

meetings. The Parliamentarian shall advise the chair on parliamentary matters.

- (c) All members of the Faculty and Administration shall have the right to attend and to speak at Faculty Council meetings.
- (d) Gallery privileges shall be extended to all members of the university community. The Faculty Council may grant speaking privileges to members of the gallery.
- (e) Meetings of the Faculty Council shall be open to the public unless, through requirement of law or other consideration, a meeting is deemed an executive session of the Council for reasons outlined in the Sunshine Act.
- (f) The Executive Committee of the Faculty Council shall prepare legislative summaries of action items approved by the Council and submit them to the Faculty for ratification.
- (g) The Faculty Council shall meet on the second Tuesday of each month during the academic year. Additional meetings as needed will be held on the fourth Tuesday of each month and are called by the Executive Committee.

Section 4.09: Annulment

- (a) After three academic years of operation of the Faculty Council, the Faculty may annul all the By-Laws pertaining specifically to the Faculty Council, and the Faculty By-Laws must return to its pre-Council version.
- (b) Upon annulment, non-Faculty Council related updates to the Faculty By- Laws shall remain in effect. The annulment shall take effect at the beginning of the following academic year.
- (c) Annulment requires a two-thirds vote of a quorum of the Faculty, and a minimum of a majority of the Faculty, and there must be a ten-day notice of the annulment vote and the By-Laws to be annulled posted on the Faculty Portal. Only one annulment vote may be taken per academic year, but a vote may be taken in successive years.
- (d) An annulment vote does not require Board of Trustees approval.

Article V: Standing Committees & Other Elective or Appointed Positions

Section 5.01

Elections to committees shall be held by ballot at the last regular Faculty meeting of the academic year, except that the Committee on Nominations shall be constituted at the first regular Faculty meeting in the second semester.

Section 5.02

Unless otherwise specified, the beginning date of committees is the start of the next academic year after election of committees.

Section 5.03

Except as otherwise specified and to fill an incomplete term, Faculty members of committees, whether elective or appointive, serve for three year terms, and will be eligible for reelection or reappointment. New committees and initial terms of committees will be staggered in one, two, and three year terms.

Section 5.04

Vacancies shall be filled by election or by appointment and shall be filled for the remainder of the term of the vacating faculty member.

Section 5.05

The first officially listed member of each Committee will convene the Committee and the Committee shall choose its own chairperson unless otherwise designated.

Section 5.06

Where the Chairperson is not designated or chosen by the Committee, they shall be appointed by the President from members of the Committee.

Section 5.07

Students shall be invited to serve on committees as specified hereafter, or upon the invitation of any committee. Student members shall be permitted to vote on committees.

Section 5.08

Nominations. The Committee on Nominations shall make nominations for all elective posts at the last regular meeting of the academic year. Any members of the Faculty qualified to vote may make additional nominations from the floor.

Section 5.09: Standing Committees:

(a) The Committee on Admissions, Academic Standing, and Financial Aid: Composed of five members elected by the Faculty, three from the Undergraduate Faculty and two from the Graduate Faculty, the Director of the Graduate Center or designee, the Director of Undergraduate Admissions or Designee, the Registrar or designee, the Director of Financial Aid or designee, and the Director of the Academic Advising Center or designee.

(b) The Committee on Assessment and Evaluation:

Composed of one Faculty person from each college, one from the professional staff in the Library, one from the graduate faculty, the Vice- President for Academic Affairs, the Director of Assessment, one alumnus on staff, one undergraduate student, and one graduate student.

(c) The Committee on Athletics:

Shall be composed of four members of the faculty (three elected at large and the Faculty Athletics Representative appointed by the President), two athlete academic advisors (one appointed by Academic Affairs and one appointed by Student Affairs and Enrollment Management), three students (one male athlete, one female athlete, and one student nominated by the Student Government Association), the Director of Athletics and the Senior Women Administrator in the Athletics Department.

(d) The Committee on Campus Activities:

Composed of the Head Librarian or designee, the Chaplain, five members elected by the Faculty, and four students.

(e) The Curriculum Committee:

Composed of the Vice President for Academic Affairs, the Registrar, four elected members of the Faculty, one from each of the schools of study, one from the graduate faculty, and two students.

(f) The Committee on Distance Learning:

Composed of four elected faculty members, one from each college and one at large. A minimum of two of the elected faculty members must be trained in online learning and have taught at least one online or hybrid course.

(g) The Committee on Educational Policies:

Composed of the Vice President for Academic Affairs (chairperson), two students, and five members elected by the Faculty, one from each college, one at large, one from the graduate faculty, and the Registrar. This committee shall meet at least once per academic semester with the Academic Affairs Committee of the Board of Trustees.

(h) The Committee on Honors, Awards, and Honorary Degrees:

Composed of six members elected by the Faculty, three appointed by the President, the Director of the Honors Program, and four students. This committee shall meet no later than September 30 to consider Faculty recommendations for honorary degrees. It shall thereafter meet with a similar committee of the Board of Trustees for the purpose of making recommendations to the faculty.

