council through its Executive Committee.

***Article V/Section 3/Subsection (f) The University Council for Academic Technologies***

The University Council for Academic Technologies considers policies, practices, and procedures related to University computing and information services. The council provides a forum for collaboration among faculty, students, and the Office of Information Technologies to identify new applications of technology that will enhance teaching, learning, research, and scholarship. The council is an advisory body to the Office of the University's chief information officer (CIO).

The council has 23 members, comprising of eight elected, nine appointed, and six ex officio members. One member is elected by and from the regular faculties of each of the following: the College of Arts and Letters, the College of Engineering, the College of Science, the Law School, the College of Business, the School of Architecture, the School of Global Affairs, and the library faculty (representing both the Hesburgh and Kresge Libraries). Elected members serve staggered three-year terms. The Deans of the Colleges of Arts and Letters, Engineering, Science, and the College of Business each appoint one member for staggered three-year terms. The student body President appoints one undergraduate student and the President of the Graduate Student Union appoints one graduate student, each for a one-year term. The Provost appoints one academic administrator for a three-year term. The CIO, the Dean, Hesburgh Libraries and University of Notre Dame Press, the University registrar, the Director of the Kaneb Center, the Chair of the Center for Research Computing Advisory Council and the Director of the Center for Research Computing serve as non-voting ex officio members. The Chair of the committee will appoint two representatives of the Office of Information Technologies to serve as non-voting members. The committee is chaired by the CIO. The committee provides an annual report of its activities to the Academic Council through its Executive Committee.

***Article V/Section 3/Subsection (g) The University Committee on Internationalization***

The University Committee on Internationalization provides a forum for deliberations involving the wider University community in Notre Dame's international activities. The Committee advises Notre Dame International on strategic planning, new initiatives, curricular challenges, program assessment, global faculty research, the Global Gateways and Centers, and the internationalization of campus.

The Committee meets at least once each semester to discuss relevant matters with regard to internationalizing the University and promoting internationalization on campus. It supports and encourages Notre Dame International's work. Minutes and documents from the meetings of the

committee, as well as an annual report of its activities, are provided directly to the Academic Council through its Executive Committee, and the minutes will be published for the Notre Dame community.

The committee includes the Vice President and Associate Provost for Internationalization, or his or her designee, who chairs the committee, the Dean of the School of Global Affairs, and one tenured or tenure-track faculty member elected from each College Council, the faculty of the Law School, and the faculty of the School of Architecture. The Provost appoints four additional members of the regular faculty, and the President appoints two student representatives. Elected and appointed faculty members serve staggered three-year terms. Student members serve one-year terms. Meetings are called by the Chair or by a petition of five members.

***Article V/Section 3/Subsection (h) The University Committee on Admissions, Scholarships, and Financial Aid***

The University Committee on Admissions, Scholarships, and Financial Aid considers policies and procedures relating to admissions and to the award of scholarships and financial aid to undergraduate students, and the Vice President for Undergraduate Enrollment makes appropriate recommendations to the Academic Council through its Executive Committee.

The committee consists of the Vice President and Associate Provost designated by the Provost, the Vice President for Student Affairs, the Deans of the Colleges, the Dean of the School of Architecture, the Dean of the School of Global Affairs, the University Registrar, a tenured and tenure-track faculty member from each College elected by the College Council, one elected by and from the tenured and tenure-track faculty of the School of Architecture and the School of Global Affairs, two regular faculty members appointed by the Provost, the Vice President for Undergraduate Enrollment, who chairs the committee, and the Executive Director of Student Financial Strategies, who serves as Executive secretary. Elected and appointed members serve staggered three-year terms. The committee provides an annual report of its activities to the Academic Council through its Undergraduate Affairs Subcommittee.

***Article V/Section 3/Subsection (i) Faculty Board on Athletics***

The Faculty Board on Athletics serves as the principal advisory group to the President on educational issues related to intercollegiate athletics. In that capacity, the board fosters the University's commitment to academic integrity within the athletic program, strives to ensure that the University's athletic program operates in consonance with its educational mission, and actively promotes the welfare and educational success of the University's student-athletes. The board also functions as a formal liaison between the faculty and the Department of Athletics.

In carrying out its charge, the board periodically reviews policies, procedures, and practices that affect the educational experience of student-athletes and advises the President of its findings. The board provides appropriate mechanisms for considering concerns of student-athletes.