(i) The Judicial Committee:

Composed of three non-administrative members with permanent tenure elected by the Faculty. The President and Contract Administrator for the LUC-AAUP are not eligible to serve on this Committee.

(j) The Juridical Review Committee:

Composed of three members elected from the Faculty and four students.

(k) The Committee on Nominations:

Composed of three members elected by the Faculty, one from each college, and one student.

(l) The Committee on Post-Tenure Review:

Composed of six tenured faculty members (one undergraduate faculty member from each college, one from the library, one from the Graduate Faculty, and one appointed by the Provost). A faculty member serving during a year when they are undergoing post-tenure review must step down from the committee for that year.

(m) The Pre-Tenure Review Committee:

Composed of three tenured members elected by the Faculty (one from each college)

(n) The Committee on Promotions, Tenure, and Severance:

Composed of three members elected by the Faculty, one from each college. Only members of the Faculty on permanent tenure and of Professor rank shall be eligible for election. The Chairperson of the committee shall be the elected Faculty member with seniority on the committee. An alternate member shall be elected each year from the college of the retiring member of the committee to participate in discussions, and voting when a regular member of the committee is unavailable, for any reasons, to participate in the discussion and voting on a given application. The alternate member becomes a full member of the Committee for three years in succession to the retiring member of the Committee.

(o) The Committee on Student Health and Welfare:

Composed of two administrative officers responsible for student affairs, five members elected by the Faculty, one of whom shall serve as chairperson and shall vote in case of a tie, the Director of Student Health Services, and six students chosen from the upper classes by the Committee's Faculty

members. The Committee shall be empowered to form a subcommittee to investigate, study and evaluate student attitudes, behavior, health and general welfare. A University designated physician, psychiatrist, or psychologist shall be consulted as the need arises.

(p) The Study Abroad Committee:

Shall be composed of three elected undergraduate Faculty members (one from each College), one Faculty from the graduate program, one from the Foreign language Faculty, one from the international Relations program, the director of the Horace Mann Bond Honors Program or a designee, two students who have studied abroad, the Dean of Students or designee, and one representative from each of the following offices: Registrar's Office, Financial and Enrollment. The Director of the Office of International Programs and Services and the Study Abroad Academic Advisor will serve as *ex officio* members.

(q) The Library and Information Technology Committee:

Composed of the Head Librarian, eight members elected by the Faculty, two from each college, one from the library, and one from the graduate faculty, the Chair of the Mathematics Department, the Chair of the Computer Science Department, the Director of IT, the Director of Academic Technology Support, the Associate VP for External Relations, Marketing & Communications, and two students.

(r) The Faculty Committee on Writing:

Composed of six members elected by the Faculty, one from the Library, the Director of the English Composition Program, one member of the staff in the writing lab, and one student who has passed the Writing Proficiency Exam.

Section 5.10: Other Elective positions:

- (a)** The Faculty Voting Representative to the Board of Trustees whom the Faculty elects for two years, reports Faculty concerns to the Board of Trustees as necessary and reports back to the Faculty. The Faculty Representative must be a tenured full or Associate Professor.
- (b)** Parliamentarian, whom the Faculty elects annually.
- (c)** Faculty Secretary, whom the Faculty elects annually.

Section 5.11: Special Committees:

- (a) The President shall have the power to appoint special or ad hoc committees except as provided by statute to assist him or her in the performance of their duties. The President may serve as chairperson of any special committee or may appoint a chairperson.
- (b) Special or ad hoc committees may be created upon the request of a majority of those present and eligible to vote in any Faculty meeting.

Section 5.12. The President shall be *ex officio* a member of all committees.

Article VI: Departments of Instruction & Department Chairpersons

Section 6.01

The Chairperson of each department shall be appointed by the President at the time contracts are issued, based on the recommendations of the Vice-President for Academic Affairs, the Dean of their college, as well as all other faculty in their department.

Section 6.02

The Chairperson of each department shall serve a term of four academic years and may be reappointed for a second term. The Chairperson shall not serve more than two consecutive terms.

Section 6.03

Exceptions to 6.02 shall be determined by the President in consultation with the Vice-President for Academic Affairs, and the Dean of the Chairperson's college.

Section 6.04

The performance of each Chairperson shall be reviewed annually by the Dean of their college in consultation with the other Faculty members in the Chairperson's Department. The Dean shall submit a written annual report to the Vice President for Academic Affairs.

Section 6.05

The Chairperson shall be consulted on, and may make recommendations concerning appointments and promotions in their department.

Section 6.06

The Chairperson shall submit annually a Departmental Strategic Plan outlining the departmental goals, objectives, and accomplishments to the President, to the Vice-President for Academic Affairs, and to the Dean of their college.

Section 6.07

The Chairperson shall be subject to the duties and responsibilities of members of the Faculty in 9.02.

Section 6.08

A department Chairperson may submit their resignation prior to the end of their term of service.

Section 6.09

A department Chairperson may be removed by the decision of the President on the recommendation of the Vice President for Academic Affairs in consultation with the Dean of their college and members of his o department.

Article VII: Colleges of Study

Section 7.01

Departments of instruction shall be grouped into the following colleges of study: The College of Arts, Humanities and Social Sciences; the College of Professional, Graduate and Extended Studies; the College of Sciences and Technology

Section 7.02

Departments of instruction shall include all undergraduate and graduate degree programs.

Section 7.03

Each College shall convene at least twice a semester during the academic year for consideration of and appropriate action on matters common to the several departments. The Dean of each College shall call such meetings, preside over them, and assemble and distribute minutes.

Section 7.04

The President, in consultation with the Vice President for Academic Affairs and the Departments of study, shall appoint an Academic Dean as the chief officer for each College.

Section 7.05

The duties and responsibilities of the Deans shall be determined by the Vice President for Academic Affairs in consultation with the departments of instruction and the approval of the President.

Section 7.06

Each Dean shall serve at the discretion of the Vice President for Academic Affairs and shall be evaluated on an annual basis in the last month of the academic year. Evaluations shall be conducted by the Vice President for Academic Affairs in consultation with the departments of instruction in the Dean's school.

Article VIII: Officers of Instruction: Appointment, Promotion and Tenure

Section 8.01

The Committee on Promotions, Tenure, and Severance shall make recommendations to the Vice President for Academic Affairs who will make recommendations to the President on all faculty promotions, admissions to tenure, sabbatical leaves and severances.

Section 8.02

The Committee on Promotion, Tenure, and Severance shall make recommendations for promotion and tenure as specified in the Promotion and Tenure Guidelines.

Section 8.03

Members of the Faculty on tenure-track shall be appointed as Full- time Instructor, Assistant Professor, Associate Professor, or Professor.

Section 8.04: Terms of appointment.

- (a) Instructors shall be on one-year appointments. Such appointments may be renewed from year to year.
- (b) Assistant Professors, Associate Professors, and Professors shall be appointed for a term not exceeding three years on their initial appointment. They may be reappointed.

Section 8.05: Notifications.

- (a) Non-reappointment or severance for full-time temporary faculty (Visiting Lecturers and Senior Lecturers). Notification of non-reappointment or severance for the following academic year shall be made in writing by the President or designee by March 1, in the first year of appointment, by December 15, in the second year of appointment, and in subsequent years a full twelve months prior to the termination of service.

- (b) Resignations. Resignations of members of the Faculty shall be submitted within one month after receipt of contract to the Vice President for Academic Affairs.
- (c) Reappointment. Notifications of reappointments for the following academic year shall be in writing by the President or designee and shall be kept on file.
- (d) Tenure-track Schedule. The final decision date by which a faculty member must make formal application for tenure and the final tenure decision year shall be specified in a new faculty member's initial contract as well as in all subsequent contracts.

Section 8.06: Gaining Tenure.

- (a) Procedures for application and evaluation for tenure-track Faculty shall be specified in the *Promotion, Tenure and Sabbatical Guidelines* as approved by the Faculty and the Board of Trustees.
- (b) No member of the Faculty shall be admitted to tenure unless they have made formal application to the Promotions, Tenure, and Severance Committee as specified in the Promotion and Tenure Guidelines.
- (c) Promotion and tenure guidelines. Each tenure-track faculty member shall be provided a copy of the *Promotion, Tenure and Sabbatical Guidelines* by the Vice President for Academic Affairs at the time of initial appointment.
- (d) Evaluation. All non-tenured members of the Faculty on tenure-track must be evaluated annually by the chairperson of their department, or in the case of chairpersons, by the dean of their College, by July 1, in accordance with 8.06 c., to determine progress toward gaining tenure. Such evaluation must be shared with and signed by the Faculty member with the opportunity to respond.
- (e) Prospect of Tenure. Instructors and Assistant Professors shall be given written notice of their prospect for tenure by the Vice President for Academic Affairs in consultation with the department Chair and Dean of the Faculty member's school of study not later than four years from the time of their initial appointment.

Section 8.07

Members of the Faculty may gain tenure through reappointment or promotion as set forth below if they have made formal application to the Promotions, Tenure, and Severance Committee in accordance with 8.06 (a)

- (a) Members of the Faculty employed as Instructors or Assistant Professors, or some combination thereof, for a period of seven years shall be granted permanent tenure upon appointment to their eighth year.
- (b) Members of the Faculty employed as Instructors or Assistant Professors but with three or more years of service as a full-time Faculty member at any other accredited institution of higher education shall be granted permanent tenure upon appointment to a fifth year at Lincoln University. Years of service shall be determined at the time of initial appointment and stated in the written contract.
- (c) Members of the Faculty employed as Instructors or Assistant Professors shall be granted permanent tenure when promoted to the rank of Associate Professor or Professor.
- (d) Members of the Faculty employed as Associate Professors shall be granted permanent tenure when promoted to the rank of Professor.
- (e) Members of the Faculty employed as Associate Professors or Professors shall be granted permanent tenure when reappointed after three years in either rank.