Periodically, the board reviews data on admission of student-athletes, academic performance, progress toward degree, and graduation rates, and assesses the effectiveness of institutional support for student-athletes. In addition, the board sets and modifies, as necessary, guidelines for all student petitions for a fifth year of athletic eligibility and decides whether to approve each petition. The board reviews and amends, as necessary, guidelines for all intercollegiate athletic schedules and qualifications for the captaincies of all University teams and decides whether to approve any schedule or captain candidate not in compliance with those guidelines. The board also assesses and revises, as necessary, procedures for resolving conflicts between final examinations and post-season championship tournaments. In its role as liaison to the broader faculty, the board disseminates appropriate, non-confidential information and initiates discussions on educational issues related to intercollegiate athletics of concern to the faculty and administration. The board may assume other duties as assigned by the President. The Chair of the board provides an annual report of its activities to the Academic Council through its Executive Committee.

The Faculty Board on Athletics consists of 15 members—seven elected, four appointed, and four ex officio members. Seven members of the board are elected as follows: one elected by and from the tenured and tenure-track faculty of each College, one elected by and from the tenured and tenure-track faculty of the Law School and the School of Global Affairs, and one elected at large from the tenured and tenure-track faculty. Four members are appointed by the President—three are appointed from the tenured and tenure-track faculty and one appointed annually from the student body. The Vice President for Student Affairs, the Director of Athletics, the Director of Academic Services for Student-Athletes, and a representative of the Office of the President serve as ex officio members.

Only appointed and elected members of the tenured and tenure-track faculty, the Vice President for Student Affairs, and the student representative vote on matters before the board. When necessary, the Faculty Board on Athletics is called into Executive session by its Chair or the President. During Executive session it may be appropriate for the Director of Athletics, the Director of Academic Services for Student-Athletes, or both, to be excused from the proceedings.

Elected and appointed faculty members serve staggered three-year terms, and no faculty member other than the Chair may serve more than two consecutive terms. A faculty member who leaves the board after having served two consecutive terms may not begin to serve another term on the board until five years have elapsed from the date on which the second consecutive term has ended. Likewise, a faculty member who serves two non-consecutive terms within any eight year period may not begin to serve another term on the board until five years have elapsed from the date on which the second non-consecutive term has ended.

The President appoints the Chair of the Faculty Board from among the tenured faculty elected or appointed to the board. The President appoints the Chair to a three-year term and may, after



consultation with the board, renew the Chair for additional terms of up to three years each. Previous service, continuous or not, as a member of the Faculty Board does not preclude an individual's appointment as Chair.

The Chair, who also functions as the University's faculty athletics representative to the National Collegiate Athletic Association, calls meetings of the board on a regular basis and develops the board's agenda. Members of the faculty and the members of the board may propose items for the board's agenda. The Chair meets periodically with the President to discuss issues of interest or concern to the board.

***Article V/Section 3/Subsection (j) University Committee on Women Faculty and Students***

The University Committee on Women Faculty and Students considers policies, practices, and the general environment at the University as they relate to women faculty and students. The committee should meet regularly and should publish a record of its deliberations for the University community. The Chair of the committee provides an annual report of its activities to the Academic Council through its Executive Committee.

The University Committee on Women Faculty and Students consists of fourteen representatives from the regular faculty, four student representatives, and three non-voting members. Ten faculty members of the committee are elected and four appointed by the President. Eight of the faculty members are elected by and from the tenured and tenure-track faculty of the Colleges and Schools: two from Arts and Letters, one from Business, one from Engineering, one from Science, one from Global Affairs, one from Law, and one from Architecture. Two faculty members are elected by and from the categories of regular faculty other than tenured and tenure-track. The remaining faculty members on the committee, one of whom is a Vice President and Associate Provost or his/her designee, are appointed by the President. Four students—two undergraduates and two graduates—are appointed by the appropriate elected representatives of the Student Government and the Graduate Student Union. Elected committee members serve staggered three-year terms. Appointed members serve one-year terms. No voting member serves for more than six consecutive years. The Assistant Vice President for Institutional Equity, the Director of the Gender Relations Center, and the University's Title IX designee as designated by the Chair of the committee, serve as non-voting members of the committee. The committee annually elects as Chair one of its tenured and tenure-track regular faculty members.

***Article V/Section 3/Subsection (k) Provost's Advisory Committee***

The Provost's Advisory Committee advises the Provost about academic matters, including especially the reappointment, promotion, and tenure of members of the tenured and tenure-track faculty. Its policies and procedures are laid out in "[Reappointment, Promotion, and Tenure \(RPT\) Reference Guide for Tenured and Tenure-Track Faculty \(T-TT\)](#)."

The Provost's Advisory Committee is chaired by the Provost and composed of the Deans of the Colleges and Schools, 13 elected faculty members, and such other persons as the Provost

appoints. The elected members are elected by simple majority vote and are elected by and from the regular faculty of the Colleges and Schools: four from the College of Arts and Letters, two each from the Colleges of Business, Engineering, and Science, and one each from the Law School, the School of Global Affairs, and the School of Architecture. The elected faculty members must hold the rank of Professor with tenure. The elected members serve staggered three-year terms. A faculty member who is elected to a three-year term may not stand for election to another three-year term until five years have elapsed from the end of the preceding term. About one-half of the membership of the Provost's Advisory Committee should be composed of elected members.

***Article V/Section 3/Subsection (l) University Committee on Appeals***

The University Committee on Appeals for Tenured and Tenure-Track Faculty considers appeals from members of the tenured and tenure-track faculty who have been denied reappointment, promotion, or tenure.

The University Committee on Appeals for Tenured and Tenure-Track Faculty shall consist of: (1) those elected members of the Provost's Advisory Committee who agree to serve for a three-year term; (2) those former elected members of the Provost's Advisory Committee who agree to serve for a three-year term, provided that to be eligible for such service the former elected member must have served on the Provost's Advisory Committee within the past five years at the commencement of the three-year term; and (3) 13 members from the tenured faculty who have served on a departmental or School CRPT elected to staggered three-year terms by simple majority vote by and from the Colleges and Schools: four from the College of Arts and Letters, two each from the Colleges of Business, Engineering, and Science, one from the Law School, one from the School of Global Affairs, and one from the School of Architecture. No member of the University Committee on Appeals for Tenured and Tenure-Track Faculty will be required to serve on more than one Review Committee at a time, or to serve on more than two Review Committees during a three-year term. When a Review Committee is being selected in an appeal where the petitioner has alleged discrimination, the Provost, of his (her) initiative, or at the request of the petitioner, may ask additional member(s) of the tenured faculty to be added to the committee from which the Provost, petitioner, and committee would choose.

***Article V/Section 3/Subsection (m) University Committee on Other Regular Faculty Appeals***

The University Committee on Other Regular Faculty Appeals considers appeals from members of the other regular faculty who have been denied reappointment or promotion. The University Committee on Other Regular Faculty Appeals shall consist of at least 21 faculty members from categories of the regular faculty other than tenured and tenure-track, none below the rank of associate. These members shall be elected to staggered three-year terms by simple majority vote in proportion to the number of faculty members holding appointments in each of the categories of regular faculty other than tenured or tenure-track.

No member of the University Committee on Other Regular Faculty Appeals will be required to serve on more than one Review Committee at a time, or to serve on more than two Review

Committees during a three-year term. When a Review Committee is being selected in an appeal where the petitioner has alleged discrimination, the Provost, of his(her) own initiative or at the request of the petitioner, may ask additional member(s) of the regular faculty ranked at associate or above to be added to the committee from which the Provost, petitioner, and committee would choose.

***Article V/Section 3/Subsection (n) Faculty Representatives to the Board of Trustees Committee on Faculty Affairs and Research and Scholarship***

The Trustees invite the Chair of the Faculty Senate and nine representatives of the regular faculty to attend Board of Trustees meetings as Faculty Representatives on committees the Board determines deal with academic and faculty issues. The elected representatives are elected by simple majority vote: two from the College of Arts and Letters (one humanities and fine arts, and one social sciences) and one each from other Colleges and Schools. Elected representatives serve staggered three-year terms. No representative may serve more than two consecutive terms. The elections are arranged and overseen, as appropriate, by the College Councils and the faculties of the Schools. In consultation with the Faculty Senate and the Academic Council, the Board may invite other faculty members to join them for meetings when their presence would facilitate meaningful engagement between the faculty and the trustees on particular issues on the agenda.