Section 8.08

Initial Appointment with Tenure. Members of the Faculty may be initially appointed with permanent tenure in the rank of Associate Professor or Professor by the President, but no member of the Faculty shall be initially appointed with tenure without prior review and written recommendation to the President by the Committee on Promotions, Tenure, and Severance.

Section 8.09

All applications for promotion must be submitted to the Promotion, Tenure and Severance Committee as specified below.

- (a) Applications for promotion to Associate Professor or Professor shall be combined with

applications for tenure.

- (b) Applications for promotion to Assistant Professor are subject to the rules and regulations as stipulated in the *Promotion, Tenure & Sabbatical Guideline*.

Article IX: Duties of Faculty

Section 9.01

Duties of the Faculty member shall include the performance of the educational work of the University in a manner appropriate to their profession and according to their role at the University.

Section 9.02

Duties of members of the teaching faculty shall include, among other duties to be determined by contract and role at the University, meeting classes as assigned, advising students, maintaining regularly scheduled office hours, attending Faculty and school meetings, participating on Faculty committees and attending in proper academic attire all formal academic occasions scheduled by the University, unless relieved by special permission of the Vice-President for Academic Affairs.

Section 9.03

Every member of the Faculty shall at all times pay the strictest regard to matters of professional ethics.

Section 9.04

Outside Remunerative Activity. Full-time members of the Faculty shall not engage in remunerative activities outside the University that interfere with the acceptable performance of their duties as members of the Faculty. The Faculty member must file with the Vice President for Academic Affairs, who will make recommendations to the President, a description of the nature and extent of the outside activity. Mutual agreement is expected. If the decision of the President is adverse, the Faculty member may appeal to the Board of Trustees.

Article X: Severance & Other Actions

Section 10.01

Adequate Cause. No tenured member of the Faculty shall be deprived of permanent tenure nor any untenured member of the Faculty be dismissed prior to the expiration of their term of appointment without adequate cause. Adequate cause shall consist of departure from commonly accepted

standards of professional ethics, neglect of duty, incompetence, or illegal conduct prejudicial to the University.

Section 10.02

Procedures Regarding Charges and Complaints against members of the Faculty.

- (a) **Initiation of Charges and Complaints.** The President may initiate charges against a member of the Faculty. In all other instances complaints against a member of the Faculty shall be submitted in writing to the President.
- (b) **Investigation.** Upon receipt of such complaint (in a.), the President shall cause an investigation to be made of said complaint
- (c) **Statement of Charges.** If the President judges that the complaint states a *prima facie* cause of possible termination of tenure or dismissal prior to

termination of appointment, the President shall prepare a written statement of the charges together with a summary of the evidence in support thereof, and serve a copy of the same on the accused Faculty member and inform the Faculty member of their right to a hearing before the Judicial Committee.
- (d) **The Accused's Right to Dispute.** If the accused disputes the charges or desires a hearing thereon, they shall within fifteen days from the receipt of the statement of charges serve a written reply thereto upon the President and request a hearing.
- (e) **Convening the Judicial Committee.** Upon receipt of the reply and request, the President shall within fifteen days thereafter convene the Judicial Committee to hear and act upon the charges.
- (f) **Judicial Committee Hearing.** The Judicial Committee shall choose its own chairperson and establish its own rules of procedure, and the Committee shall set the date of the hearing. The accused and the President shall both appear before the Committee, and both shall have the right to present evidence, examine and cross-examine witnesses, and shall have the right to retain and be represented by counsel.
- (g) **Record of Hearing.** A complete electronic record of the proceedings shall be kept by the Chair of the Judicial Committee. After resolution of the matter, the record shall be kept with Human Resources.

- (h) **Judicial Committee Decision.** After the hearing the Judicial Committee shall render a decision. Such decision shall be final unless within fifteen days after the receipt of the same, the President or the accused appeals to the Board of Trustees.
- (i) **Appeal to Board of Trustees.** If the President or the accused appeals to the Board of Trustees, the Chair of the Judicial Committee shall forward the appeal together with the electronic record of the proceedings to the Chairperson of the Board of Trustees for the Board's action. The decision of the Board of Trustees shall be final.
- (j) **Disqualification of Judicial Committee Member.** In the event of the disqualification of a member of the Judicial Committee, the Faculty shall elect an alternate. Both the President and the accused may request that a member of the Judicial Committee be disqualified from the hearing for cause. The decision of disqualification shall be made by the other members of the Judicial Committee. A disqualified member shall be replaced as specified above.

Section 10.03

Complaints Against the President. Complaints against the President for adequate cause (section 10.01) or for abuse of power, properly signed and verified, shall be submitted to the Judicial Committee. The Judicial Committee shall review the complaint and the available evidence and, if warranted, file a report to the Board of Trustees.