***Article V/Section 3/Subsection (o) The Committee on Committees***

The Committee on Committees (CoC) enhances faculty governance. The regular responsibility of the CoC is to advise the President, Provost, and other senior administrators on establishing new ad hoc committees versus referring to standing committees. The CoC will appoint or arrange for the election of the simple majority of the membership of *ad hoc* committees. The CoC will also review proposals for new standing University committees. With the assistance of OSPIR, every ten years, and in conjunction with the decennial review of the Academic Articles, the CoC will conduct an assessment of the effectiveness of each University committee and may recommend changes or dissolution. Every two years, each University committee should file to the CoC a brief report of its main activities to aid in this assessment. The *ad hoc* and standing committees within the CoC's purview are those established by the Provost and those otherwise charged with addressing academic policies or regulations.

The CoC has seventeen members, comprising fifteen elected and two ex officio members. Thirteen of the 15 elected faculty members are elected by simple majority vote by and from the regular faculty of the Colleges and Schools (excluding library faculty) as follows: four from the College of Arts and Letters; two each from the Colleges of Business, Engineering, and Science; and one each from the Law School, the School of Global Affairs, and the School of Architecture. One of the elected faculty members is elected by simple majority vote by and from the library faculty (representing both of the Hesburgh and Kresge Law Libraries). The final elected faculty member is elected by simple majority vote by and from the regular faculty who are not represented in and do not participate in the other elections. Elected members serve staggered three-year terms. The two ex officio members are the Chair of the Faculty Senate (or the Chair's designee) and the Associate Provost for Faculty Affairs (or another designee of the Provost).

The committee annually elects a Chair from the elected members. It meets at least twice each semester, publishes its approved minutes, and reports annually to the Academic Council through its Executive Committee.

#### ***Article V/Section 4/College Councils***

The College Councils review the policies, practices, and procedures of the Colleges and recommend to the Dean of the relevant College the establishment or discontinuance of any undergraduate program of study housed in the College. If the College Council recommends the establishment or discontinuance of an undergraduate program of study housed in the College that leads to a degree and the Dean supports the recommendation, the Dean forwards the recommendation for final approval to the Academic Council. If the College Council recommends the establishment or discontinuance of an undergraduate program of study housed in the College that does not lead to a degree, the Dean has authority to approve the recommendation and shall notify the Provost of such recommendations that the Dean approves. If the College Council recommends the establishment or discontinuance of a graduate program of study housed in the College and the College Dean supports the recommendation, the College Dean forwards the recommendation to the Associate Provost and Dean of the Graduate School (hereafter, Graduate Dean). For degree programs, the Graduate Dean will review the proposal and offer comments before forwarding it to the Advanced Studies Committee of the Academic Council. For non-degree programs, the Graduate Dean will review the proposal and offer comments before returning it to the College Council.

The College Council of each College consists of an equal number of ex officio and elected members. The ex officio members of each College Council consist of the Dean of the College, Associate and Assistant Deans, the Chairpersons of all Departments under the jurisdiction of the College, and any other administrators designated by the respective College Council. All regular faculty of the College are eligible to vote for, and be elected as, representatives. Representatives serve staggered three-year terms. Each College Council also has student representatives selected according to procedures, numbers, and terms decided by each Council. The Dean chairs the Council and appoints its secretary.

The College Council meets at the call of the Chairperson, and any Council member may request a special meeting. The Chairperson also calls a meeting upon petition of 20 percent of the Council members. Decisions of the Council are by majority vote and subject to the approval of the Dean. At its discretion, the Council may call meetings of or conduct referenda among the College faculty.

## *Article V/Section 5/Departmental Committees*

### *Article V/Section 5/Subsection (a) Committees on Appointments and Reappointments, Promotion and Tenure*

To implement the procedures set out in Article IV, Section 5, each academic unit shall have a Committee on Appointments (CA) and Committee on Reappointments, Promotion, and Tenure (CRPT). In the case of Colleges, each Department, rather than the College, shall have a CA and a CRPT, which shall be chaired by the Department Chairperson. Every CA shall consist of all tenured and tenure-track faculty members of the relevant Department or School, regardless of rank and regardless of the rank to which the candidate would be appointed. Departments and Schools may also include on their CAs other regular faculty members as they deem appropriate. In the case of academic units without tenured or tenure-track faculty members, the CA shall consist of all regular faculty members regardless of rank and regardless of the rank to which the candidate would be appointed. Subject to the foregoing restrictions, the composition of the committees and the manner of selection of its members are determined by an organization plan approved by a majority vote of the regular faculty eligible to vote under the existing Department, School, or other academic unit's organization plan; by the Department Chair and the head of the academic unit; and by the Provost or the Provost's designee.

Every CRPT shall consist of all members of the tenured faculty of the Department or School who hold at least the rank to which the candidate seeks promotion, or in the case of reappointment of a tenure-track faculty member, who are at least tenured at the rank of associate professor. When considering the promotion of non-tenure-track regular faculty, Departments, Schools, or other academic units may include on the CRPT non-tenured regular faculty members who hold at least the rank to which the candidate seeks promotion. When considering reappointment of non-tenure-track regular faculty, Departments, Schools, or other academic units may include on the CRPT non-tenured regular faculty members who hold a rank higher than the candidate seeking reappointment, or, in the case of regular faculty members seeking reappointment at the level of Teaching Professor, Research Professor, Professor of the Practice, Clinical Professor, Librarian, or Advising Professor, non-tenured regular faculty members of the same rank. Upon request of at least one-half of the membership of the CRPT, the Dean may appoint a tenured faculty member from outside of the Department who has an area of expertise related to a particular candidate's research to serve as a voting member in that candidate's reappointment or promotion review. The process for promotion to a named University Chair is described in Article IV, Section 5, subsection (a). In the case of academic units without tenured or tenure-track faculty members, the CRPT shall consist of all regular faculty members of at least the rank to which the candidate would be promoted, or, in the case of reappointment, who hold a rank higher than the candidate seeking reappointment. In the case of regular faculty members in such units seeking reappointment at the level of Teaching Professor, Research Professor, Professor of the Practice, Clinical Professor, Librarian, or Advising Professor, the CRPT shall consist of regular faculty members of the same rank.

All members of the committee must respect the strictly confidential nature of its proceedings, including deliberations, opinions, votes, recommendations, minutes, and other documents. Committee documents are available to succeeding committees to the extent necessary to conduct their business. Nothing in this paragraph precludes the Department Chairperson or head of academic unit from conveying the committee's annual evaluation and/or the nature of the committee's discussions.

### ***Article V/Section 6/Committee Procedures***

#### ***Article V/Section 6/Subsection (a) Elections***

Each of the Colleges and Schools and the library faculty (representing both the Hesburgh and Kresge Libraries) annually elects an Elections Committee. This committee solicits interest from all eligible faculty in standing for election to committees. The election slate consists of all eligible faculty members showing such interest, as well as others nominated and willing to serve.

The University Committee on Elections conducts elections for University-at-large positions. The committee consists of one elected member from each of the College, School, and library elections committees, and one regular faculty member from the categories other than tenured or tenure-track who is appointed by the Provost. The Provost's Office appoints a Chair from among the elected members of the committee.

In College or University elections, each ballot contains appropriate biographical information. A faculty member on leave may vote in College or University elections, but it is the faculty member's responsibility to keep informed about elections and to find a means to participate in a timely manner. Except when otherwise provided by these articles, in College or University elections a candidate who receives the highest number of votes is elected if that number equals at least one-third of the total votes cast for the position. All elections are conducted in a timely fashion and should ordinarily be conducted during the academic year. In the Schools, elections that would be departmental elections if conducted in the Colleges are treated as departmental elections and are subject to departmental procedures.

#### ***Article V/Section 6/Subsection (b) Procedures***

University, College, School, and departmental committees, councils and other committees charged by these academic articles with electing members to serve on a committee shall establish procedures that address election for participation on such committees. All University, College, School, and departmental committees, councils and other committees described in the academic articles should also establish rules regarding voting rights of non-members who participate in meetings in the absence of a member of the committee. These committees and councils are encouraged to consider diversity (including but not limited to race, gender, and academic disciplines) in electing or appointing members of a committee.

## **Article VI, Procedures for Reviewing and Amending the Academic Articles**

The academic articles are reviewed periodically, but at least every 10 years, in a manner prescribed by the Academic Council.