Article XI: Rights of Members of the Faculty

Section 11.01

Right of Appeal to President. Any Faculty member who believes that their rights have been violated or ignored by any other Faculty member, or administrative officer, and who is unable to obtain satisfactory redress within the Faculty or through their department, shall have the right of appeal directly to the President.

Section 11.02

Right of Appeal to Board of Trustees. If the President's decision does not settle the matter to the Faculty member's satisfaction, they may present to the President an appeal addressed to the Board

of Trustees, and this appeal, accompanied by the President's own statement, shall be transmitted by the President to the Board of Trustees for appropriate action.

Article XII: Academic Freedom

Section 12.01

Each member of the Faculty is entitled to freedom in the classroom to discuss their subject, except where they introduce materials not related to their subject or where the material introduced is contrary to the University Mission or other fundamentally-stated aims of the University.

Section 12.02

Each member of the Faculty is entitled to full freedom in research and in the publication of the results, provided that these activities do not impede the adequate performance of their other academic duties.

Section 12.03

In speaking and writing, each member of the Faculty is entitled to the same freedom and is subject to the same responsibility attached to all other citizens, Faculty members shall be accurate, show appropriate restraint, show respect for the opinions of others, and shall not misrepresent themselves as a spokesperson of the University.

Article XIII: Leaves of Absence

Section 13.01

All sabbatical leaves shall be decided according to the procedures and criteria as set forth in the *Promotion and Tenure Guidelines*.

Section 13.02

Members of the Faculty on permanent tenure, who shall have taught at Lincoln University on full time appointment for six years, shall be eligible for a sabbatical year with half salary or a sabbatical half-year with full salary.

Section 13.03

A Faculty member who is eligible for leave may waive their right to apply without losing their priority for such leave at a later date.

Section 13.04

Members of the Faculty on sabbatical leave may accept part- time employment. The Faculty member must file a description of the nature and extent of the employment with the Vice President for Academic Affairs, who will make recommendations to the President. Mutual agreement is expected. If the decision of the President is adverse, the Faculty member may appeal to the Board of Trustees.

Section 13.05

All non-sabbatical leaves of absence shall be decided by the President based on the recommendation of the Vice President for Academic Affairs after consultation with the Dean of the Faculty member's college and with the Chairperson of their department.

Section 13.06

Except in cases of emergency or other unforeseen circumstances, the request for a leave of absence must be submitted on or before February 1st if the leave is to begin in the fall term of the following academic year or on or before October 1st if it is to begin in the spring term of the following academic year.

Section 13.07

Members of the Faculty may be granted special leaves of absence without salary for limited periods of study, research and professional improvement, to render technical or professional service, to hold a position in another institution appropriate to the use and extension of the applicant's expertise, to hold public office, or to engage in political or community service, or for personal reasons such as rearing children or caring for an incapacitated near relative.

Section 13.08

Leaves of absence without salary shall not ordinarily extend beyond two consecutive years and shall not be counted toward the accumulation of years qualifying one for a sabbatical leave.

Section 13.09

Leaves of absence without salary for non-tenured faculty shall not count as part of the applicant's probationary contract period.

Section 13.10

Application for special leave shall be submitted in writing, in due time to permit the University to make required curricular adjustments, or to provide for a substitute. The application shall contain a clear statement of the scope and particulars of the proposed research project or professional service.

Section 13.11

Leaves requested for reasons of personal or public emergency shall be negotiated in the light of the exigencies of the case, except as mandated by law. They shall be without salary except in cases of personal illness or disability.

Section 13.12

It is assumed that benefit will accrue to the University from all leaves other than emergency leaves. The interest of the University in the professional improvement and the scholarly prestige of members of the Faculty is acknowledged. It is further assumed, however, that benefit accrues to the University only if the recipient of leave returns for an extended period of service. Whether with or without salary, a recipient of leave who does not return to the University for at least a full year following the expiration of the leave, shall be considered in violation of an ethical obligation.

Article XIV: Amendments to By-Laws

Section 14.01

These By-Laws may be amended, repealed, or otherwise modified at any meeting of the Faculty by the affirmative action, via paper ballot, of two-thirds of the voting faculty present at the meeting, provided that the affirmative vote numbers more than a majority of the eligible voters of the faculty, and provided also that notice of the action to be taken and the text of proposed amendments, portions to be repealed, or other modifications have been distributed by e-mail and/or posted on the university website to the voting members of the Faculty at least ten days before the meeting at which

the proposed changes shall be brought to vote. All modifications of these By-Laws shall be subject to approval by the Board of Trustees.

Article XV: Distribution

Section 15.01

A hard or electronic copy of these By-Laws shall be made available to every member of the Faculty now in service or hereafter appointed, and every such person shall be governed by the provisions set forth.

EXHIBIT C

Academic Freedom and Tenure 1940 Statement of Principles

The purpose of this statement is to promote public understanding and support of academic freedom and tenure and agreement upon procedures to assure them in colleges and universities. Institutions of higher education are conducted for the common good and not to further the interest of either the individual teacher or the institution as a whole. The common good depends upon the free search for truth and its free exposition.

Academic freedom is essential to these purposes and applies to both teaching and research. Freedom in research is fundamental to the advancement of truth. Academic freedom in its teaching aspect is fundamental for the protection of the rights of the teacher in teaching and of the student to freedom of learning. It carries with it duties correlative with rights.

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

ACADEMIC FREEDOM

- (a) The teacher is entitled to full freedom in research and in the publication of the results, subject to the adequate performance of his other academic duties; but research of pecuniary returns should be based upon an understanding with the authorities of the institution.
- (b) The teacher is entitled to freedom in the classroom in discussing his subject, but he should be careful not to introduce into his teaching controversial matter which has no relation to his subject. Limitations of academic freedom because of religious or other aims of the institution should be clearly stated in writing at the time of the appointment.
- (c) The college or university teacher is a citizen, a member of a learned profession, and an officer of an educational institution. When he speaks or writes as a citizen, he should be free from institutional censorship or discipline, but his special position in the community imposes special obligations. As a man of learning and an educational officer, he should remember that the public may judge his profession and his institution by his utterances. Hence he should at all times be accurate, should exercise appropriate restraint, should show

respect for the opinions of other, and should make every effort to indicate that he is not an institutional spokesman.

ACADEMIC TENURE

- (a) After the expiration of a probationary period, teachers or investigators should have permanent or continuous tenure, and their service should be terminated only for adequate cause, except in the case of retirement for age, or under extraordinary circumstances because of financial exigencies.

In the interpretation of this principle it is understood that the following represent acceptable academic practice:

1. The precise terms and conditions of every appointment should be stated in writing and be in the possession of both institution and teacher before the appointment is consummated.
2. Beginning with appointment to the rank of full-time Instructor or a higher rank the probationary period should not exceed seven years, including within this period full-time service in all institutions of higher education; but subject to the provision that when, after a term of probationary service of more than three years in one or more institutions, a teacher is called to another institution it may be agreed in writing that his new appointment is for a probationary period of not more than four years, even though thereby the person's total probationary period in the academic profession is extended beyond the normal maximum of seven years. Notice should be given at least one year prior to the expiration of the probationary period if the teacher is not to be continued in service after the expiration of that period.
3. During the probationary period a teacher should have the academic freedom that all other members of the faculty have.
4. Termination for cause of a continuous appointment, or the dismissal for cause of a teacher previous to the expiration of a term appointment, should, if possible be considered by both a faculty committee and the governing board of the institution in all cases where the facts are in dispute, the accused teacher should be informed before the hearing in writing of the charges against him and should have the opportunity to be heard in his own defense by all bodies that pass judgment upon his case. He should be permitted to have with him an adviser of his own choosing who may act as counsel.

There should be a full stenographic record of the hearing available to the parties concerned. In the hearing of charges of incompetence, the testimony should include that of teachers and other scholars, either from his own or from other institutions. Teachers on continuous appointment who are dismissed for reasons not involving moral turpitude should receive their salaries for at least a year from the date of notification of dismissal whether or not they are continued in their duties at the institution.

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

EXHIBIT D

Promotion, Tenure and Sabbatical Application Guideline

Please see the application guidelines Tab on the Office of Faculty Affairs web page

<https://www.lincoln.edu/departments/office-faculty-affairs>

EXHIBIT E

Promotion, Tenure and Sabbatical Application Timeline

Date	Activity	Action
15-Feb	PTS Committee sends out a request for a Letter of Intent to apply (next academic year) for Promotion/Tenure/Sabbatical to the entire faculty.	
1-Mar	Office of Faculty Affairs sends out a letter to eligible non-tenured faculty notifying them that they are eligible to apply for tenure (year 5 for Assistant Professor, year 3 for Associate and Full Professor).	
15-Mar	Faculty submits Promotion/Tenure/Sabbatical Letter of Intent (LOI) to PTS Committee.	Faculty should begin the process of securing Letters of Recommendation for the fall. All letters should be addressed to the Office
15-Aug	PTS Committee chairperson sends out a due date reminder (Sept 15) to applicants with LOI on file with the PTS committee for the current academic year.	
15-Sep	Portfolio submission date to Academic Affairs including all letters of recommendation.	
20-Sep	Chairperson convenes Department Tenure Committee to evaluate the Portfolio.	
20-Oct	Portfolio and all letters of recommendation (internal, external, and Department Tenure Committee) are due in the Office of Faculty Affairs.	
15-Dec	PTS Committee submits its recommendation(s) for Promotion/Tenure/Sabbatical to the Provost.	
31-Jan	Provost notifies in writing, the faculty not being recommended for Promotion/Tenure/Sabbatical.	Provost forwards names of faculty recommended for Promotion/Tenure/Sabbatical to President