Amendments of the academic articles may be proposed to the Academic Council at any time by the Provost, by the Faculty Senate, or by a two-thirds vote of the regular faculty in any College, School, the library faculty (representing both the Hesburgh and Kresge Libraries), or by 30 regular faculty members representing at least five Departments of the University.

Amendments to these articles must generally be approved by Academic Council, the President, and the Board of Trustees. However, the Executive Committee of Academic Council has the authority to make changes deemed “minor” or “administrative.” When such “minor” or “administrative” changes are made by the Executive Committee, they must be reported to the Academic Council and the Faculty Senate at their next regularly scheduled meetings and approved by the President. These changes must also be reported to the Governance and Nominating Committee of the Board of Trustees at its next regularly scheduled meeting. Amendments to these articles become effective at the beginning of the academic semester that follows their adoption by the Executive Committee or their approval by the Board of Trustees, as applicable, except that the President has discretion to establish an earlier or later date of effect for any approved amendment.

Violations of the provisions of the academic articles (other than those covered by the appeals and grievance procedures described in these academic articles) may be reported to the General Counsel who shall review the allegations and recommend to the Provost or the President appropriate action. If there is a genuine ambiguity in the relevant provisions of the academic articles, the General Counsel shall solicit the Academic Council’s interpretation of the provisions in question, as provided in Article V, Section 3, Subsection (a).

## **Appendix A**

### **Appeal Procedure for Contract Renewal, Promotion, or Tenure Decisions Allegedly the Product of Sex Discrimination\***

1. Following an adverse decision on contract renewal, promotion, or tenure, which a faculty member believes was the product of discrimination based on sex, the faculty member must consult with the faculty member’s Department Chair, Dean, and the Provost, in that order, or in the case of library faculty, with the University Librarian and then the Provost. Such consultation must be completed within 60 days (excluding June, July, and August) after notification of the original adverse decision.
2. If the faculty member (the “petitioner”) is not satisfied after such consultation, the petitioner

may, no later than 60 days (excluding June, July, and August) after notification of the original adverse decision or 30 days after the decision of the Provost following consultation, whichever is later, submit a petition to the Provost requesting a review of the petitioner's case and setting forth the following information:

- a. a description of the contract renewal, promotion, or tenure decision complained of;
- b. a specific allegation that the decision was the product of discrimination on the basis of sex, together with a statement of such facts supporting that allegation as are then known to the petitioner; and
- c. such documents supporting that allegation as are then available to the petitioner.

3. After receiving a petition in accordance with subparagraph b. above, the Provost shall give the petitioner the names of the panel of reviewers from which the petitioner shall select one reviewer to consider the petitioner's case, except that the reviewer cannot be a faculty member in the petitioner's Department. The panel of reviewers shall be appointed by the Provost, in consultation with the Executive Committee of the Academic Council, at the beginning of each academic year. The panel of reviewers shall consist of nine tenured faculty members, at least three of whom shall be female.

4. After a reviewer is selected by the petitioner, the reviewer shall receive and review the petition submitted to the Provost, the petitioner's entire CRPT file, and afford the petitioner, the members of the CRPT that originally considered the petitioner's case, and all other parties involved, the opportunity to confer with the reviewer.

5. If the reviewer finds evidence of discrimination on the basis of sex of such a magnitude that it may have affected the disposition of the case, the reviewer shall remand the case for reconsideration, beginning with the Provost's Advisory Committee and proceeding forward through review by the Provost and President. In reaching this decision, the reviewer shall not consider the propriety per se of the standards used to judge the petitioner or the rigor of their application, but shall consider allegations of discrimination in the application of such standards.

6. The reviewer in all cases will report his or her decision to remand or not to remand to the petitioner and will provide a detailed written report of his or her findings to the Provost. The reviewer's decision and report should normally be communicated to the Provost by April 1 of the academic year in which the appeal was initiated.

7. All documents, reports, notes, correspondence, minutes, and other materials received, prepared, or examined by the reviewer shall remain confidential and shall be deposited in the



Provost's office after the reviewer's work is finished.

8. The Provost shall submit an annual report to the President and the University's Academic Affirmative Action Committee of the appeals taken, the decision of the reviewers, and the ultimate disposition of the cases.

\*This summary of court-mandated procedures was prepared by the Office of the General Counsel.