Date	Activity	Action
1-Feb to 14-Feb	Faculty may schedule an appointment with Provost to discuss denial and appeal options.	If applicant does NOT schedule an appointment request with the Provost, their appeal process ends.
20-Feb	Faculty appeal process begins.	
15-Feb to 28-Feb	Faculty that are not satisfied with the explanation of the Provost must submit a letter of appeal to the Judicial Committee.	Faculty member must clearly state which of the appeal grounds (as stated in Article X (b.1)) were used as the basis for the negative decision and include a concise statement of facts that supports their contention.
	Conditions: Decision not to Promotion/Tenure/Sabbatical must be based solely on Article X (b. 1)	
15-Mar	Judicial Committee decides if it will hear the appeal of the Faculty. If an appeal hearing is granted, the appeal must be completed no later than April 15.	If the Judicial Committee decides that the appeal (based upon the merits above) has no merit, the appeal process ends. If the committee believes that the appeal has merits, the process continues.
15-Apr	Judicial Committee decision is sent to the President	
15-May	President responds to Judicial Committee decision	
31-May	If faculty is not satisfied with the President's decision, the faculty member may appeal to the BOT.	

EXHIBIT F

Non-Reappointment Schedule Overview First Year Faculty Member Contract Non-Renewal

Step	Date	Individual Involved	Action
1.	Not later than January 15 th	Department Chairperson	After consultation with other departmental Faculty Members, recommendation must be forwarded to the President and affected faculty member regarding non-renewal.
2.	Not later than February 1 st	Faculty Member	Responds in writing in regard to non-renewal to President and gives written permission to PTS Committee to examine Official Personnel File.
3.	Not later than March 1 st	President	Consider Chairperson's and PTS Committee's recommendation, the Faculty Member's Official Academe File (OAF), and any other related documents and makes decision.
4.	Not later than March 15 th	Faculty Member	Under certain conditions, the Faculty Member may request a Judicial Committee hearing on the President's decision.
5.	Not later than April 1 st	Judicial Committee	Conducts hearing and submits advisory opinion to the President.
6.	Not later than April 15 th	President	Considers the Chair's and PTS Committee's recommendation, the Judicial Committee's advisory opinion and the Faculty Member's OAF and related documents and renders a decision.
7.	Not later than May 1 st	Faculty Member	Appeals President's decision to the Board of Trustees.
8.	Not later than July 1 st	Board of Trustees	Responds to Faculty Member.

EXHIBIT F

Non-Reappointment Schedule Overview (Continued) Second Year Faculty Member Contract Non-Renewal

Step	Date	Individual Involved	Action
1.	Not later than October 1 st	Department Chairperson	After consultation with other departmental Faculty Members, recommendation must be forwarded to the President and affected faculty member regarding non-renewal.
2.	Not later than October 15 th	Faculty Member	Responds in writing to Chairperson and gives written permission to PTS Committee to examine Official Personnel File.
3.	Not later than December 15 th	President	Considers Chairperson's and PTS Committee's recommendations and the Faculty Member's OAF and any related documents and renders a decision.
4.	Not later than January 15 th	Faculty Member	Under certain conditions, the Faculty Member may request a Judicial Committee hearing on the President's decision.
5.	Not later than February 15 th	Judicial Committee	Conducts hearing and submits advisory opinion to the President.
6.	Not later than April 15 th	President	Considers the Chair's and PTS Committee's recommendation, the Judicial Committee's advisory opinion and the Faculty Member's OAF and related documents and renders a decision.
7.	Not later than May 1 st	Faculty Member	Appeals President's decision to the Board of Trustees.
8.	Not later than July 1 st	Board of Trustees	Responds to Faculty Member.

EXHIBIT F

Non-Reappointment Schedule Overview (Continued) Third or Subsequent Years Faculty Member Contract Non-Renewal

Step	Date	Individual Involved	Action
1.	Not later than October 1 st	Department Chairperson	After consultation with other departmental Faculty Members, recommendation must be forwarded to the President and affected faculty member regarding non-renewal.
2.	Not later than October 15 th	Faculty Member	Responds in writing in regard to Chairperson and gives written permission to PTS Committee to examine Official Academe File.
3.	Not later than November 1 st	Department Chairperson	Forwards recommendation of non-renewal, Faculty Member's OAF, written comments and related documents to the President.
4.	Not later than December 1 st	President	Instructs PTS Committee to conduct review considering Chairperson's recommendation, Faculty Member's written response, if any, and OAF (written permission must be given by Faculty Member to view OAF) and related documents. The PTS Committee shall forward recommendation and documents to the President.
5.	Not later than January 15 th	Faculty Member	Forwards to the President, written response to the Committee's recommendation.
6.	Not later than February 15 th	President	Considers the Chairperson's recommendation, the PTS Committee's recommendation, the Faculty Member's official response, OAF and related documents and renders decision.
7.	Not later than May 1 st	Faculty Member	Appeals President's decision to the Board of Trustees.
AND/OR			

EXHIBIT F

Non-Reappointment Schedule Overview (Continued) Third or Subsequent Years Faculty Member Contract Non-Renewal (Continued)

Step	Date	Individual Involved	Action
8.	Not later than March 15 th	Faculty Member	Under certain conditions, the Faculty Member may request a Judicial Committee hearing on the President's decision.
9.	Not later than May 1 st	Judicial Committee	Conducts hearing and issues an advisory opinion to the President.
10.	Not later than July 1 st	President	Considers the Chairperson and PTS Committee's recommendation, Judicial Committee's advisory opinion and Faculty Member's Official Academic File (OAF) and related documents, and renders a decision to renew, or shall issue a one-year notice of termination.
11.	Not later than July 15 th	Faculty Member	Appeals the President's decision to the Board of Trustees.
12.	Not later than October 1 st	Board of Trustees	Responds to the Faculty Member.

Exhibit Ga

Request Form for Release Time for Special Undertaking

Name of Faculty Member: _____

Department: _____

College: _____

Date: _____

I have been asked to perform a Special Undertaking, described below.

Write description of Special Undertaking and expected number of hours to complete it.

I am willing to perform this extra duty for an additional _____ hours at an overload rate of 30-35 hours per one credit overload, not to exceed hours. (maximum allowance of 3 credits hours [90-105 hours] per semester)

Faculty Member

Department Chair

Dean of College

Date

Date

Date

Other Administrator

Other Administrator

Other Administrator

Date

Date

Date

Exhibit Gb

Request Form for Compensation for Special Undertaking

Name of Faculty Member: _____

Department: _____

College: _____

Date: _____

I have been asked to perform a Special Undertaking, described below.

Write description of Special Undertaking and expected number of hours to complete it.

I am willing to perform this extra duty for an additional _____ hours at a stipend rate of \$1500 for 30-35 hours of work, \$3,000 for 70-90 hours of work or \$4500 for 90-105 hours of work, not to exceed 105 hours.

Faculty Member

Department Chair

Dean of College

Date

Date

Date

Other Administrator

Other Administrator

Other Administrator

Date

Date

Date

Exhibit H

Grievance Procedure – Overview

Time Period	Individual	Action
Within Ten (10) University calendar days after the occurrence or within ten (10) University days of the date on which the grievant has learned or should have learned of such an occurrence, whichever is later.	Grievant	Inform the President or designee of the grievance in writing.
Within 30 days after the grievant has informed the President or designee of the grievance.	President or designee	Resolution of grievance.
If unresolved to satisfaction of grievant, Faculty Member may proceed to formal three-step grievance process.		

EXHIBIT H (Continued) Three-Step Grievance Process

Step	Time Period	Individual	Action
1.	Within ten (10) calendar days of the date on which the Vice President for Academic Affairs receives the written grievance.	Vice President for Academic Affairs or his designee.	Investigates the matter and submits a written report to the grievant and LUC-AAUP.
2.	Within 5 calendar days after receipt of the written decision from the Vice President for Academic Affairs or his designee.	Grievant or LUC-AAUP	Submits a written report to the President.
	Within ten (10) calendar days from the receipt of written appeal	President	Submits a written response to grievant, LUC-AAUP and Vice President for Academic Affairs
3.	Within 30 calendar days of receipt of the written response in Step 2.	LUC-AAUP	Notifies the President of its intent to submit the grievance to binding arbitration.
	Within 15 calendar days of receipt of the notice.	LUC-AAUP and President	Mutually agree upon the arbitrator.
	After 15 calendar days, if an agreement with the arbitrator cannot be made between LUC-AAUP and the President.	American Arbitration Association	Appoints an arbitrator and proceeds with binding arbitration.

Exhibit I

Undergraduate Request Form to Teach Excess

Name of Faculty Member: _____

Department: _____

College: _____

Date: _____

I have been asked to teach in excess of *twenty (20)* credit hours this semester by my department chair and/or dean.

I am willing to teach an additional 4 credits this semester (maximum allowance of 4) per *academic year*.

- *Teaching an overload in the fall semester does NOT guarantee overload pay; overload pay is calculated for an academic year and only counts for more than 20 credits per academic year*

I am selecting the following classification for this excess teaching assignment:

____ Overload

____ Tutorial

____ xxx495

____ Unbalanced Semester Load, fall semester only

Faculty Member

Department Chair

Dean of Faculty

Date

Date

Date

Exhibit J

Graduate Request Form to Teach Excess

Name of Faculty Member: _____

Department: _____

College: _____

Date: _____

I have been asked to teach in excess of nine (9) hours this semester by my department chair and/or dean.

I am willing to teach an additional _____ credits this semester (maximum allowance of 4) per semester)

- *Teaching an overload in the fall semester does NOT guarantee overload pay; overload pay is calculated for an academic year and only counts for more than 18 credits per academic year, not more than 9 credits in the fall*

I am selecting the following classification for this excess teaching assignment:

____ Overload ____ Tutorial ____ Unbalanced Semester Load, fall semester only

Faculty Member

Department Chair

Dean of Faculty

Date

Date

Date